



# Privacy

Everyone has the right to privacy.<sup>1</sup> Companies need to ensure that any COVID-related measures taken do not infringe on the privacy of workers or other stakeholders. Companies also need to ensure that private information of workers is handled appropriately.<sup>2</sup>

## Measures to protect privacy:

- ✓ Communicate and enforce clear, transparent, consistent labour and workplace policies that respect individual human rights to privacy, including the collection and management of private information (e.g. health conditions) within the company and to contractors and suppliers.
- ✓ Ensure that information collection and management is done with informed consent of those individuals.
- ✓ Conduct regular audits/inspections and follow-up on findings (e.g. labour standards and occupational safety), including appropriate information disclosure.

## Measures that restrict privacy:

- ✗ Gather information about workers without their consent and/or inconsistent with the law (e.g. compulsory medical testing for hiring decisions), for example, in the context of tracking exposure to COVID-19.
- ✗ Share or disclose confidential information about workers without their consent and/or inconsistent with the law (e.g. about underlying health conditions).
- ✗ Coerce workers to agree to using the contact tracing app and to consent to sharing health, mobility and other personal information with others, for the “greater good”. (For example, if workers do not consent, they cannot work at the business.)
- ✗ Cancel/delay audits/inspections due to COVID-19 (e.g. labour standards and occupational safety), including disclosing appropriate information.

<sup>1</sup> This human right is protected under a number of international treaties including the [International Covenant on Economic, Social and Cultural Rights](#).

<sup>2</sup> Kardash, A., Kosseim, P., Salloum, J., Joshi, K., Feltrin, C., & Seevartnam, D. (March 2020). Privacy and Security Challenges in the Wake of COVID-19. Osler. [www.osler.com/en/resources/critical-situations/2020/privacy-and-security-challenges-in-the-wake-of-COVID-19](http://www.osler.com/en/resources/critical-situations/2020/privacy-and-security-challenges-in-the-wake-of-COVID-19)