

## §617. Exceptions

**1. Publicly available information.** This subchapter does not apply to information about an applicant or employee that is publicly available.

[PL 2015, c. 343, Pt. B, §1 (NEW).]

**2. Duty to screen or supervise.** This subchapter does not prohibit or restrict an employer from complying with a duty to screen employees or applicants before hiring or to monitor or retain employee communications that is established by a self-regulatory organization as defined by the federal Securities Exchange Act of 1934, 15 United States Code, Section 78c(a)(26) or under state or federal law, regulation or rule to the extent necessary to supervise communications of regulated financial institutions or insurance or securities licensees for banking-related, insurance-related or securities-related business purposes.

[PL 2015, c. 343, Pt. B, §1 (NEW).]

**3. Investigation.** This subchapter does not prohibit or restrict an employer from requiring an employee to disclose personal social media account information that the employer reasonably believes to be relevant to an investigation of allegations of employee misconduct or a workplace-related violation of applicable laws, rules or regulations if requiring the disclosure is not otherwise prohibited by law, as long as the information disclosed is accessed and used solely to the extent necessary for purposes of that investigation or a related proceeding.

[PL 2015, c. 343, Pt. B, §1 (NEW).]

### SECTION HISTORY

PL 2015, c. 343, Pt. B, §1 (NEW).

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