



לנהל כח אדם מבלי להפר חוקי פרטיות – זה אפשרי!

Gabi Bar-Joseph, Privacy Services leader, Cyber Risk advisory Deloitte

Privacy is something personal

Not every individual sees privacy in the same way...



Type 1: Privacy Fundamentalist

- Values privacy highly
- Rejects the idea that others 'need' their information
- Will likely refuse to give information when asked
- In favor of strong legislation to protect privacy rights

25%



Type 2: Privacy Pragmatist

- Cares about privacy, but evaluates case-by-case
- Wants to make knowledgeable decisions about sharing
- Wants a good 'deal' for sharing their information
- Favors legislation to prevent undesirable accesses

60%



Type 3: Privacy Nihilist

- Does not really understand all the fuss about privacy
- Believes that sharing information should be the norm, to reap benefits as much as possible
- Regulation is not needed; the market will sort it out

15%

HR challenges:

“Why do I want to work for you?”

“The complexities of engagement ”

“The digital age”

Before the GDPR



Privacy in the past



How Target Figured Out A Teen Girl Was Pregnant Before Her Father Did



Kashmir Hill, FORBES STAFF ✓

Welcome to *The Not-So Private Parts* where technology & privacy collide [FULL BIO](#) ✓

Every time you go shopping, you share intimate details about your consumption patterns with retailers. And many of those retailers are studying those details to figure out what you like, what you need, and which coupons are most likely to make you happy. [Target](#) TGT -0.45%, for example, has figured out how to data-mine i



JUN 5, 2015 @ 10:57 AM 10,130

Employer Sued For GPS-Tracking Salesperson 24/7



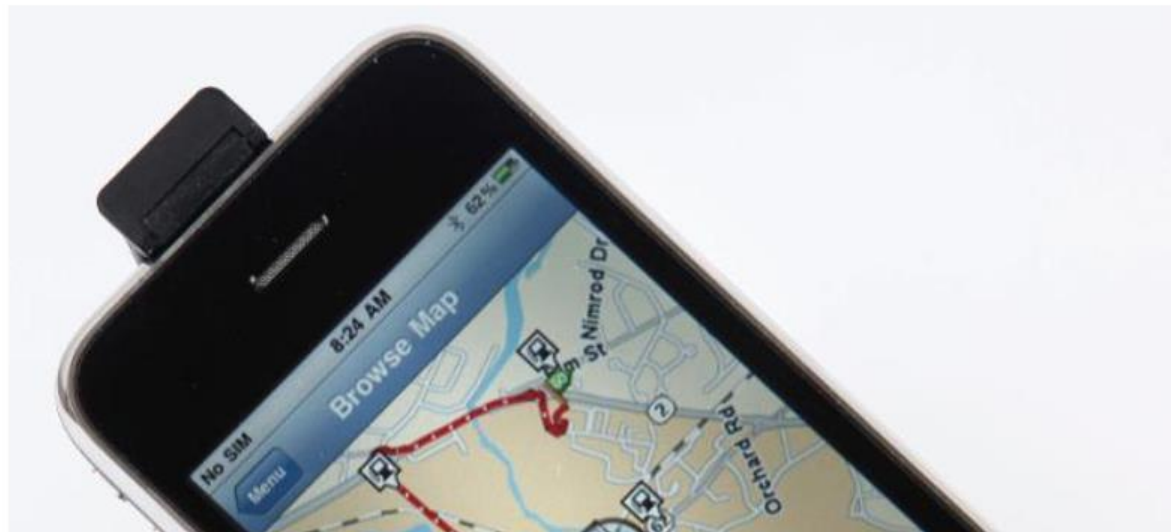
Adriana Gardella, CONTRIBUTOR

I cover law and entrepreneurship—the cases, startups and trends. [FULL BIO](#) ✓

Opinions expressed by Forbes Contributors are their own.

A lawsuit filed in California last month raises questions for companies that track their employees by GPS. The case arose after an employee learned that her employer was tracking her movements regardless of whether she was on or off duty.

