Internet, Email, Social Networking, Mobile Device, and Electronic Comunication Policy

Janco Associates, Inc.

2024

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Risks and Costs Associated with Email, Social Networking, Electronic Communication, and Mobile Devices

ENTERPRISE is faced with many risks and costs as it comes to depending more on new technologies. This policy must be followed to minimize security risks and economic loss to ENTERPRISE. As new risks are identified these procedures will be updated. Some of the risks and costs that these procedures address are:

- The loss of general ENTERPRISE data and files.
- The disclosure to competitors of key financial data, sales contacts, suppliers, and strategies.
- The physical loss of a mobile device.

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Appropriate use of Equipment

ENTERPRISE provides PCs, PDAs, laptops, servers, Smartphones, USB Storage Devices, telephones, video players, televisions, and other equipment as tools for use by employees working on business objectives. This equipment is not to be used for personal use. Inappropriate use of the equipment, including installing non-business-related software could result in appropriate disciplinary action up to and including termination. The systems are not to be used for commercial ventures, religious or political causes, outside organizations, or other personal matters unrelated to your job.

BYOD Security

By adopting strategies that are flexible and scalable and taking advantage of new and upcoming security features, ENTERPRISE will be better equipped to deal with incoming challenges to its security infrastructure posed by the use of employees' own devices.

- Follow the formal BYOD policies of ENTERPRISE
- Implement locking of the device after 5 minutes of inactivity
- Implement a remote wipe of the BYOD if the device is lost or stolen
- Limit the storage of sensitive and confidential information

Overview of electronic communication and data sharing

Device/Location	Approved	Limitations
Enterprise Device	Use the enterprise device to conduct enterprise business. This allows for the device to be backed up, comply with the records management retention and destruction policy, and be included in all DRP and BCP processes. This also meets all security and mandated government and…	Do not use it for any personal or non-business-related purpose. All data that resides on enterprise devices is (and becomes) the property of the enterprise. All information is confidential and sensitive and should not be distributed … nterprise …essed … the enterprise.
Enterprise approved BYOD	…destruction policy, and be included in all DRP and BCP processes. This also meets all security and mandated government and industry requirements. This also means that BYOD meets all security and mandated government and industry requirements.	…he BYOD device …ed and approved users. No games or installation of applications that could put the device and the data contained on it at risk.
Enterprise e-mail	Use the enterprise email account to conduct enterprise business. This allows for the device to be backed up, comply with the records management retention and destruction policy, and be included in all DRP and BCP processes. This also meets all security and mandated government and industry requirements.	Do not conduct any personal business on the enterprise email account. Never open an unknown attachment or reply to anyone unknown to you.
Enterprise Cloud Storage	Use enterprise cloud storage to access enterprise information	Do not store personal information on enterprise cloud storage.
Personal Cloud Storage	For personal use only	Never store enterprise information on personal cloud storage

Regulations and Industry Impact

Regulation	Industry Impacted	Retention Implications	Penalties
Sarbanes-Oxley	All publicly-traded companies	Audit records must be maintained for 7 years AFTER the audit	Fines up to $5,000,000 & imprisonment up to 20 years
GDPR	Anyone doing business with people in the EU or retaining personal data on EU citizens	All personal data including first name, last name, email address, phone number, and identifying numbers like Social Security Numbers full under the mandate	A total of 2% of the company's annual global turnover, or roughly USD 12 million (whichever is higher) A total of 4% of the company's annual global turnover, or roughly USD 24 million (whichever is higher)
Section 17a-4	Financial Services	Email records must be kept for 3 years, trading records through the end of the account plus 6 years	Case by case
HIPAA	Healthcare	Hospital records must be kept for 5 years, medical records for the life of the patient plus 2 years	Fines up to $250,000 & imprisonment up to 10 years

Regulations and Industry Impact Table

Keys to Email Archiving Compliance

In the e-discovery and compliance areas, establishing an audit trail is critical, allowing the company to demonstrate unequivocally that e-mails and other evidence have not been tampered with. Since many e-mails contain critical corporate or customer data that should not be accessible to just anyone, the capability may be useful from the standpoint of ensuring that critical data is not accessed by unauthorized users.

Email User Best Practices

ENTERPRISE has email users should follow best practices for the following reasons:

1. **Professionalism** - by using proper email language ENTERPRISE communications convey a professional image

2. **Efficiency** - emails that get to the point are much more effective than poorly worded emails

3. **Legal Protection** - employee awareness of email risks protects ENTERPRISE from costly lawsuits.

The best practices that email users should follow are:

- **Be concise and to the point** - Do not make an e-mail longer than it needs to be.

- **Read your email out loud before you send it** – Verify that what you want to say is in the email and that your response is on point and presented professionally.

- [...]s not only important because [...]ad impression of ENTERPRISE, but [...]rly.

- [...]d is "shouting" and can be [...]

- [...]breviation that is used in paper communications.

- **Keep emails gender-neutral** – Legal liability can occur if emails are gender-specific.

- **Respond to email promptly** – When an email question is asked it should be answered promptly or the person asking the question will try an alternative means of asking the question eliminating the advantages of email.

