

# EMPLOYEE ASSISTANCE REPORT

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supporting EAP professionals

## Workplace Violence: *Rethinking Policies, Procedures*

By Gerald Lewis

Statistics reported in the media would indicate there's been a dramatic increase in workplace violence. Certainly, one should be concerned about these reports and make every effort to respond whenever possible. However, this response should be done in an effective and proactive fashion that does not escalate the issue with hype and hysteria!

The Department of Justice reports that between 1993 and 1999, the number of non-fatal assaults decreased by 44%, while workplace homicides dropped by 39%. There were 639 homicides in the workplace in 2001, down from the 677 homicides that took place at work in 2000 (Bureau of Labor Statistics, 2002). Although data may vary as a result of reporting discrepancies and other factors, the numbers indicate that, in fact, the workplace is a relatively safe environment when compared to the streets and homes of America. However, while homicides may be decreasing, anecdotally it is reported that conflict and hostility seems to be on the rise.

Compared to feudal systems, slavery, sweatshops, "pre-unionized" factories and farms, the worker of today is at much less risk of violence, injury, discrimination or harassment. The last 50 years have seen laws and policies that have improved the quality, comfort, and

safety of most workplaces.

The focus of any workplace should be on maintaining job performance and improving safety — not on managing personality problems. However, the Occupational Safety and Health Administration (OSHA) has determined that, "Each employer shall furnish to each employee a place of employment free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees." In recent years, interpretations of this policy have come to include personal safety. In England, "anti-bullying" policies are becoming a commonplace policy.

It is essential that supervisory personnel be trained to recognize whether an employee is capable of conducting himself/herself in a safe and non-hostile manner. The forward thinking workplace has instituted workplace violence policies that are similar in scope to sexual harassment policies and protocol. There is no guarantee of 100% prevention, but there is much that can be done to enhance safety and protection.

### Predicting Violence

Predicting violence can be compared to forecasting tornadoes. We may understand the causes and conditions that precipitate a tornado,

but we cannot truly know if, where, or when it may actually occur, and not how bad the resulting damage will be. However, data can facilitate a tornado warning or watch. Similarly, Michael Miller writes in the *Harvard Review of Psychiatry* that: "We can identify populations more likely to be violent, but we cannot predict the specific risk for a given individual."

Consequently, as with any profiling, it casts too wide a net, as some people will never act in a violent or hostile manner. Therefore, while such information is useful for a clinician to include as part of a compre-

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hensive evaluation, it should not be oversold as the absolute evaluation.

Moreover, the harsh reality is that any workplace probably has its share of potentially violent individuals, but who do not demonstrate any of the “signs or signals.” Another way to assess someone’s risk to act inappropriately is to observe his or her daily behavior and relationships. For instance, signs of job performance issues include absenteeism, decrease in work productivity, increase in conflicts with co-workers, etc.

Again, one must be cautious not to profile or to overreact, but to recognize the characteristics of an individual who *may* be prone to act inappropriately to conflict or stress in his/her life. (**Editor’s note:** See this month’s *Brown Bagger* for more on characteristics of at-risk workers.)

### Workplace Dynamics

The current tendency is often to look solely at the individual rather than in conjunction with the environment in which he/she works. However, as anyone knows, the workplace has always been fraught with some degree of tension and turmoil.

The development of policies around ethnic diversity, sexual harassment, affirmative action, the *Americans with Disability Act*, and bilingualism, reflect this growing change in the “face” of the American workforce. With these changes come a variety of issues, conflicts, and concerns that get played out on a daily basis in the workplace.

### Policies and Procedures

As the workplace continues to become increasingly diverse and the customers it serves more varied — and as greater demands are placed

on its employees through downsizing, reorganizations, mergers, etc. — pressure and stress may be manifested in inappropriate behaviors.

As a result, it’s essential to devise specific behavioral expectations and guidelines to help employees understand that being cooperative, communicative, and courteous remains a significant component of any job description.