According to the [complaint](#), filed by Myrna Arias against [Intermex Wire Transfer](#), her former employer, Arias worked as a sales executive for the company in Bakersfield, Calif. from February to May 2014. In April 2014, Intermex asked her and other employees to download the [Xora](#) app to their smartphones. The app contained a GPS function that tracked employees' locations through their Smartphone (Xora's website advertises an app that lets you, "See the location of every mobile worker on a [Google](#) GOOGLE-0.12% Map [and] drill down on an individual worker to see where they have been, the route they have driven and where they are now.")



Employment based on algorithms

How algorithms rule our working lives

Employers are turning to mathematically modelled ways of sifting through job applications. Even when wrong, their verdicts seem beyond dispute - and they tend to punish the poor

by [Cathy O'Neil](#)

A few years ago, a young man named Kyle Behm took a leave from his studies at Vanderbilt University in Nashville, Tennessee. He was suffering from [bipolar disorder](#) and needed time to get treatment. A year and a half later, Kyle was healthy enough to return to his studies at a different university. Around that time, he learned from a friend about a part-time job. It was just a minimum-wage job at a Kroger supermarket, but it seemed like a sure thing. His friend, who was leaving the job, could vouch for him. For a high-achieving student like Kyle, the application looked like a formality.

But Kyle didn't get called in for an interview. When he inquired, his friend explained to him that he had been "red-lighted" by the personality test he'd taken when he applied for the job. The test was part of an employee selection program developed by Kronos, a workforce management company based outside Boston. When Kyle told his father, Roland, an attorney, what had happened, his father asked him what kind of questions had appeared on the test. Kyle said that they were very much like the ["five factor model"](#) test, which he'd been given at the hospital. That test grades people for extraversion, agreeableness, conscientiousness, neuroticism, and openness to ideas.

Teachers fired because of an algorithm-based decision

OPINION | EDUCATION

Don't Grade Teachers With a Bad Algorithm

The Value-Added Model has done more to confuse and oppress than to motivate.

By [Cathy O'Neil](#)

60 May 15, 2017, 2:00 PM GMT+3 *Corrected* May 16, 2017, 5:01 PM GMT+3



The Washington Post
Democracy Dies in Darkness

Education

'Creative ... motivating' and fired



Sarah Wysocki was out of work for only a few days after she was fired by DCPS last year. She is now teaching at Hybla Valley Elementary School in Fairfax County. (Jahi Chikwendu/The Washington Post)

By [Bill Turque](#) March 6, 2012

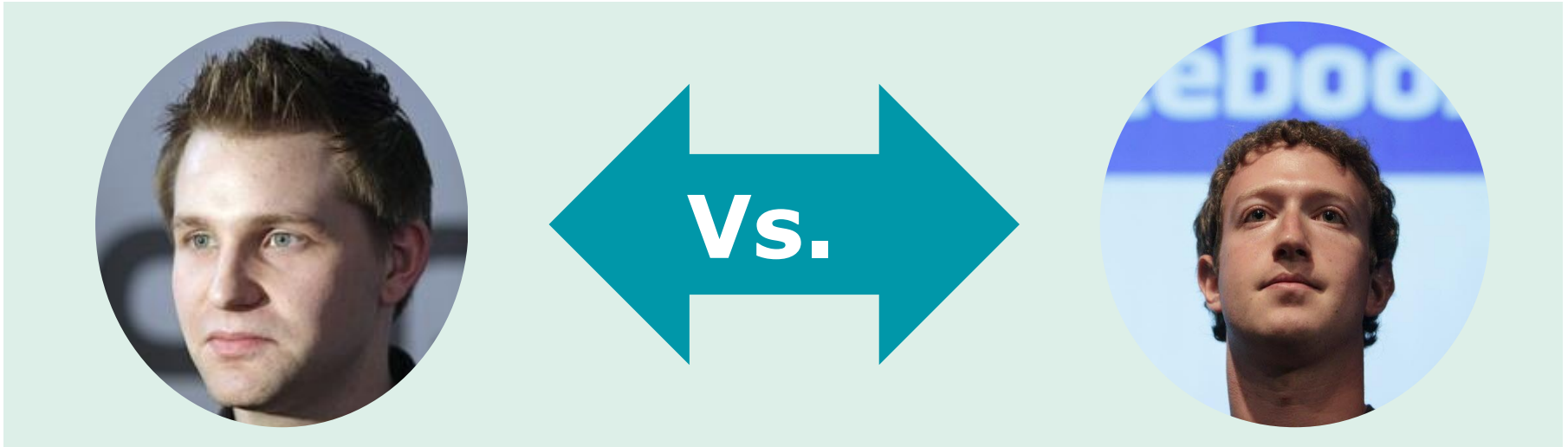
By the end of her second year at MacFarland Middle School, fifth-grade teacher Sarah Wysocki was coming into her own.

