



YIGAL ARNON & Co.
LAW FIRM

Client Update – March 25, 2020

Privacy and the COVID-19 Pandemic

The Israeli Privacy Protection Authority (“PPA”) has published a document providing guidance with respect to unique privacy challenges presented by the COVID-19 pandemic.

Guidance. The document, which addresses employment-related issues as well as other aspects of compliance relevant to private and public sector entities, is available at the following link:

https://www.gov.il/BlobFolder/reports/korona_privacy/he/PRIVACY_CORONA_QA.pdf

The following excerpt is particularly relevant:

Are employers permitted to report to employees or visitors at the workplace that one of the employees whom they have been in contact with has been infected by the COVID-19 virus (or that such employee might be a carrier of such)?

Yes. In principle and based on the provisions of Section 18 [of the Protection of Privacy Law] as elaborated earlier, informing employees and/or others with regards to a possible infection of an employee that such individuals were in contact with during the relevant time period might be considered justified, as long as it is done in good faith. However, the employer should make sure to report only the relevant information under the circumstances and not to transfer any information that is not necessary for the purpose of informing others, such as personal and private information of the employee. Thus, if the employer can report with regards to a possible infection based on the time and place where the employee has been, without mentioning the employee’s personal details, the employers should make sure to report in this manner and not to disclose personal details. In addition, the employers should make sure to transfer this information only to the relevant individuals. The employers should refrain from publishing this information to the public and rather inform only the individuals who, to the best of the employers’ knowledge, were in direct contact with the employee. In the event that such way of informing is not possible, employers can publish the information in broader circles.

Hotline. The PPA has established a hotline to assist in formulating quick, practical solutions in the area of privacy. According to the PPA, these applicable solutions will be provided as quick as possible as required due to the circumstances.

The PPA can be contacted through their Facebook page (“הרשות להגנת הפרטיות”) or through their email ppa@justice.gov.il.

Please feel free to contact Yoheved Novogroder-Shoshan (yohevedn@arnon.co.il) or Miriam Friedmann (miriamf@arnon.co.il) with any questions.

This update is informative only and should not be treated as legal advice or legal opinion.

