

# Publications

## How to Remove False, Defamatory Glassdoor Reviews

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Founded in 2007, Glassdoor.com is an online “career community” with a database consisting of several million company reviews, CEO ratings, salary reports, job interview reports and more. But as both the Associated Press and the Wall Street Journal phrased things – in articles published nearly three years apart – Glassdoor is a website where employees can “anonymously dish” on their companies and bosses.

There are obvious benefits to Glassdoor, which has a mission “To help people everywhere find jobs and companies they love.” Indeed, most reviews and information submitted by employees – who certify their employee relationships and validate their email addresses – are legitimate. However, this is not to say that all Glassdoor users respect the website’s rules and, in turn, the companies and/or people they review.

In the website’s [Community Guidelines](#), Glassdoor states the importance of giving everyone a right to express their opinion “without fear of retribution.” But, as is often the case on the internet – in particular when anonymity is involved – such a policy leads a percentage of people to believe they can legally say anything (e.g. disparage companies or defame individual CEOs through false content).

Glassdoor editors do review every employee submission before each is posted on Glassdoor.com, so the website can filter out bad content before publication. However, false reviews can nevertheless make it through and up on the internet, as some of our clients have experienced.

### *Flagging questionable content*

Glassdoor prohibits false, misleading, defamatory and other “abusive” conduct. If the subject of a harmful review believes the content conflicts with Glassdoor’s [Terms of Use](#) or [Community Guidelines](#), they can flag the post by clicking the “*Inappropriate?*” link, and it will then be reviewed by moderators, who will respond via email.

However, Glassdoor notes "content decisions are within our sole discretion and we do not negotiate about our application of a guideline to our final decision as to whether or not a piece of content warrants removal." In other words, if Glassdoor is asked to review potentially inappropriate or harmful content and its team makes the determination that the content should remain on the website, the company or executives harmed are likely out of luck.

Glassdoor does allow employers to respond to reviews personally, or as an official representative, by creating an employer account. This is another option, especially if Glassdoor is unwilling to remove a review.

### *Subpoenaing Glassdoor*

Typically, a harmed party can issue a subpoena to a third party website for personally identifying information related to the poster of a review. Glassdoor.com even provides information for how to properly issue such a subpoena, which involves issuing a valid California subpoena on its registered agent, CT Corporation (818 W. Seventh Street, Los Angeles, CA 90017).

Glassdoor purports to require that the requesting party make a "proper legal showing to demonstrate that the user has waived their First Amendment privilege."

If a subpoenaing party is able to identify an anonymous poster through the subpoena process, that party can potentially contact the poster and convince him or her to edit or remove the content (or potentially amend the complaint and substitute them as the defendant).

### *Court orders*

Since Glassdoor states it is not well-positioned to act as a finder of fact or judge for factual disputes and it is protected from liability for user-generated content under the Communications Decency Act, one option for removing a false Glassdoor.com review is to obtain a court order against a poster.

In its "Legal FAQ" section, Glassdoor notes that it "may defer to the relevant court" to determine whether particular content posted to the website would be prohibited content (such as the aforementioned defamatory content) based on its Terms of Use. Therefore, a court order that states certain content is false and defamatory might be sufficient for Glassdoor to remove content.

Nevertheless, Glassdoor is not required to defer to a court or to follow a court order. In either of these situations, if Glassdoor makes a decision not to pull content from its website, again, the harmed parties may be stuck.

As we have documented in other posts, search engines have showed a willingness to accept most court orders and de-index links to information proven false. However, applying this approach to a harmful Glassdoor review makes less sense.

Even if Google, for example, honored a court order and was willing to de-index a Glassdoor review page URL, this removal would hide all of the positive reviews about a company from the search results. Plus, it would not stop anyone from going directly to Glasdoor.com and searching the company, a scenario more likely than someone seeking out a business on RipoffReport.com.

### *Generating more positive reviews*

Needless to say, dealing with a false review on Glassdoor is more difficult than some other websites. To help combat a low rating or minimize the impact of a false review – not only after the fact but also as a preventive measure – employers listed on Glassdoor may wish to invite (but not incentivize) employees or job candidates to post reviews to gather honest feedback.

If nothing else, **lawfully encouraging more reviews** is likely to lead to more positive reviews and overcome the inherent sampling bias when there are fewer reviews as well as a rating lowered by a false negative review.

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