



# Managing Internet Misuse Inside the Company



# Managing Internet Misuse

## Introduction



- It is important to learn how to prevent misuse of your company's technology resources and how to protect your business from legal liability for employee misuse of e-mail, blogs and the Internet.

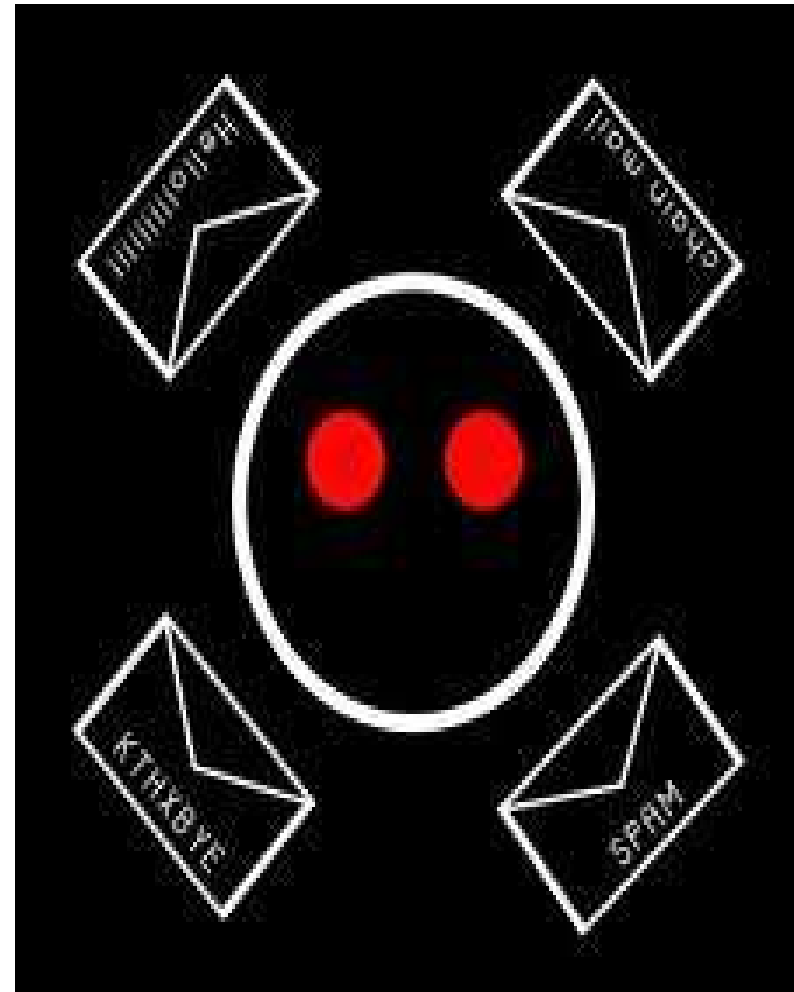


# Managing Internet Misuse

## USA Internet Misuse - Information



- More than 25% of employers have fired workers for misuse of e-mail.
- 1/3 of employers have fired an employee for misuse of the Internet.
- More than 50% of employers have disciplined an employee for violating e-mail policies.



# Managing Internet Misuse

## USA Internet Misuse - Information



- 60 million Americans have e-mail and/or Internet access at work.
- 70% of workers admitted to viewing or sending sexually explicit e-mail at work.
- Most traffic to Internet pornographic sites occurs during regular business hours (faster connection).
- Worker admits to squandering away 2.09 hours per 8-hour workday.
- 60% of employees admit having exchanged e-mail that could be considered racist, sexist or otherwise “politically incorrect.”



# Managing Internet Misuse

## USA Internet Misuse – The Problem is Growing



- Companies estimate that more than 1 in every 5 outgoing e-mails contains content that poses a legal, financial or regulatory risk.



# Managing Internet Misuse

## Why Should Employers Monitor Internet Use?



- There are many reasons of monitoring Internet use inside an organization:
  - To reduce the risk of legal liability.
  - To protect assets.
  - To prevent the loss of productivity.
  - To minimize negative publicity.



# Managing Internet Misuse

## What Companies can do?



- Implement and publish policies to monitor company e-mail and Internet use.
- Implement a monitoring system and consider using technology to block employee access to websites that are offensive or unrelated to work.
- Respond quickly and consistently when inappropriate use is discovered.



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## What Companies can do?



- Employers have a duty to prevent certain kinds of inappropriate use of company resources.
- Factors influencing employer liability often include whether the employer knew or should have known about the problem, the status of the employee, and the employer's response once informed.



