

Welcome to...

Cradle to Grave: Legal Aspects of the Employment Lifecycle

***Maneuvering the Minefields of
BYOD and Social Media in the Workplace***

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Sponsored in partnership with...



BYOD:

(BRING YOUR OWN DISASTERS)

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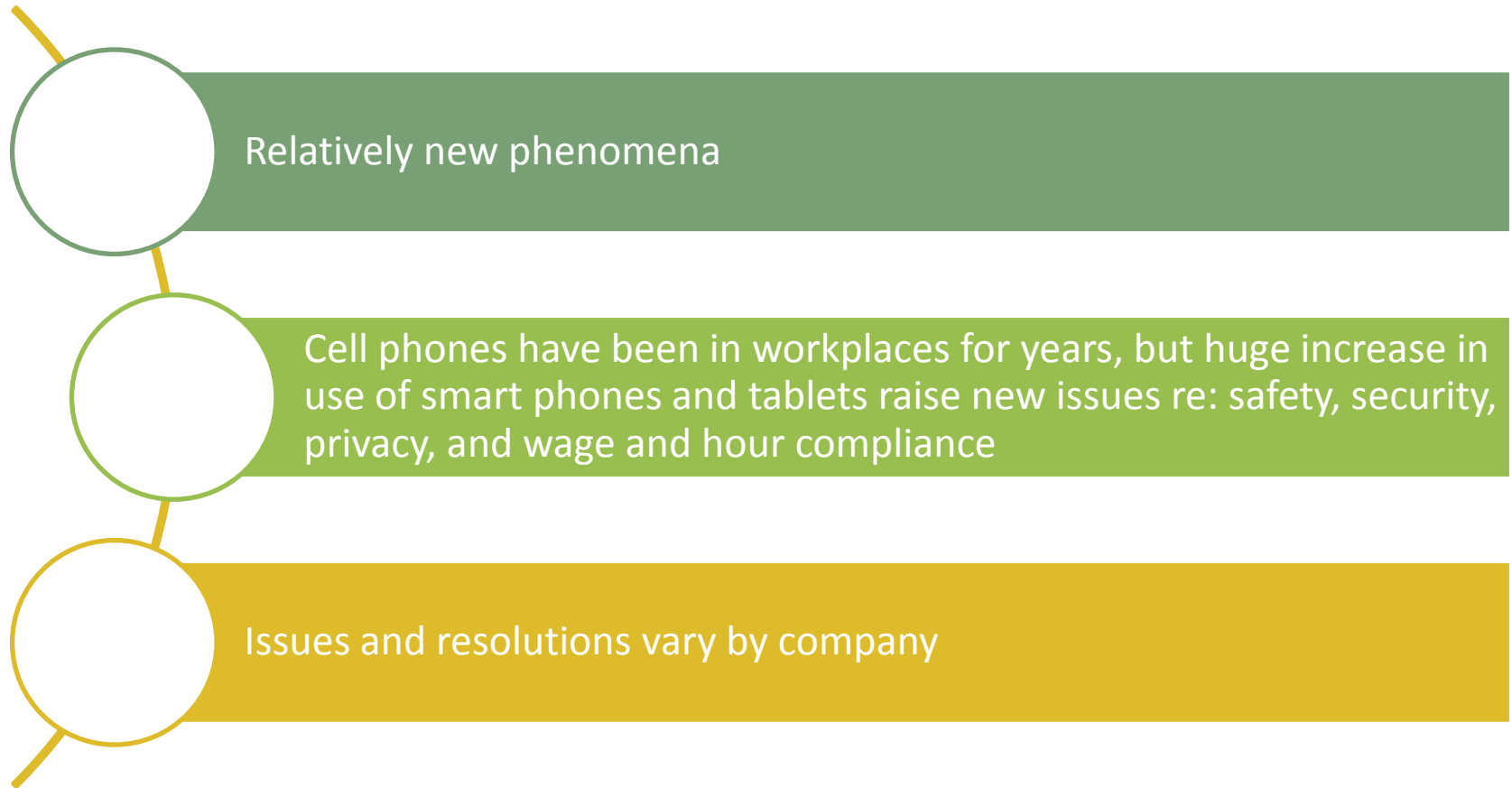
 @brianattorney



Today's Game Plan

- Spot issues
- Hot topics and recent cases
- Scenarios
- Best practices/tips
- Questions (as we go)

BYOD Overview



A New Style of IT – Data, Data Everywhere...



