

ETH Zurich Acceptable Use Policy for Telematics Resources (“BOT”) Information Leaflet for Employees

March 2014

The following summarizes the most important provisions of the Acceptable Use Policy for Telematics Resources (Benutzungsordnung für Telematik – “BOT”¹) for employees at the ETH Zurich:

1. **Access authorization** and identification mechanisms such as passwords, PINs, chip cards, etc. are personal and thus confidential; they may not be shared or disclosed.²
2. **Use of telematics resources** is permitted for the purpose for which they are made available to the user (“intended use”).
3. **Use of telematics resources for personal purposes is permitted**, provided it is not excessive and does not interfere with the user’s work or study obligations, does not violate any Swiss laws or third party rights, has no commercial character and is not defamatory to ETH Zurich (Art. 8bis Abs. 1 BOT). Personal use of ETH Zurich telematics resources may not result in a technical disruption or impair their use for purposes appropriate to ETH Zurich’s statutory mandate or cause excessive strain or load on the generally available resources (networks, internet access, etc.) (Art. 8bis Abs. 2 BOT).
4. **Personal use of software** licensed to the ETH Zurich **may be used by** ETH Zurich employees with a min. 50%pensum, to the extent permitted by the applicable license agreement. The IT Services (ID) will provide employees of the central bodies (staff and infrastructure divisions) with information on the acceptable use guidelines.
5. Unless otherwise expressly provided for in the license terms or the copyright law, **duplicating in whole or part of software licensed to the ETH Zurich** (programs and documentation) is prohibited, irrespective of its origin (Art. 12 BOT).
6. Every user is **personally responsible** for ensuring that her/his use of the telematics resources does not violate the provisions of this Acceptable Use Policy or of the applicable laws (e.g. criminal law, data protection regulations) or infringe on third party rights (e.g. copyrights, license terms, personal rights) (Art. 16 BOT). In the central bodies (staffs and infrastructure divisions), the IT Services shall ensure that the applicable licenses for software used at the employees’ workplaces are available.
7. It is expected that the employees **use** telematics resources provided by the ETH Zurich **with all due care**. The technical and operating instructions issued by the IT Services, the system administrator of organizational entities or the IT Security Officer **strictly apply to all users. Every user must follow these instructions** (Art. 17 BOT).
8. In all cases the user is liable for damages or technical disruptions of ETH Zurich telematics resources caused by **gross negligence or willful misconduct**. In cases of unintentional use, the user concerned shall also be liable for slight negligence. In the case of grossly negligent or intentional infringement of third party rights (in particular copyrights and license terms), the user shall also be liable for any claims eventually brought against the ETH Zurich by third parties (Art. 17 BOT).
9. To **monitor compliance** with the provisions of this Acceptable Use Policy, logs may be examined on a random and anonymous basis as instructed by the IT Security Officer. If abuses covered by Art. 19 are discovered or suspected, the personal data obtained by the IT Security Officer may be analyzed to identify the violators pursuant to the applicable Appendix: *Guidelines for Monitoring the Use of Telematics Resources at the ETH Zurich* (Art. 18 BOT).

¹ RSETHZ 203.21 : <http://www.rechtssammlung.ethz.ch/> → chap. 2.1

² Siehe IT Best Practice Rules: http://www.id.ethz.ch/documentation/rechtliches/IT-Best_Practice_Rules.pdf

10. **Any use** of ETH Zurich telematics resources which disregards the provisions of this Acceptable Use Policy, breaches applicable higher-level laws or infringes on third party rights **constitutes an abuse. In particular, abuses include practices listed in Article 19, paragraph 2 BOT which are all prohibited.**
11. Should any abuse be detected related to Art. 19 BOT, the IT Security Officer may take appropriate measures and sanctions, such as suspending access to telematics resources (Art. 20 BOT).
12. In case of **serious abuse, disciplinary**, and where appropriate, civil and criminal proceedings will be opened in all cases. Particularly serious cases **may** result in **dismissal**.

Contacts and Informations

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BOT (Rechtssammlung):

<http://www.rechtssammlung.ethz.ch/> → chap. 2.1

Information about Safe IT:

<http://www.safeit.ethz.ch/>

IT Best Practice Rules:

http://www.id.ethz.ch/documentation/rechtliches/IT-Best_Practice_Rules.pdf