



Webinar

March 14, 2023

California Compliance

How to Protect Employee Privacy in 2023

加州合规 -
如何在2023年保护员工隐私

COMBINED



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**Overview of
Workplace Privacy**
工作场所隐私保护概述

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**Compliance with
CCPA and CPRA**
遵守 **CCPA**和**CPRA**规则

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**Wrap-up
(Action Plan)**
总结（行动计划）



01

Overview of Workplace Privacy

工作场所隐私保护概述

Legal Framework of California Privacy Law 加州隐私法的法律框架

1. California Consumer Privacy Act (CCPA)

加州消费者隐私法案 (CCPA)

2. California Privacy Rights Act (CPRA)

加州隐私权利法案 (CPRA)

- Covered Businesses
涵盖的企业
- Covered Individuals - CA resident
涵盖的个人 - 加州居民



Impact on Employers 对雇主的影响

- The workforce data exemption expired
on Jan 1, 2023

工作场所数据豁免于2023年1月1日到期

- Workforce Personal Information

工作场所个人信息





02

Compliance with CCPA and CPRA

遵守 CCPA和CPRA规则

The California Consumer Privacy Act (CCPA)

加州消费者隐私法案



1. Employee data collection and use:

- HR departments routinely collect and use personal information about employees, including names, addresses, social security numbers, and health information. Under the CCPA, employees have the right to know what data is being collected about them, and how it will be used.
- HR departments must be transparent about their data collection and use practices, and should obtain consent from employees before collecting or using their data.

1. 员工数据的收集和使用:

- 人力资源部门需要日常收集和使用员工的个人信息，包括姓名、地址、社会保险号码和健康信息。根据CCPA，员工有权知道他们的哪些数据正在被收集，以及这些数据将如何被使用。
- 人力资源部门必须对其数据收集和使用的做法保持透明，并应在收集或使用员工的数据之前征得员工的同意。

The California Consumer Privacy Act (CCPA)

加州消费者隐私法案



2. Data storage and security:

- The CCPA requires employers to take reasonable steps to protect the personal information they collect, and to safeguard it against unauthorized access, theft, and disclosure.
- HR departments must ensure that employee data is stored securely and that appropriate measures are in place to prevent data breaches.

2. 数据存储和安全

- CCPA要求雇主采取合理措施保护他们收集的个人信息，并保护这些信息免遭未经授权的访问、盗窃和披露。
- 人力资源部门必须确保雇员数据的安全存储，并采取适当措施防止数据泄露。

The California Consumer Privacy Act (CCPA)

加州消费者隐私法案



3. Employee rights to access and deletion:

- The CCPA grants employees the right to access the personal information that is held by their employer, as well as the right to request that their personal information be deleted.
- HR departments must be prepared to respond to employee requests for access and deletion and should have procedures in place to verify employees' identities and respond to these requests in a timely manner.

3. 雇员访问和删除的权利:

- CCPA赋予雇员访问其雇主所持有的个人信息权利，以及要求删除其个人信息的权利。
- 人力资源部门必须准备好回应员工的访问和删除请求，并应制定程序来核实员工的身份，及时回应这些请求。

The California Consumer Privacy Act (CCPA)

加州消费者隐私法案



4. Third-party data sharing:

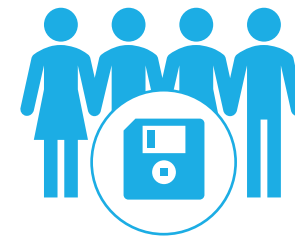
- Under the CCPA, employees have the right to know if their personal information is being shared with third parties.
- HR departments should be transparent about any third-party data sharing, and should ensure that any contracts with third-party service providers include appropriate data protection clauses.

4. 第三方数据共享：

- 根据CCPA，员工有权知道他们的个人信息是否与第三方共享。
- 人力资源部门应该对任何第三方数据共享保持透明，并确保与第三方服务供应商签订的任何合同都包括适当的数据保护条款。

The California Consumer Privacy Act (CCPA)

加州消費者隱私法案



5. Penalties for non-compliance:

\$2,500 for each violation or \$7,500 for each intentional violation after notice and a 30-day opportunity to cure have been provided.

