



## Risks Associated With Contact Tracing

🔗 risk management employees pandemic

**Summary:** As businesses are reopening, some are contemplating contact tracing. So, today we map it out and provide you with some of the risks.

Tracing can be interesting, family tree tracing, for example. Intriguingly, Confucius has the longest traced family tree in the world covering 80 generations. While you consider some of your own family tree tracings, we jump into another kind of tracing -- contact tracing.

Yesterday, we touched on contact tracing in one of our Inquiry & Insight discussions. Since it is likely to grow as a topic of interest as businesses start reopening during the pandemic, we thought we would take a deeper dive into it today.

As businesses are reopening, many are doing so cautiously and looking to implement contact tracing as a way of preventing the spread of COVID-19 between employees and/or customers. Businesses, including community financial institutions, also need to be aware of the risks associated with contact tracing, especially in regards to compliance risk and privacy issues.

Believe it or not, contact tracing as a way of preventing the spread of disease is not new; it has been around since the 1930s. However, the way that tracing is done and the amount of personal information gathered have changed. Today, implementing contact tracing means having employees submit to multiple screening measures ranging from daily temperature checks and self-certified health questionnaires to tracking movements and interactions with others through devices. Contact tracing technology not only gathers information easily, but can also rapidly get the word out to employees who may have been exposed.

But, all of this comes with risk.

**Compliance risk.** There are compliance requirements for various areas, including healthcare guidelines and fair labor laws. Knowing this, your human resources department should be well versed in what the requirements are before moving forward. First and foremost, getting proper consent to allow tracing is key. Employees should be educated on exactly how contact tracing will be done, how they will be notified if anyone tests positive, and how the information collected on them will be used. Further, companies should remind employees of the importance of staying home when they do not feel well or when they are waiting for screening results and that they may be supported with paid sick leave (depending on the state law) or allowed to work remotely.

**Privacy issues.** When contact tracing is done through apps or software, companies need to make sure that they are on top of the cybersecurity linked to these platforms. Also, make sure to collect only the health information necessary for tracing, and to clearly outline and document how that information will be used and why it is necessary. How this information is collected, stored, and disposed of is also of utmost importance from a privacy standpoint. Of course, when dealing with any privacy issues, please consult legal counsel as well.

We don't advocate one way or another on contact tracing. We simply wanted to provide you with the details. We leave the rest to you, your team, and your legal counsel.

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