

**From:** (b) (6), (b) (7)(C)  
**To:** [Thompson, Scott C.](#); [Henderson, Lisa Y.](#); [Combs, Terry D.](#)  
**Cc:** [Bock, Richard](#); [Szapiro, Miriam](#); [Dodds, Amy L.](#); [Shorter, LaDonna](#)  
**Subject:** Family Services (Cases 10-CA-224962, 230169) -- case-closing email for resubmitted case  
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The Region resubmitted this Section 8(a)(1)-rules case for further guidance in light of the Board's recent decision in *Bemis Co.*, 370 NLRB No. 7 (Aug. 7, 2020). As set forth in the Region's submission, based on earlier direction from Advice, the Region included in the complaint that it issued against the Employer an allegation that the social media rules in its employee handbook and policies and procedures manual are unlawfully overbroad in violation of Section 8(a)(1). The specific language found overbroad under *Boeing Co.* instructed employees that "[p]articipation in social networking and other online activities must not negatively affect . . . the [Employer's] business interests."

Subsequently, in *Bemis Co.*, the Board found lawful a social media rule requiring employees "to exercise judgment in their [online] communications relating to [the employer] so as to effectively safeguard the reputation and interests of [the employer]." *Id.*, slip op. at 2-3. We agree with the Region, based on its analysis, that the social media rule in the current case is substantially similar to the one found lawful in *Bemis*. Thus, we agree with the Region's recommendation to now dismiss this allegation.

This email closes the case in Advice. Please contact us with any questions.

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