Discussion 9C

Should employers be able to access work-related communications on an employee-owned device? Why?

Whether it is, or isn’t, ethical for an employer to access work-related communications on an employee-owned device depends on various background factors and will vary from case to case. What are these background factors? Let’s examine a possible scenario:

George is and employee at company XYZ. When George originally accepted the job offer he signed a binding agreement with the company. The document clearly stated that the employee will surrender access upon request to all work-related communications, whether they be on a work provided device or personal device.

In this case, the employee, George, willingly signed the work agreement. By doing so, he accepted the possibility to give up some personal privacy in exchange for employment. If George decides to use his personal devices for work and is eventually asked to give access to work-related communications by his employer, he can either agree, complying with the original agreement, or disagree, terminating the agreement by quitting or being fired from his job.

Referencing the same scenario, the outcome would be very different if the employer-employee agreement was altered to not include anything concerning employee-owned devices. In this case, the employer would have no access right to the employee-owned device. If the employer suspects that the employee-owned device has been used for malicious purposes within the company, this would be an issue elevated to local police authorities.

Undoubtedly, the number one concern of the employee in this debate is their privacy. (Of course, if the employee does have something malicious to hide, this would be even a greater concern.) I generally lean towards individual privacy rights, but I ultimately aim towards the sustainment of laws and binding agreements. The two need not be exclusive. Surveying a few Bring-Your-Own-Device (BYOD) policies, including my own employer’s, it seems like the general trend is to allow employees to use their own devices, however, the employee remains liable for damages, loss of company assets, and any malicious use. With a policy in place, the employee is free to choose. They may use their own devices at work, or they may choose to better secure their privacy by only using work provided devices.

Resources:

1. <https://www.shrm.org/resourcesandtools/hr-topics/technology/pages/questions-abound-about-employee-cellphone-privacy.aspx>
2. <https://en.wikipedia.org/wiki/Bring_your_own_device>
3. <http://www.itmanagerdaily.com/byod-policy-template/>