- **Answer all questions and pre-empt further questions** - If you do not answer all the questions in the original email, you will receive further e-mails regarding the unanswered questions, which will not only waste your time and your customer's time but also cause considerable frustration.

- **Send an email to those on a need-to-know basis** – Avoid including individuals who do not need to know or be involved in the subject matter of the email.

Appendix

Job Descriptions

Note the latest versions of the individual electronic forms are located in the sub-directory titled job descriptions.

The job descriptions included are:

Manager User Support

Manager WFH Support

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Forms

Note the latest versions of the individual electronic forms are located in the sub-directory titled forms.

The forms included are:

Internet & Electronic Communication - Employee Acknowledgment

Internet Access Request

Email Employee Acknowledgment

Internet Use Approval

Security Access Application

Social Networking Policy Compliance Agreement

Telecommuting IT Check List Form

Telecommuting Work Agreement

Text Messaging Sensitive Information Agreement

Work From Home Contact Information

Work From Home IT Checklist

Work From Home Work Agreement

Reference Section

Standard e-mail Reply Responses

When an individual is not available to respond to an email here are several pre-approved reply messages.

- Thank you for your email. I am out of the office and will be back (DATE OF RETURN). Until then I will have LIMITED access to my email. For immediate assistance please contact my office at (Phone Number).
- I will be out of the office from (START DATE) until (END DATE) If you need assistance please contact (NAME) at (PHONE NUMBER) -- *note do not use an email address as then can place this individual on a*

-) and returning (DATE OF RETURN). If
  (NAME) at (PHONE NUMBER).
  return.

- o email access. I will be returning on
  you may text me via my mobile

- I will be out of the office this week. If you need assistance while I am away, please email (SUPPORT ACCOUNT EMAIL ADDRESS). – u**se a generic support-monitored email account such as support@compan.com.**
- I will be away from (START DATE) until (END DATE). For urgent matters, you can contact (CONTACT PERSON and PHONE NUMBER).
- Thank you for your email, Your message is important to (**US/ME**), and (**I/WE**) will respond as soon as possible. Thank you!
- This email account is no longer monitored.
- (INDIVIDUALS NAME) no longer is with (COMPANY NAME). If this is a business matter, please contact (NAME) at (PHONE NUMBER) -- *note do not use an email address as they then can place this individual on a mailing list.*

Canada's Anti-spam Law (CASL), Bill C-28

The law imposes onerous opt-in and other responsibilities on marketers doing business online in Canada. It covers items such as the sending of Commercial Electronic Messages (CEM), the prohibition of installing computer programs without consent and sending messages with false or misleading information in the content or header.

CASL is effectively Canada's first anti-SPAM law, which removes the distinction of Canada being the only G8 nation without one. The provisions of PIPEDA already covered opt-in however enforcement actions were limited. Under the new law, a definitive set of requirements and enforcement actions are laid out and penalties for violation of the law can be severe. Unlike CAN-SPAM, which covers only email, CASL covers CEM, which is defined as any commercial "message sent by any means of telecommunication, including a text, sound, and voice or image message." Effectively, this includes:

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Bill C-28 creates a framework of rules and restrictions for sending commercial electronic messages. An "Electronic message", is described as "A message sent by any means of telecommunication, including a text, sound, voice or image message", however, the rules will not apply to telemarketing conducted through two-way voice communication, fax, or voice recordings sent to a telephone account.

The Bill also includes regulations restricting the installation of computer programs without consent, as well as specific language to cover such issues as spyware and "phishing" and prohibiting the collection of personal information via unlawful access.

There are many requirements outlined in the law regarding CEM, most notably:

- Express affirmative (opt-in) consent
- No false or misleading headers, including sender and subject line
- Cannot alter transmission data
- Must provide a conspicuous unsubscribe mechanism
- Must include the postal address of the sender
- Cannot perform address harvesting to obtain email addresses or send to harvested addresses
- Liability for entities who knowingly allow spam to be sent on their behalf, even if the message was not directly initiated by those entities

Exemptions to the opt-in requirement exist under certain circumstances. Consent is deemed if there is an existing business relationship, an existing non-business relationship (such as sending to a family member), conspicuous

What's News

2024

- ✦ Updated all included forms to the current version
- ✦ Updated all included job descriptions to the current version
- ✦ Updated to meet all mandated requirements

2023

- ✦ Updated all included forms to the 2023 version
- ✦ Updated all included job descriptions to the 2023 version
- ✦ Updated to meet all mandated requirements
- ✦ Add a section for standard email reply responses

2022

- ✦ Updated all included forms to the 2022 version
- ✦ Updated all included job descriptions to the 2022 version
- ✦ Updated to meet all mandated requirements
- ✦ Correct minor errata

2021

- ✦ Updated to meet WFH requirements
- ✦ Added section on WFH operational requirements
- ✦ Updated all included forms
- ✦ Added four (4) forms
  - o Internet Access Request
  - o Work From Home Contact Information
  - o Work From Home IT Checklist
  - o Work From Home Work Agreement
- ✦ Added two job descriptions
  - o Manager User Support
  - o Manager WFH Support