

NLRB General Counsel Pushes For Broader Access To Employer E-Mail Systems

June 18, 2014 | [National Labor Relations Board, Labor Relations](#)



**Gerald F.
Lutkus**
Of Counsel
(Retired)

NLRB General Counsel Richard Griffin pushed onward this week with his stated agenda of overturning prior NLRB precedent to legitimize employee use of company email systems for union organizing activity as well as other protected concerted activities. On Monday of this week, the General Counsel filed his brief in the *Purple Communications* case now pending before the Board. In that brief, Griffin called for the Board to overturn its previous decision in *Register-Guard* and hold that employees should be allowed to use company email systems during nonwork periods to exercise their rights to organize under Section 7 of the National Labor Relations Act. The GC's brief stated that "The board should hold that employees who use their employer's electronic communications systems to perform their work have a statutory right to use those systems for Section 7 purposes during nonwork time, absent a showing of special circumstances relating to the employer's need to maintain production and discipline." A copy of the GC's brief is available [here](#).

RELATED PRACTICE AREAS

Labor and Employment
Labor Relations
National Labor Relations Board (NLRB)

RELATED TOPICS

email
National Labor Relations Act
Section 7