



Selected Topics in Privacy

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Purpose

- Raise selected privacy issues that have been suggested may be of interest to the Municipal Attorneys
- Conduct informal group discussion of these issues, and/or others that may be of interest

Main Issues

- Security
- Employee-related privacy issues
- Social media
- Government surveillance issues

Security

- The relationship between data security and privacy
- The three elements of data security:
 - Technical
 - Physical
 - Administrative
- Common sources of breach
- The emerging process approach to data security
- FTC approach
- Data breach notification rules
 - State
 - Federal
 - Foreign
- Cost of breaches

Employee-Related Privacy Issues

- Setting expectations with employee privacy statements
- Setting expectations with acceptable use policies for IT equipment and networks
- The BYOD dilemma
- HIPAA developments

Social Media

- The wishful "Right to be Forgotten"
- Social media policies
- Use of social media in the hiring process
- The boss's friend request
- The FTC endorsement rules
- NLRB issues

Government Surveillance Issues

- Privacy rights are often at odds with other, sometimes more important, rights, e.g.
 - Privacy v. free speech
 - Privacy v. 4th amendment rights
 - Privacy v. security
- Case law struggling with these issues, e.g.
 - The Snowden revelations
 - License plate scanners
 - Vehicle tracking devices

Questions



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