Administrative policies such as safety regulations, sexual harassment, tobacco use, drug and alcohol use, *Americans with Disabilities Act (ADA)*, and the *Family Medical Leave Act (FMLA)* have been developed to improve overall safety in the workplace. However, these policies are often only located in the Human Resource Department and in employee handbooks. Many times, they are not discussed again unless an individual has made a significant breach in one of these areas.

Consequently, adherence to behavioral expectations needs to be included as an essential function of *any* job description. Currently, most job descriptions focus on technical skills and training, but are vaguely worded. Some include an equally indistinct statement to the effect that, “*the employee shall perform other duties and responsibilities as delineated by his/her supervisor.*” This common yet obscure wording of a job description may result in further confusion and conflict.

Rather, job descriptions should include essential duties and responsibilities, definitive technical/professional skills as well as components such as the following: “*This position requires that the individual be able to abide by the behavioral expectations (codes of conduct) as delineated in the employee handbook. Examples of these behavioral expectations include, but are not limited to: safety, drug and alcohol, sexual harassment, absenteeism, sick leave policies, etc.*”

## EMPLOYEE ASSISTANCE REPORT

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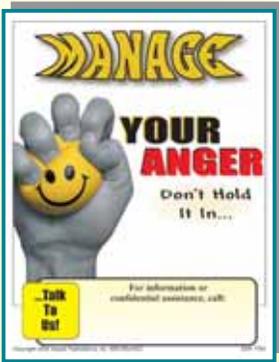
In addition, it is recommended that the job description also include language to this effect: “*This position requires that the individual be able to conduct himself/herself in an appropriate manner maintaining courteous and effective interactions and communication with other employees and/or customers.*”

### Summary

In closing, professionalism should be defined as having both the training, knowledge, skills, and

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## Editor's Notebook

This month's cover story and Brown Bagger insert are perfect examples of the importance of reader feedback, and of the need to periodically "tweak" our editorial calendar throughout the year.

With only 12 issues to cover the wide range of workplace and EAP issues, it isn't easy to fit all of the pertinent topics and readers' requests into one calendar year.

That being said, we admittedly dropped the ball a bit in overlooking, "volatile employee profiles and best practice policies for organizations to consider in terms of managing potential violence in the workplace" — at least until an EAR subscriber brought this topic

to our attention.

Many thanks to Dave Worster, EAPA president-elect, and contributor Gerald Lewis — who came highly recommended from Dave — in turning this reader's story idea into reality for this month's newsletter.

Moral of the story: Our editorial calendar — while a helpful guide, is a work in progress. We're happy to switch gears when topics come to our attention that are of greater interest. Call or email anytime! We're always interested in listening to your suggestions. Until next month. ■

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Violence

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experience to do the work, *as well as the capacity to maintain behavioral expectations relevant to the workplace*. A well-utilized EAP plays an essential role in: 1) responding to stress in the workplace; 2) training supervisors; 3) providing interventions for employees who are experiencing difficulties; and 4) providing crisis intervention if and when an incident occurs. ■

*Gerald Lewis, Ph.D., is an expert and international consultant in the area(s) of critical incident stress management (CISM), trauma in the workplace, workplace violence, and organizational crisis management. He recently started a series of educational web seminars. Application for PDHs has been submitted to EAPA. For more information, call (508) 872-6228 or visit [www.geraldlewis.com](http://www.geraldlewis.com) ("Training & Consultation" link). This article is excerpted from a final draft of a chapter titled, "Violence at Work: Causes and Protection" included in "Workplace Psychopathology: Recognition and Adaptation," edited by Thomas, J. and Hersen, M. (published in 2004). Editor's note: See this month's "Brown Bagger" for more information on this topic.*

## Workplace Survey

# More Firms are 'Family Friendly'

Raising a family while working is challenging for most parents, but it seems that more businesses are lending a helping hand.

According to a survey conducted by OfficeTeam, a leading staffing service, 62% of companies have made policy changes to better accommodate working parents.

