



Philip L. Gordon

Shareholder
Co-Chair, Privacy and Background Checks
Practice Group

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Focus Areas

Workplace Privacy and Data Security
Background Checks
International Employment Law
Unfair Competition and Trade Secrets
General Data Protection Regulation (GDPR)

Overview

Philip L. Gordon has more than 15 years of experience counseling clients on all aspects of workplace privacy and information security. He has provided advice to businesses of all sizes on:

- Surveillance of employees' electronic communications
- The Federal Wiretap Act
- The Federal Stored Communications Act
- Workplace searches
- Location tracking and use of GPS-enabled devices
- Background checks
- The Fair Credit Reporting Act
- Social media
- Wearables and other new technologies affecting the workplace
- "Bring-your-own-device" programs
- The Health Insurance Portability and Accountability Act's (HIPAA) Privacy Rule, Security Rule, and Breach Notification Rule
- State and federal information security laws

- Responding to security breaches in compliance with federal and state data breach notification requirements
- The European Union General Data Protection Regulation
- Global data protection laws
- Cross-border transfers of human resources data
- Outsourcing
- The Genetic Information Nondiscrimination Act of 2008 (GINA)

The co-chair of Littler's Privacy and Background Checks Practice Group, Philip writes extensively on workplace privacy issues and has given dozens of presentations on the topic. He has taught privacy and data protection law as an adjunct professor at the University of Colorado School of Law on several occasions. He currently serves on the Advisory Board of Georgetown University Law Center's Cybersecurity Law Institute. He received his undergraduate degree from Princeton University and his law degree from New York University School of Law and served as a judicial clerk on the United States Court of Appeals, 10th Circuit.

Professional and Community Affiliations

- Member, Advisory Board, Bloomberg BNA's Privacy and Security Law Report
- Member, Advisory Board, Cybersecurity Law Institute, Georgetown University Law Center, 2014
- Co-Chair, Privacy and Data Protection Practice Group, Ius Laboris, 2010-2012
- Member, Advisory Board, University of Colorado School of Law's Silicon Flatirons Institute
- Former Member, Editorial Board, International Association of Privacy Professionals
- Former Member, Educational Advisory Board, International Association of Privacy Professionals

Recognition

- Awarded, AV[®] Peer Review Rating, *Martindale-Hubbell*
- Named, The Best Lawyers in America[®], 2013-2021
- Named, Top Rated Lawyer, Labor & Employment Law, *The American Lawyer & Corporate Counsel*, 2019
- Named, Who's Who of Management Labour and Employment Lawyers, *Who's Who Legal*, 2017, 2019-2020
- Named, Super Lawyer, Colorado, *Super Lawyers*, 2006-2019
- Named, Best Law Firm Writer, *The Burton Awards*, 2013, 2016

Education

J.D., New York University School of Law, 1989

B.A., Princeton University, 1984

Bar Admissions

Colorado

Courts

U.S. District Court, District of Colorado

Publications & Press

Employers Should Monitor Changes to COVID-19 Testing Guidelines

SHRM Online

February 9, 2021

The Littler COVID-19 Vaccine Employer Survey Report

Littler Report

February 9, 2021

Most Employers Unlikely To Mandate COVID-19 Vaccination, Littler Survey Finds; Employee Relations Concerns Abound

Littler Press Release

February 9, 2021

Littler Elects Seven New Members to 2021 Board of Directors

Littler Press Release

January 21, 2021

Substantial New Privacy Obligations for California Employers: The California Privacy Rights and Enforcement Act of 2020 Passes at the Polls

Littler Insight

November 5, 2020

Employers Likely to Receive One-Year Reprieve from Full California Consumer Privacy Act

Littler Insight

September 3, 2020

Brave New World: 5 Ways COVID-19 Is Changing E-Discovery

LegalTech News

August 21, 2020

Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers

Littler Press Release

August 20, 2020

With COVID-19 Resurgent, Employers Confront Privacy and Information Security Issues When Testing Employees for COVID-19

