

#### PUTTING IT ALL TOGETHER

How the IRS, IPR, and the Internet impact the business of standard setting

ANSI Legal Issues Forum 2008



# KING & Spalding

# Employment Law and The Internet

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### **Employment Law and The Internet**

Agenda

Internet access inside and outside the workplace

- > Use of Internet implicates numerous Employment Laws
- > How to limit the potential negative impact



#### **The Fair Labor Standards Act**



- When are employees working?
- Are employees accurately recording their time?
- Availability of information to employees on-line



#### www.paymyovertime.com



"Did you know that your boss may be driving around in a Lexus purchased with overtime pay that should have been given to you? That's right, your employer or former employer may owe you enough overtime money to take a vacation, buy a car, or put a down payment on a home, and you don't even know it!"



# **Title VII of The Civil Rights Act of 1991**

- Sexual Harassment in the workplace
- What is it?
  - Verbal or physical conduct of a sexual nature that is sufficiently severe or pervasive to alter the conditions of employment and create an abusive working environment.
- Statistics on Internet use in the workplace



#### Americans with Disabilities Act of 1990 (New Amendments Go Into Effect Jan. 1, 2009)

- Accessibility under Title I (Public Accommodation)
  - > Do customers have access to your services?
- Employment issues under Title III
  - Disabled Employees
  - Reasonable Accommodations
- Amendments will expand ADA coverage substantially



### **Help Wanted!**





- Job Postings
- Applications
  - Maintain records
  - Maintain statistics



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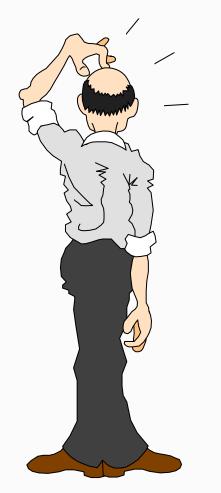
# **Policy Issues**



- State and Federal Privacy Laws
  - > What can the employer monitor?
  - Create policies limiting expectations of privacy
  - > Which employees should have Internet access?
- How should the employer monitor use?
- Workers Compensation issues with employees who work from other locations



### QUESTIONS





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