

TikTok Layoff Videos Pose Quandary for Bosses on How to Respond

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Aaron Holt was quoted in a Bloomberg Law article discussing the legal implications of the growing TikTok trend, in which employees record and post videos of their interactions with employers, most notably when being laid off. While these videos can attract attention and support, they pose legal and reputational risks for employees and companies involved. One concern is the potential violation of privacy laws, as recording conversations without consent may infringe on individuals' privacy rights, especially in states with two-party consent laws. Additionally, employees risk breaching employment contracts that prohibit disparaging remarks about the company.

Despite these risks, employees may find protection under federal labor laws if the videos are considered protected concerted activity under the National Labor Relations Act. Pursuing legal action against former employees for posting such videos could backfire on companies, leading to charges of unlawful retaliation or unfair labor practices. Although employees may be afforded protection under these laws, Aaron advised that employees carefully consider the consequences on their future employment prospects when posting such videos. He shared that this consideration is particularly relevant in “a social media-centric world where we live more and more online, and there is a longer record of what we have done throughout the course of our lives readily available via simple internet search.”

To read more, [click here](#).

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