Every 60 seconds:


 **698,445** Google searches

 **695,000** status updates

 **217** new mobile web users

 **98,000+** tweets

 **168 million+** emails sent

 **11 million** instant messages

 **1,820 TB** of data created

BYOD Adoption

What's Driving BYOD Adoption?

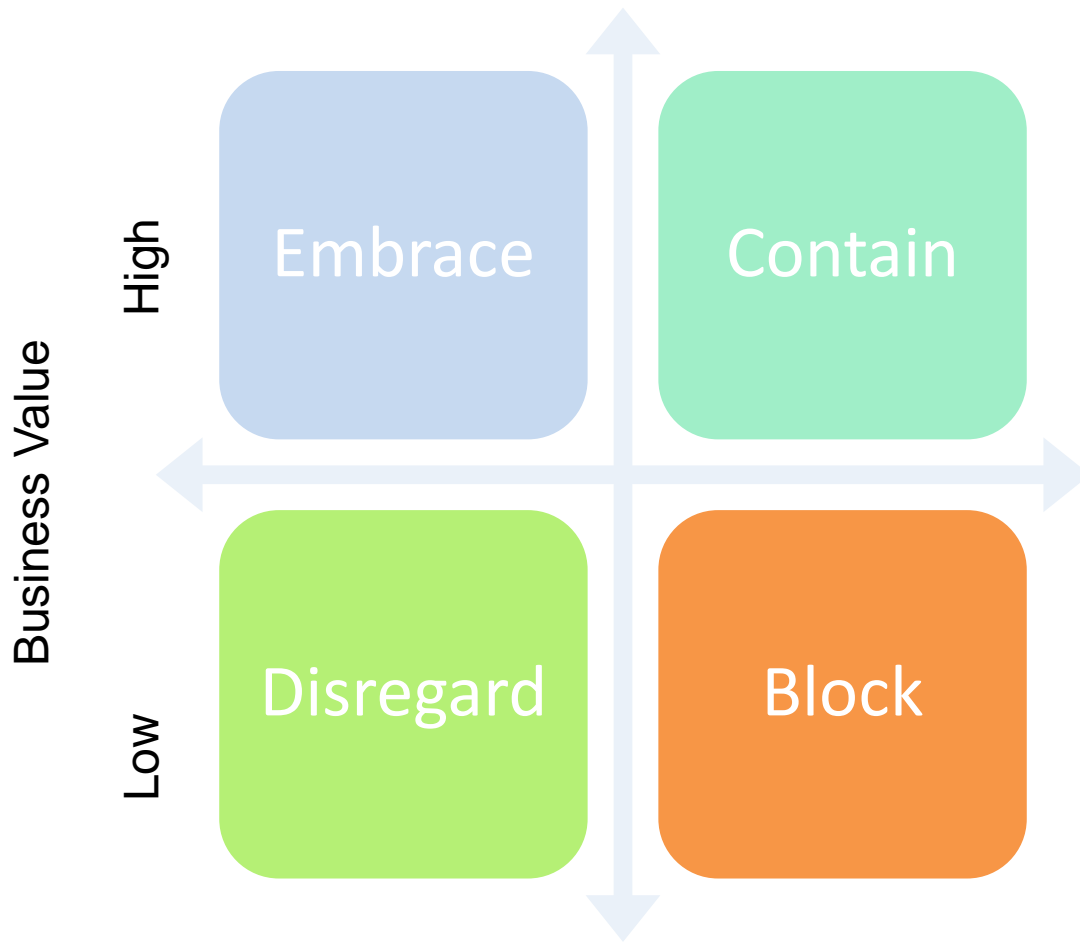
- Consumerization of IT
- Increased Productivity
- Appeal of consumer technology
- Convenience for users
- Increased accessibility
- Reduced expenses
- Recruiting tool

75% of surveyed organizations allow employee BYOD!