"Programs that support work-life balance are attractive to professionals, especially members of the 'sandwich generation' — those caring for both children and elderly parents," said Diane Domeyer, executive director of OfficeTeam. "For smaller teams that may not have as much flexibil-

ity in adjusting salaries as larger organizations, offering these types of benefits can level the playing field."

Domeyer noted that working parents aren't the only ones that benefit from perks such as telecommuting, flex-time, extended family leave, and elder care.

"Many employees are juggling multiple priorities and appreciate these types of programs. Companies should actively promote these offerings to all prospective hires, both in job postings and during the employment interview," she said. ■

Source: OfficeTeam  
([www.officeteam.com](http://www.officeteam.com)).

# Substance Abuse: Addressing Disparity Issues

A national survey of human resource professionals conducted by the nonprofit Hazelden Foundation revealed that 67% of respondents believe that substance abuse and addiction is one of the most serious issues they face in their company.

Absenteeism, reduced productivity, and a lack of trust are major problems stemming from substance abuse that affects the efficiency and success of companies nationwide. Despite the serious nature of this issue, many HR professionals are not referring employees to treatment programs — less than one-quarter (22%) say their companies openly and proactively deal with employee substance abuse and addiction issues. The following is an overview:

## Importance of Education

The survey showed that a number of barriers prevent HR professionals from helping employees seek and receive treatment for addiction:

- More than half (54%) of HR professionals surveyed believe that getting employees to acknowledge or talk about the issue is their biggest challenge.
- Nearly half (49%) of respondents cited a number of barriers in helping employees with abuse and addiction issues: lack of experience in identifying abuse and addiction; lack of information about treatment options; discomfort in approaching employees about the issue; and not having sufficient time to address abuse and addiction issues.

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*“Eighty-five percent of HR professionals believe that offering education programs to address workplace addiction would be effective.”*

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*In an effort to help deal with those barriers, HR professionals want help addressing substance abuse and addiction in the workplace:*

- Eighty-five percent of HR professionals believe that offering education programs to address workplace addiction would be effective.
- Specifically, HR professionals said they would benefit most from information on how to identify abuse and addiction; how to discuss issues with employees; and how to choose treatment options.

## Challenging Businesses

Respondents said that employee substance abuse and addiction often negatively impact business:

- Significant problems cited included absenteeism, 62%; reduced productivity, 49%; lack of trustworthiness, 39%; negative effect on company’s reputation, 32%; missed deadlines, 31%; increased health care costs, 29%; and unpredictable, defensive relationships, also 29%.

*Effective treatment programs are considered invaluable to a business’s long-term success.*

- An overwhelming majority of HR professionals (92%)

agree that an effective treatment program increases productivity.

## Testing Problems

The nationwide survey showed that traditional systems for recognizing substance abuse and addiction may not work as well as HR professionals believe:

- Eighty-five percent of HR professionals believe drug testing is an effective way to diagnose workplace substance abuse and addiction. However, the National Institute on Drug Abuse and Addiction reports that 69% of substance abusers and addicts in 2005 used alcohol, which can go undetected through drug testing alone.

*Addiction issues may make new hires less attractive, but they do not deter commitment to current employees:*

- HR professionals are divided on whether their company would be interested in hiring a recovering addict — 43% agree their company would be less likely to hire an addict, while 47% disagree.
- HR professionals see abuse and addiction as a growing issue for women. However, they believe a number of barriers prevent women from getting treatment: fear of losing custody of their children; and fear that their employers and families will find out. ■

*To learn more about Hazelden’s resources, visit [www.hazelden.org](http://www.hazelden.org). Editor’s note: For more information, see this month’s “Lifestyle TIPS” insert. April is Alcohol Awareness Month and Counseling Awareness Month.*

# EARF: Founder Provides an Update

By Carl Tisone

The Employee Assistance Research Foundation (EARF) was recently formed with the primary goal of helping to advance the employee assistance profession.

The creation of EARF was prompted by widespread discussion and debate in the industry regarding commoditization, lack of agreed practice standards, and a relative dearth of evidence-based practice protocols.