Littler Insight

August 3, 2020

'Schrems II' and Transfers of HR Data: Action Steps for US Multinationals

National Association of Privacy Professionals

July 22, 2020

EU's Highest Court Opens Personal Data Transfers to the United States: Action Steps for U.S. Multinational Employers to Keep HR Data Transfers on Track

Littler Insight

July 20, 2020

Landmark Decision by Europe's Top Court Jeopardizes U.S. Multinationals' Transfers of HR Data from the European Union to the United States

Littler ASAP

July 16, 2020

The Biometric Time and Attendance System Laws You Should Know

Business News Daily

June 11, 2020

OSHA revises guidance on tracking COVID-19 in the workplace

International Association of Privacy Professionals

June 1, 2020

The Next Normal: A Littler Insight on Returning to Work – Privacy and Data Security Implications of Employee Screening

Littler Insight

April 27, 2020

Frequently Asked Questions on Workplace Privacy and COVID-19

Littler Insight

March 31, 2020

How to Comply With Illinois' First In the Nation AI Video Interview Law

TLNT

September 30, 2019

Employers Receive Last-Minute Reprieve From The Most Onerous CCPA Compliance Obligations

Littler Insight

September 17, 2019

Employers receive last-minute reprieve from the most onerous CCPA compliance obligations

IAPP.org

September 17, 2019

Implementing Illinois' AI Video Interview Act: Five Steps Employers Can Take to Address Hidden Questions and Integrate Policies with Existing Employment Laws

Littler Insight

September 17, 2019

California Legislative Update: 6 Bills Employers Should Be Tracking

SHRM Online

September 9, 2019

The New York SHIELD Act: What Employers Need to Know

SHRM Online

August 28, 2019

California Employers Should Be Tracking These 6 Bills

SHRM Online

August 27, 2019

The New York SHIELD Act: What Employers Need To Know

Littler Insight

August 19, 2019

Spanish Case Highlights Need for Workplace-Device Policies

SHRM Online

August 19, 2019

Best Lawyers in America® 2020 Edition Honors More Than 200 Littler Lawyers; 14 Named Lawyer of the Year

Littler Press Release

August 15, 2019

Fitbits and other wearables may not accurately track heart rates in people of color

STAT News

July 24, 2019

Colorado Limits Inquiries About Applicants' Criminal History

Littler Insight

June 12, 2019

The Biometric Time and Attendance System Laws You Should Know

Business News Daily

June 10, 2019

What Should Employers Do About the California Consumer Privacy Act?

SHRM Online

June 5, 2019

What Should Employers Do About the CCPA?

IAAP.org

April 29, 2019

What Should Employers do About the CCPA?

Littler Insight

April 29, 2019

Software, Training Key to Fending Off Employee Data Breaches

Legaltech News

March 29, 2019

Monitoring Workers in the European Union

SHRM Online

March 16, 2019

L&D Can Help Employees Protect Their Personally Identifiable Information

HR Dive

March 5, 2019

5 Tips For Crafting A Compliant Workplace Biometric Policy

Law360

January 30, 2019

Illinois Ruling Highlights Risks of Biometric Identifier Use

HR Dive

January 29, 2019

Illinois high court takes on biometrics privacy case

Business Insurance

January 8, 2019

Employees Are Key to Curbing Data-Breach Risks

SHRM Online

November 20, 2018

Create a Cross-Functional Team to Combat Data Security Issues

SHRM Online

November 20, 2018

Portable Devices Create Data-Security Challenges

SHRM Online

November 20, 2018

Biometric Privacy Case Before Illinois Supreme Court Could Open Litigation Floodgates

Littler Insight

November 16, 2018

Biometric Privacy Case Before Illinois Supreme Court Could Open Litigation Floodgates

Washington Legal Foundation

November 15, 2018

What Construction Attys Must Know About Tracking Tech

Law360

November 2, 2018

New Amendment May Soon Affect FCRA Pre-Adverse Action Notice Requirements

Littler Insight

August 30, 2018

Use of Biometric Data Grows, Though Not Without Legal Risks

SHRM Online

August 23, 2018

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Littler Press Release

August 15, 2018

Labor of Law: Watching SCOTUS: What's In the Wings? | CBS Hires Covington, Debevoise | Plus: Our L&E Water Cooler Roundup

Law.com

August 2, 2018

Unraveling the Newest Development in the Data Protection Juggernaut: What Does the "California Consumer Privacy Act of 2018" Mean for Employers?

