

A solid yellow right-angled triangle pointing towards the top-left corner.

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Cloud ComputingThe Workplace Norm?

The recent attention given to Apples announcement of its iCloud internet-based online storage service is yet another indicator of the growing popularity of cloud computing, or using online data storage for files that can be accessed and managed anywhere using an internet connection. Instead of saving your files and data to your own device, you save them in a cloud, or web-based file cabinet. Google has offered this service to consumers since 2005 with its Google docs service. Now Apple is joining in, offering a free service that will basically allow users to mirror their iTunes library, photos, and other files on Apple data centers and access them via the Internet, avoiding the hassle and expense of storage on separate devices.

Apples announcement will no doubt fuel the already rapid growth of cloud computing. Despite the many risks associated with this technology, the business of online data storage is booming.

Employers are increasingly shifting to cloud computing systems to enable workers to access work information and files from any computer, anywhere, anytime. There are many potential business benefits to this technology, including costs savings, but there are also inherent legal risks. Numerous laws, including HIPAA, trade secrets laws, and the Fair Credit Reporting Act, among others, could be implicated when an employer chooses to use online data storage for employment and business data. As usual, technology and businesses are well ahead of the law on this topic, and there is a shortage of clear guidance in this area. At a minimum, employers should make sure they put into place carefully crafted agreements (think trade secrets and confidentiality provisions), policies (is cloud computing described and covered in your technology and/or social media policies?) and employee communication strategies and plans (make sure employees know and understand your position on the issue) before venturing into the cloud in cyberspace.