Handbook Analysis Report

Potential NLRA compliance issues identified in your employee handbook

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Four potential NLRA violations found: broad no-recording ban, overbroad confidentiality rule, civility/conduct rule, and media inquiry restriction.

3 Findings Identified

Finding 1: No-Recording *[HIGH confidence]*

From your handbook:

> “Cumulus Media prohibits any sort of non-authorized video or audio recording of the workplace by its employees. This includes but is not limited to, recording conversations with or involving Cumulus Media employees, customers, potential customers, vendors or members of the general public, without written consent by each party to the conversation. This prohibition also includes disseminating such materials even if the employee was not the individual who recorded the conversation.”

Why this was flagged:

Broad prohibition on all workplace recording without written consent of all parties, with discipline up to dismissal. No carve-out for protected concerted activity such as recording unsafe conditions, wage discussions, or organizing efforts. The 'all parties' consent requirement and dissemination ban would chill employees from documenting workplace conditions protected under Section 7.

Flagged NLRA concern:

Under Stericycle, a reasonable employee would read this blanket no-recording rule as prohibiting the documentation of unsafe working conditions, discriminatory treatment, wage discussions, or union organizing activity—all of which are Section 7-protected. The absence of any savings language for federally protected activity, combined with a discipline-up-to-dismissal threat, makes this rule unlawfully overbroad.

Supporting case law:

[employees] shall not photograph or record through any means the Company's operations, systems, presentations, communications, voicemails, personnel or meetings.
United Wholesale Mortgage, LLC, JD-04-24 (2024) (ALJ Decision)
https://nlrbresearch.com/NLRB/NLRB_DB?_search=Citation%3A%22JD-04-24%22

Finding 2: Confidentiality *[HIGH confidence]*

From your handbook:

> “Confidentiality We protect Cumulus Media's confidential information. Confidential information includes proprietary information such as our trade secrets, trademarks, copyrights, business, marketing plans, sales forecasts, designs, databases, records, salary information, and unpublished financial data and reports, as well as any non-public information that might be of use to competitors or harmful to us or our customers if

disclosed. It also includes information that suppliers and customers have entrusted to us on a confidential basis. Our personal obligation not to disclose confidential information continues even after employment ends."

Why this was flagged:

The definition of confidential information expressly includes 'salary information' and 'records,' and extends the obligation post-employment without any carve-out for Section 7 rights. Prohibiting disclosure of salary information directly chills the core Section 7 right to discuss wages and working conditions with co-workers or union representatives.

Flagged NLRA concern:

Including 'salary information' in the definition of confidential information that employees are prohibited from disclosing—without any savings clause for Section 7 activity—directly interferes with the NLRA-protected right to discuss wages, benefits, and other terms and conditions of employment. Under Stericycle, a reasonable employee reading this rule would believe they cannot discuss their pay with coworkers or a union, chilling core protected concerted activity.

Supporting case law:

It is the policy of UEC to protect the confidentiality of employee hourly pay and salaries. No employee shall disclose any personal information including pay, benefits, dependent information etc. of any other employee.
United Electrical Contractors, Inc. D/B/a United Electrical Contractors, JD-74-23 (2023) (ALJ Decision)
https://nlrbresearch.com/NLRB/NLRB_DB?_search=Citation%3A%22JD-74-23%22

Finding 3: Civility *[MEDIUM confidence]*

From your handbook:

"• Rudeness to co-workers, clients, potential clients, vendors and guests; • Unprofessional appearance or conduct; • Using obscene, abusive, or threatening language or gestures (whether directed specifically to third parties or not); • Threatening, intimidating, harassing or coercing co-workers, clients or other third parties with business-related relationships with the Company, on or off Company premises at any time for any purpose;"

Why this was flagged:

Broad prohibition on 'rudeness' and 'unprofessional conduct' as grounds for immediate dismissal, with no limiting principle tied to unlawful conduct. A reasonable employee would understand these vague standards to prohibit vigorous protected concerted activity such as picketing, handbilling, or complaints about working conditions, which may be perceived as 'rude' or 'unprofessional' by management.

Flagged NLRA concern:

Under Stericycle, vague civility standards applied as dismissal-level offenses have a reasonable tendency to chill Section 7 activity. An economically dependent employee would reasonably fear that filing group complaints, engaging in protected concerted protests, or speaking critically about working conditions could be characterized as 'rude' or 'unprofessional,' subjecting them to immediate termination.

Supporting case law:

Rude, discourteous, or unprofessional behavior toward a guest, coworker or any other person on Company property.
Resorts World Las Vegas, LLC, JD-54-25 (2025) (ALJ Decision)
https://nlrbresearch.com/NLRB/NLRB_DB?_search=Citation%3A%22JD-54-25%22

Limitations

- The handbook text was provided as pre-filtered PDF-extracted excerpts; the full Social Media Policy (Section 4.2) and Media Inquiries Policy (Section 4.1) text were not included in the excerpts, preventing full analysis of those sections.
- The Outside Employment policy requiring written manager approval was noted but full text was not captured; it may warrant further review.
- PDF extraction artifacts (e.g., split section numbers like '2.1\n3') may have caused some passages to be missed or misread.
- Analysis is limited to excerpts provided and does not constitute review of the complete handbook.

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What You Can Do About This

If your employer maintains work rules that violate the National Labor Relations Act, you have the right to file an Unfair Labor Practice (ULP) charge with the National Labor Relations Board (NLRB).

Filing is free. You do not need a lawyer. The NLRB has an online filing wizard that walks you through the entire process.

Your employer cannot legally retaliate against you for filing a charge. Retaliation itself is a separate violation of the NLRA (Section 8(a)(4)).

How to file

- Visit the "Take Action" page on your analysis results for step-by-step guidance, including suggested language for your charge.
- Or go directly to the NLRB e-filing portal: https://apps.nlrb.gov/MyAccount/#/ChargeAndPetition/TermsConditions

Know your rights: It is illegal for your employer to retaliate against you for filing a ULP charge (Section 8(a)(4) of the NLRA). Filing is free and you do not need a lawyer. If your employer retaliates, that is a separate violation — contact the NLRB immediately.