

New Media, Work Boundaries, and Privacy

OPEYEMI AKANBI

University of Pennsylvania, USA

This article, situated in the current trend toward integrating work and nonwork, analyzes how 100 Fortune 500 companies address employee privacy in the use of new media technologies. It seeks to answer two primary questions: (1) Do companies articulate an awareness of the tendency toward the simultaneous use of devices for work and nonwork? (2) What approaches are employed in an attempt to control such use? The findings reveal that 66% of corporate codes articulate some level of tolerance for integration. Despite this general trend toward permitting employees to use company-issued devices for nonwork and personal devices for work, 53% of the companies in this study nonetheless disclaim privacy expectations by employees while 67% engage in monitoring employees' activities. The article goes on to critique these approaches for failing to reflect social realities of work and proposes an alternative approach to employee privacy in the simultaneous use of electronic devices for work and nonwork.

Keywords: new media, privacy, work, corporate codes

In 2015, *The New York Times* published a story about the work culture at Amazon, where workers worked 80-hour weeks and received e-mails after midnight, followed by text messages demanding responses to the e-mails (Kantor & Streitfeld, 2015). Although the Amazon story is an extreme case, working extra hours is not out of the ordinary. Aided by new media technologies, people routinely work more than 50 hours a week and have learned to work outside of traditional work spaces—in trains, airplanes, airports, cafes, and even on the beach.

In 2016, the release of Pokémon GO led to a different kind of article by *Forbes*, indicating that more than two-thirds of surveyed workers played the game at work (Sola, 2016). Whereas *The New York Times* article focused on the flow of work into nonwork spheres, *Forbes* focused on the flow of nonwork into work spheres—but both articles shared a focus on the blurring boundaries between work and nonwork.

One important implication of blurred boundaries between work and nonwork, particularly in the use of new media technologies, is employee privacy. Accessing work from personal devices exposes personal information to workplace monitoring systems. The issuance of privacy disclaimers and monitoring notices by employers does not sufficiently address the vulnerability that may arise from exposure of employees' private information. Rather, a more nuanced approach that accommodates employees' human need for privacy ought to be adopted.

As a precursor to the argument for a more expansive employee privacy framework in communication, mediated by new media technologies, this article analyzes how 100 Fortune 500 companies address employee privacy in the use of electronic communication devices. It seeks to answer two primary questions:

RQ1: Do companies articulate an awareness of the tendency toward the simultaneous use of devices for work and nonwork?

RQ2: What approaches are employed to control such use?

The first question is addressed using a binary coding system for analyzing the corporate codes alongside identification of companies that provide scenarios to exemplify the appropriate boundaries of work. The second question identifies monitoring notices and privacy disclaimers as the articulated methods of integration control in corporate codes, but this article argues that these methods fail to reflect social realities of work in the age of new media.

This article, itself situated in the digital age, recognizes that the definition of work is often influenced by the social and historical context in which it is being discussed. Fuchs (2014) focuses on digital work, Gregg (2011) on knowledge work, and Hochschild (1979) on emotion work. In addition to identifying the specific context in which the term *work* is being employed, there have been attempts to distinguish the term from *labor*, sometimes as a mere signal of the historical development of both terms (Williams, 1985), and at other times as a theoretical basis for expounding on the digital age (Fuchs, 2014). Both accounts of the distinction define work as activity in a general sense and agree that labor is a type of work that signifies “alienation” and “toil” (Williams, 1985, p. 335). Nonetheless, this article adopts the use of the term *work* as paid employment, a usage (Williams, 1985) ascribes to the development of “capitalist production relations.” In describing work as paid employment, traveling from home to work, performing household chores, consuming media, and by extension advertising—described by Smythe (1977) as “audience labor” and for which workers are not paid—are excluded from the definition of work. Their exclusion is not designed to challenge Marxist and feminist arguments that such activities are labor but is based on the need for a clear dichotomy between paid work performed in the context of a contractual relationship and other activities, which may be labor but are not remunerated.

