

Michigan's Internet Privacy Protection Act

December 21, 2012

On December 13, 2012, the Michigan Legislature passed House Bill 5523, known as the Internet Privacy Protection Act (IPPA), which if signed by Governor Rick Snyder, will become effective immediately. Similar to recently enacted laws in other states, Michigan's IPPA prohibits employers from requesting that an employee or applicant grant access to, allow observation of, or disclose information that allows access to or observation of "personal internet accounts," such as Gmail, Facebook and Twitter. It also prohibits educational institutions from making the same requests to a student or a prospective student.

Under the IPPA, an employer may not discharge, discipline, fail to hire, or otherwise penalize an employee or applicant declining such requests. Likewise, the IPPA prohibits an educational institution from expelling, disciplining, failing to admit, or otherwise penalizing a student or prospective student that fails to grant access to personal internet accounts.

Importantly, the IPPA contains several noted exceptions for employers and educational institutions.

Miller Canfield's Employment + Labor lawyers are available to assist you with both the legal and practical factors that will need to be considered.