

Model CCPA Notice to California Employees and Guests About Taking Temperatures for COVID-19 Purposes

Drafter's notes for use of this form:

This notice is to be used only where (a) the business is subject to the CCPA, and (b) the business is measuring temperatures of employees and/or guests and inquiring about symptoms prior to entering any company facility or returning to work. To learn if the CCPA applies to your business, click [HERE](#).

A business that is subject to the CCPA must provide the below notice to all California-based employees/guests at the time of, or prior to, measuring temperatures. No notice is required, however, if none of the information is actually being retained, where the company is simply screening individuals at the door without keeping any records of whether the individual's temperature was in the fever range. The specific examples of information collected can be modified if some don't apply (e.g., if all the company is doing is measuring temperatures, then it should be limited to that).

If the company wants to provide this type of privacy notice outside of California, then remove references to the CCPA and call the document "Privacy Notice" at the top. Also, this notice is drafted this so it can be provided to everyone coming into the company facility, not just employees. Signature acknowledging receipt is NOT required under the CCPA, but it is the best way to prove they received the notice. However, the individual must receive and walk away with a copy (whether it's the signed or unsigned one). To make this more practical, it might make sense to remove the signature block all together and just hand this out.

NOTICE PURSUANT TO THE CALIFORNIA CONSUMER PRIVACY ACT (CCPA)

To reduce the risk of spreading the COVID-19 virus in and through the workplace and protect our employees and guests, the Company is implementing procedures for measuring the temperature of all individuals coming into the Company's facility and inquiring and observing whether any individual attempting to enter a Company facility has any symptoms of COVID-19 or related illness. Any individual, whether an employee or visitor, whose temperature is measured to indicate a fever, who reports having or is observed to have any such symptoms, or who has recently been in contact with symptomatic individuals will not be permitted to enter any Company facility.

This material is provided for informational purposes only. It is not intended to constitute legal advice, nor does it create a client lawyer relationship between Fisher & Phillips LLP and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this material.

Pursuant to the CCPA, we are notifying you that we are collecting the following category of Personal Information: Medical and health information, specifically your body temperature and whether you have or display certain symptoms such as fatigue, cough, sneezing, aches and pains, runny or stuffy nose, sore throat, diarrhea, headaches, or shortness of breath, whether you have recently been in close contact with anyone who has exhibited any of these symptoms, whether you have recently been in contact with anyone who has tested positive for COVID-19, and whether you have recently traveled to a restricted area that is under a Level 2, 3, or 4 Travel Advisory according to the U.S. State Department (including China, Italy, Iran, and most of Europe).

The Company will maintain this information under conditions of confidentiality. We are collecting this information for purposes of reducing the risk of spreading the COVID-19 virus in and through the workplace and protecting our employees and guests.

By signing below, I acknowledge and confirm that I have received and read and understand this disclosure.

Signature

Date

Print Your Full Name