51% could bring any device, with little to no policy measures

Only 24% had any sort of compliance policy in place

BYOD Implementation Scenarios



Embrace – Allow everyone to use all devices to access all resources

Contain – Allow some people to use some devices to access some resources

Disregard – Ignoring the presence of personally owned devices in a corporate environment

Block – Ban the use of consumer-grade products or services by explicitly prohibiting their use in an appropriate policy

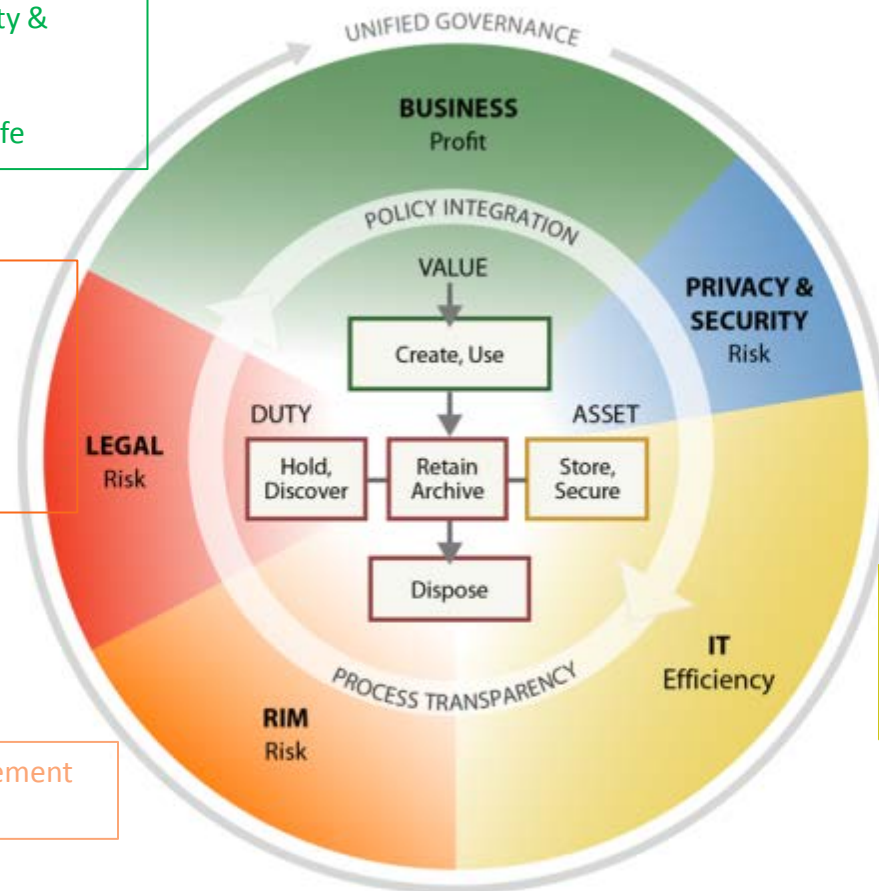
Information Governance Reference Model (IGRM)

Linking duty + value to information asset = efficient, effective management

- Increased Productivity & Accessibility
- Cool factor/morale
- Convenience/work-life

- Physical & Cyber Security
- Confidentiality
- Privacy v. monitoring
- Data flows/access
- Mobile Device Management
- NAC

- Employment Issues
 - Wage/Hour
 - Expense Reimbursement
 - Harassment
- Global Trade/encryption



- IT Infrastructure
- Hardware savings
- Bandwidth/Network
- App selection/development

