

Article

Monitoring Employees

It's a problem no one wants to think about, but statistics and case law suggest the problem is a real one and its growing, and one that corporate security, HR, and management must address.

Evidence Of A Problem

Think it's not a problem in your organization? Do you take the risk? Consider that organizations have been sued for a hostile environment (i.e some employees offended at material other employees shared and distributed), and that eBay and pornography sites get the most amount of traffic during traditional work hours of 9 to 5.

Potential Liabilities

"Managers must be aware that employees often have immediate access to a vast amount of confidential information about their company and its customers, which they can (and unfortunately sometimes do) copy or transmit cheaply and instantaneously to an extensive audience, with the company's name as their "address."

Downloading and distributing sexually explicit material among co-workers is a proven liability as there are cases in which employees, offended at what their coworkers are sharing, have sued their employers for enabling a hostile and offensive work environment.

Even though corporate email usage has changed over time and people often keep separate personal email accounts, people still think of email as instant and informal. They need to understand that email sent from a work email account is a business document and that it is comparable to writing on letterhead.

Need to Balance Employer/Employee Rights

Achieving a balance between employer and employee rights is critical, because though employers have more to lose and need to protect themselves from liability, no employee wants to work in a police state. Feeling one is being monitored may make some feel they are not trusted, and it may negatively affect morale, and restricting Internet usage may discourage employees' initiative and curiosity.

Benefits of Having an Employee Monitoring Policy

"The employee understanding of it might be that it has more to do with conserving network storage, doing such things as limiting people's file storage capacity, which naturally forces people to prioritize." Lee Neubecker, President & CEO of Forensicon.

Need for Development of Policy, Education, and Monitoring

Employers must develop policies on Internet use and email monitoring, but they must also respect their employees, and educate and train employees on these policies. Monitoring should be done on an as-needed basis when just cause has been determined. Well written guidelines should be developed that indicate what types of events spark just cause for monitoring on-line activities.

A Policy

Internet usage is designed to support business goals and objectives, and employees must therefore avoid sites that violate sexual harassment and other policies that are inconsistent with our business objectives. A company should have the right to monitor and log Internet activity, and employees should consider their use public and conduct their activities accordingly. Employers must communicate the policy and the fact that people will be monitored. Developing, implementing, and monitoring a document retention policy, and educating and training employees on it is a way of ensuring you're doing business efficiently and maximizing the bottom line.