

Along with unprecedented speed and convenience offered by the personal computer in the workplace come new management issues that require new tools and a new way of thinking. As workers' daily use of the Internet at work reaches 50 percent, management struggles with a need to understand this workplace without invading the privacy of the individual.

Analysts estimate that in the future, **employees will spend 30 to 40 percent of their workday online.** This usage pattern, while often business-related, frequently affects productivity as employees may shop, download music, search for jobs, follow sports teams, or in the worst case, gamble and visit objectionable sites. Large downloads of MP3 files, pictures and streaming video can slow overall system performance to a crawl. And liability for objectionable material in the workplace can leave a company vulnerable to legal action by affected employees.

The Stats:

- 30 to 40 percent of employee Internet activity is not business related (IDC Research)
- 70 percent of all Internet Porn traffic occurs during the 9-to-5 workday (SexTracker)
- Dow Chemical, Xerox, and The Wall Street Journal have all fired employees for inappropriate Internet use (USA Today, July 29, 2000)
- Chevron paid \$2.2 million to four women who asserted that they had been sexually harassed because of jokes sent through the company network (Time, August 14, 2000)

Managing the online employee requires new standards, reengineered procedures and intelligent information on employee activities. One thing often overlooked is how a company can better manage employee Internet usage without damaging its culture, distracting IT, and interfering with corporate objectives.

Legality of Monitoring

A company has the legal right to understand how its employees are utilizing the company's assets. Companies can be held liable if its assets are abused or cause a hostile work environment. The organization, not just the individual, is at risk for lawsuits that can stem from inappropriate Internet usage.

Communicating Computer-Usage Policy

The Computer Belongs to the Business

The computer systems belong to the business and are only to be used for authorized purposes. Employees should be cautioned against inappropriate usage, wasting computer resources or unfairly monopolizing resources to the exclusion of others.

Expectations of Privacy

The policy should explicitly define what privacy rights, if any, employees have in the material they create or receive on the computer. In most instances, the policy contains an express waiver of privacy rights and specifically states that employees should have no expectation of privacy in anything they create, store, send, or receive on the computer system.

Monitoring

If the employer intends to monitor employee computer use, monitoring should be specifically addressed in the policy. Employees should understand that their messages and files may be reviewed at any time, without prior notice. In general, employers refer to monitoring as a "right" but not a duty. Employers want the right to review files and messages on their system when necessary, but not to obligate themselves to read every message. Employers do not want a situation to arise where employees believe their employer has assumed a duty to protect them from any and all inappropriate or offensive e-mail. In such an instance, a sensitive employee might sue the employer for negligence if it fails to detect and stop a message with an off-color joke from reaching the employee.

Sample Policy Clauses

Allowed use of computer system. The computer system is the property of XYZ Corporation and may be used only for legitimate business purposes. Users are permitted access to the computer system to assist them in the performance of their jobs. All users have the responsibility to use computer resources professionally, ethically, and lawfully. Use of the computer system is a privilege that may be revoked at any time. *[This clause limits use of the computer system to legitimate business purposes only and does not allow for any personal use.]*

Allowed use of computer system (alternative language). The computer system is the property of XYZ Corporation and may only be used for approved purposes. Users are permitted access to the computer system to assist them in the performance of their jobs. Occasional, limited, appropriate personal use of the computer system is permitted if the use does not (1) interfere with the user's work performance; (2) interfere with any other user's work performance; (3) have undue impact on the operation of the computer

system; or (4) violate any other provision of this policy or any other policy, guideline, or standard of XYZ Corporation. At all times, users have the responsibility to use computer resources in a professional, ethical, and lawful manner. Personal use of the computer system is a privilege that may be revoked at any time. *[This clause recognizes that certain personal uses are allowed, but that the uses must not interfere with the operation of the business.]*

Prohibited uses. Without prior written permission from _____, XYZ Corporation's computer system may not be used for dissemination or storage of commercial or personal advertisements, solicitations, promotions, destructive programs (e.g. viruses or self-replicating code), political material, or any other unauthorized use. *[It is sometimes helpful to specifically identify the types of use that are prohibited.]*

Duty not to waste computer resources. Users must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, subscribing to non-business-related list servers and mailing lists, spending excessive amounts of time on the Internet, playing games, engaging in online "chat groups," printing multiple copies of documents, or otherwise creating unnecessary network traffic. Because audio, video, and picture files require significant storage space, these files of this sort may not be downloaded unless they are business-related. *[Computer resources are not unlimited. There is finite bandwidth on the network and limited storage capacity. Employees should be aware of their duty to conserve these valuable resources.]*

Introduction of FastTracker Employee View

Dear [employee],

We have installed the FastTracker product/service, which allows you to review your own web browsing in order to help us increase productivity and reduce the threat of liability. We selected FastTracker because it allows you to manage yourself to stay within corporate policy; we believe that it is important that you are included in this solution.

Corporate policy dictates:

- Business Internet usage is unlimited.
- Non-business usage is limited to ___ minutes per day
- Unacceptable usage (e.g. adult and hate material) is not tolerated

How it works:

You will see a new icon in your system tray that is a green, black and white checkerboard. Double-click on this icon to view your Internet usage graphically or in traditional chart form.

Thank you,
[Sys admin]

If you have additional questions, see the index of all FastTracker documentation at <http://www.fastdatatech.com/documentation/> or email support@fastdatatech.com.
