



North Carolina Law Life

Pick a Little, Talk a Lot, Get Fired

By: Donna Ray Chmura. *This was posted Friday, July 9th, 2010*

As far as I can tell, it is human nature to gripe.

But there can be consequences to public griping, and not just griping via social media. The latest social media tempest is CNN Mideast Editor Octavia Nasr, who tweeted that Grand Ayatollah Mohammed Hussein Fadlallah was “one of Hezbollah’s giants I respect a lot.” She was [fired](#) for compromising her objectivity.

A waitress in Charlotte was [fired](#) after venting on Facebook about customers who lingered for hours and then gave a paltry trip. She named the restaurant in her post.

But General Stanley A. McChrystal was also fired. He gave an interview to Rolling Stone, a print magazine founded in 1967, in which he [criticized](#) his commander-in-chief and the administration’s Afghanistan policy.

I have [written](#) previously about ill-considered tweets and status updates. It is easy to get in trouble [online](#). But as the General McChrystal affair shows, any public comment about your employer can get you in hot water.

The lesson from all of this is that the only [freedom of speech](#) granted in the US Constitution is the freedom from the government censoring your political speech. Commercial speech has less protection than political speech, and employers in North Carolina and other [at-will employment](#) states have broad rights to fire you for giving your opinion.

They also have the right to sue you for defamation if your comments aren’t true.

This issue gets people hot under the collar. As [employment attorneys](#), we would advise our clients to have current social media policies and follow them to the letter in every case.

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