

PRIVACY IN THE WORKPLACE

BETH ISRAEL MEDICAL CENTRE



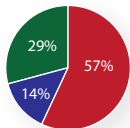
★ Claims privilege has been waived because e-mail messages have been transmitted between attorney and client through the hospital's e-mail system.

★ The hospital's e-mail policy stated that all of its computer systems, e-mail systems, etc., were its property and should be used for business only, and that all information and documents created, received, sent or saved using the hospital's computer or communications systems were the hospital's property.

★ The hospital reserves the right to access and disclose any material at any time without notice.

★ In 2002 the hospital distributed an employee handbook containing a summary of the e-mail policy. Beginning in 2002, newly hired doctors had to sign a form acknowledging they read and were familiar with that policy.

SHOULD E-MAIL & INTERNET USAGE MONITORING BE ALLOWED IN THE WORKPLACE?



■ No, but employers should provide clearer guidelines

■ Yes.

■ No, it's an invasion of privacy that shows lack of trust.

Source: Monster.ca

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DR. SCOTT, CHAIRMAN OF ORTHOPEDIC DEPT.



★ Plaintiff signed no such acknowledgement and denied knowledge of the policy.

★ Every e-mail that plaintiff's counsel sent him carried a notice stating it was intended only for use by the addressee and "may" contain privileged and confidential information.

★ Plaintiff's counsel received no notification from the hospital that its e-mails to plaintiff were monitored.

★ Plaintiff argued that the e-mails were within the attorney-client privilege.



PROTECT YOUR PRIVACY AT WORK

- Use your own cell phone for private calls;
- "Launder" your e-mail and don't post anything you wouldn't want your boss to read;
- Your Internet path can always be monitored so save the games and racy sites for home;
- Keep blank note cards in your desk and write messages to people when you have something private to say.

*Source: Gabriel Bouchard, Vice President & General Manager
Monster Canada*