We are not critical of the work currently being undertaken in these areas; but we believe that a great deal more can be accomplished with a focused effort and proper funding.

I attempted to articulate the challenges facing the field in a blog titled "Call to Action" in September 2007. (Editor's note: See also the January EAR.) This stimulated a strong turnout and enthusiasm at the foundation's inaugural meeting, which was held just prior to the annual EAPA conference in October 2007.

Since that time, efforts have focused on formation of a legal nonprofit entity and recruitment of a Board of Directors. A website ([www.eapfoundation.org](http://www.eapfoundation.org)) has also been established.

I see my role as a "catalyst," enabling the opinion leaders in the field to form a "Think Tank," to advance EAP and its perceived value among business organizations and the behavioral health industry.

To assist with this goal, the Tisone Family Foundation pledged matching seed grants totaling \$1 million. I anticipate the foundation

*"...efforts have focused on formation of a legal nonprofit entity and recruitment of a Board of Directors."*

will need to build its coffers to around \$10 million in order to be both solvent and relevant in the long term. Funding emphasis will be placed on industry leaders, corporate foundations, and other health and behavioral health-oriented charitable trusts.

The EARF will be run by the Board of Directors, the initial nucleus of which is being identified by nominations, interviews, and input from Dr. Paul Roman, Distinguished Professor at the University of Georgia and author of the highly regarded "EAP Core Technology."

This nucleus will then choose the rest of the Board membership, establish organizational bylaws, form committees, determine over-

all direction and a process to assure continuity, and oversee the budget and any staff.

Sponsorship of research, especially ROI and evidence-based practices, has been discussed as a primary function. However, the Board will be free to pursue additional activities that consensus indicates could elevate the current level of EA practice.

I expect the first in-person gathering of the Board will approximate the Employee Assistance Society of North America (EASNA) Institute April 16-18 in Vancouver. Teleconferences and various committees meetings are anticipated prior to those dates. Everyone's input is greatly appreciated. ■

*Carl Tisone is the founder of the EARF and founder and CEO of PPC Worldwide ([www.ppcworldwide.com](http://www.ppcworldwide.com)). Editor's note: EAR anticipates providing periodic updates on EARF happenings, and publishing John Pompe and David Sharar's "reprisal" to Tisone's "Call to Action" blog in subsequent newsletters.*

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# Compassion, Kindness Cross all Workplace Cultures

By Vinal Van Benthem

In many workplaces, talking about “God”, “religion”, or even “spirituality” is frowned upon. In some it’s actually prohibited. But there are other words that are more acceptable — words like “compassion”, “kindness”, “humility”, “gentleness” and “patience.”

Employees are expected to be compassionate and to support the needs of their co-workers. When Beth lost her mother, her boss told her to take as much time off as she needed. In doing so, Beth’s boss exhibited the quality of “compassion.”

And everyone knows that the workplace is a much more pleasant place to be when people are kind to one another. No one likes to be around someone who is constantly gossiping or pointing out the faults of other employees. If



nothing else, it makes one wonder what that person is saying about you when you’re not around!

Humility can be a bit problematic, probably because so many people confuse it with being a doormat. Some people practice *false* humility when in reality they’re looking for compliments. Humility is actually honesty, and most of us would admit that it’s much easier to be around someone who acknowledges and uses their

gifts but doesn’t go around “tooting their own horn” about them.

Gentleness can also be confused with timidity. But there is a real strength in gentleness. Those in the helping professions, like EAPs, recognize the importance of this quality.

And, finally, there is patience. Are we patient with those who are new in the workplace? Do we encourage them to learn from their mistakes? Or do we shout and yell, demanding that they know how to do everything right the first time?

When we do these things in love we know that God is truly present, even if our workplace discourages talking about religion, because God *is* love. ■

*Vinal Van Benthem is the pastoral associate at St. Raphael Parish in Oshkosh, WI and the author of “On The Way To Work,” Twenty-Third Publications, 2004, ISBN: 9781585952915.*

## Resources

📖 *MANIC: A Memoir*, by Terri Cheney, \$24.95, William Morrow, an Imprint of HarperCollins, ISBN: 0061430234. The author describes her attempt to battle her illness while maintaining a job and keeping some semblance of a normal life. It goes beyond explaining bipolar disorder, it “takes the reader in its grasp.”