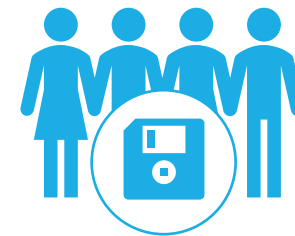
5. 对不遵守规定的处罚:

未能遵守CCPA的雇主可能会面临严重的处罚和巨额罚款。包括每次违规的罚款\$2,500美元，以及故意违规每人可高达\$7500美元。



PENALTY

The California Privacy Rights Act (CPRA) 加州隐私权益法案



1. The CPRA expands on the CCPA's employee data rights by adding new rights such as the right to correction of personal information and the right to limit the use of sensitive personal information.

- HR departments must be prepared to respond to employee requests for access, deletion, and correction of their personal information, and should have procedures in place to verify employee identities and respond to requests in a timely manner.

1. CPRA在CCPA的雇员数据权利的基础上，增加了新的权利，如更正个人信息的权利和限制使用敏感个人信息的权利。

- 人力资源部门必须准备好回应员工关于访问、删除和更正其个人信息的请求，并应制定程序以核实员工的身份并及时回应请求。

The California Privacy Rights Act (CPRA)

加州隐私权益法案



2. CPRA adds Sensitive Personal Information Category.

3. The CPRA includes new requirements for third-party data sharing, such as the requirement to include specific data protection provisions in contracts with service providers.

- HR departments must ensure that any third-party service providers that handle employee data are in compliance with the CPRA, and should review their existing contracts to ensure compliance.

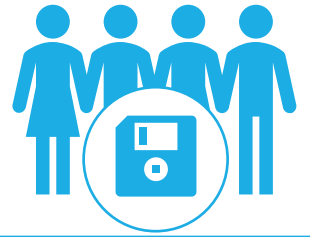
2. CPRA增加了敏感的个人信息类别。

3. CPRA包括了对第三方数据共享的新要求，例如要求在与服务提供商的合同中纳入具体的数据保护条款。

- 人力资源部门必须确保任何处理员工数据的第三方服务提供商都符合CPRA的规定，并应审查其现有合同以确保合规。

The California Privacy Rights Act (CPRA)

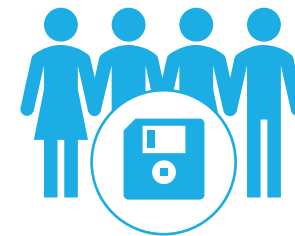
加州隐私权益法案



4. The CPRA introduces a new requirement for companies to conduct regular data protection assessments, which may include assessing the risks associated with their employee data handling practices.

4. CPRA提出了一项新的要求，要求公司定期进行数据保护评估，其中可能包括评估与他们的雇员数据处理做法相关的风险。

The California Privacy Rights Act (CPRA) 加州隐私权益法案



5. Increased penalties for non-compliance:

Up to \$7,500 per violation or \$2,500 per unintentional violation. Enforcement beginning on July 1, 2023.

5. 约定了更加严厉的处罚:

CPRA提高了对不遵守法律的处罚，除非公司证明违规非故意，默认罚款金额为每人次\$7,500美元。新的罚款规定2023年7月1日起执行。



PENALTY



03

Wrap-up (Step by Step Action Plan) 总结 (分步行动计划)

Wrap-up (Step by Step Action Plan)

总结（分步行动计划）



1. Data mapping to identify each step of personal information collection and the flow of that personal information into, and out of, the company

2. Drafting required notices at the collection ;
Update online privacy policies

3. Preparing policies and procedures to address CPRA rights requests from HR Individuals

1. 通过数据映射确定所有个人信息采集和储存的步骤，以及该个人信息进入和流出公司的情况

2. 在信息收集的同时向员工提供必要的通知；更新公司网站的隐私保护政策

3. 准备公司内部标准流程，以处理来自员工或其他人员的 CPRA 权利请求

Wrap-up (Step by Step Action Plan)

总结（分步行动计划）



4. Enhancing existing information security policies and procedures to meet the CPRA's compliance standard
5. Developing and implementing mandatory retention schedules
6. Drafting and negotiating required agreements with service providers, contractors, and other third parties
7. Providing employee training

4. 加强公司现有的信息安全政策和程序，以满足CPRA的合规标准
5. 制定和实施关于个人信息保留的时间政策和删除计划
6. 起草或更新与服务提供商、承包商和其他第三方的合作协议，根据CPRA要求增加个人信息保护条款
7. 提供必要的员工培训

Any Questions?



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