

NEWS

Sizemore Provides Employment "Counsel Commentary"

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Charlotte Employment & Labor Member Russ Sizemore is authoring a three-column "Counsel Commentary" series for InsideCounsel. Sizemore's first column, "Your 'Please keep this quiet' demand may itself raise a ruckus," published on September 9.

The first piece addresses confidentiality in the workplace, offering three current areas that present special risk for employers: confidentiality in pending internal investigations, confidentiality on general information about personnel, and confidentiality on compensation for highly paid professionals.

"...the NLRA protects non-supervisory employees acting with or on behalf of other employees for their "mutual aid and protection," particularly when employees are discussing the terms and conditions of their employment. Any employer, even a non-unionized employer, who interferes with a non-supervisory employee's right to engage in such protected activities may face an NLRB charge and investigation. Thus, any employer, even a non-unionized employer, may run afoul of the NLRA when its agreements, policies or practices seek to impose an obligation of confidentiality over topics relating to the terms and conditions of employment."