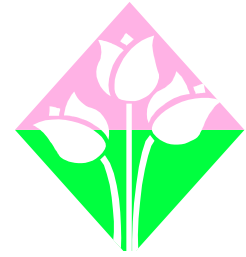




Happy Spring!

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"Tip of the Month"

Electronic Mail and E-Rules for Business

Nowadays, electronic mail (e-mail) is everywhere. Companies of all sizes use it for everything from routine communications to major transactions. Employees also have embraced the technology. They regularly exchange personal correspondence and work-related information with coworkers, associates, friends, and family members. Companies need to be concerned about how their e-mail systems are being used and the content of e-mail. Some of these concerns are profanity, racially and ethnically offensive material, spam, viruses, large animation files, music and movie attachment files, and the company's proprietary/sensitive information. These potential time-bombs may be avoided and the company's liability exposure reduced through the adoption of specific, written policies that outline the acceptable use of the corporate e-mail system. Currently, only about 30 percent of all businesses have established such procedures to minimize their liability.

It is important for all businesses that allow widespread use of e-mail by employees to minimize liability by:

1. Establishing an e-mail policy;
2. Educating their staff about the e-mail policy; and
3. Enforcing the policy.

To minimize exposure to the risks of legal liability and financial accountability, the rules must be strictly and uniformly enforced. In this way, companies can demonstrate that preventive action is being taken against inappropriate use of the e-mail system.

PUBLISH THE POLICY: E-mail guidelines should be clearly spelled out in employee handbooks and explained to workers in formal training sessions. Rules must be updated regularly, particularly with respect to changes in the law, and brought to the attention of all employees, not just new hires and affiliated agents. It is also recommended that businesses and organizations have their employees acknowledge the policy. This is easily done by having the employees sign off on documents that:

1. emphasize the workers' limited expectation of privacy as it pertains to e-mail (i.e., all messages are subject to review); and
2. make it clear that disciplinary action (up to and including termination) may be taken for violations.

In addition, companies need to put procedures in place to ensure compliance with the company e-mail policy. One such way is to perform random inspections. First, a log of all e-mails sent and received is maintained. The messages are then randomly checked by human resources or information technology staff. Another cost-effective and time-effective solution is to outsource message screening. Through the use of state-of-the-art systems, all incoming and outgoing e-mail can be checked. These systems can also maintain records for your files. Remember, as with all business situations, prevention is better (and cheaper) than cure.

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