"It is a pleasure to visit a classroom in which the elements of sound teaching, motivated students and a positive learning environment are so effectively combined," Assistant Principal Kennard Branch wrote in her May 2011 evaluation.

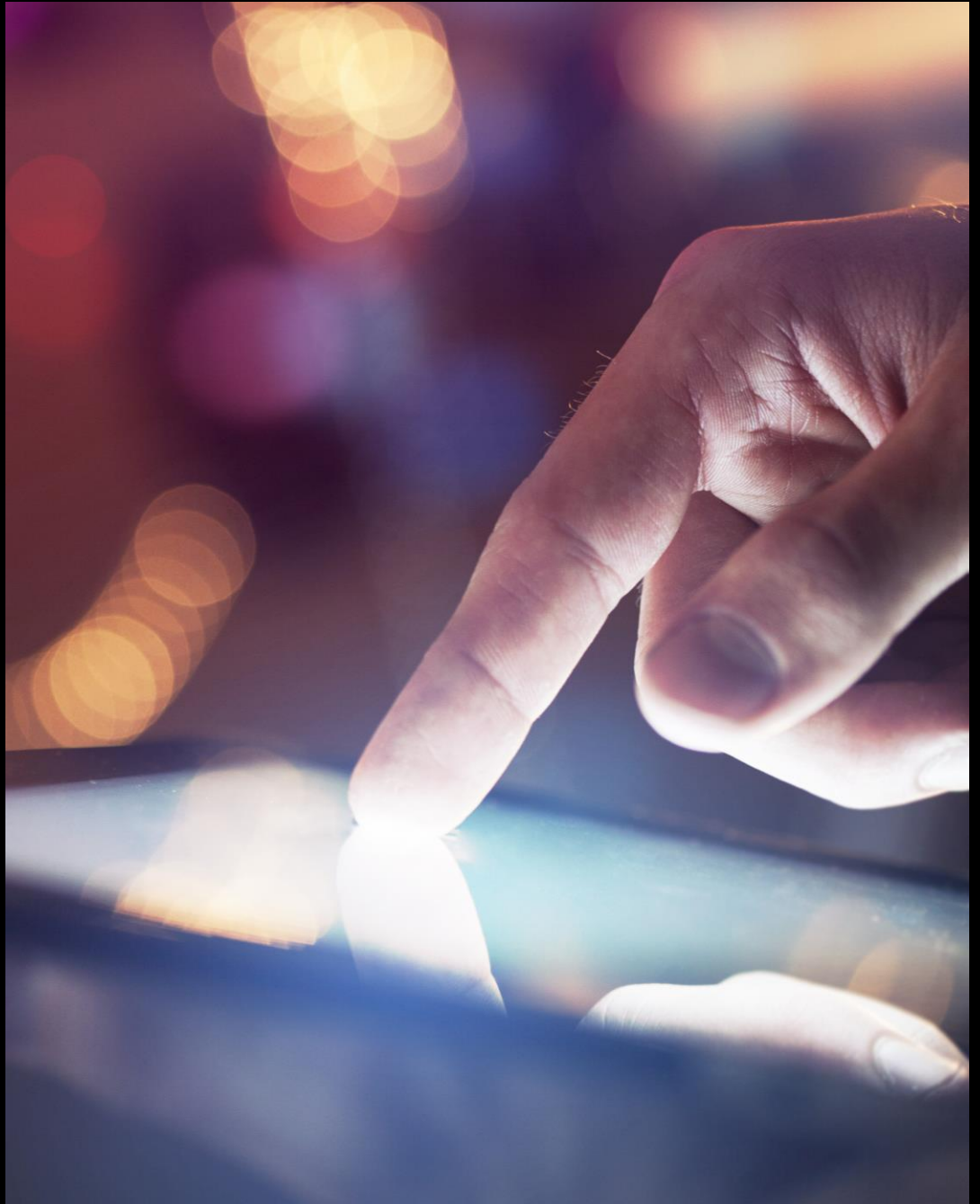
He urged Wysocki to share her methods with colleagues at the D.C. public school. Other observations of her classroom that year yielded good ratings.

