The ePolicy
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E-Mail Risks & Rules, Records & Regulations:
SEMINARS AND WEBINARS

In recent years, we've seen e-mail trigger billion-dollar jury awards and million-dollar regulatory fines, topple stock prices, savage careers, and fuel media feeding frenzies. Fully 24% of companies have had employee e-mail subpoenaed. Another 9% have battled lawsuits triggered by e-mail. And 52% of bosses have fired employees for e-mail and Web misuse, according to the *2009 Electronic Policies & Procedures Survey* from American Management Association and The ePolicy Institute.

In spite of the fact that e-mail creates the electronic equivalent of DNA evidence, the business community remains challenged by the retention and disposition of e-mail records. Only 34% of organizations have e-mail retention policies in place. And 34% of employees don't know the difference between business-critical e-mail that must be retained and insignificant messages that may be purged.

Because employees keep introducing risky new technology into the workplace, the potential for litigation, regulatory fines, lost productivity, and security breaches surrounding business record management is staggering.

E-Mail Risks & Rules, Records & Regulations **reveals how a strategic e-mail management program—combining policy, training, and technology— can help your organization accomplish the following:**

- Anticipate—and deflect—e-mail risks and other electronic business communications disasters.
- Prevent accidental & intentional e-mail and Internet misuse.
- Employ best practices to maximize employee compliance with organizational rules & policies.
- Identify, manage and retain electronic business records created by e-mail and other electronic business communications tools in anticipation of litigation & regulatory audits.
- Recognize and define "electronic business records"— which can include meeting notes as well as formal documents and all other electronically stored information—on a companywide or department-by-department basis.
- Reconcile employees' privacy concerns with employers' monitoring rights.
- Help protect the organization's assets, reputation and future through the successful implementation of a strategic e-mail policy and record management program, based on proven best practices.

NANCY FLYNN
Author, Speaker, Executive Director

A recognized expert on workplace e-mail policy and electronic records management, Nancy Flynn is founder and executive director of The ePolicy Institute.™ The ePolicy Institute is dedicated to helping employers limit e-mail-related risks, including litigation, through effective e-mail policies, training programs, and technology tools.

Nancy Flynn is the author of 10 books published in 7 languages, including *The e-Policy Handbook, 2nd Edition*; *E-Mail Rules*; *Blog Rules*; *Instant Messaging Rules*; *E-Mail Management* and *Writing Effective E-Mail, 2nd Edition*. Nancy Flynn is an in-demand speaker, trainer, and seminar leader with clients worldwide. She also serves as an expert witness in e-mail and Internet-related litigation.

Since 2001, Nancy Flynn's ePolicy Institute has collaborated with American Management Association on an annual survey of workplace e-mail and Internet policies, procedures and best practices.

A popular media source, Nancy Flynn has been interviewed by thousands of media outlets including *Fortune*, *Forbes*, *Time*, *NewsWeek*, *BusinessWeek*, *Wall Street Journal*, *US News & World Report*, *USA Today*, *Readers' Digest*, National Public Radio, CBS Early Show, CNBC, CNN Headline News, CNN Anderson Cooper 360, Fox Business News, NBC, and ABC among others.

E-Mail Risks & Rules, Records & Regulations:
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What You Will Learn:

- Organizational and individual risks & rights, rules & regulations associated with e-mail and other electronic business communications tools and emerging technologies.

- Amended Federal Rules of Civil Procedure: Effective December 2006, the US Federal Court made clear the fact that all electronically stored information (ESI) is subject to discovery in litigation (may be used as evidence). Learn what the amended rules mean for your company—and why you must manage e-mail business records today in anticipation of litigation and regulatory audits tomorrow.

- Legal, regulatory and business challenges of electronic business record retention. How and why to define business records for your company; develop and implement written retention and deletion rules, policies and procedures; and ensure employee and organizational compliance with retention policy, schedule and procedures.

- Essentials of strategic e-mail and emerging technology management based on proven best practices.

- How and why to develop and implement e-mail and emerging technology rules, policies and procedures to help limit liability and increase compliance.

- How to create content that is appropriate and compliant. How and why to steer clear of content that jeopardizes confidentiality, triggers litigation and regulatory audits, and creates other costly and protracted electronic disasters.

- How to enhance productivity through effective e-mail management and appropriate business use of the organization's technology resources.

- Timely information, expert advice, best practices, and policy tips that you can take back to the office, share with executives and employees, and implement immediately.