The ambit of paid employment is further circumscribed in this article by a focus on the use of new media in the course of performing work. New media for the purposes of this article are similar to what Castells (1996) describes as “technologies of information processing and communication” (p. 31). In particular, this article focuses on electronic communication devices such as desktop computers, laptops, tablets, and smartphones, as used with Internet infrastructure. Their usage in the course of work signals a level of technological literacy common to knowledge professionals in information economies—where the majority of wealth is produced through the buying and selling of information both as a commodity and as a service (Chandler & Munday, 2011). The use of new media technologies among knowledge workers in the information age also renders conversations about work boundaries salient, given the ease with which work and nonwork can be merged on new media platforms and the privacy risks that arise therefrom.

The Supreme Court, recognizing that the affordances of new media and reasonable expectations regarding their usage have evolved over the years, has refrained from making a broad ruling about the privacy expectations enjoyed by employees in the use of employer-provided communication devices (*City of Ontario v. Quon*, 2010). The Court reasoned that there was an unacceptable risk of error in ruling on privacy expectations of employees in electronic communications before the societal role of such media are clear. This article contributes to the task of clarifying this role by examining corporate discourse, directed at employees, on the simultaneous use of devices for work and personal activities.

The corporate codes analyzed in this study reveal an artifact-based and spatially situated approach to employee privacy. The corporate codes typically disclaim expectations of privacy when personal devices are used for work or when personal use is made of employer-issued devices. This approach contradicts the framework of contextual integrity (Nissenbaum, 2010), which requires due consideration of the surrounding context for information gathering, including the social circumstances and the amplification of power inequities. It also runs contrary to human flourishing (Cohen, 2012) by failing to consider the culture and “well-being of the embodied beings” (p. 6)—workers—who inhabit the realm of the workplace. Nissenbaum (2010) and Cohen (2012) move beyond traditional legal conceptions of privacy and enjoin a focus on the social and cultural contexts in which privacy is invoked. In line with a contextual and culturally situated approach to privacy, this article claims that corporate approaches to worker privacy ought to embody everyday practices of the workers.

New Media Technologies in the Workplace

The use of electronic communication devices in the workplace is not isolated from the historical tensions between capital and labor. These tensions have been explored in much detail (Braverman, 1998; Cowie, 2001; Edwards, 1979), and, despite the use of electronic communication devices, the modern context of work has not materially changed the relationship between capital and labor. These devices represent another platform upon which the tensions play out. The devices assist in the transcendence of spatial constraints to mediate interactions with multiple spheres. For instance, although physically situated at their workstations, workers may switch between working, online shopping, online banking, instant messaging with friends, and catching up on shows. Conversely, while on vacations and at family dinners, workers can easily answer work e-mails and complete reports.

The practice of taking work into the nonwork environment and nonwork into the work environment is not exclusively mediated by computers. Nippert-Eng (1996), for instance, explores workers' management of boundaries between home and work without reference to the devices under consideration here. Other boundary-related studies have sought to address the subject of role transition across boundaries (Ashforth, Kreiner, & Fugate, 2000); the factors affecting choices and outcomes of varying individual management approaches to work–family role synthesis (Kossek, Noe, & DeMarr, 1999); the methods of managerial control over the temporal boundaries between employees' work and nonwork lives (Perlow, 1998); and the difficulty in attaining work–life equilibrium despite corporate allusions to support for family values (Hochschild, 1997). However, the ease of switching spheres merely by switching windows makes the practice more pervasive. Gregg (2011) recognized the capacity for new media technologies to encourage the performance of work outside of its temporal and spatial boundaries, citing

the magnetism of these technologies alongside the precarity of modern employment. This article moves away from that primary focus on the flow of work into nonwork, as employee privacy may be threatened by integration in any direction, and perhaps even more so by the flow of nonwork into work.

