

**A MODEL COMPUTER SYSTEM POLICY STATEMENT  
FOR VIRGINIA EMPLOYERS**

By Raymond L. Hogge, Jr.  
Payne, Gates, Farthing & Radd, P.C.  
Attorneys and Counsellors at Law  
Dominion Tower, Suite 1515  
999 Waterside Drive  
Norfolk, Virginia 23510-3309  
(757) 640-1500  
RHogge@PayneGates.com  
www.VirginiaLaborLaw.com

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Employers today face a wide variety of challenges in managing their workforce while complying with the myriad of laws governing employment. The explosion of computer technology, while yielding many benefits, has confronted employers with additional human resource issues, and much of the law relating to these "e-issues" is still emerging.

To address these concerns, employers should adopt specific personnel policies governing the use of their computer system by employees. While the policies that are appropriate for a particular employer will depend upon a number of factors, including the technology used by the employer and the number of persons it employs, the following Computer System Policy may serve as a good starting place for discussion. It is written for a hypothetical employer, "ABC Company," that has 100 employees and a separate human resources department.

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## **COMPUTER SYSTEM POLICIES**

### **The ABC Computer System**

ABC Company maintains a computer system consisting of computer equipment, a computer network, an e-mail system, and an Internet access system. Authorized employees are permitted to use this system solely for business purposes. The unauthorized use of our computer system, and its use for unauthorized purposes, are strictly prohibited.

### **Company Property**

The computer system, and all data that is composed, saved, stored, transmitted, or received on it, is the property of the company. Such data is part of the company's official business records, may be accessed or intercepted by the company at any time and in any manner, and is subject to disclosure by the company to law enforcement officials. Consequently, employees should always ensure that the information contained in e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful, and should not expect that such data will be private or confidential.

### **Virus Protection**

Employees using our computer system are required to take appropriate anti-virus precautions before opening, downloading or copying any file. All files received with e-mail or downloaded from the Internet, before and after being opened or decompressed, must be checked for viruses using the procedures approved by the company at that time. Those procedures will be provided to you in writing, and will be updated from time to time. If in doubt about the current procedures, consult your supervisor.

### **Health and Safety**

All employees should use the computer system in a manner that promotes a healthy and safe work environment. The following specific guidelines should be observed:

1. Keyboards, monitors and mouse pads should be placed in an ergonomically appropriate position. If you are unsure of the proper position for your keyboard, monitor, or mouse pad, or if its placement causes you discomfort, you should promptly notify your supervisor or the human resources department.
2. Always use all safety devices, such as wrist supports, provided to you. If for any reason you do not wish to use them, you should consult your supervisor or the human resources department.
3. You should promptly alert your supervisor or the human resources department in the event you experience any pain, numbness, tingling, or other unusual sensations in your hands, wrists or arms while using the computer system. These symptoms may indicate you are at risk for carpal tunnel syndrome.

4. Never allow clothing, paper, or other flammable objects to come in contact with the wires and cables to your computer. Doing so may create a fire hazard.

5. Never place coffee, soda, or other liquids where they can spill on your computer. Such spill, in addition to damaging your computer, can create a risk of electric shock.

The preceding guidelines are not exhaustive. You should always exercise good judgment and common sense in the use of computers, and should immediately report to your supervisor or the human resources department anything you suspect may pose a health or safety risk.

### **Accommodation to Disabilities**

In the event you have a disability which requires an accommodation in order for you to use our computer system, please notify your supervisor or the human resources department. In accordance with ABC's commitment to equal opportunity employment, a reasonable accommodation will be provided.

### **Prohibited Conduct**

Our computer system may not be used for personal purposes. Its use to solicit others for commercial ventures, religious activities, political causes, outside organizations, or other non-business matters is prohibited.

ABC strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the company prohibits the use of the computer system in ways that are disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

ABC purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the company and its employees do not have the right to reproduce such software for use on more than one computer. Accordingly, employees may only use software on local area networks or on multiple machines according to the software license agreement, and the illegal duplication of software and its related documentation is prohibited.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on our computer system is prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the computer system. Employees are responsible for ensuring that the person sending any material via our computer system has the appropriate distribution rights.

The following are other examples of conduct involving the use of our computer system which are prohibited:

1. Sending an anonymous e-mail message.
2. Sending or posting a discriminatory, harassing, or threatening message or image.
3. Sending or posting a message that defames or slanders an individual or company.
4. Sending or posting a message that disparages an individual's or company's products or services.
5. Sending or posting a message or material that could damage the company's image or reputation.
6. Sending or posting a chain letter, solicitation, or advertisement not related to business purposes or activities.
7. Sending or posting confidential material, trade secrets, or proprietary information outside of the company.
8. Using the system to engage in any illegal activity.
9. Using the system for personal gain.
10. Using the system for unauthorized transactions that may incur a cost to the company.
11. Stealing, using, or disclosing someone else's code or password without authorization.
12. Attempting to break into the computer system of another individual or company.
13. Copying or downloading software and electronic files without permission.
14. Violating copyright law.
15. Failing to observe licensing agreements.
16. Intentionally or carelessly transmitting a virus or introducing it into our system or any other system.
17. Participating in the viewing or exchange of pornography or obscene materials.
18. Passing off a personal view as representing that of the company.
19. Jeopardizing the security of the computer system.

20. Failing or refusing to cooperate with a company investigation involving the computer system.

### **Monitoring**

To ensure compliance with this and other policies of ABC, usage of the electronic communications system, including the e-mail system, is monitored. This monitoring may occur, for example, through interception of e-mail communications and internet usage, or by access to and review of e-mail and other data stored electronically on individual computers and on the network. All employees are deemed to consent to such monitoring by continuing in their employment after being notified of this policy.

### **Compliance**

Employees are required to notify their supervisor upon learning of any violation of this policy. Employees who violate this policy, or who fail to report violations of this policy, will be subject to disciplinary action, up to and including termination.

### **Acknowledgment And Consent**

All employees are required to sign an written "Acknowledgment and Consent" form before beginning active employment. After being signed, it will be kept in the employee's personnel file.

### **ACKNOWLEDGMENT AND CONSENT**

I have received a copy of ABC's Computer System Policies, revised January 25, 2001, and will read them before I begin active employment. I understand that compliance with those policies is a condition of my employment, an that violation of them may result in discipline, up to and including discharge. I also understand that these policies may be revised from time to time in the sole discretion of ABC, and that I am required to comply with these policies so revised. If in the future I have any questions about ABC's Computer System Policies, I will consult my supervisor or the human resources department.

I understand that ABC may monitor its computer system, and that such monitoring may include but not be limited to interception of and access to my electronic communications. I voluntarily consent to all such monitoring, with or without prior or subsequent notice.

\_\_\_\_\_  
Employee Name (Print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date