Respondent, Regional High School of New Brunswick (RHSNB) a non-profit corporation, operates a public charter school in New Brunswick, New York. It annually derives gross revenues available for operating expenses in excess of $ 1,000,000. Respondent purchases and receives at its New Brunswick facility goods valued in excess of $ 50,000 directly from points outside of New York. Louisiana. The rules maintained by Respondent in its Employee Handbook are as follows:

COMPUTERS, INTERNET, ELECTRONIC MAIL, AND VOICE MAIL USAGE POLICY

The school provides and maintains the following forms of electronic communication, messaging agents and electronic facilities: internal and external electronic mail (e-mail) , telephone voice mail, internet access, computer hardware and software. As a condition of providing the previously identified communications access to its employees, RHSNB places certain restrictions on workplace use of the same.

The internal communication systems, as well as the equipment and data stored, are and remain at all times the property of RHSNB. Accordingly, all messages and files created, sent, received or stored within remain the property of RHSNB. System-wide distributions of e-mail (e.g. announcements, bulletins, newsletters) require approval from the Head of School, or his/her designee, in advance of the distribution. School-wide distributions of e-mail (e.g. announcements, bulletins, newsletters) require approval from the Director or Principal, in advance of the distribution. Organization-wide distribution of email (announcements, bulletins, newsletters, etc.) requires prior approval from the Head of School.

All e-mail communication generated in the course of an employee's work duties must be produced from an employee's assigned RHSNB e-mail account (employee@RHSNBla.org). An employee's personal e-mail account may not be used to conduct school business.

RHSNB can retrieve and review any message or file composed sent or received. It should be noted that although a message or file is deleted or erased, it is still possible to retrieve the message. Therefore, ultimate privacy of messages cannot be assured to anyone.

The content of e-mail and/or voice mail messages may not contain anything that would reasonably be considered offensive or disruptive to any employee. Offensive content would include, but is not limited to, sexual comments or images, racial slurs, gender specific comments or any comments that would offend someone on the basis of their age, sex, sexual orientation, religion, political beliefs, national origin or disability or use of profanity.

Employees are advised that use of the internet and e-mail provided by RHSNB expressly prohibits the following:

. Violation of copyright laws.
. Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets or other confidential information of RHSNB in violation of company policy or proprietary agreements.
. Offensive or harassing statements or language including disparagement of others based on their race, national origin, gender, sexual orientation, age, disability, religion or political beliefs.

All technology use should pertain only to the business of RHSNB. Violation of this policy may be grounds for disciplinary action, up to and including termination of employment. In cases involving less serious violations, disciplinary action may consist of a warning or reprimand. Remedial action may also include counseling, changes in work assignments, or other measures designed to prevent future misconduct.

The United Teachers of New Brunswick union filed the charges in this matter alleging that the school is violating Section 8(a)(1) (Links to an external site.) of the National Labor Relations Act by maintaining this rule in its Employee Handbook since about August 1, 2016.

Is the United Teachers of New Brunswick union correct, and why or why not?

Your response for this assignment should be between 500 and 750 words. Your assignment should include an introductory paragraph and a concluding paragraph. It should be double-spaced in Times New Roman, 12 point font, with one inch margins.