

SAMPLE POLICY

Data Privacy and Confidentiality of Employee Information

DISCLAIMER

This sample policy is not legal advice or a substitute for consultation with knowledgeable and qualified legal counsel.

Baker McKenzie assumes no responsibility or liability for the contents of this generic policy, the only purpose of which is to illustrate some of the issues pertaining to employee data privacy policies in the U.S.

Employee data privacy laws may vary based on jurisdiction. Federal, state, and/or local law may apply depending on the location of the company, its operations, and its employees. While these laws are often similar, their differences can be material. The following sample policy does not account for the differences in applicable federal, state, and/or local law. This sample policy also does not account for changes in legislation, judicial and administrative precedent, or other developments and/or interpretations of applicable law.

Additionally, what are considered "best practices" for Company A may not be "best practices" for Company B. To be effective, an employee data privacy policy should not be a "cookie cutter" or a "one size fits all" policy. It should be tailored to the organization, and account for the company's specific workforce, operations, and industry.

THIS SAMPLE POLICY SHOULD NOT BE RELIED ON OR IMPLEMENTED AS A LEGALLY-COMPLIANT POLICY WITHOUT CONSULTATION FROM LEGAL COUNSEL.

It is Company policy to safeguard employee personal information and to maintain such information as confidential. In the course of an employee's employment with the Company, the Company may collect and/or maintain employee personal information for purposes of its payroll, benefits, tax, legal, and human resources obligations.

Access to employee personal information and employee files is strictly limited. Employee personnel files are maintained by the human resources department and are considered confidential. Employee personnel files and employee medical files will be made available for inspection as required by applicable law. The Company may release employee personal information to outside sources only when necessary and in accordance with applicable law.

All employees are expected to maintain the confidentiality of Company employee personal information. If an employee becomes aware of a data privacy breach, including a breach of the confidentiality of employee personal information, the employee immediately should contact his or her manager or human resources, and/or report the breach to the Company hotline.

If an employee has a question or complaint about privacy, the employee should contact his or her manager or human resources, and/or the Company hotline.

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