

Social Media Posts Through the Employment Law Lens

Understand the scope of employer obligations and employee rights concerning social media posts and learn tips and techniques for discovery of social media in litigation

As the boundaries between workplace and personal life evaporate, employees' use of social media, including Facebook and Twitter, have increasingly impacted the work environment. What are the scope of employer responsibilities to ensure that employees have guidance on what is and what is not appropriate social media use? Do employees have the right to privacy in what they post on private social media accounts? What rights do employees have to be protected from coworker commentary that may be considered offensive or harassing, and do public and private employees have free speech rights related to their social media posts? Learn about the challenges of obtaining discovery of social media accounts in the context of employment litigation cases.

Agenda

- Employer Handbook Policies and Guidance on Employee Use of Social Media
- Use of Social Media to Conduct Background Checks of Potential or Separated Employees; Employee Privacy Rights Related to Social Media Accounts
- Implications Under State and Federal Anti-Discrimination Laws of Harassing or Offensive Social Media Posts
- Scope of Free Speech and Free Expression Rights in Public and Private Workplaces
- Tips for Discovery of a Party or Witness's Social Media During Litigation

Speakers



CATHERINE "CAT" SCOTT is an associate at Morgan, Brown & Joy, LLP in Boston. She focuses primarily on employment litigation for management-side clients. She also provides regular and routine employment counseling to employers, including advice on workplace contracts and agreements, non-compete and other business-related issues, and everyday questions regarding employers' obligations, responsibilities, and rights. She currently serves as the Chair of the Younger Lawyers' Division for the Massachusetts Chapter of the Federal Bar Association and is an active member of the Boston Bar Association and Women's Bar Association. Ms. Scott graduated from Tufts University in 2011 and Northeastern University School of Law in 2014. She held a one-year clerkship at the Massachusetts Appeals Court with the Honorable Judge Cynthia J. Cohen (Ret.) before beginning in private practice in Massachusetts.



MONICA R. SHAH is a partner at Zalkind Duncan & Bernstein LLP in Boston where she focuses her litigation practice on plaintiff's side employment law, criminal defense, and Title IX matters. She advocates for employees in discrimination, sexual harassment, FMLA/disability, and wage and hour cases in state and federal courts. She has obtained significant settlements and jury awards for her clients, including a \$10.9 million jury verdict for a City of Boston employee with race and retaliation claims. She also counsels employees on a variety of workplace matters, including executive contracts, severance agreements, and non-compete agreements and other restrictive covenants. She serves as a board member of Lawyers for Civil Rights and as co-chair of the amicus and diversity committees of the Massachusetts Employment Lawyers Association. She graduated from Columbia Law School where she served as an Articles Editor for the Columbia Law Review, and clerked for the Honorable Allyne R. Ross in the United States District Court for the Eastern District of New York.



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Tuesday, February 8, 2022
12:00 noon–1:00 pm
Program Number: 2220111WBC

REBROADCAST

Wednesday, February 23, 2022
9:00 am–10:00 am
Program Number: 2220111RBC

REBROADCAST

Thursday, March 3, 2022
4:00 pm–5:00 pm
Program Number: 2220111RB1

ON DEMAND WEBCAST

View after Thursday, March 3, 2022
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