

# Table of Contents

<b>Chapter 1 - Introduction.....</b>	<b>1</b>
Workplace Statistics .....	2
Forms of Electronic Technology .....	3
Traditional Phone Systems and Voice Mail .....	3
Video Surveillance .....	4
Cell Phones.....	5
Camera Phones .....	5
E-Mail.....	6
Computer Personalization.....	7
Surfing the Internet.....	7
Streaming Audio and Video .....	8
Blogging.....	9
Instant Messaging .....	10
PDAs/Pocket PCs/ BlackBerry Devices.....	11
<b>Chapter 2 – Resource Use and Employee Monitoring .....</b>	<b>13</b>
The Right to Privacy .....	13
Electronic Communications Privacy Act of 1986 .....	15
The System Provider Exception .....	16
The Business Extension Exception .....	16
The Consent Exception .....	17
Other Laws Affecting Employee Privacy.....	17
USA PATRIOT Act .....	18
Notice of Electronic Monitoring Act.....	18
The First Amendment .....	19
Special Situations: Harassment, Discrimination and Unions.....	19
Harassment.....	20
Discrimination .....	21
Unions and E-Solicitation .....	22
Child Pornography in the Workplace .....	23
Prevention: Steps Employers Can Take to Protect Themselves .....	25
Electronic Resource Use Policy .....	25
Employee Termination .....	27
Other Measures.....	28
<b>Chapter 3 – Document Retention .....</b>	<b>31</b>
Importance .....	31
E-Discovery .....	31
Subpoenas for Electronic Records .....	32
Laws Affecting Document Retention .....	33
SEC Rule 17a (3, 4).....	33
Sarbanes-Oxley Act.....	34
Prevention: Steps Employers Can Take to Protect Themselves .....	34
Document Retention Policy .....	34

<b>Chapter 4 - Conclusion .....</b>	<b>37</b>
<b>Frequently Asked Questions.....</b>	<b>38</b>
<b>Appendices.....</b>	<b>41</b>
<b>Index.....</b>	<b>61</b>