

Do You Have An Internet Usage Policy?

Click . . . and you have the virtual world at your fingertips. With the incredible growth of Internet usage in the workplace, employers today are faced with a host of new practical and legal issues. The Internet offers obvious benefits for people to gather information, conduct research, network, market their products and monitor the competition. However, Internet usage can potentially drain an employee's time and productivity, and businesses run the risk of an employee using Internet communications inappropriately or irresponsibly.

Employers remain vulnerable to significant liability from employees or third parties if their employees use the Internet to:

- threaten, harass, or defame other people;
- gain unauthorized access to other systems;
- criticize another businesses products and services;
- infringe on intellectual property rights;
- violate copyright laws; or
- engage in other illegal activities.

Unintentionally spreading computer viruses by files downloaded from the Internet can affect bottom-line costs and cause a loss of information. In addition, substantial harm can occur to a business when employees unknowingly send or post confidential material, trade secrets or proprietary information on the Internet without fully realizing the consequences.

An Internet usage policy can reduce these risks by educating employees about how to use the Internet responsibly and productively. This type of policy allows you to not only inform employees what kinds of conduct are acceptable, but also to list examples of what is prohibited.

Developing a policy may cause your employees to feel their privacy is being invaded, so it's a good idea to formally tell them the reason for the policy. If you plan to measure their usage, let them know why (e.g. productivity, quality customer service, or making sure they aren't visiting unacceptable sites on the Internet). You can also reduce employees' expectations of privacy by adding a statement to your policy that reserves the right to monitor Internet traffic and retrieve or read data stored in your computer system.

Since Internet usage policies remain relatively new to the workplace, no case law has been established to set legal precedents. Any policy you create should be reviewed and revised as the law changes, technology evolves and usage grows. Due to the potential risks, legal counsel should review your final policy to ensure compliance with applicable federal, state and local laws. If you would like to develop an Internet policy for your employee handbook, please contact me for a sample policy.