Two months later, she was fired.

GDPR: Where did it all begin?



A glance at GDPR



A glance at GDPR

What is GDPR?

The General Data Protection Regulation (GDPR) is a regulation by which the European Commission intends to strengthen and unify data protection for individuals within the European Union (EU).

It also addresses export of personal data outside the EU.

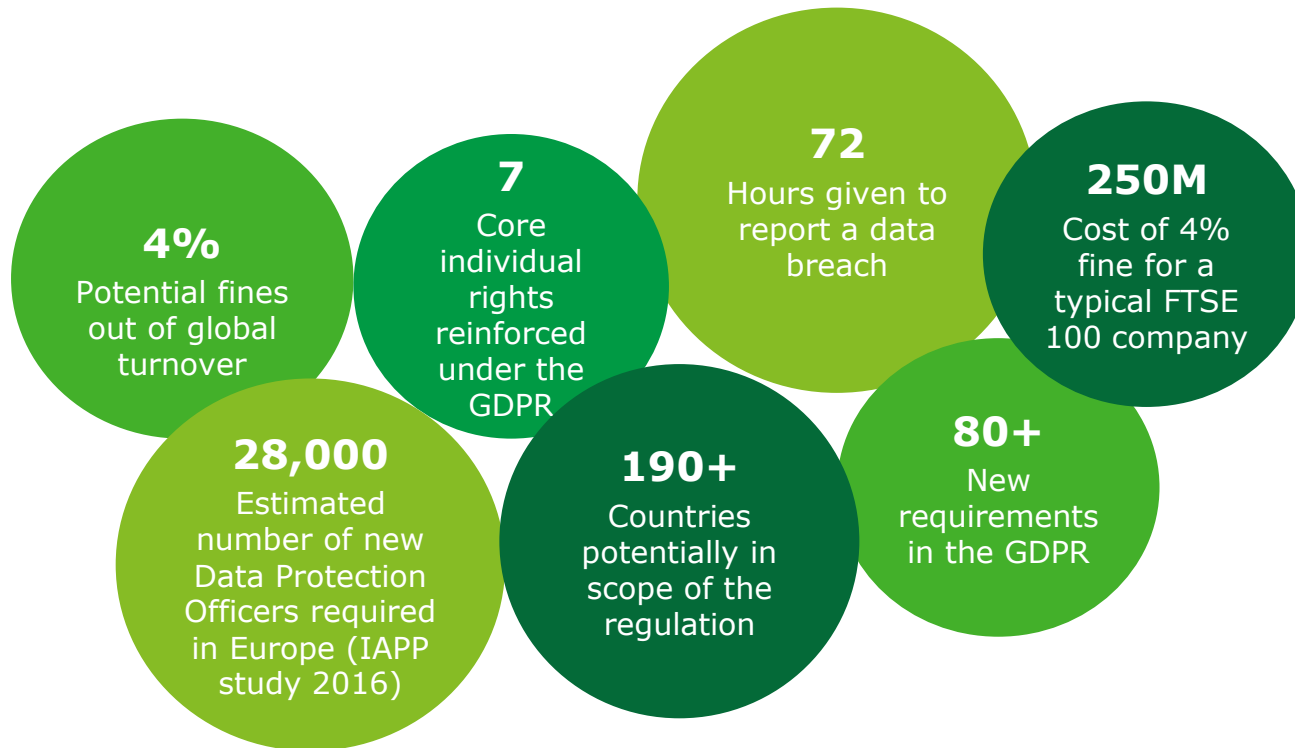
GDPR contains a number of new protections for EU data subjects and threatens significant fines and penalties for non-compliant companies.