SAMPLE AGENDA

E-Mail Risks: Potentially Costly Legal Liabilities, Regulatory Disasters & Other Risks

- Litigation Risks: Smoking Gun E-Mail Can Land Your Company in Court—and Out of Business

- Understanding Regulatory Risks, Rules & Responsibilities

- Recognizing and Preventing Confidentiality, Copyright, Trade Secret, Security, Productivity, and Other E-Mail-Related Risks

- Employers' Risks and Responsibilities vs. Employees' Rights

- Learning from Real-Life E-Mail Disaster Stories

E-Mail Record Retention & Disposition: Foundation for Strategic E-Mail Management

- Distinguishing Business-Critical E-Mail from Insignificant Messages

- Amended Federal Rules of Civil Procedure

- Understanding Regulators' Retention Risks & Rules

- Managing E-Mail as Legal Evidence

- Understanding Individual Roles and Complying with Central Controls

- Educating Users—and Management—About Records & Compliance

- Managing Records and Non-Records with the Latest Technology Tools

- Learning from Real-Life E-Mail Business Record Disaster Stories

Strategic E-Mail Management

- Putting Best Practices to Work for Individual Users and the Firm as a Whole

- Controlling Content to Control E-Mail Risk

- Managing Personal Use of Company Computer Assets

- Managing Personal E-Mail Tools (Gmail, Yahoo!, etc.)

- Maintaining a Civil—and Lawful—Business Environment

- E-Mail Monitoring: Reconciling Privacy Rights with Ownership Realities and the Law

- Managing People, Productivity & Risk with Technology Tools

- Learning from Real-Life E-Mail Content Disaster Stories

"Three Es" of E-Mail Risk Management

- Establish Clear, Comprehensive E-Mail and Retention Policies

- Educate All Employees, from Interns to the CEO

- Enforce Policy with Discipline and Technology

Putting It All Together:

- Applying E-Mail Policy and Records Management Best Practices to Maximize Compliance and Minimize Risks

Book Reviews

The e-Policy Handbook

"What every business book should be: easy to understand, full of practical tips, and provocative…You might not find a more useful business book this year, or next, than this one."—**Training Magazine**

"The e-Policy Handbook is the perfect companion to have at your side when drawing up your policies."—**Legal Management**

E-Mail Rules

"Top 10 Risk Management Books….37 rules for retaining and managing e-mail in ways to reduce corporate liability. Good stuff!"—**Claims**

"Businesses are advised to pick up a copy of E-Mail Rules."—**The Seattle Times**

"A well-organized guide to implementing e-risk management….Delivers a high-level training program for your clients."—**American Bar Association, Business Law Today**

Instant Messaging Rules

"Employees' surreptitious use of IM can come back and bite your business in the bottom line, so it pays to learn about the technology and impose policies and standards."
—**Harvard Business School, "Working Knowledge" Newsletter**

Writing Effective E-Mail

"Writing Effective E-Mail is a must-read for everyone who sends and receives e-mail in a business setting…Presented in a no-nonsense efficient style…Take this quick course to e-mail success."—**Business Librarians at the Carnegie Library, Pittsburgh Post-Gazette**

E-MAIL PROGRAMS

- **E-Mail Risks & Rules, Records & Regulations**
- **E-Mail, IM & Emerging Technology** Risks & Rules, Records & Regulations
- Texting Rules: Risks & Records, Policies & Procedures

SOCIAL MEDIA KEYNOTES, SEMINARS & WEBINARS

- **From Twitter and Facebook to YouTube and Blogs…**How to Communicate Online Without Getting Fired, Sued, or Publicly Humiliated
- **Social Media Rules:** Risks & Records, Policies & Procedures
- **Social Media Policy 101:** Creating and Implementing Effective Social Media Policy
- **Writing for Social Media:** How to Write with Impact— Without Exposing Company Secrets, Triggering Litigation, or Losing Your Job
- **Blog Rules:** Risks & Records, Policies & Procedures

ELECTRONIC WRITING PROGRAMS

- **Writing for Social Media:** How to Write with Impact— Without Exposing Company Secrets, Triggering Litigation, or Losing Your Job
- **Writing Effective E-Mail:** Improving Your Electronic Communication
- **E-Mail Management:** Getting a Grip on E-Mail Overload
- **Netiquette Rules:** Creating & Maintaining a Civil Business Environment

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