

Internet Misuse in the Workplace



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I - Introduction

The Internet is an essential and valuable tool for many successful businesses in the 21st century. In addition to keeping a vast amount of information at a person's fingertips, the Internet provides an efficient means of communication, research, marketing and collaboration. Although the Internet can enhance the work environment, it also has negative aspects. Internet misuse has infiltrated offices, opening the door to lost productivity, liability and creation of a hostile work environment.

Many incidents of Internet misuse, similar to those below, have been reported in the media:

- Revenue Canada suspended six employees after an internal audit revealed that the employees were trading offensive material on the department's e-mail system.
- The Canadian Department of Fisheries and Oceans, while monitoring Internet activity of 10,000 employees, found that on average each employee visited seven sex sites per day. The next most popular sites included shopping sites, sports/news and games.
- Dow Chemicals Co. fired 50 employees and suspended 200 workers for accessing, sending and storing sexually explicit and violent materials via the Internet.

These are not isolated events; Xerox, the New York Times, Compaq Computer Co. and others have had to suspend or fire employees over the issue of Internet abuse. A high proportion of these cases involves the circulation of pornographic material, which leaves the company exposed to liability.

According to a report released by Statistics Canada on 23 May 2001, *Perspectives on Labour and Income*, 57% of the total population employed in Canada used a computer at their main job in 2000, compared with 33% in 1989. The vast majority, some 6.4 million, or almost 80%, worked at their computer every day.

Angus Reid reported that Canadian workers tend to spend 8 hours a week using the Internet at work and 2.1 hours are spent on personal e-mail, research, comparison shopping and financial transactions. However, only a third of employers have a policy regarding personal use of the Internet. The problem of Internet misuse at work is having a profound effect on the modern workplace and the time has come for both employees and employers to deal with this issue.

II – The Need for an Internet Usage Policy

An Internet usage policy is a necessity for any workplace where employees have access to the Internet. Reports show that the absence of such a policy can lead to sexual and

racial harassment claims, workplace lawsuits, trademark and patent infringement suits. This could result in multi-million dollar legal fees and settlements, media scrutiny and a public relations nightmare. There are also the threats of sabotage and internal security breaches, electronic viruses, external and internal cracker and hacker attacks. All of this culminates in reduced employee productivity, wasted computer resources and potential business interruptions. Establishing an Internet usage policy of which employees are made aware and which is properly enforced can curb incidents of Internet misuse and create a healthy, more productive work environment.

i – Productivity

Recent evidence from surveys indicates that employees with Internet access spend an excess amount of time using the World-Wide-Web while at work. This phenomenon has become so widespread that it has been given a name: *cyberslacking*. The following points illustrate the severity of this problem.

- A recent Angus Reid survey shows that over 30% of all time spent by employees on the Internet is not work-related.
- According to a Jupiter Communications Survey, employees with Internet access say they do the following more often at work than at home:
 - 45% send personal e-mail
 - 33% read the daily news
 - 31% gather local information
 - 31% investigate travel arrangements
 - 24% visit sites related to hobbies
 - 24% participate in contests and sweepstakes.
- The discount travel site *expedia.com* receives 47% of its traffic during the workday.
- Advertising encourages inappropriate use of the Internet at work. A television commercial for a large Canadian banking institution promotes the use of their online trading service by people at work. The American Management Associate has reported that 70% of the brokerage firm Charles Schwab & Co. customers do their online trading from their office desks.
- Internet sites are emerging that are dedicated to cyberslacking, such as *ishouldbeworking.com*.

According to Angus Reid, Canadians will spend a total of 800 million hours this year surfing the Internet at work. Using a conservative estimate of \$20/hour, this equates to a minimal loss of \$16 billion annually. The Internet has traditionally been promoted as an asset, but the resulting detrimental effects raise obvious issues of concern. A solution must be found to curb the mounting costs and issues associated with Internet abuse.

ii – A Comfortable Working Environment

It is an employer's responsibility to provide a harassment-free environment for all employees. The Internet is rife with information that can become a source of harassment if handled irresponsibly. A large portion of online misuse at work is related to the access of sexually explicit material and tasteless "joke of the day" mail that many employees find offensive.

Consider these facts:

- According to MSNBC, one in five men and one in eight women admitted using their work computers as their primary access to sexually explicit material online.
- Sextracker.com reported that 70% of all Internet porn traffic occurs during the 9-to-5 workday.
- United Adults sites report that more than half of all requests on search engines are "adult-oriented".

Unsolicited exposure to pornography is unacceptable, especially in the workplace, while racial and gender prejudice is equally offensive. Failure to address these important issues puts forth a poor business image. Irresponsible corporate conscience is leading to unhappy employees, employee dismissals and potential lawsuits launched by disgruntled employees.

iii – Responsibility and Liability

The Canadian Labour Code establishes an employee's right to a work environment free of harassment. Furthermore, it requires employers to take positive action to prevent harassment in the workplace. Employers are in a precarious situation each time an employee distributes the dirty joke of the day or visits an adult web site. Copies of organizations' e-mail and WWW activities are available and may be requested when a complainant comes forward in a lawsuit. Often upper management is unaware that a problem exists until it is no longer a problem; it is a catastrophe!