- First & last name (combined)
- Bank account details
- Medical records
- Personal email addresses/emails
- Credit card details
- Cookies
- IP Address
- Date/place of birth
- Passport number

**Fines of
€20,000,000 or
4% global
annual turnover**

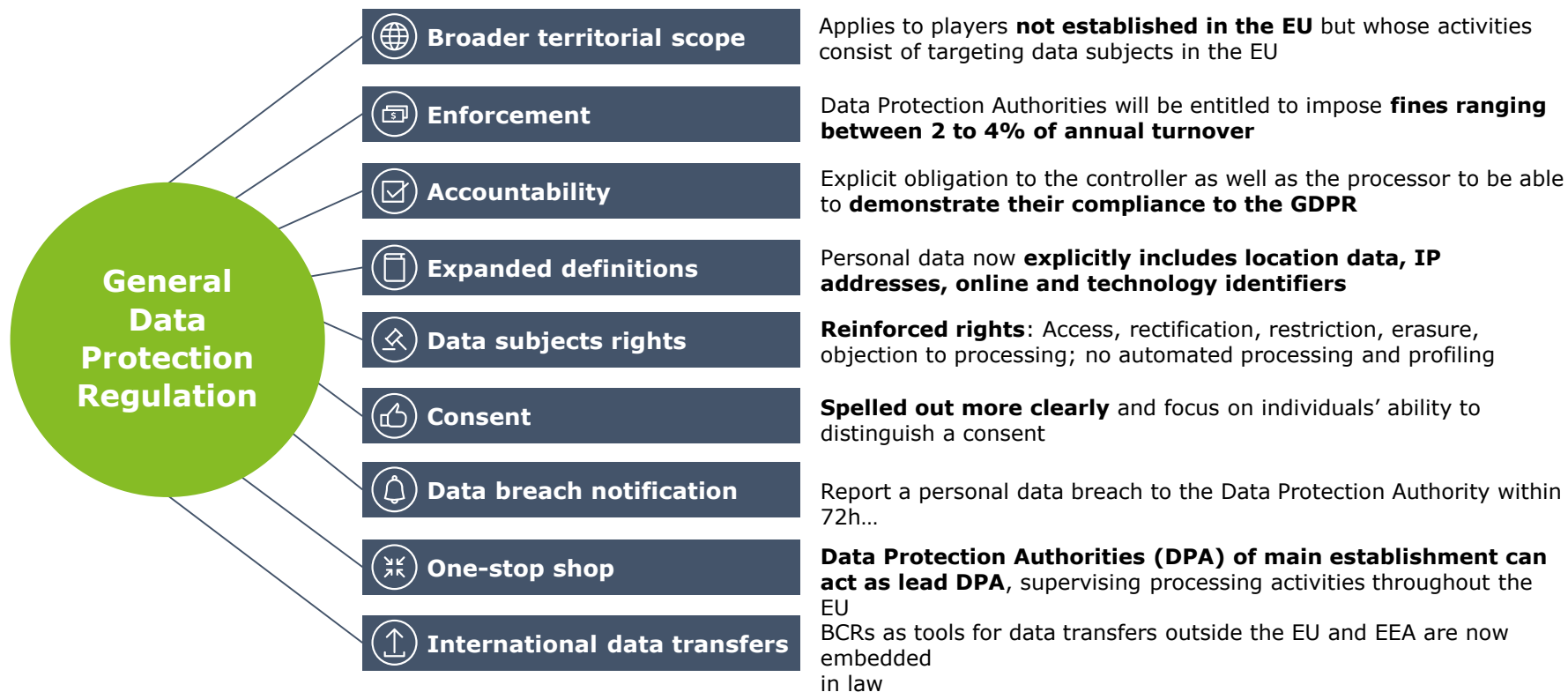
How does GDPR affect us?