On the employers' side, a primary consideration in the management of work boundaries is organizational commitment, which Rothbard, Phillips, and Dumas (2005) suggest may be higher among integrators—workers that prefer to intermingle work and nonwork. In an earlier study, Kirchmeyer (1995) indicated that “maintaining an inflexible and impermeable boundary between work and non-work did not seem conducive to building organizational commitment” (p. 530), suggesting that companies stand to benefit from adopting flexible work boundaries. Recognizing that companies' approaches to flexible work boundaries are varied and complex, particularly regarding the use of electronic communication devices, this study sets out to outline these approaches with particular emphasis on their implications for employee privacy.

Employee Privacy

New media technologies avail employers with more invasive and expansive methods of surveillance (Solove & Schwartz, 2015) while providing ever more increasing opportunities for vulnerability on the part of employees. A mix of constitutional law, common law, tort, and statutory provisions attempt to regulate the space—but there are nonetheless gray areas, and the rapid development and adoption of new technologies exacerbate the uncertainty. One particularly complex subject is the “reasonableness” criteria for privacy expectations that is crucial to Fourth Amendment privacy protections—for public-sector employees—and privacy torts (Determann & Sprague, 2011).

“A reasonable expectation of privacy” is a phrase that often appears in legal discussions of privacy. Although it is supposed to exemplify the connection between law and social norms, it is qualified by problems of norm selection and hegemony (Post, 1989). Despite these problems, alongside inconsistencies with empirical evidence (Slobogin & Schumacher, 1993), it has continued to thrive as a legal test for privacy. Employees hinging their suits on an expectation of privacy in the conduct of personal activities on employer-issued devices or networks are likely to fail unless they can show that such expectation is reasonable. For instance, a pregnant employee used her company e-mail account to hold conversations with her attorney about perceived workplace pregnancy discriminatory practices. She objected to her employer's access to and use of the e-mails. However, the court held that it was unreasonable for an employee to have any expectation of privacy, having been informed that the company computer was to be used for company business only, and further that e-mails sent on the company computer were not private (*Holmes v. Petrovich*, 2011).

The primacy attached to artifact level analysis deemphasizes the modern context of work in which workers transcend the spatial boundaries of the workplace to engage in nonwork activities through communication devices. Context here is socially constructed, pointing to practices as opposed to stable structures (Dourish, 2004). While the corporate ownership of the device and surveillance notices attached thereto are relevant, they ought not to constitute the exclusive considerations for reasonableness of

privacy expectations, specifically because the trends toward the integration of work and nonwork present complexities that such an approach is unable to accommodate.

Similarly, a spatially situated analysis of privacy runs into the challenge of distinguishing between activities conducted in the private realm, and thus deserving of privacy protections, from activities conducted in the public realm, which are regarded as fair game for surveillance. *Katz v. United States* (1967) and *Florida v. Riley* (1989) highlight the challenges that arise when place becomes the focal point in privacy determinations. In the former case, the Supreme Court elected to treat a person making use of a telephone booth as possessing a reasonable expectation of privacy, emphasizing that “the Fourth Amendment protects people and not places” (*Katz v. United States 1967*, p. 351). Two decades later, the Supreme Court decided that Riley, who grew marijuana in his greenhouse, had no reasonable expectation of privacy from aerial surveillance conducted by an officer in a helicopter 400 feet above the ground. Nissenbaum (2010) argues that these case decisions undermine privacy conceptions that are based on a dichotomy between private and public realms. She identifies new information technologies as emphasizing the “inconstancy of boundaries” and challenging legal definitions based on the public/private dichotomy. Given the blur between work and nonwork (Gregg, 2011; Hochschild, 1997) and the widespread use of new media technologies for work (Purcell & Rainie, 2014), this difficulty with determining the reasonableness of privacy expectations based on a delineation between the private and public realm is reproduced in work relations.

This article suggests that companies, through their codes, display an awareness of the blur between the boundaries of work and nonwork. It also shows that in their codes, companies attempt to construct work boundaries by using largely similar articulations of privacy disclaimers, providing notice of the existence of monitoring systems, and using scenarios to aid comprehension of the boundaries of permissible conduct.