Littler Insight

July 9, 2018

Littler Attorneys Named in 2018 Who's Who Legal Labour, Employment & Benefits Guide

Littler Press Release

June 5, 2018

Podcast: Why the EU's General Data Protection Regulation Matters for US Employers

XpertHR

April 26, 2018

Bon Appetit! Cyber Regs Are a Mouthful

Leader's Edge

April 1, 2018

Recent Illinois Appellate Court Ruling Could End The Recent Flood Of Class Action Lawsuits Against Employers Under Illinois' Biometric Information Privacy Act

Littler Insight

January 9, 2018

The Second Circuit Provides A Roadmap For Employers Defending Claims Under Illinois' Biometric Information Privacy Act

Littler Insight

December 6, 2017

Dear Littler: What Does Our Company Need To Do Before We Begin Using Biometric Timeclocks?

Dear Littler

December 6, 2017

Littler Attorneys Named in 2017 Who's Who Legal Guide

Littler Press Release

September 28, 2017

Vendor Breaches and Their Implications for Employers

Littler Insight

September 15, 2017

The Next HR Data Protection Challenge: What U.S. Multinational Employers Must Do To Prepare for the European Union's Impending General Data Protection Regulation

Littler Insight

September 13, 2017

Yahoo Ruling Forces Employers To Review Monitoring Policies

Law360

September 11, 2017

Yahoo Ruling Forces Employers To Review Monitoring Policies

Law360

September 11, 2017

European Human Rights Ruling Provides Insights on Privacy for U.S. Companies

Legaltech News

September 11, 2017

Navigating Global Payroll Under the Impending EU General Data Protection Regulation

Littler Insight

September 7, 2017

Navigating the Impending EU General Data Protection Regulation

Global Payroll Magazine

September 1, 2017

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August 17, 2017

Looking for a Job? First, Clean Up Your Social Media Presence

Consumer Reports

August 1, 2017

Amendment to Japan's Omnibus Data Protection Law Means New Compliance Requirements for U.S. Multinational Employers With Operations in Japan

Littler Insight

July 5, 2017

Collaboration Between HR and IT Essential to Data Security

Bloomberg BNA

May 23, 2017

Helping To Protect Your Company From A Cyber-Attack: Eight Tips For Human Resources Professionals And In-House Employment Counsel

Littler ASAP

May 18, 2017

Littler Survey Reveals Employers Caught in a Tangled Web of Federal, State and Local Laws

Littler Press Release

May 11, 2017

Security Breach Notification Becomes More Complex For Employers

Littler Insight

April 24, 2017

It's W-2 Phishing Season: How to Stop, and Respond to, Tax-Related Identity Fraud Aimed at Your Organization's Employees

Littler Insight

March 7, 2017

Lawmaker seeks to roll back Austin's 'Ban the Box' hiring rule

Watchdog.org

December 14, 2016

Trump's 10th Cir. SCOTUS Contenders Lack Privacy History

Bloomberg Law: Privacy & Data Security

December 12, 2016

Four States Expanded Employer Data Breach Notification Obligations in 2016

Littler Insight

September 23, 2016

NLRB Ruling in Social Media Case Provides Useful Guidance for Employers

Littler Insight

August 29, 2016

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Littler Press Release

August 16, 2016

Wearable Technology That Monitors Workers Could Lead to Legal Problems for Employers, Lawyers Say

