

SAMPLE COVID-19 PRIVACY NOTICE TO CALIFORNIA EMPLOYEES AND VISITORS REGARDING THE COLLECTION OF PERSONAL INFORMATION

Effective Date: []

[Company Name] [, and its operating groups, subsidiaries and affiliates,] (the “Company,” “us” or “we”) [is][are] implementing health and safety measures as a result of the novel coronavirus (“COVID-19”), including (i) measuring the temperature of employees, contractors and visitors (collectively, “Individuals”), and/or (ii) asking Individuals screening questions (through an online or paper questionnaire, or in person) regarding symptoms, travel and potential COVID-19 exposure and contacts, in each case before they physically enter our premises and facilities (collectively, “Facilities”). In certain limited circumstances, we may also perform COVID-19 testing with the consent of the Individual. We are committed to protecting the privacy and security of personal information that you provide to us in connection with these health and safety measures.

Any Individual who reports having or is observed to have any COVID-19 symptoms, or who has recently been in contact with anyone who has tested positive for COVID-19 or is symptomatic, will not be allowed to enter our Facilities.

Please read this COVID-19 Privacy Notice (the “Privacy Notice”) to learn how we collect and process your personal information. You have the right to know and understand the categories of personal information we collect about you, and the purposes for which we use such personal information, pursuant to the California Consumer Privacy Act of 2018 (the “CCPA”). This Privacy Notice applies to Individuals who are residents of the State of California who complete our online screening questionnaire and/or visit our Facilities in person. The Company does not sell or otherwise disclose this personal information for monetary or other consideration to any third parties.

Categories of Personal Information Collected

In each case as permitted by applicable law, we collect the following categories of personal information for the purposes described below:

- **Personal Identifiers**, such as your name, preferred name, postal address, unique personal identifier, online identifier, Internet Protocol (“IP”) address, email address, account name, date of birth, and other similar identifiers.
- **Personal Records**, such as your signature, postal address, or telephone number.

This form is provided as a sample on an “as is” basis, and needs to be customized for each company. The CCPA and other laws continue to evolve and this form will need to be accordingly updated as new rights for employees go into effect. The provision of this form does not create any attorney-client or other relationship between you and Gunderson Dettmer Stough Villeneuve Franklin & Hachigian LLP. Consult an attorney licensed in the relevant jurisdiction and review all documents carefully for accuracy and completeness before use.

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- **Protected Characteristics**, such as your marital, minority, veteran and disability status, medical condition, sex, gender, gender identity, or gender expression, and age, through voluntary self-disclosure.
- **Internet or Other Similar Network Activity Information**, such as your IP address, log-in information, or information regarding your interaction with a website or application.
- **Geolocation Data**, such as IP addresses from which we can determine your general location.
- **Sensory Data**, such as audio and visual information. If you physically enter our Facilities, your entry and exit may be monitored by CCTV.
- **Health Data**, such as your height, weight, body temperature, medical conditions, symptoms of COVID-19, including, without limitation, cough, fever or chill, shortness of breath or difficulty breathing, muscle or body aches, sore throat, unexplained loss of taste or smell, diarrhea, headache, fatigue, congestion or runny nose, and nausea or vomiting, and whether you have been tested for COVID-19.
- **Close Contact Information**, such as information regarding whether you have been in close contact¹ with an individual who has tested positive for COVID-19 or who has COVID-19 symptoms, in each case within fourteen (14) days prior to entering our Facilities.
- **Travel Information**, such as locations to which you have traveled within fourteen (14) days prior to entering our Facilities, and the dates you were in those locations.
- **Emergency Contact Information**, such as name and contact information and relationship to you.
- **Other**: Responses to screening surveys or questionnaires, test results, and any other information you provide in connection with our health and safety measures.

Sources of Personal Information

We collect personal information directly from you. If you are visiting our website or online screening survey or questionnaire, we may also automatically collect device information such as IP addresses and device identifiers.

Use of Personal Information

We use the categories of personal information listed above for the following purposes:

- **Health and safety purposes**: We collect your personal information to maintain a safe workplace; help mitigate the risk of transmitting the virus and exposing Individuals to COVID-19; identify Individuals who are displaying COVID-19 symptoms; communicate with Individuals who have tested positive for or are suspected of having COVID-19; communicate with Individuals who have potentially been exposed to COVID-19; and help support contact tracing efforts in connection with COVID-19. We use your body temperature for the limited purpose of

¹ [The Centers for Disease Control and Prevention](#) has defined “Close contact” as “a) being within approximately 6 feet (2 meters) of a COVID-19 case; close contact can occur while caring for, living with, visiting, or sharing a healthcare waiting area or room with a COVID-19 case or b) having direct contact with infectious secretions of a COVID-19 case (e.g., being coughed on).”

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evaluating the risk your presence poses to other Individuals in the workplace as a result of COVID-19.

- **Record-keeping:** We keep records of your personal information as required by law and in accordance with our record retention policies.
- **Meeting legal requirements and enforcing legal terms:** We collect and process your personal information for purposes of: fulfilling our legal obligations under applicable laws, regulations, court orders or other legal processes relating to COVID-19, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities; and protecting the rights, property or safety of you, us or another party.

Disclosure of Personal Information

We may share your personal information as necessary for the purposes described in this Privacy Notice, including internally with personnel involved in the administration and implementation of our health and safety measures. For example, we share your personal information with the following parties:

- **Service Providers:** We use service providers to operate and facilitate our health and safety measures. These include technology providers, such as providers of telethermographic systems to measure body temperature; COVID-19 screening services; COVID-19 testing providers; and analytics providers.
- **Government authorities and law enforcement:** In certain situations, we may disclose personal information in accordance with applicable laws, regulations, court orders or other legal processes relating to COVID-19 (e.g. to public health authorities).

Contact for Questions

If you have any questions or concerns regarding this Privacy Notice or the collection of your personal information, please contact: [[Contact Information](#)]. Individuals with disabilities may access this Privacy Notice in an alternative format by contacting [[email address and/or telephone number](#)].

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