Method

This study is based on publicly available corporate codes of some 100 Fortune 500 companies. The study restricted the number of codes analyzed to this number because the analysis progressively yielded consistent findings across the coding categories, and further analysis of additional codes appeared unlikely to change the coding categories or vary the findings significantly. These corporate codes were downloaded from the relevant company websites between August and September 2016.

The corporate codes had labels such as “Code of Business Conduct” (Abbott, 2015) and “Global Code of Conduct” (PepsiCo, 2012). *Code* refers to a compilation of rules or principles while *conduct* means behavior (Stevenson, 2010). Taken together, these definitions suggest that corporate codes and their alternate labels possess certain features that make them particularly useful for this study: (1) Corporate codes are recorded in some form that permits reference. They are often written documents. (2) They contain the norms regulating behavior and enumerate the company policies regarding employee behavior. (3) They are limited in scope and affect conduct directly linked to work. (4) They require compliance. Compliance

with corporate codes is mandatory, and employees may be informed of the consequences of noncompliance.

Although there is little consensus as to the effectiveness of these corporate codes in shaping worker behavior (Schwartz, 2001), they are nonetheless regarded as an element of discursive practices in corporations (Winkler, 2012). They reflect the reality a corporation perceives or aspires toward and are tools for the exercise of soft power (Helin & Sandström, 2010). Corporate codes often read like legal documents or contracts, possibly because of some court opinions interpreting these documents as contracts (*Staschiak v. Certified Logistics, INC.*, 2016). Despite their legal nature, some companies attempt to convey a conciliatory rather than stern tone, but the message to employees is unmistakable: Comply or be disciplined. As a result, corporate codes can be regarded as encapsulating an aspect of employers' attempt to control employees' expectations of privacy in the use of electronic devices.

Corporate codes are often many pages long but dedicate specific sections to corporate policies on the boundaries of work on digital media, such as e-mail. The policy on work boundaries often manifests as a command to refrain from the personal use of corporate digital media, equipment, or network; a disclaimer of reasonable expectations of privacy; a notice of surveillance of all activities on company networks, media platforms, and equipment; an acknowledgement and acceptance of personal use of corporate digital media; and an admonition for reasonable use, among other policy statements. To identify these policies, I ran a search in each corporate code for these words: *personal*, *privacy*, *private*, *monitor*, and *reasonable*. In many of the corporate codes, the section addressing work boundaries in relation to digital media was returned. Sometimes, the results showed that the corporate policy on the subject was not restricted to one area but was spread across multiple sections in the code, in which case each section was parsed to ensure that no contradictions existed. Given the complexity of the legal language contained in the code, there are certain ambiguities that I have reflected in my coding scheme by assigning unclear policies to a separate category of analyses with consequences for my findings.

Besides the date of revision or publication, three other coding categories emerged from a close reading of the codes. The first, integration tolerance, indicates a company's level of tolerance. The codes were classified into two groups based on whether they contained an express statement of tolerance for some level of integration, regardless of how minuscule this was. The second, privacy expectations, points to the level of disclosure about workers' privacy expectations. Four levels of disclosure about privacy expectations were identified among the codes. (1) Yes: The corporate code explicitly indicates that employees have an expectation of privacy in their personal communications on company communication technologies and personal devices used for work. (2) No: The corporate code includes an express disclaimer that employees have no expectation of privacy in their personal communications on company communication technologies and/or personal devices used for work. (3) Unstated: The corporate code implies the absence of privacy expectations based on a monitoring notice and/or an express prohibition of the conduct of personal affairs on company communication technologies. (4) Unclear: The corporate code permits personal use of company communication technologies, but privacy expectations are not addressed. The third, monitoring notices, indicates whether codes contain notices that employee activities on communication devices are monitored.

