

# Six Things Employers Need to Know About the California Consumer Privacy Act (CCPA)



## It applies to employers.

Don't be fooled by the reference to "consumer" in the CCPA's title. "Consumer" is defined broadly to include all California residents, and nothing in the CCPA excludes employers with employees who are California residents.<sup>1</sup>



## It can apply to employers located outside California.

Any employer, regardless of location, that collects or sells the personal information of California residents is potentially within the scope of the CCPA.



## It grants employees affirmative rights.

These rights include the right to access personal information that the employer collects about the employee; the right to have the employer delete any personal information that it has collected from and about the employee; the right to opt out of the employer selling the employee's personal information to third parties; and the right to have the employer disclose what information will be collected and how the information will be used.



## Its definition of personal information is broad.

The CCPA protects personal identifiers such as name, address, email address, social security number, driver's license number and passport number; internet (and intranet) activity information involving browsing and search history; biometric data; professional or employment-related information; and geolocation information.



## Non-compliance penalties can be significant.

Employers that violate the CCPA could face civil penalties in actions brought by the California Attorney General ranging from \$2,500 for each non-intentional violation and up to \$7,500 for each intentional violation. In some cases, California employees may be authorized to bring individual or class action lawsuits against violators.



## Compliance involves more than updating privacy policies.

Once in effect, employers will need to locate and inventory personal information of California residents and create a written policy for how to respond to employees' requests under CCPA.

**CCPA GOES  
INTO EFFECT  
JAN 1  
2020  
ARE YOU READY?**

For more information on the CCPA and how it effects employers, please contact:

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<sup>1</sup>On March 25, 2019, a proposed amendment to the CCPA (Assembly Bill 25) was introduced to expressly exclude employees from the definition of "consumer." A Committee hearing date is scheduled on April 23, 2019.