



BYOD – the Tech Revolution that Wasn't

News

8.20.15

Chris Boman was quoted in *CIO* on August 20, 2015. The article “BYOD – the Tech Revolution that Wasn't” discussed how once upon a time, BYOD and the consumerization of IT was held up as a paragon of productivity and cost savings for enterprises that embraced the concept. Now? Not so much.

Chris was quoted on the legal and financial issues associated with BYOD.

“There are a lot of issues that must be thought through,” said Chris.

“A clear example of this would be mileage,” he said. The difference there is that there's already an IRS rate for that reimbursement. There isn't anything for phone use.

BYOD can also blur the line between work time and non-work time, and whether or not employees need to be compensated for it. “For nonexempt employees, if they are using their phone for work purposes after hours or before hours or lunch, you have an off-the-clock issue,” he said.

What rights employers have over a device when the employee owns it is also murky. “With work technology or business technology, the employer typically retains the right to inspect and monitor your devices,” Chris said. “How do you do that when the employee is providing the technology? It's the erosion of employer rights or encroachment on an employee's privacy.”

And then there's what happens if your company is subject to regulations for discovery during legislation – known as ESI, for electronically store information. Under ESI, employers have an obligation to preserve electronic data, information and documents. “When you have a personal phone used for business and zip drive and thumb drive and laptop and tablet, the employer is obligated to corral all of those and preserve all the evidence on them,” he said. “BYOD creates an ESI risk because of the administrative nightmare of trying to identify all the mediums that may exist.”

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