Results

Eighty-three percent of the corporate codes are dated between 2004 and 2016. The dates of the remaining 17% were unspecified.

As Table 1 shows, 67% of the codes considered in the study disclosed that monitoring systems are in place to surveil employees' use of company communication equipment and systems. Within this group of codes, a vast majority state that employees have no privacy expectations in their use of the companies' media technologies. Among these is Citi's code of conduct, which states that

Citi may monitor and record your use of its equipment, systems and services, and may intercept any information sent or received by you as a result of such use, at any time. Therefore, you should not have any expectation of personal privacy when you use Citi's equipment, systems and services. (Citi, 2015, p. 24)

Table 1. Corporate Codes by Privacy Expectation and Monitoring Notice.

| Monitoring notice | Privacy expectation | | | | Total |
|-------------------------|---------------------|----|-----------------------|----------------------|-------|
| | Yes | No | Unstated ^a | Unclear ^b | |
| Yes | 0 | 47 | 18 | 2 | 67 |
| No | 0 | 6 | 6 | 21 | 33 |
| Total (<i>N</i> = 100) | | 53 | 24 | 23 | |

^a The corporate code implies the absence of privacy expectations based on monitoring notice and/or an express prohibition of the personal use of company communication technologies.

^b The corporate code permits personal use of company communication technologies, but privacy expectations are not met.

As shown in Table 2, 66 corporate codes explicitly permit some degree of personal use of company communication equipment and systems. About 60% of this group nonetheless disclaim any expectations of privacy, whereas about 70% disclose that monitoring systems are in place to surveil personal communications. For instance, Citigroup code permits "occasional personal use" of company devices, includes disclosures about monitoring, and disclaims privacy expectations.

Table 2. Corporate Codes With Varying Degrees of Integration Tolerance by Privacy Expectation and Monitoring Notice.

| Monitoring notice | Privacy expectation | | | | Total |
|------------------------|---------------------|----|-----------------------|----------------------|-------|
| | Yes | No | Unstated ^a | Unclear ^b | |
| Yes | 0 | 37 | 10 | 0 | 47 |
| No | 0 | 2 | 2 | 15 | 19 |
| Total (<i>N</i> = 66) | | 39 | 12 | 15 | |

^a The corporate code implies the absence of privacy expectations based on monitoring notice and/or an express prohibition of the personal use of company communication technologies.

^b The Corporate Code permits personal use of company communication technologies, but privacy expectations are not met.

As Table 3 shows, 34 corporate codes either expressly prohibit the personal use of company equipment and systems or make no mention of such use. About 60% of this group of 34 corporate codes disclose that monitoring systems are in place to surveil personal communications, whereas about 30% disclaim privacy expectations and 24% imply the absence of privacy expectations. Forty-nine percent of this group of corporate codes disclose some tolerance for integration yet disclaim privacy expectations or disclose monitoring systems.

Table 3. Corporate Codes Without Express Policies of Integration Tolerance by Privacy Expectation and Monitoring Notice.

| Monitoring notice | Privacy expectation | | | | Total |
|-------------------|---------------------|----|-----------------------|----------------------|-------|
| | Yes | No | Unstated ^a | Unclear ^b | |
| Yes | 0 | 10 | 8 | 2 | 20 |
| No | 0 | 4 | 4 | 6 | 14 |
| Total (N = 34) | | 14 | 12 | 8 | |

^a The corporate code implies the absence of privacy expectations based on monitoring notice and/or an express prohibition of the personal use of company communication technologies.

^b The corporate code permits personal use of company communication technologies, but privacy expectations are not met.

The results indicate the following: (1) Majority of companies are aware of the trends toward integration and display varying degrees of tolerance toward the practice. (2) Monitoring notices and privacy disclaimers are employed as threats to control employees' simultaneous use of devices for work and nonwork. (3) Companies are similar in their concerns about employees' personal use of company devices: intellectual property violations, obscene/illegal content, gambling, harassment, security, confidentiality. (4) Some corporate codes stand out for suggesting that worker and company interests are being balanced, thus edging away from a complete disclaimer of privacy expectations—for example, United Health Group (2015): "The Company will balance employee privacy with the need to maintain a safe and efficient work environment" (p. 37); PepsiCo (2012): "It is generally not our practice to monitor employees' use of our information systems" (p. 34).

