



Webinar

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# California Compliance

## How to Protect Employee Privacy in 2023

# COMBINED



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01

**Overview of  
Workplace Privacy**

02

**Compliance with  
CCPA and CPRA**

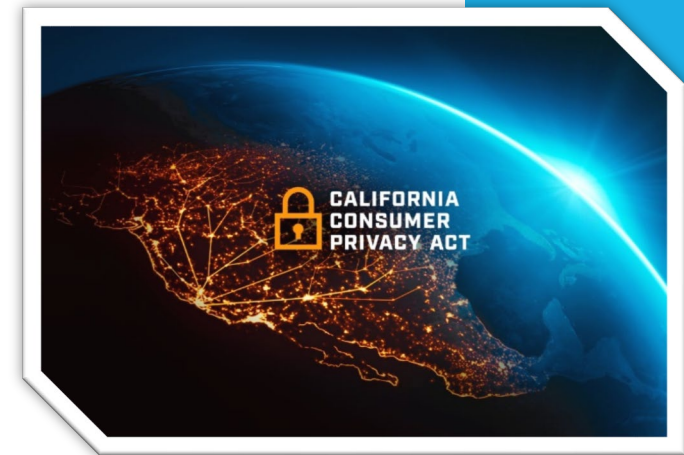
03

**Wrap-up  
(Action Plan)**

# 01 Overview of Workplace Privacy

# Legal Framework of California Privacy Law

1. California Consumer Privacy Act (CCPA)
2. California Privacy Rights Act (CPRA)
  - Covered Businesses
  - Covered Individuals - CA resident



# Impact on Employers

- The workforce data exemption expired on Jan 1, 2023
- Workforce Personal Information





## 02 Compliance with CCPA and CPRA

# The California Consumer Privacy Act (CCPA)



## 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.

# The California Consumer Privacy Act (CCPA)



## 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.

# The California Consumer Privacy Act (CCPA)



## 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.

# The California Consumer Privacy Act (CCPA)



## 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.

# The California Consumer Privacy Act (CCPA)



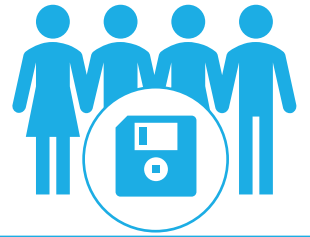
5. Penalties for non-compliance:



**PENALTY**

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

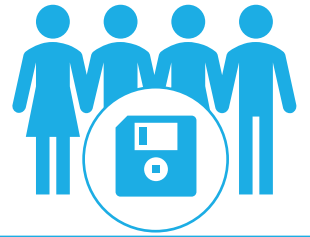
# The California Privacy Rights Act (CPRA)



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.

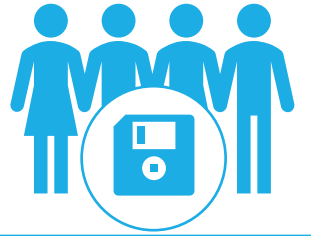
# The California Privacy Rights Act (CPRA)



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.

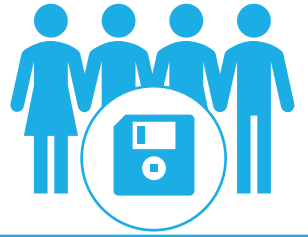


# The California Privacy Rights Act (CPRA)



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.

# The California Privacy Rights Act (CPRA)



5. Increased penalties for non-compliance:



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

## 03 Wrap-up (Step by Step Action Plan)



## Wrap-up (Step by Step Action Plan)

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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

# Wrap-up (Step by Step Action Plan)

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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

Any Questions?



# THANK YOU!

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