- Records & Info Management
- Legal Hold/Discovery

Duty: Legal obligation for specific information

Value: Utility or business purpose of specific information

Asset: Specific container of information

Additional Concerns

EEO and Harassment



Records Management and Data Collection



International Challenges



Wage & Hour Risks



Safety Concerns

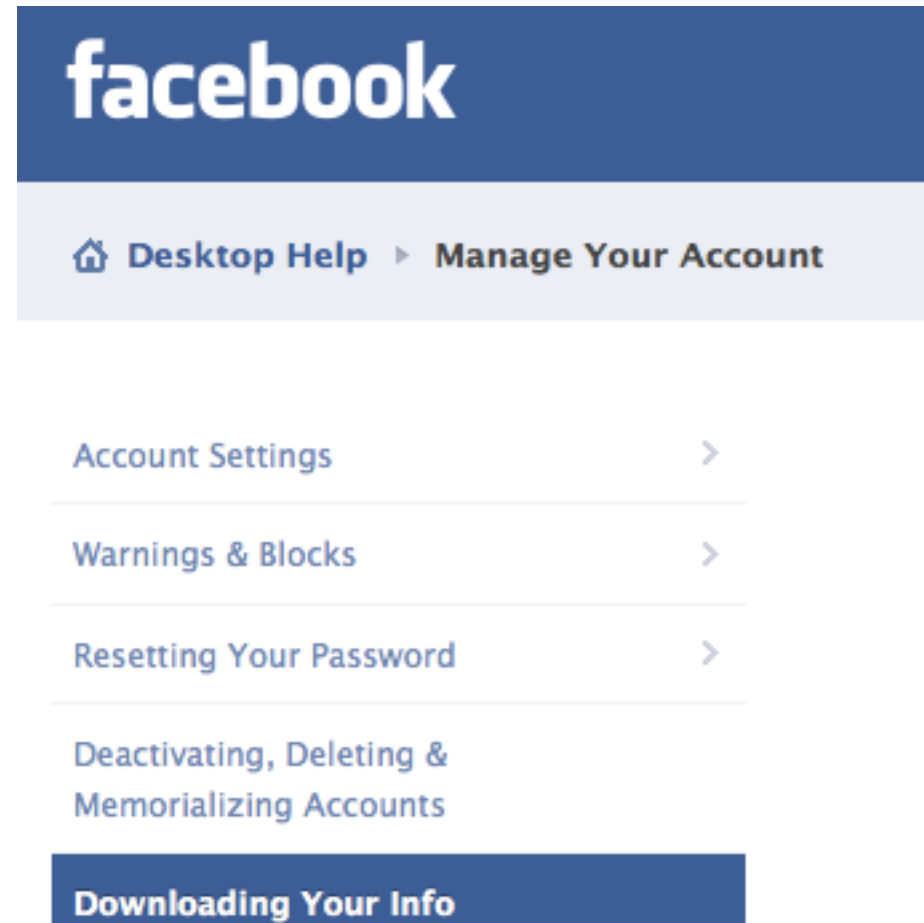


Scariest feature on the internet

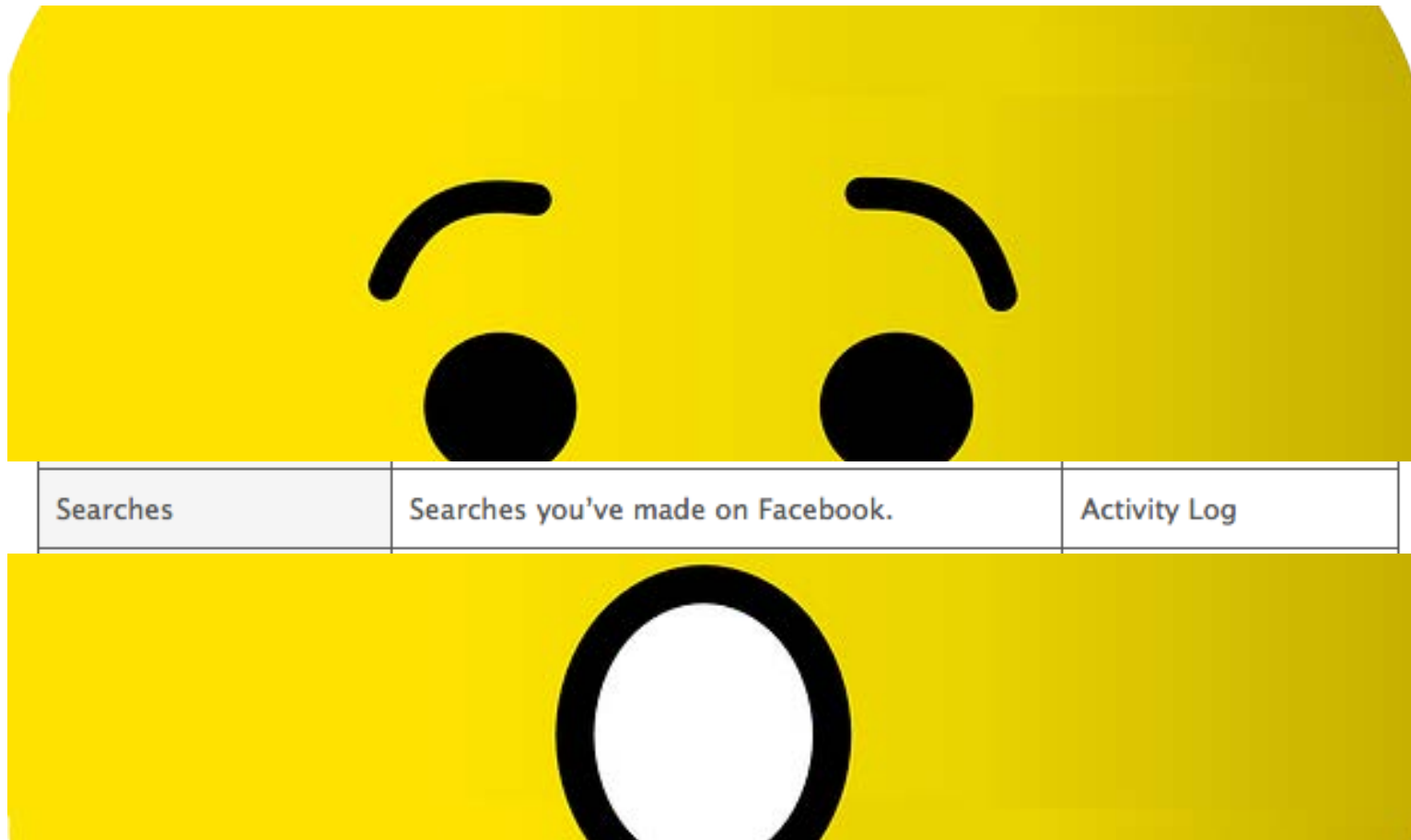


“Download Your Information”

- IP addresses
- Friend requests
- Wall posts
- Check Ins
- Chat history
- Likes
- Messages (most)
- AND...

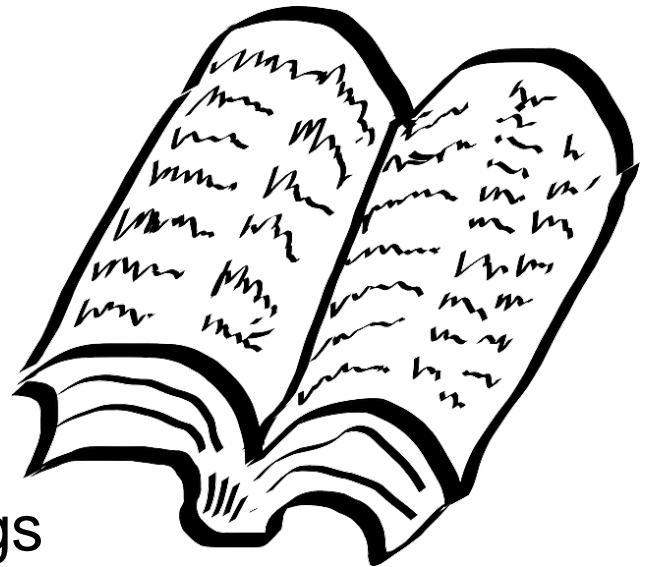


Last but not least...