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## What Companies can do? – E-mail Utilization



- Written employee policies prevent potential problems.
- Policy should be in writing and be distributed to all employees.
- The employee should be required to sign an acknowledgment of receipt of the policy.
- Rules on usage of the e-mail system and the Internet.



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## What Companies can do? – E-mail Utilization



- Employee must be informed that the Internet is neither a secure or private environment and may be accessed by non-employees.
- Employee must be aware that there is no expectation of privacy in employee Internet and e-mail communications.



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## E-mail Policies - Examples



- Authorized use of the Internet and e-mail by the employee is restricted to business communications and limited personal use.
- Unauthorized or prohibited use includes the following types of communications:
  - Fraud, harassment and/or intimidation, sexually explicit or obscene, political, gambling, commercial, employer and confidential trade secret information, offensive to race, gender, disability, age, religion or other characteristics prohibited under federal, state or local law



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## E-mail Policies - Examples



- Employees prohibited from sending or posting messages that contain objectionable or abusive language, that defame or libel others, or that infringes on privacy rights of others.
- Employees prohibited from viewing, downloading, copying, sending, posting or accessing information that is illegal, sexually explicit or obscene.

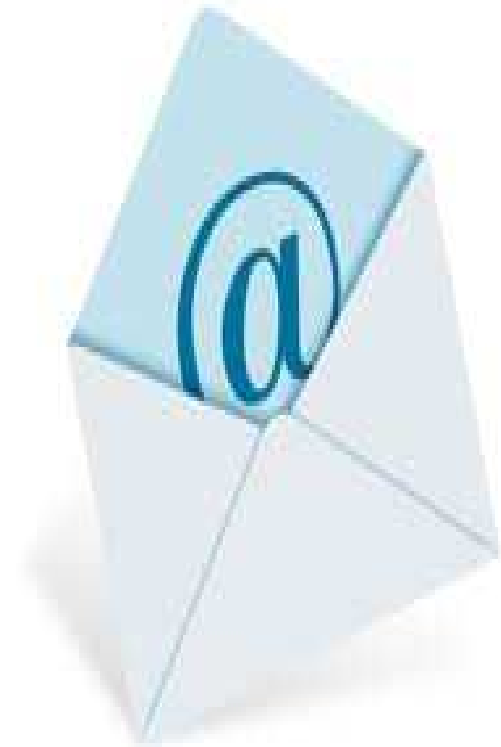


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## E-mail Policies - Examples



- Employees prohibited from engaging in acts that damage, interfere with, or congest the employer's computer or network systems or interfere with the work of other employees or others.
- Employees prohibited from using the Internet or e-mail to solicit others, including for commercial or charitable purposes
- Employees prohibited from using the Internet to e-mail to proselytize for religion, political, etc.



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## E-mail Policies - Examples



- Employees prohibited from posting messages to electronic bulletin boards, list-servers or similar public posting forums on the Internet without the written permission of the employer.
- Employees agree to maintain the confidentiality of attorney-client employer communications.
- Employee is required, and agrees, to comply with all laws, regulations and rules including intellectual property.



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## E-mail Policies - Examples



- Employee agrees to maintain the secrecy of all passwords, identification numbers or other means of entry onto the employer's computer systems and networks, and acknowledges that the employer is the holder of all passwords, identification numbers, and other means of entry, and that the employee will use no other passwords, identification numbers and other means of entry.



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## E-mail Policies - Examples



- Employees agree that they are liable for all transactions using their password and identification numbers.
- Employees are required to maintain and not deactivate provided virus, spyware and avoidance or other software including encryption software.
- Employer, at its discretion, monitors employee Internet and e-mail use.
- Employer, at its discretion, tracks employee Internet and e-mail use.



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## E-mail Policies - Examples



- Employees are informed that backup files exist within the employer's database systems and can be retrieved by a plaintiff choosing to file a lawsuit against either the employer or the employee.
- Policy will be updated annually and employees agree to comply with this and all future policies.
- Employees acknowledge any conduct that violates policy may result in disciplinary action up to and including termination.



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## Ways to Apply Monitoring Systems



- There are some ways to implement a Monitoring System:
  - Monitoring software.
  - Monitoring by network administrator.
  - Random Monitoring.



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## Monitoring Systems - Important



- Internet use policy must be strictly enforced to provide a shield against liability for the employer.
- Consider installing a log-on screen or message that notifies the employee each time he or she turns on the computer or clicks on an Internet browser that the employee's use of the computer and Internet is subject to and governed by employer's Internet use policies.





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