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NLRB Settles In Re American Medical Response Facebook Termination Case

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On [December 7, 2010](#), we blogged about In re American Medical Response of Connecticut, Inc., a case in which the National Labor Relations Board (“NLRB”) filed a complaint against ambulance company American Medical Response (“AMR”) alleging that AMR’s termination of an employee who posted negative remarks about her boss on her Facebook page violated the National Labor Relations Act. In its Complaint, the NLRB also alleged that AMR’s blogging and Internet policy was overly broad and thus unlawful.

The NLRB recently issued a press release announcing its settlement with AMR and stated:

Under the terms of the settlement...the company agreed to revise its overly broad rules to ensure that they do not improperly restrict employees from discussing their wages, hours and working conditions with co-workers and others while not at work, and that they would not discipline or discharge employees for engaging in such discussions...

Employers should take note of this settlement as it provides some guidance regarding social media policies and how they must be drafted to withstand the NLRB’s scrutiny. After In re American Medical Response, it is at least clear that employers may not muzzle employees, either in

the office or on social media, as “free speech” is alive and well in the workplace.

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