Some Facts & Figures



How does GDPR affect us?

Changes compared to the 1995 Directive (95/46/EC)



When GDPR meets HR



Where do GDPR and HR meet?



When employees use employer tools for personal objectives



Employment laws



Pre-employment screening



Surveillance: cameras, internet and e-mails



Automated processing



Territorial scope



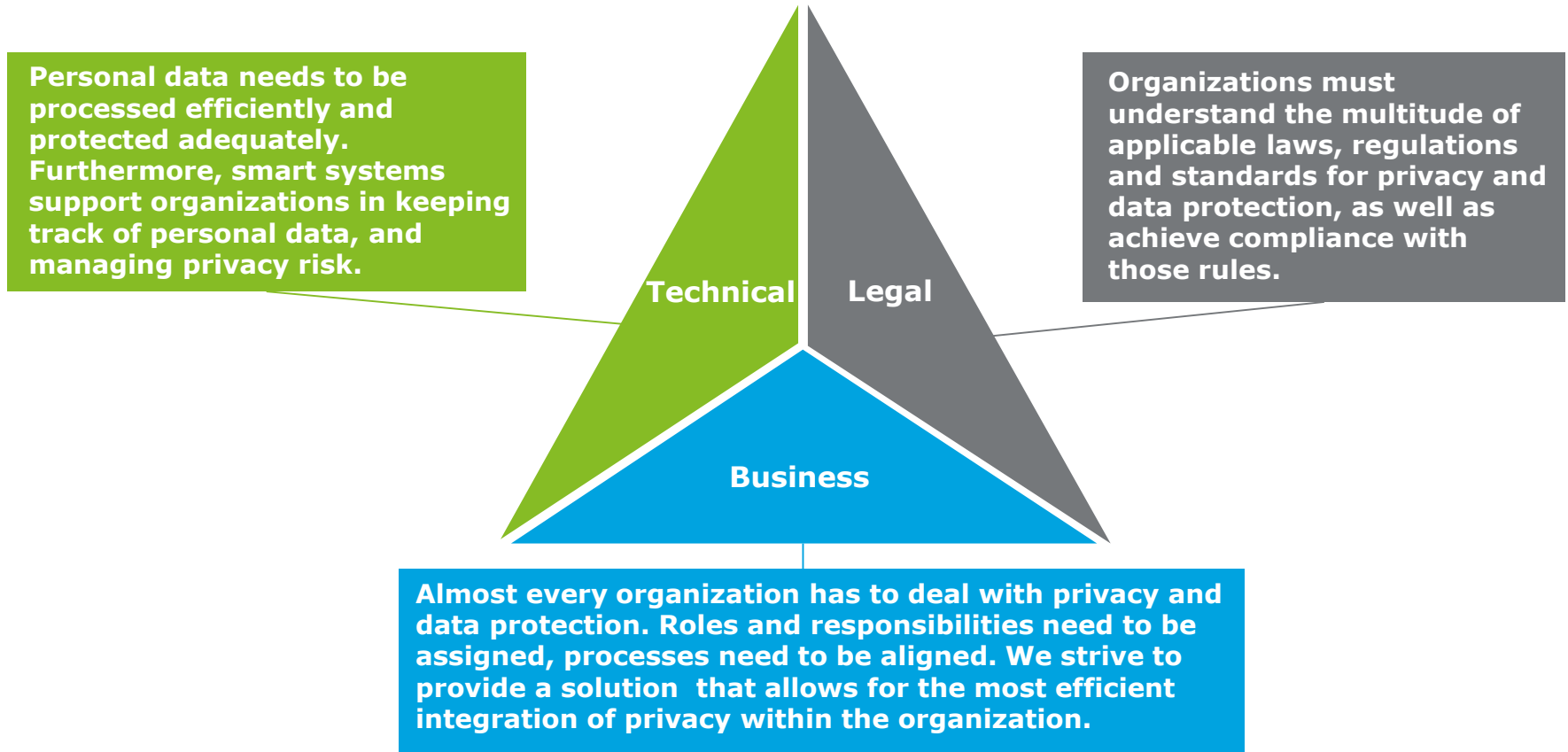
The rights of employees and former-employees (“data subjects”)