📖 *Handbook of Emergent Methods*, edited by Sharlene Nagy Hesse-Biber and Patricia Leavy, \$110, Guilford Press, [www.guil-](http://www.guilford.com)

[ford.com](http://www.guilford.com). Conventional methods don’t always work in addressing complex research questions. As a result, this book examines emergent theories and methods *across* the social and behavioral sciences.

📖 *Motivational Interviewing in Health Care: Helping Patients Change Behavior*, by Stephen Rollnick, William Miller, and Christopher Butler, \$25, Guilford Press, [www.guilford.com](http://www.guilford.com). Written for health care professionals, this book presents tools to enhance communication and guide patients to healthy lifestyle choices.

📖 *What to Do When Your Therapist Isn’t There*, by Nina Danielson, \$15.95, Hatherleigh Press, [www.hatherleighpress.com](http://www.hatherleighpress.com). Find out why you do what you do, and feel what you feel — and how you can better cope.

📖 *ADHD in Adults: What the Science Says*, by Russell Barkley, Kevin Murphy, and Mariellen Fischer, Guilford Press, [www.guilford.com](http://www.guilford.com). The majority of ADHD cases are diagnosed in childhood, but awareness of the adult form of this disorder has grown explosively in recent years. This title fills a crucial gap in this literature. ■

# Consistency Does Not Equal Fairness

By Bill Catlette and Richard Hadden

**W**e've all heard the workplace adage, "Whatever you do, be sure that employees are treated fairly and consistently." Dilemmas, however, emerge when "fair" collides with "consistent," and someone has to sort it out.

Here's an example: Henry, the founder of a large corporation, walked around aimlessly handing out \$50 bills to long-time employees he recognized. Nothing particularly scientific or planned, just a guy trying to recognize those who had served faithfully for many years. Fair enough.

Lou, the company's director of labor relations, pulled the executive aside and pointed out that he couldn't just walk around the office singling out employees for on-the-spot bonuses. He needed to give the same bonus to be consistent — to do otherwise would suggest strong favoritism.

Henry's reaction was twofold. First, he reminded Lou of their respective positions in the "food chain" and, second, he authorized the company's treasurer to pay Lou a similar reward, and therefore "quiet" any employee who considered complaining about the disparate treatment.

Was this practice fair? No. What's fair about rewarding a long-timer with \$50, and then giving the same amount to a newcomer who simply threatens to complain? Moreover, what's fair about awarding a score of "4" (out of 5) to all but the poorest performers on annual performance evaluations? This might be consistent, but it's also grossly unfair.

## Consistency vs. Fairness

Consistency means treating all employees equally. Fairness means

treating each employee *appropriately*, and *individually*, based on the circumstances and contribution of that particular employee.

Fairness depends on something external, such as circumstances, situations, performance, or contribution. Consistency depends on nothing but conformity to an existing standard. Consistency requires good records. Fairness requires the application of good judgment. Consistency is easy, fairness is harder. But whoever said that leadership was easy?

A leader's job is to inspire maximum effort from workers. When managers abandon fairness in pursuit of consistency, something happens to people's willingness to give it their all. The following are some ways to move toward "fair" treatment of employees, even if it's at the expense of consistency:

- *Think back to a time you were treated unfairly* in order to maintain consistency, and then consider the effect it had on your motivation. It's the same thing for someone else.
- *Establish clear targets and rewards, and be clear about expectations.* Carefully articulate what constitutes outstanding performance. Stress that performers will receive the award, and non-performers won't. Period.
- *Account for differences in personal circumstances, and those beyond the employee's control.* If an employee experiences the loss of a close family member, cut them some slack for a reasonable period. Go the extra mile for your employees in these situations, and you'll have their full attention when you talk about going the extra

mile for customers. Ask the EAP for help if an employee's slump lingers for more than a few weeks.