ABA Journal

August 9, 2016

What the EU-U.S. Privacy Shield Means for HR Data

SHRM Online

July 18, 2016

The Privacy Shield: What U.S. Multinational Employers Need To Know To Enjoy The Benefits Of The Newest EU-U.S. Data Transfer Mechanism

Littler Insight

July 13, 2016

Philadelphia Becomes the First Jurisdiction in 2016 to Restrict Employers from Using Credit Information in Employment Decisions

Littler Insight

June 20, 2016

The EU's GDPR and its Impact on Multinational Employers: Q&A with Philip Gordon of Littler Mendelson

Corporate Compliance Insights

June 13, 2016

Connecticut Becomes the Third Jurisdiction in 2016 to "Ban the Box"

Littler Insight

June 3, 2016

How Companies of All Sizes Can Prevent a Data Breach

ebi Screening News Network

May 26, 2016

U.S. Supreme Court Holds Not Every Violation of a Federal Statute is a Ticket to File a Federal Court Lawsuit

Littler Insight

May 17, 2016

FTC Releases Updated FCRA Guidance On Background Checks

Littler ASAP

May 11, 2016

Littler Attorneys Selected as Recipients of "2016 Distinguished Legal Writing Award"

Littler Press Release

April 14, 2016

Securing Your Device: BYOD Platforms for Legal

Legaltech News

April 11, 2016

Austin Becomes the First City in Texas to “Ban the Box”

Littler ASAP

March 25, 2016

Data Transfer Hurdles Have Companies Hedging Bets

Wall Street Journal

March 23, 2016

The Morning Risk Report: Privacy Compliance Storm Brews in Europe

The Wall Street Journal

March 21, 2016

As Wearables in Workplace Spread, So Do Legal Concerns

The Wall Street Journal

March 13, 2016

Workplace Recording Bans and the NLRA: Are "No-Recording" Policies Still Allowed?

Littler Insight

February 18, 2016

EU Privacy Regulators: Newly Announced "Privacy Shield" Not A Safe Harbor Yet

Littler ASAP

February 4, 2016

EU and US Beat the Clock With Their Announcement of the "Privacy Shield" a/k/a Safe Harbor 2.0

Littler ASAP

February 3, 2016

Ten Steps For U.S. Multinational Employers Towards Compliance With Europe’s New Data Protection Framework – The General Data Protection Regulation

Littler Insight

January 21, 2016

New Jersey Agency Issues Regulations on Statewide “Ban-the-Box” Law

Littler Insight

January 20, 2016

EU Court Draws Fine Line For Employee Monitoring Programs

Law360

January 15, 2016

The Transformation of the Workplace Through Robotics, Artificial Intelligence, and Automation

Littler Report

August 4, 2016

6 Ways Your Smartphone Could Get You Into Legal Trouble

Legaltech News

December 23, 2015

Portland, Oregon Bans the Box

Littler Insight

December 3, 2015

Leverage HR to Address Risk of Data Breach

Today's General Counsel

December 1, 2015

Lawful Cross-Border Transfers of Employees' Personal Data: EU Commission's Communication on the Invalidation of Safe Harbor 1.0 Suggests Safe Harbor 2.0 is on the Horizon

Littler Insight

November 11, 2015

Recent Amendments to Security Breach Notification Laws Further Complicate Breach Notification for Employers

Littler Insight

November 4, 2015

Reversal of Facebook Firings Casts New Light on Social Media Policies

Business Insurance

November 3, 2015

Second Circuit Upholds NLRB's Triple Play Decision, Expanding Section 7 Protections for Employees' Social Media Activity

Littler Insight

October 30, 2015

Keep Personal and Business E-Mails Separate

SHRM Online

October 14, 2015

E.U. Order Complicates Multinational Personal Data Sharing for Thousands of Firms

Business Insurance

October 13, 2015

What Does the European Court of Justice's Invalidation of the U.S.-EU Safe Harbor Framework Mean For U.S.-Based Multinational Employers?