Deloitte's point of view on Privacy & the GDPR



Deloitte's vision on privacy

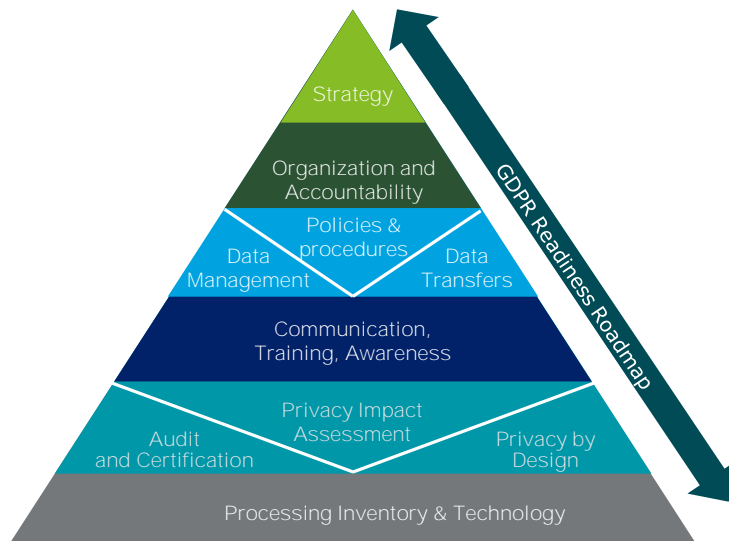
A multidisciplinary effort



Actions you need to take in preparation for the GDPR

GDPR Transformation Program

Based on a comprehensive GDPR readiness roadmap a tailored transformation program helps organizations prepare in the optimal way for the GDPR



Layer 1 Strategy

- A strong starting point determining high level direction and risk appetite, upon which the organization builds its privacy organization

Layer 2 Organization

- Enabling effective implementation of the privacy strategy requires a strong and multidisciplinary privacy organizational structure. This covers the structure of the privacy organization as well as the role and position of key players, such as the Data Protection officer. This layer also covers accountability; how to prove compliance?

Layer 3 Policy, process & data

- Partnering with the business to ensure data is protected, governed, managed and utilized effectively, while in line with the organization's strategy. Also covers technological challenges such as data access requests, data retention, right to be forgotten, breach notification and international and 3rd party data transfers.

Layer 4 Culture & awareness

- Creating a high level of organizational awareness on privacy ensures that the organization's employees know and follow the rules.

Layer 5 Privacy operations

- Embedding privacy into the organizations project methodology. This is done by efficient and practical guidance during conception of a new or changed product or service (Privacy by Design) as well as assessing new and existing systems following the established PIA method. Also covers audit guidance and research into privacy seal certification (new option in the GDPR).