- *When an employee complains that he/she has been treated unfairly, pay close attention because the worker may have a point.* Engage in a dialogue that gets both perspectives on the table. Be reasonable, and ask for the same from the other party. Be willing to compromise and come to a mutual agreement. Then move on.
- *Be consistent.* A manager must not change his/her tune with every mood swing. Also, don't maintain different standards for different people, or different groups, unless there are compelling reasons that everyone agrees with. Keep your promises, and follow through.

## Summary

A 3% across-the-board salary increase for everyone on the team is not fair unless there's been an across-the-board improvement in performance. A reward system based on the notion that *distinguished performance* merits *distinguished reward* is actually fairer!

The same is true for sanctions or punishment. Punishment may be necessary at times, but it's foolish to level all employees with the same sanctions, when not everyone is guilty of the infraction.

Leadership requires, among other things, making tough decisions based on a value system firmly rooted in fairness. And that's not always going to involve consistency. ■

*Bill Catlette and Richard Hadden are the authors of "Contented Cows MOOve Faster." For more information, call (904) 720-0870 or visit [www.contentedcows.com](http://www.contentedcows.com).*

# Protecting Customers' Privacy

By Jacqueline Klosek

Privacy is getting tougher than ever to maintain, especially with identity theft on the rise. With this in mind, growing numbers of Americans are demanding that corporate America treat their personal information with secrecy.

What is surprising is that it isn't just marketers that are trying to access personal information. The government also has drafted private industry for "data collection duty" in the war on terror.

This issue is not going to go away. The war on terror has reduced privacy rights in the U.S. and around the world. The bottom line is whether the feds are leaning on your company for records or you've suffered a security breach by hackers, your reputation is at stake and you've lost your customers' trust.

As a result, it's important to follow all privacy measures required by law. In addition to these measures, the following are some additional tips:

## 1. Conduct an Internal Audit.

Before you can inform your consumers about your privacy policies and practices, you must first understand what they are. Businesses should conduct an internal audit to understand: what data they are collecting, how they are using that data, with whom they are sharing that data, and how that data is being protected and related issues.

## 2. Develop a Privacy Policy.

Once a company's policies and plans for collecting and using customer information are clarified, they should be communicated to customers and clients through a privacy policy. A company privacy policy needs to clearly state how the company can be contacted, and the types of third parties that will have access to such information. Also, be sure to follow all laws and legal requirements in this regard.

## 3. Be Broad.

A policy should be as broad as possible. This will give the company greater latitude if forced by the government to hand over data or faced with other unanticipated events, such as corporate restructuring, mergers, and acquisitions.

## 4. Plan Ahead.

Recognize that a company could face a government subpoena demanding a client's personal information records. This may help you to avoid making a strong privacy promise to consumers that governmental demands will not allow you to keep.

## 5. Seek Prior Consent.

It's a good idea to obtain prior consent from clients about potential personal data transfers that could be subpoenaed by the government. The same holds true for other types of transfers, including transfers to business partners and service providers.

## 6. Conduct Due Diligence.

Examine the third-party service provider's experience with privacy and data security. Investigate any privacy complaints the service provider has faced and make sure you're complying with all U.S. and foreign laws when outsourcing.

## 7. Protect Your Website.

It's good practice to implement a Web monitoring program that automatically runs privacy scans to ensure that the site hasn't been compromised and that privacy measures remain intact.

## Summary

Protecting customers' privacy is becoming a more cumbersome task with the advances in technology and the war on terror. Ironically, the erosion of individual privacy rights here and abroad occurs under the guise of enhancing national security. The surprising fact is that this so-called greater protection renders private citizens more exposed than ever before. ■

*Jacqueline Klosek is a Senior Counsel at Goodwin Procter LLP, and is the author of "The War on Privacy," available at [www.amazon.com](http://www.amazon.com), and [www.jacquelineklosek.com](http://www.jacquelineklosek.com).*



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