

Is Big Brother Watching? What are my Electronic Privacy Rights at Work?

Part 2: Personal Use of Public

Computers

Last month's *Steward Statement* discussed privacy rights for employees who use the telephone and computer to conduct private communications.

This month the focus is on how computer use is beginning to appear in our Local 17 contracts and policies of public agencies and what you can do to stay within these rules. Let's begin by looking at policies set by one of Local 17's employers, the State of Washington. (Note: It's important to look at your own contract to find out the specific language or ask your union representative.)

State agencies are required to have internet usage policies. These policies are established by virtue of state ethics laws that declare: "Use of state resources for private benefit or gain is prohibited." Policies provide occasional "de minimis use," or in other words, use that:

1. results in little or no cost to the Employer;
2. is brief in duration and frequency;
3. does not interfere with the performance of their official duties;
4. does not distract from the conduct of state business;
5. does not disrupt other state employees and will not obligate other employees to make a personal use of state resources; and
6. does not compromise the security or integrity of state information or software.

This means that occasional and brief personal e-mail messages and internet use are acceptable. This does not mean state resources can be used for longer periods when "off the clock" such as breaks or lunch.

So what does "occasional," "brief" and "infrequent" really mean? While these terms have not been formally defined, staff has interpreted them to mean just

that: the use is no more than once a day and lasts a few minutes, so long as there is no disruption to your work or to the work of others.

Here are examples of acceptable behavior:

- a parent may quickly use the Internet to check his or her children's school website to confirm if the school will end early that day, or send an email to confirm their child has returned home from school.
- checking your state retirement account or Deferred Compensation accounts and transferring funds to various stock or bond fund accounts.

Here are examples of unacceptable behavior:

- accessing one's personal bank account to find out the checking account balance.
- using the computers to listen to internet radio while at work.
- looking at various web sites related to a personal interest.
- doing any internet shopping.
- downloading a joke and emailing it to several co-workers.
- downloading games onto state owned computers, even if just played during breaks is a violation.

Public employers strive to promote a public image that assures citizens that they are using resources efficiently. Many employees have learned "the hard way" that the tools provided by the public, including the office computer, should only be used for the business of the public.

As computers continue to work their way into many facets of daily life, employees can better safeguard their employment by using this tool for work only—and conducting their personal computer use at home. — *By Vince Oliveri, Local 17 Union Representative*

