**Using Your Computer at Work: Employee Rights**

**For most workplaces, using computers has become a part of doing business every day. As a result, more and more questions have arisen as to the legal rights of an employee to use his or her work computer for personal purposes. While many employers have developed written policies regarding computer usage by employees that may give some guidance in this area, employers generally have the discretion to monitor and restrict employees’ personal computer usage as they see fit. As a result, you may be subject to discipline, or even discharge, as an employee if you violate your employer’s policies regarding personal computer usage.**

**Email and Privacy**

**In most cases, email messages are not subject to any personal privacy laws. As a result, employers are generally free to monitor and read employees’ email messages, with no restrictions. The theory in this situation is that emails sent using a workplace computer are the property of the employer, regardless of whether the sender or recipient of the email message intended to keep its contents private. Whether an employer is monitoring email messages to and from employees in order to ensure that employees are productive, to guarantee that employees are not disclosing confidential information, or simply to decrease the possibility of any employee misconduct or wrongdoing, employers typically are well within their rights to monitor employee email.**

**Internet Usage at Work**

**Similarly, employees’ internet usage in the workplace is subject to the same scrutiny as email messages. Employers generally can track employees’ internet usage, in terms of time spent online, websites visited, and engagement in other online activities. An employer also may restrict an employee’s access to the internet or access to certain websites, or prohibit personal usage of workplace computers altogether. As a result, there is no cognizable right to privacy claim against your employer for monitoring or restricting your internet usage.**

**Part of the reasoning behind the law generally giving employers the discretion to dictate personal computer usage policies in the workplace is that since employers own the computers, they also own the data transmitted to and from the computers, whatever the source may be. Another reason justifying an employer’s ability to monitor personal computer use in the workplace is security. Computer systems may become vulnerable to virus and other types of technological problems if employees are downloading information and programs from the internet, or other potentially harmful material. Security also may be an issue in terms of employees violating company confidentiality rules. By monitoring personal internet usage, employers can ensure that employees are disseminating confidential information about the company to the public.**

**Written Work Policies**

**Likewise, employers these days typically have written policies regarding personal computer usage, which place employees on notice of the employer’s stance on using a workplace computer for personal purposes. These policies provide support for employers when they choose to discipline or even discharge employees for inappropriately using workplace computers. However, even in the absence of such policies, the law generally sides with employers in setting and enforcing personal computer usage by employees in the workplace.**

**Get Help from an Experienced Employment Law Attorney**

**Have you been discriminated against by a potential or current employer -- as a job applicant or current employee? To best protect your legal rights you should discuss your situation with an employment lawyer. Meet with a**[**local employment for employees attorney**](http://attorneys.lawinfo.com/employment-law-employee/)**sooner rather than later to protect your rights.**