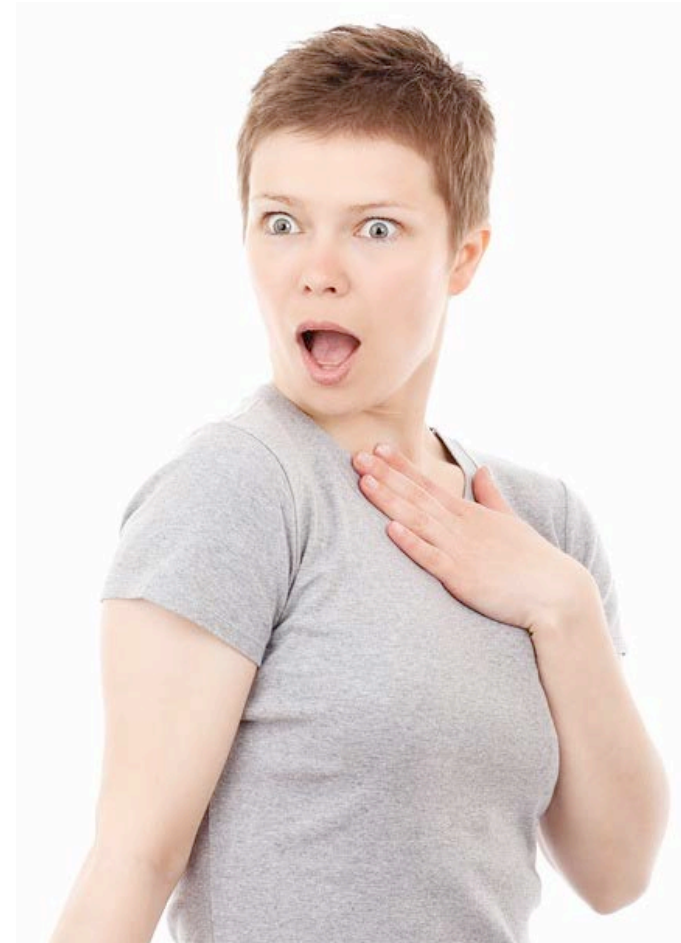
Pending RI Legislation

- House bill 7124/Senate bill 2095
- Would apply to employers and schools
- Prohibit password requests
- Restrict “forced” connections
- Restrict requests to change settings



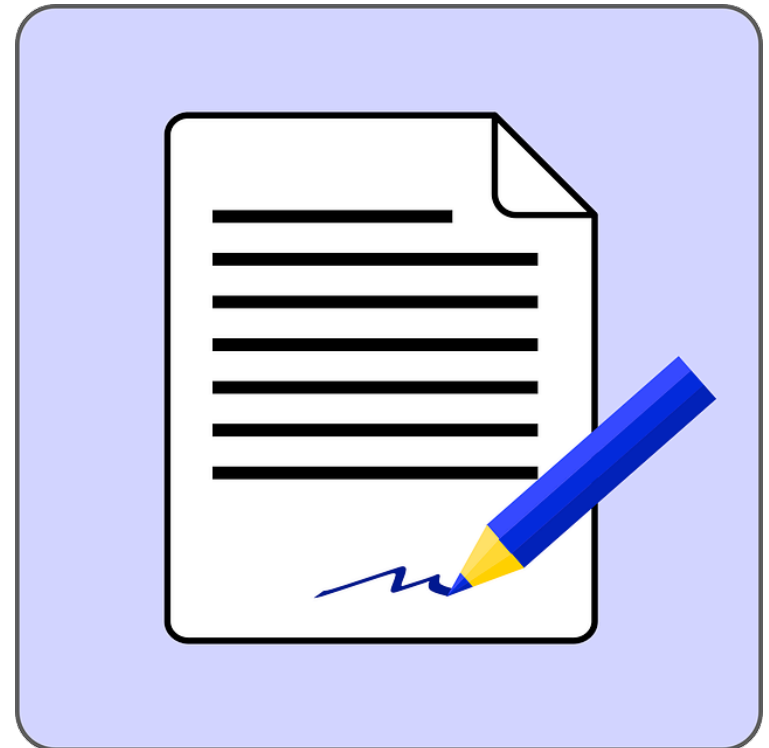
Verizon

- Devices
- *Lizette v. Verizon*



What's in your policy?

- Who owns what?
- Protocol when employees leave
- Global wipe
- Sign receipt/acknowledgment



Tips/best practices

- Draft (and maintain) social media policy
- Encourage human/offline interaction
- Use existing policies as “teaching moments”
- Less can be more: do you really want to know?
- Use technology yourself; understand it



A note on texting...LOL

- “Nothing good happens after 3am...”
- “Nothing good happens via text”
- My client:



“We can conduct NO legitimate business via text.”

A note on texting...LOL

- Growing issue for my clients
- “Stealth” harassment
- Texting while driving
- Texting while off-hours
- Records retention
- Texts likely NOT saved/recoverable



Thank you – questions?

