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# NUHRA Newsletter

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## 2015 Board Members

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<b>Student President</b>	Reese Driscoll
<b>Past President</b>	Christina London
<b>Golf Committee Chair</b>	Shawn Choate

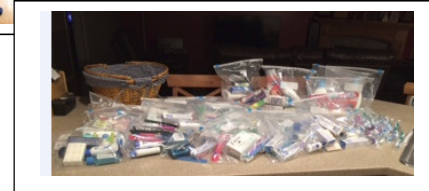
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## President's Address

Kudos to NUHRA Members!!

We hosted a personal hygiene kit drive which was very successful. As you can see, we receive a lot of items to put in the kits.



We were able to assemble a lot of kit and at the suggestion of one of our members; we donated all the kits to the new homeless shelter for youth between the ages of 12-17. A new state law allowing such shelters went into effect last July but the rules to govern such facilities still had to be adopted.

For more information regarding this shelter, go to <http://www.standard.net/Young-Homeless/2014/10/03/Ogden-youth-shelter-to-be-Utah-s-first>

Thanks for your help to make this a successful drive!

AFFILIATE OF

SOCIETY FOR HUMAN  
RESOURCE MANAGEMENT

## Proposals on Data Breach, Privacy Raise HR Questions

By Allen Smith 1/13/2015 ([www.shrm.org](http://www.shrm.org))

In a sneak peek of his plans for the new year just ahead of his Jan. 20, 2015, State of the Union address, President Barack Obama has highlighted new proposals to safeguard privacy in the digital age. The proposals follow the November 2014 data breach at Sony Pictures (</legalissues/stateandlocalresources/pages/sony-negligence.aspx>).

Speaking about his data breach notification bill at the Federal Trade Commission in Washington, D.C., on Jan. 12, 2015, Obama announced that “we’re introducing new legislation to create a single, strong national standard so Americans know when their information has been stolen or misused.” He added that, “Right now, almost every state has a different law on this, and it’s confusing for consumers and it’s confusing for companies—and it’s costly, too, to have to comply with this patchwork of laws.”

The Personal Data Notification and Protection Act would establish a 30-day notification requirement after the discovery of a breach to notify employees and customers about it.

Right now there isn’t enough information about the president’s proposal to know if it would dilute or strengthen the state law protections that would be pre-empted if the proposal passed, Alvaro Bedoya, executive director of the Center on Privacy and Technology at Georgetown Law, told SHRM Online. Only Florida has a notification period as short as 30 days, so that part of the proposal is stringent, Bedoya noted. But he said that data breach laws can be examined based on a number of other factors, including:

- What does a consumer get after the breach? Is there, for example, free credit monitoring, damages and/or the right to a day in court?
- What does a company have to do? Does it have to take steps to prevent a breach in the future?
- What kind of liability protection is there? Is there a safe harbor in place and how stringent is that standard? Does it require just one person to be appointed to deal with data breaches, or require audits several times a year and staff training?
- How is the law enforced?

### Consumer Privacy Bill of Rights

Obama also announced that his administration will introduce a Consumer Privacy Bill of Rights. “Working with many of you—from the private sector and advocacy groups—we’ve identified some basic principles to both protect personal privacy and ensure that industry can keep innovating,” the president remarked. He said that consumers have the right to:

- Decide what personal data companies collect about them and how companies use that information.
- Know that personal information collected for one purpose can’t then be used by a company for a different purpose.

- Have their information stored securely by companies that are accountable for its use.

“A consumer bill of rights would be relevant to employees in two ways. First, employees likely would be deemed ‘consumers’ for purposes of the bill of rights when interacting with the employer’s service providers,” said Philip L. Gordon, a shareholder in the Denver office of Littler and co-chair of the firm’s Privacy and Data Protection Practice Group. “For example, when employees interact with 401(k) plan administrators, insurers and HMOs [health maintenance organizations], and moving companies for relocations, they likely will be ‘consumers,’ as many of their interactions with these types of service providers will be online.” Gordon remarked that “when vetting service providers, employers likely will want to consider, among other things, whether the service provider implements and enforces a consumer bill of rights so that employees will be satisfied with the service that they receive.” Secondly, “although employees likely will not be considered consumers for purposes of the bill of rights when interacting online with HR and benefits employees,” Gordon said, “employees may come to expect that HR and benefits personnel will provide them with the same level of privacy and information security protections to which they have become accustomed in their online consumer transactions.”

Additional rights that might be encompassed by a consumer/employee privacy bill of rights might include provisions giving consumers and employees the right to receive information in layman’s terms about a company’s privacy and security practices and a private right of action against companies who fail to adhere to the bill’s requirements, according to Patrick Curran Jr., an attorney with Ogletree Deakins in Boston.

### Cybersecurity Legislation

A Jan. 13, 2015, White House release noted that the president also would propose cybersecurity legislation to promote “better cybersecurity information sharing between the private sector and government.” The proposal encourages the private sector to share cyber threat information with the Department of Homeland Security’s National Cybersecurity and Communications Integration Center. The center will share the information with appropriate federal agencies and private sector-led information sharing and analysis organizations, which the legislation encourages be formed. Companies that share information with these entities would have targeted liability protection.

Companies would be shielded from libel or slander claims, explained Scott Talbot, senior vice president for government affairs for the Electronic Transactions Association. He likened the information sharing to an “early warning system” for cyberattacks. “The administration’s proposal would also safeguard Americans’ personal privacy by requiring private entities to comply with certain privacy restrictions such as removing unnecessary personal information and taking measures to protect any personal information that must be shared in order to qualify for liability protection,” the White House noted summit. In addition, there will be a Feb. 13, 2015, White House Summit on Cybersecurity and Consumer Protection at Stanford University.

The summit will bring together stakeholders on cybersecurity, such as “CEOs from a wide range of industries, including the financial services industry, technology and communications companies, computer security companies and the retail industry,” the White House said. Summit topics will include increasing publicprivate partnerships and cybersecurity information sharing; creating and promoting improved cybersecurity practices and technologies, and improving the adoption and use of more secure payment technologies.

Allen Smith, J.D., is the manager of workplace law content for SHRM. Follow him @SHRMlegaeditor (<https://twitter.com/SHRMlegaeditor>).

## Upcoming Events

### January Luncheon

**When:** January 15

**Time:** 11:30 – 1:00

**Where:** Jeremiah's

Clyde Robins, CPA, CCP, CBP, GRP, WLP of Nutraceutical and WorldatWork will speak on Finance and HR. Pre-Approved for Business Credit and SHRM-CP/SCP credit!

Please RSVP before noon the Monday prior Ashley Wendt.



## NUHRA 2015 Calendar

<p><b>January 15, 2015</b> Luncheon Jeremiah's 11:30 – 1:00</p>	<p><b>February 19, 2015</b> Luncheon Jeremiah's 11:30 – 1:00</p>	<p><b>March 12, 2015</b> Luncheon Jeremiah's 11:30 – 1:00</p>
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see calendar items in detail:

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