



# **The e-Workplace: Balancing Privacy and Information-Security to Manage Risk**

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# The e-Workplace

## WHAT WILL WE COVER TODAY?

- “Wearable Tech”
- Data & Rights
- Laws Affecting Wearables
- The Cloud
- Workplace Policy Considerations

# The e-Workplace

# The IoT



# The e-Workplace

# The World of “Wearable Tech”

# The e-Workplace



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## Samsung - Gear Fit Fitness Watch with Heart Rate Monitor - Black

Model: SM-R3500ZKAXAR | SKU: 5291009 |

Customer Rating: ★★★★★ 4.2 (1,334 customer reviews)



# The e-Workplace

BloombergBusiness 

News Markets Insights Video

## Target to Offer Fitbits to 335,000 Employees

by [Caroline Chen](#) [Shannon Pettypiece](#)  
 [CAROLINEYLCHEN](#)  [spettypi](#)

September 15, 2015 – 7:39 PM EDT *Updated on* September 16, 2015 – 10:45 AM EDT



# The e-Workplace

- Ownership Rights –
  - (1) Who owns the device?
  - (2) Who owns the device data?
- Privacy –
  - Who has access to device data?
- Use Rights –
  - What data can be collected?
  - Who can use the data?
  - For what purposes can the data be used?
  - For what purposes can data be disclosed?

# The e-Workplace

- HIPAA –
  - Is the data considered PHI?
- Data Protection –
  - Who is responsible for data security?
- Storage –
  - Where is data stored?



# The e-Workplace

## PRIVACY LAWS:

- State
- HIPAA/ADA/GINA/EEOC
- GLB
- DoD
- International
- PCI



# The e-Workplace - State Privacy

PRIVACY and SOCIAL MEDIA	Connecticut (Public Act No. 15-6)	Massachusetts (S.B. No. 962 and 991)	Rhode Island (RIGL 28-56-1)
Requiring applicant or employee to disclose their user name or password for social media account	Prohibited unless service is provided by Employer, and use of account is for Employer's business purposes	N/A; proposed legislation pending	Prohibited
Requiring applicant or employee to add Employer to friend or contact list	Prohibited	N/A; proposed legislation pending	Prohibited
Requiring or requesting that an applicant or employee change the privacy settings of their social media account	N/A	N/A	Prohibited

# The e-Workplace - State Privacy

PRIVACY and SOCIAL MEDIA	Connecticut (Public Act No. 15-6)	Massachusetts (S.B. No. 962 and 991)	Rhode Island (RIGL 28-56-1)
Requiring or requesting an applicant or employee to disclose information that allows access to or observation of their social media account	N/A	N/A; proposed legislation pending	Prohibited
Requiring or requesting that an applicant or employee access their social media account in Employer's presence	Prohibited	N/A; proposed legislation pending	Prohibited
Requiring or requesting that an applicant or employee divulge personal social media	N/A	N/A	Prohibited

# The e-Workplace - State Privacy

PRIVACY and SOCIAL MEDIA	Connecticut (Public Act No. 15-6)	Massachusetts (S.B. No. 962 and 991)	Rhode Island (RIGL 28-56-1)
Viewing information about an applicant that is available to the public	Allowed	Allowed	Allowed
Inspecting employees' personal social media in connection with workplace investigations	Allowed	Allowed	Allowed

# The e-Workplace

## CLOUD STORAGE

- Cap on damages?
- Storage locations?
- Disaster recovery?
- Notice of breach requirements?
- ISO 27018?



# The e-Workplace

## HOW DOES WEARABLE TECHNOLOGY AFFECT YOU?

- Employers
  - Ability to collect and analyze employee data
  - Track efficiency
  - Streamline operations
- Employees
  - Track data in and out of work
  - Data collection
  - Protection of confidential information

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## MOBILE DEVICE MANAGEMENT POLICY

- Know your data
- Know your regulatory requirements
- Keep enterprise data in separate, encrypted containers on smart devices

# The e-Workplace

## WHAT HAVE WE LEARNED?

- ✓ All data has value
- ✓ Productive mobility of wearable tech
- ✓ Review your Mobile Device Management Policy



# The e-Workplace

STAY TUNED ...

... more international,  
federal and state  
legislation daily!



# The e-Workplace

**Discussion.**  
**Questions.**  
**Comments.**

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