Integration, Monitoring, and Privacy Disclaimers

Sixty-six percent of the corporate codes in this study tolerate the simultaneous use of devices for work and nonwork, displaying an awareness of modern trends of new media usage by workers. The language of the corporate codes in expressing company preferences on integration include limited personal use, incidental personal use, and occasional personal use. While other corporate codes did not express a tolerance for integration, it was clear that they were not oblivious to the phenomenon. A strict prohibition of the personal use of company communication devices as in corporate codes from Sears Holdings and Johnson & Johnson indicates awareness of the possibilities and tendencies toward such usage.

There are important stakes for tolerating, prohibiting, or ignoring integration. A policy of tolerance indicates a willingness to include worker culture in the institution of work boundaries. However,

combining such an approach with monitoring and a disclaimer of privacy expectation is an extension of employers' informational and surveillance powers across hitherto less permeable boundaries. Prohibition, on the other hand, serves to deny realities of work in modern times and encourages covert subversive practices among workers, including possible technical attempts to circumvent firewalls. An area for further research is how workers typically respond to prohibitive policies in this area.

These variations in corporate treatments of the flow of the personal into work and vice versa stem from possible struggles to find the right level of integration that enhances worker productivity without jeopardizing company interests. For companies that permit incidental personal use of company equipment, a resignation toward the merger of work and nonwork spheres may be apparent. The various caveats imposed on such use—prohibiting visits to obscene sites and disclaiming privacy expectations—may be attempts to stem the tide and protect the company from liability due to the propensity to collapse boundaries. Given the nature of the computer and Internet, it is nonetheless difficult to prevent employees, especially white collar professionals with a measure of scheduling freedom, from taking detours off work. Technical restraints like website blocking are useful; however, there is always the problem of identifying all the websites workers are likely to visit for personal as opposed to work reasons. In addition, employees may devise methods to circumvent the technical restraints.

The hype surrounding the best work places may also contribute to the tendency toward a more permissive stance on the personal use of company equipment. In a modern twist to 20th-century welfare capitalism, employers seem inclined to incorporate nonwork elements into the work environment. For instance, Google's workplace is equipped with Lego play stations, gourmet cafeterias, massage rooms, and other eclectic features (Stewart, 2013) that indicate a shift toward a different type of worker welfare—one that caters to the workers' ability to incorporate elements of the personal into work without shirking work responsibilities. Because companies like Google are held up as a standard for successful work environments (Amabile & Kramer, 2011), other companies may attempt to mirror the fuzzy boundaries of work and nonwork in an attempt to compete for the best workers.

The potential benefits of the "incidental use" approach to companies is not lost, however. Permitting personal use of company equipment blurs the boundary between work and nonwork in a manner than allows activities to flow both ways, leading employees to spend more hours at work, because they can juggle their duties with personal activities. They can do their banking from their work stations, obviating the need to take an hour off for a bank trip. They can order groceries online, obviating the need to close early for a trip to the grocery store. This is similar to what Schüll (2012) describes as the turn from coercion to collusion, with new media acting as disciplinary machinery without the attendant Marxist alienation.

The permissive models of incidental use and possibly silence are further self-policed and possibly policed by other employees as a result of a common allegiance to company culture subtly created by management through polices. Abbott (2015), for instance, encourages employees to report workplace concerns because the company seeks to foster "a culture of compliance" (p. 20). Besides Abbott (2015), other corporate codes attempt to situate their policies within corporate culture, indicating that management is not quite willing to cede the formation of workplace culture to workers.

