



- BAHABASHY -

E Mail — A Two-edged Sword HANDLE WITH CARE

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E-mail has become one of the most important communication tools in the workplace. E-mail volumes have increased by more than 2000% in the last 5 years. This is expected to double by 2006. E-mail availability; ease of use and low cost make it the most common communication tool in many organizations. It has often become a replacement to voice communication and even the all-important personal face-to-face interaction.

At the same time there is a significant downside to this impressive development. Participants in our “Help for Information Overload Workshop” often refer to e-mail as the greatest cause of information overload. Some managers spend as much as three hours a day dealing with the flood of e-mail. Studies indicate that e-mail could be one of most misused business tools resulting in reduced productivity, increased stress, poor communication and increased corporate and/or personal liability.

The risks associated with e-mail were highlighted in a recent survey¹ of large corporations that found the following:

- 62% of employers monitor employees' e-mail and Internet use.
- 51% of employers have disciplined or terminated employees for violating ePolicy.
- 10% of companies have been ordered by courts to turn over employee e-mail related to workplace lawsuits.
- 8.3% of organizations have battled sexual harassment and/or sexual discrimination claims stemming from employee e-mail and/or Internet use.

In seeking to harness the benefits of this powerful tool organization and individual users need to cooperate in the development of a simple easy to administer policy and appropriate e-mail communication etiquette. The successful policy and etiquette should be tailored to reflect the corporate culture; business needs as well its unique legal requirements. In so doing we suggest you consider the e-mail policy from three interrelated views:

- **Legal Responsibility and Liability:** E-mail is a communication gate between individuals and into our corporate world. With this in view, it brings issues, rights and responsibilities. Legal minds have not fully articulated what these rights and obligations may be. Yet even today there are many court cases indicating that e-mail presents employee and employer with significant issues and risks. The E-mail policy should seek to protect both individual and corporate interests.
- **Operational Effectiveness and Efficiencies:** Too much of a good thing can be counter productive. The e-mail policy should serve to limit undisciplined use that results in wasted time, energy and corporate resources.



- **Professional Communication and Conduct:** Easy access to this media has resulted in careless communication habits. This, in turn, has become the cause of reduced quality that reflects poorly on the image of individuals and the corporation they represent.

The development of an effective e-mail policy should consider several areas and ask several questions. Here are some of them:

1. E-Mail Ownership

Who owns the e-mail system and its content including e-mail messages and addresses? What responsibilities does this ownership bring?

2. E-Mail Access And Use

Can the company intercept users e-mail to protect its interests and the interests of its employees? Can company e-mail be used for personal purposes or to conduct secondary business activities? How about engaging in political activities using the company e-mail system? Should users allow others to access their email in their absence or on their behalf? Should users be allowed to send confidential or proprietary information using the e-mail system? Should users allow others to access their e-mail on their behalf? Should there be established etiquette and responsiveness expectations for both external and internal e-mail?

3. Policy Implementation And Training

How will users be trained on the e-mail policy and its impact? Should you seek legal counsel on matters of privacy and confidentiality before implementing the e-mail policy? How will the policy be enforced and what happens to those who violate the policy or the e-mail etiquettes?

4. Administration And Security Issues

How does the company present the record retention policy impact the e-mail messages? Who should administer the e-mail retention system? Should there be automatic archiving

or deletion rules enforced by the e-mail systems administrator? What kind of security parameters and encryption tools should be considered to safeguard your system?

What should you do?

E-mail has quickly become a core part of our cooperate culture. It has almost become an expected corporate "birth right" without any restriction or rules to guide its use. Implementing new rules and restrictions may result in negative push back or backlash. With this in view, some care and appropriate stakeholder consultation should be considered when implementing any restrictive changes.

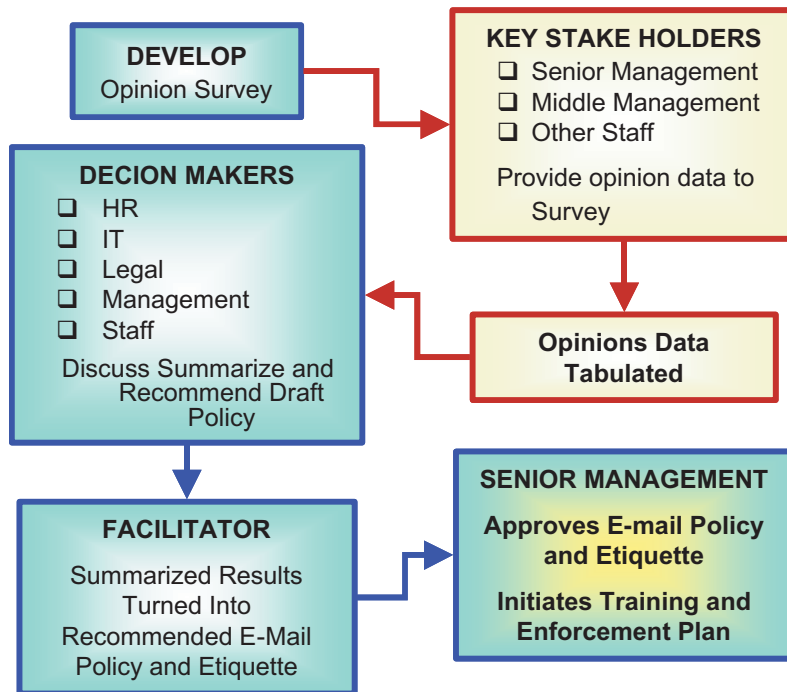
By the way, while you are at it, consider adding Internet access, and instant messaging as well. The guiding principles are the same. It might save you some headaches in the future.

The Most Common Sense Policy:

When in doubt what is the safest e-mail policy that a user should follow? Here is a simple answer that I recommended to one of my clients:

- Do not write anything in e-mail that you would not write on your company letterhead and /or
- Do not write anything in e-mail that you would not write

E-Mail Policy Development Process



Regretfully, developing policies for a new area as this can result in lengthy debates and many time consuming meetings. With this in view and towards developing an effective culturally sensitive policy, we recommend the following simple process.

Opinion Survey: Using the above key points and questions develop a simple opinion gathering survey. Circulate this survey to a limited number (15-25) of stakeholders representing senior management, middle management and appropriate staff.

Decision Makers: A small team of 4-6 decision makers representing Human Resources, Information Systems, Senior Management, Staff and the Legal Department or external legal counsel should use the summarized survey results to discuss and agree on a draft policy to be presented to senior management.

A facilitator or a member of the decision making team would summarize the discussion and finalize a draft policy (1-2 pages) for presentation to senior management.

Senior Management: The e-mail policy is a very important policy that has significant legal ramifications. Senior management can modify the draft policy if they wish and follow the appropriate corporate policy approval process and mandate policy implementation.

- on an open post card sent through the public mail system
- When writing an e-mail write it as if your Mom will be reading it. Make her proud.

We all jumped on the e-mail bandwagon, now the time has come for us to count the cost. Clients, business leaders and CIO's who have taken this matter seriously have found this exercise of great value. Don't delay — the risks are high.

Hope this helps.

¹ Electronic Policies & Practices Survey from The American Management Association, US News & World Report, and The ePolicy Institute.

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