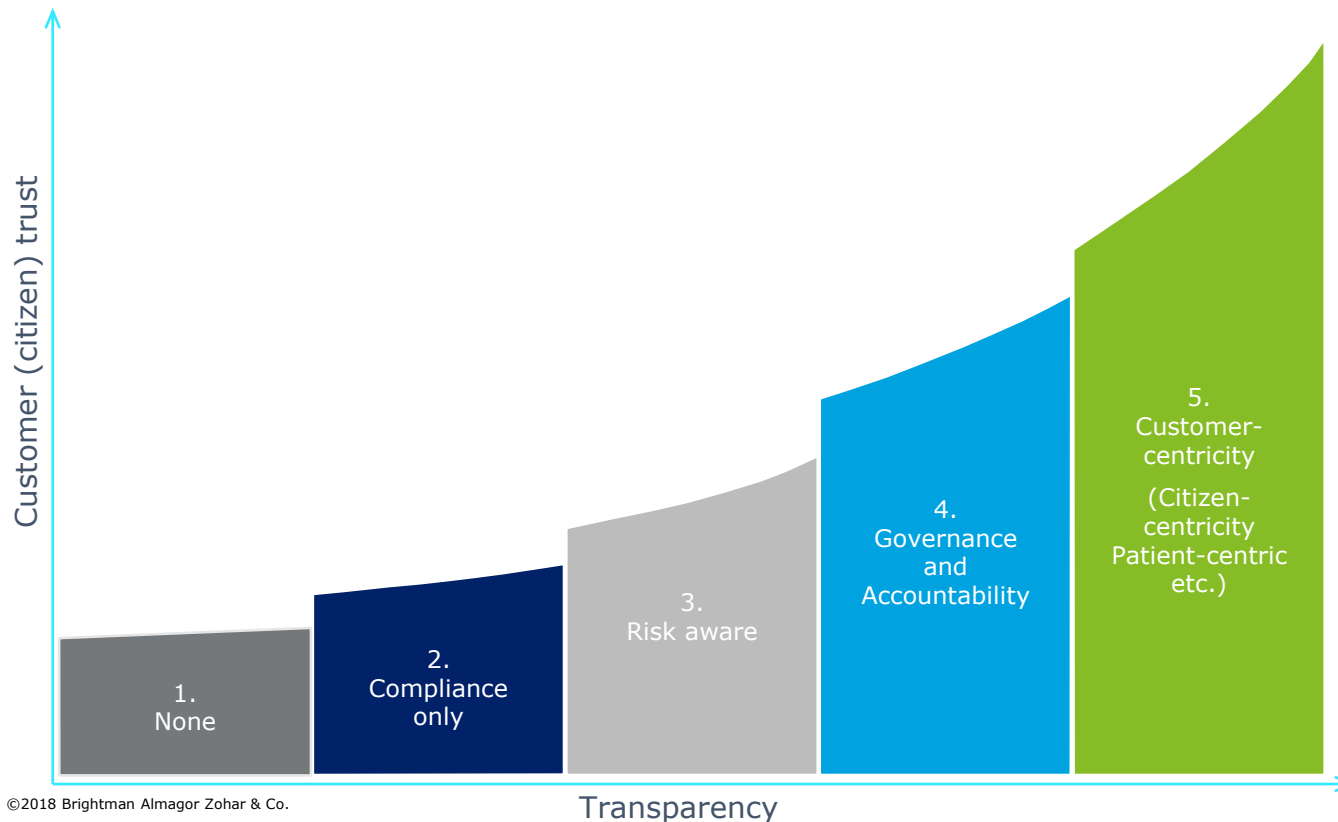
Layer 6 Processing Inventory & Technology

- A processing inventory is a fundamental element of any privacy program, and will be a mandatory requirement following the GDPR;

Privacy Maturity Model

With privacy maturity organizations can become customer centric. This is where most value can be obtained

The more mature an organization becomes based on the solutions it chooses, the more flexible it can be to achieve its ultimate goals in a world where privacy is becoming increasingly important



Steps HR should take for GDPR readiness



- Create Privacy jargon in all processes:



- Employment



- Third party suppliers



- Review Contracts and HR policies



- Ensure consent is sorted and filed with proof



- Create clear retention and deletion policies



- Use applications (HR systems on premise / on the cloud)



- Verify Security and documentation



- Privacy awareness and training



- International data transfer

"פרטיות היא "מלכת הזכויות"
כי ללא הגנה על עליה
שום זכות לא תישאר ברת מימוש
ונחיה בעולם שלא נרצה לחיות בו
...
כי בלי פרטיות לא נהיה חופשיים"

אלון בכר
ראש הרשות להגנת הפרטיות
משרד המשפטים

Deloitte.



Thank You

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About Gabi

M.A. in Law for non-lawyers , MBA ,
B.Sc. – Physics and Computer science

Subjects

- Privacy & Data protection (GDPR)
- Multidisciplinary approach
- Privacy Strategy
 - Indecent response processes
 - Risk based approach of privacy by design.
 - UX design for privacy
- Security , SDLC, GRC

Deloitte Privacy Practice

- 189 Privacy professionals
- Strong collaboration with security colleagues



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