

## **Model Policy: Employee computer use and social networking**

### **Why you need this policy:**

The law governing your right to discipline employees for the things they say on blogs and social networks is still in its infancy stages. But even from the early cases, it has become clear that online conversations are not simply private matters. There's a big difference between bad mouthing a company, supervisor or colleague to a friend in a bar over a glass of beer and making those remarks in a blog or correspondence on an external social network like Facebook.

### **How this policy helps you:**

Having the right to take action against employees for social networking and other online activities, even if those activities take place while the employee is off-duty and at home, is one thing; exercising it effectively is another. To exercise those rights effectively, you must have the right social networking policy. Better yet, implementing a policy like the Model Policy below should help you prevent employees from engaging in social networking abuses in the first place.

### **How to use this policy:**

The Model Policy illustrates what to include in a computer use and social networking policy. But you'll need to modify to reflect the rules, standards, and procedures followed at your own law office.

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# **Model Policy: Employee computer use and social networking**

## **ABC Law Firm**

### **1. Scope**

This policy applies to employees, contractors, consultants, temporary employees and other workers at ABC Law Firm (ABC), including all personnel affiliated with third parties. This policy applies to all computer equipment and technology that is owned or leased by ABC.

### **2. Work hours**

While in the workplace during work hours, employees are expected to be working, not handling personal matters. Employees must keep their personal interests and activities, including, but not limited to, accessing the Internet for personal reasons, outside of the workplace.

### **3. Computers are ABC property**

Employees are reminded that the computer equipment and communication systems provided to you, including but not limited to, computers, networks, servers, and internet access, including all messages composed, sent or received on the ABC email system and attachments to those messages are provided to you by ABC and are the sole property of ABC and not your own.

### **4. Permitted uses**

The computer and information systems and technologies set out in Section 1 may be used for work-related purposes only. Prohibited uses include, but are not limited to:

- a. Downloading, copying, printing or distributing any material that is not related to the employee's job;
- b. Visiting websites for reasons unrelated to the employee's job;
- c. Downloading, copying, printing or distributing any material that is protected by copyright, trade secret, patent, intellectual property or other laws or regulations, including, but not limited to, installing or distributing "pirated" or other software products that are not appropriately licensed for use by ABC;
- d. Downloading, printing, copying or distributing pornography, hate material or any material deemed offensive by ABC in violation of ABC's code of conduct, and discrimination and harassment policies or in violation of relevant laws;

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- e. Posting or distributing any information about, or lists of, ABC's attorneys, employees, clients, trade secrets or any other sensitive or confidential information related to ABC to parties outside of ABC;
- f. Introducing malicious programs into ABC's network or servers, including, but not limited to, viruses, worms, Trojan horses, and email bombs.
- g. Employee publications, including, but not limited to, postings on blogs and social networking Websites, must not negatively impact ABC's reputation or good will. Any such materials that are insulting, demeaning, or offensive to ABC, its attorneys, employees, clients, or its affiliates, or that are deemed objectionable by ABC in that their content might damage ABC's reputation will violate this policy;
- h. Employee publications, including, but not limited to, postings on blogs and social networking websites, must not include any information which ABC deems is a trade secret or other sensitive or confidential information related to ABC; and
- i. The content of an employee's posting or page on a blog or social networking website must comply with all ABC policies, including, without limitation, the Code of Conduct and any policies related to discrimination and harassment in the workplace.

## **5. No privacy expectations**

Although laptops and other equipment may be assigned individual accounts and protected by passwords and other security measures, employees are reminded that they have NO right to expect privacy in the data stored on, received in or transmitted from ABC computers, Internet accounts, emails, etc.

## **6. Monitoring**

- a. ABC reserves the right, at its sole discretion and at any time, to monitor and access all employee computer files and emails for purposes of security and network maintenance and to ensure compliance with this Computer Use Policy.
- b. ABC also reserves the right to store emails that pass into or out of its systems and may review emails and disclose their content to third parties with or without notice to employees.

## **7. Policy is term of your contract**

Employees recognize that their obligation to follow the rules set out in this Policy is an implied term of their employment contract and that failure to do so is a violation of their employment-related duties warranting the imposition of disciplinary penalties up to and including termination for just cause.

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## **8. Acknowledgement**

I hereby acknowledge that I have received, read and understood this Policy and promise not only to follow it in all key respects but also help to enforce it by reporting to my supervisor or the ABC Law Firm Human Resources Department any or potential violations committed by other persons that I become aware of.

Name: \_\_\_\_\_

Date: \_\_\_\_\_

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