Not having an effective Internet usage policy in place can have drastic consequences, both in terms of monetary and human resource losses. A group of female employees sued Chevron Corp. after one of its divisions allegedly allowed offensive messages to be passed along its e-mail system. Chevron paid \$2.2 million to settle the lawsuit in 1997. These lawsuits are not only expensive, but are time consuming and detrimental to one's image.

The American Management Associate (AMA) reports that 27% of Fortune 500 companies have defended themselves against claims of sexual harassment stemming from inappropriate e-mail and/or Internet use.

Management and Human Resources are familiar with the difficulties and expenses involved in replacing employees needlessly. Consider the results of Xerox firing 40

employees for dedicating too much time at work to surfing pornographic or retail sites. The loss of experienced personnel results in obvious immediate financial consequences. The media bonanza that results from such mass action is never good for employee moral or public image. Unfortunately the drain on resources doesn't stop when the offender is dismissed; it continues to strain resources as extensive restructuring, retraining, and damage control measures are implemented.

III – Resolving Internet Misuse

Clearly, there is a need to reduce Internet misuse in the workplace. The AMA recommends that companies take two steps to address the problem of misuse of the Internet.

- Establish an Internet and e-mail usage policy.
- Enforce the policy effectively.

However, each step is more difficult to implement than one would initially imagine. Developing an Internet and e-mail usage policy is not an easy task. An employer does not want to come across as 'big brother' and create an environment of mistrust and/or hostility. Equally, an employer does not want to allow for an abusive or hostile environment, tolerating blatantly offensive conduct.

Resistance to online activity management tools is common. Not surprisingly, most employees will agree that pornography, violence, and hate literature do not belong in their workplace. The resistance is over the less obvious abuses such as shopping, news, financial sites, job search, vacation and online chatting. These cyberslacking activities are not as obviously detrimental. What *reasonable restrictions* should be implemented is the real issue. If handled too aggressively, policy creation can become very contentious. Don't implement restrictions that are out of line with your organization's non-cyber workplace ethic. Do create a fair and effective policy that is enforceable and in keeping with existing corporate policy and standards.

i – Designing an Internet Usage Policy

Because an Internet usage policy reflects a company's corporate values, the AMA recommends that employees participate in its design. The role of an Internet usage policy is two-fold. It establishes the ground rules for Internet use in the workplace, and outlines the consequences of breaching the policy. To manage Internet usage, the key issues that need to be resolved are *who* can access *what* on the Internet and *when* this is appropriate.

The *who* pertains to customizing Internet access by groups in the workplace. For example, sites that are essential for the finance division of a company may not be necessary for the administrative staff. Therefore, employees working in various areas of a company may have access to different sites on the Internet.

The *what* is the complex issue. A company would need to categorize which sites or types of sites it deems inappropriate or non-work related.

The *when* means establishing an access policy for non-work related sites. For example, a company may decide to allow employees access to certain sites during lunch hour and after work hours.

An Internet usage policy should not be overly rigid. There should be some leeway within these policies. Going to a pornographic web site once by accident should not result in an automatic dismissal. A flexible Internet usage also protects the employer. In the United States there was an example of a rigid policy that, instead of protecting the employer from a costly lawsuit, actually caused one. A San Diego lawyer reported that he obtained a settlement for a client accused of visiting a pornographic site at www.whitehouse.com. The officer insisted that this was an error; he had meant to go to www.whitehouse.gov, the official White House site. The officer sued for wrongful termination and eventually settled the suit for \$100,000.

ii – Enforcement of an Internet usage policy

The most effective way to eliminate Internet misuse is to eliminate Internet access when it is not essential. However, Internet access is an integral part of many modern businesses. With respect to enforcement, the AMA recommends using some type of online activity management software. According to an article in Fortune magazine, simply informing employees that this software is in place drastically reduces Internet misuse. But without effective enforcement of the policy, the misuse goes up again quickly.

Online Activity Management software should address the three key issues raised in the development of the usage policy. In essence, OAM software should allow customized Internet access by individuals and groups in the workplace, as well as access by day and time to specific sites as established by the usage policy. It should also classify Internet sites into different categories such as pornographic or shopping, and permit or deny access accordingly. Classification lists are usually provided with the software and maintained by subscription.

A company should choose an activity management software that addresses all their needs; i.e., it should be able to manage the web, e-mail, chat rooms and newsgroups. The software should offer client-side protection, to cover virtual offices and laptops, thereby closing the cyber back door. To combat the growing number of new web sites and variety of content types the software should be capable of examining text, images, and link relationships to determine classification. Once a policy has been defined, it needs to be integrated into the company's culture. The policy should be explained during recruitments, training and hiring.

IV – Conclusion

Internet misuse is a growing problem that is costing Canadian companies over \$16 billion annually in lost productivity. In addition to the monetary cost, Internet abuse contributes to an uncomfortable working environment and employee lawsuits. The best way to handle this problem is to establish an Internet usage policy guiding the use of the Internet in the workplace. Once such a policy is established, it needs to be ingrained into the corporate culture and effective enforcement mechanisms need to be in place. The use of online activity management software with up-to-date classification lists is the most effective way to enforce a usage policy.