

**WALLA WALLA COMMUNITY COLLEGE
PERSONAL SOCIAL NETWORKING ACCOUNTS
ADMINISTRATIVE POLICY 5660**

I. POLICY BACKGROUND/PURPOSE

RCW 49.44.200) limits an employer's ability to require employees or job applicants to share non-public information from their personal social networking accounts. This policy details these limitations and the exceptions to the law.

II. AUTHORITY

RCW 49.44.200, RCW 49.44.205

III. SCOPE OF POLICY

This policy applies to all employees.

IV. POLICY

A. Unless an employee is the subject of an investigation (as noted below), an employer cannot:

1. Request, require, or otherwise coerce an employee or applicant to:
 - a. disclose login information for personal social networking accounts or
 - b. access their account in the employer's presence in a manner that enables the employer to observe the contents of the account;
2. Compel or coerce an employee or applicant to add a person to the list of contacts associated with the account;
3. Request or require an employee or applicant to alter the settings on the account that affect a third party's ability to view the contents of the account; or
4. Take adverse action against an employee or applicant for refusal to provide login information, access the account in the employer's presence, add a person to contact lists, or alter the account settings.

B. If an employee is the subject of an employment investigation, an employer is authorized by law (but limited by the terms and conditions of negotiated collective bargaining agreements, if applicable) to require an employee to share content from personal social networking accounts if:

1. The purpose of the investigation is either:
 - a. to ensure compliance with laws, regulatory requirements, or prohibitions against work-related employee misconduct, or
 - b. to investigate an allegation of an unauthorized transfer of the employer's proprietary information, confidential information, or financial data;
2. The employer does not request or require the employee to provide login information;
3. The investigation is undertaken in response to receipt of information about the employee's activity on personal social networking accounts;
4. The employer requests or requires the content to make a factual determination in the course of an investigation.

C. An employer may request or require an employee to disclose login information for access to an account or service provided or paid for by the employer. This includes social networks, intranets, or other technology platforms intended for work-related information exchange, collaboration, or communication.

- D. An employer may enforce existing personnel policies that do not conflict with the statutes, rules, case law, or rules of self-regulatory organizations.
- E. An employee or applicant aggrieved by a violation of RCW 49.44.200 may bring a civil action in court.

Policy Contact: <u>VP of Human Resources</u>
Approved by (Department/Body): <u>Dr. Derek Brandes, President</u>
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