Despite these references to culture, corporate codes do not disclose actual practice, and herein lies the primary limitation of using corporate codes as the source of data for this study. Also, the documents analyzed here represent a limited sample of companies and appear geared toward white collar professionals. Notwithstanding, the study has shown that integration is acknowledged and addressed by the Fortune 500 companies analyzed in this study and possibly by other companies outside of this sample. It has also shown the pervasiveness of a paradoxical practice of tolerating some degree of integration while imposing surveillance and disclaiming privacy expectations, thereby setting the stage for the article's overarching argument for an employee privacy framework that accommodates the realities of integration.

Contextual Integrity, Human Flourishing, and Alternative Approaches

Nissenbaum (2010) offers a framework of contextual integrity that can help to situate reasonable expectations of privacy within the everyday practices of workers. The framework aims to identify the social determinants of reactions to systems and practices by deploying a three-step approach: explanation, evaluation, and prescription. The explanation aspect encompasses the governing context, the roles of actors, changes in transmitted information, and possible violations of existing transmission practices; the evaluation aspect considers the stakes for contextual values; and the prescription aspect involves advocacy for redesign (Nissenbaum, 2010).

The integration of work and nonwork is so familiar that a detailed explanation of the phenomenon may be discarded as obvious. It is important to outline the seemingly obvious practices, though, to draw attention to their significance for privacy. Nippert-Eng (1996) painstakingly outlines these practices, using boundary management frames. She presents these practices on a continuum of integration and segmentation, and while the most recent technology she considers in her analysis is the telephone, the practices are easily adaptable to computers. In fact, computers make the integration of work and nonwork easier and more intuitive than she describes. For instance, she describes the receipt of cross-realm telephone calls—nonwork calls at work—as an integration practice. This behavior is easily replicated by texting while at work, responding to personal e-mails, and online shopping. As company policies and courts have observed, there is a high risk of losing legally recognized expectations of privacy when workers make personal use of company equipment. Besides, it results in greater surveillance, thereby extending the panoptic gaze of companies over workers.

To preserve the norms of usage without eliminating expectations of privacy, laws and corporate policies ought to consider the architecture of new media technologies to promote what Cohen (2012, p. 239) describes as “semantic discontinuity”—a model that would consider the complexities inherent in preserving worker privacy despite the occurrence of work and nonwork on the same devices. One possible approach is the imposition of technical standards through statute. A regulation may require companies to sandbox certain applications, such as personal e-mail and social media accounts, for personal use. A sandbox isolates specific programs from the underlying operating system, thereby preventing unauthorized access to files. It can isolate a number of applications of personal relevance to employees so as to preserve an expectation of privacy in those areas without compromising companies' need to access, review, and secure the information outside of the sandbox. Implementing a sandbox approach simulates the nondigital space and combines the preservation of employee privacy in a highly integrated

environment with respect for the protection of corporate assets. By restricting expectations of privacy to activities conducted within the designated sandbox, it refrains from overreaching and retains the primacy of work on employer issued devices.

A sandbox is merely an example of architectures that are flexible enough to carve out room for cultural norms of integration without abandoning privacy expectations. It elevates worker norms of usage from mere resistance to a crucial component of regulation design and avoids the highly reductionist distinctions that ignore norms of usage and impose artificial dichotomies between work and nonwork realms.

Conclusion

This article has provided an overview of the corporate policies governing employee privacy in the use of new media technologies. It is particularly important in an information economy where the separation of work and nonwork is challenging, especially on new media. It advocates for privacy frameworks that accommodate evolving integrative realities of work in modern times. Using corporate codes as data, the study provides some insight into the policies designed to control the boundaries of work. It highlights the common contradictory practice of tolerating integration while engaging in monitoring and disclaiming privacy expectations. Although it does not venture into the actual practice of workers, through an analysis of corporate policies, it provides a sense of the regulatory environment within which workers navigate work boundaries. Further research into actual practices of workers in response to the structures of boundary policies outlined here would provide insight beyond the company-side discourse of corporate codes.

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