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COVID-19 &
Global Employee Privacy issues

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Prepared for BEERG



Your speakers



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The bigger picture

- Data protection is not in conflict with common sense or saving lives
- The right to privacy is not an absolute right
- But data protection law still applies
- The answer lies in finding the right balance
- That means meeting the test of **necessity** and **proportionality**

**Data protection law
cannot be ignored –
even at times of crisis**

Practical steps

Essential data protection obligations to bear in mind:

- Legal justification
- Transparency
- Purpose limitation
- Data minimisation
- Cybersecurity
- Data protection impact assessment
 - What data, why and how used
 - How essential obligations are being addressed

Frequently asked questions

Examples of employment-related scenarios

- What are the restrictions on sharing information about COVID-19 cases in the workforce?
- May I require self-disclosure of symptoms or diagnosis?
- May we take workforce member temperatures or conduct other exams?
- What kind of privacy disclosure should be provided to employees and should it be global?
- What should we do if governmental authorities request information about personnel from us?
- What privacy issues should be considered if we increase monitoring of remote work?

Examples of remote working cybersecurity threats



Insecure personal devices

Personal computer may lack critical security updates, may not have screen save timeout, insufficient password protection, etc.



Insecure networking

Attempts to connect to company systems in an insecure way, e.g. using remote desktop software, or using unsecure conference call lines



Data transfers to personal accounts

Confidential data, personal data, trade secrets should not be transferred to personal accounts or downloaded to personal computer at home



Physical Document Management Destruction

Confidential data, personal data and trade secrets should preferably not be taken off site and not be printed or disposed at home



Phishing Schemes or Other Fraud

Data security may not be top priority for employees during the Corona outbreak, which may make them more vulnerable to sophisticated attacks



Syncing with personal cloud storage accounts

Employees may use personal cloud services to transfer documents or data to and from that may be less secure

Practical tips to mitigate cyber risk

- Remind workforce of phishing risk and the need to notify incidents
- Instruct workforce on expected remote working practices
 - Secure devices and networking
 - Proper handling of company data, including personal data, trade secrets and confidential business information
 - Consider designating which software tools are the preferred and approved tools
- Consider approach towards use of personal devices
- Confirm that IT and other teams can conduct incident response remotely
- Review and update Incident Response Policy as needed

Discussion



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