

Publications

What Clinton's Email Troubles Can Teach Employers

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Jackie Ford, a partner in the Vorys Houston and Columbus offices, authored an article for the *National Law Journal* titled "What Clinton's Email Troubles Can Teach Employers." The article was about the lessons employers can learn from Hillary Clinton's time at the State Department regarding the potential dangers of using only one email account for personal and work email.

The article states:

"As the revelations concerning Clinton's email illustrate, employees who control access to company records in personal accounts also may control the means to delete those records. Messages deleted from third-party hosted applications (including email applications) may not be recoverable. Such destruction can lead to spoliation issues, lost data, penalties for faulty recordkeeping and a host of other problems.

Given the pitfalls of using private accounts for company business, why is the phenomenon apparently so common — and what can employers do to make it less so? First, many employees just think they are smarter than the information-technology department, the human resources department and their boss. They disregard security barriers that make accessing the office email more cumbersome than accessing their personal accounts.

Second, employees are busy. If they think they can get their work done faster and with fewer obstacles by using one account rather than two, or by emailing work product to or from their private email addresses, they are likely to do so.

Finally, employees not directly involved in electronic discovery may not realize just how onerous and expensive it can be. They may also fail to grasp that the cost of such discovery into their personal accounts will include the prospect of watching the company's lawyers plow through a jumble of personal and professional communications."

To read the entire article, visit the *National Law Journal* [website](#). (Subscription may be required).