

BUSINESS



Pre-paid debit cards are becoming more popular. **E4**

Dow 30 11,897.27 ▼ 178.84 | **S&P 500** 1,265.42 ▼ 22.45 | **Okla. Sweet** \$91.25 ▼ \$4.50 | **Spot natural gas** \$4.53 ▼ \$0.06 | **Yen per dollar** ¥80.97 ▲ ¥0.45 | **Gold** \$1,525.60 ▲ \$1.80

Think twice before sending that email

Every second millions of workers mindlessly hit the “send” button, hurling yet another email into the vast expanse of cyberspace.

The benefits of email are evident: quick efficient communication that is less time-consuming than a phone call or a formal letter. However, the dark side of email is that workers may unwittingly create the “smoking gun” that could harm the company in the event of a legal dispute.

The legal system has adjusted to the reality that email is now the primary form of business communications. Thus, during litigation, it is not unusual for a company to receive a demand for internal and external emails of a particular person or subject matter. For example,



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a document request could require that the CEO turn over all non-privileged email communications about the dispute.

All too often these requests result in the production of unflattering emails that were sent in the heat of the moment without much thought. Imagine in an age discrimination case having to explain an email written by a super-

visor referring to the employee as an “old dog who can’t learn new tricks,” or an email from a company official expressing anger over workers’ compensation claims, or internal company communications in a contract dispute with a customer.

A savvy company trains employees, especially managers, on the proper use of email, emphasizing that even though an email seems more akin to a causal conversation than a “memo to file,” the email is a permanent document and both the email and the “memo to file” can be discovered by the opposing side in the event of a lawsuit.

Remember that even deleted email can be retrieved. Thus, all emails, even those exchanged inter-

nally, should be carefully considered and drafted in a professional manner. Here are some do’s and don’ts regarding work related email:

Do not send emails in the “heat of the moment.”

Remember that emails are permanent documentation.

Do not include sarcastic or humorous comments when sending a work related email to a work friend or acquaintance.

Do not include any derogatory comments, personal comments, gossip or negative opinions in your message.

Do write work related emails in a professional manner.

Review the company’s documentation retention policy after any internal or external employee com-

plaint.

Do remember that emails are documents that will be used as exhibits in lawsuits.

Do remember emails can be easily forwarded.

Be wary of “reply all” when sending emails.

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The views expressed here are those of the author and not necessarily the Tulsa World. To inquire about writing a Business Viewpoint column, email a short outline of the article to Business Editor John Stancavage at john.stancavage@tulsaworld.com. The column should focus on a business trend; the outlook for the city, state or an industry; or a topic of interest in an area of the writer’s expertise. Articles should not promote a business or be overly political in nature.