Littler Insight

October 7, 2015

Ad Hoc BYOD Policies Leave Employers Vulnerable

Society for Human Resource Management (SHRM)

August 24, 2015

Littler Attorneys Recognized in the Best Lawyers in America© 2016 Edition

Littler Press Release

August 18, 2015

The Big Move Toward Big Data in Employment

Littler Report

August 4, 2015

'Devious' Case Shines Spotlight on GINA

Law Week Colorado

July 13, 2015

Oregon to Become the Latest State to Ban the Box

Littler ASAP

June 22, 2015

Trendsetter or Outlier? Oregon Adds New Twist to Password Protection Laws

Littler ASAP

June 18, 2015

Oregon to Employers: No, You Can't Make Workers Have a Facebook Account

PayScale

June 17, 2015

Connecticut Restricts Employer Access to Personal Social Media, E-mail and Online Retail Accounts of Employees and Applicants

Littler Insight

May 27, 2015

Va.: Password Protection Law Continues Trend Toward Increasing Protection of Personal Online Accounts

Society for Human Resource Management (SHRM)

April 1, 2015

Virginia's Password Protection Law Continues the Trend Toward Increasing Legislative Protection of Personal Online Accounts

Littler Insight

March 30, 2015

The E-Workplace: Internet Security, Privacy & Social Media Policies

March 3, 2015

Illinois' Newly Amended Eavesdropping Statute Poses Challenges for Employers

Littler ASAP

January 27, 2015

Ring in the New Year with Four Ban-The-Box Laws

Littler ASAP

January 26, 2015

NLRB says workers can use company email to organize

Thomson Reuters Westlaw Journal – Employment

January 21, 2015

The Brave New World of Wearables in the Workplace: Privacy and Data Security Concerns for Employers

Bloomberg BNA Privacy & Security Law Report

January 19, 2015

NLRB Push Forces Rethinking of Social Media Policies

Compliance Week

January 13, 2015

Sony Pictures Data Breach Underscores Employer Cyber Security Risks, Attorney Says

Bloomberg BNA Human Resources Report

December 22, 2014

HR Should Take the Lead on Cybersecurity

Society For Human Resources (SHRM)

December 22, 2014

NLRB Ruling Gives Unions Advantage in E-Mail Organizing

National Legal and Policy Center

December 19, 2014

Columbia Missouri Joins the Ranks of Ban-the-Box Jurisdictions

Littler ASAP

December 15, 2014

NLRB Creates Right to Use Corporate E-Mail to Organize and to Complain About Work: Ten Key Implications for Employers

Littler Insight

December 15, 2014

Four New Laws Within 40 Miles: The Washington, DC Area Accelerates the "Ban-the-Box" Movement

Littler Insight

December 2, 2014

NLRB Charge Expands Data Breach Duties For Unionized Cos.

Law360.com

November 14, 2014

California Takes the Lead Again in Data Breach Laws

Littler ASAP

October 3, 2014

Attorneys Highlight Privacy, Data Security Court Milestones Worthy of a Closer Look

Bloomberg BNA Privacy & Security Law Report

September 15, 2014

Ten Tips for Preparing an Effective Acceptable Use Policy

Littler ASAP

September 2, 2014

NLRB's Recent Triple Play Decision Tackles Two Critical Social Media Issues for Employers

Littler Insight

September 2, 2014

Facebook Fan Page Manager Didn't Own Over 6 Million Likes on Site, Court Holds

Bloomberg BNA Social Media Law & Policy Report

August 27, 2014

Littler Attorneys Included in the Best Lawyers in America© 2015 Edition

Littler Press Release

August 18, 2014

As 'Ban The Box' Widens, Employers Review Criminal Screens

Law360.com

August 15, 2014

NY Employers Likely To Respect NJ's New 'Ban The Box' Law

Law360.com

August 13, 2014

New Jersey Law Continues Nationwide "Ban-the-Box" Trend

Littler ASAP

August 12, 2014

New Jersey's "Opportunity to Compete Act" Continues the Nationwide "Ban-the-Box" Trend

Littler Insight

August 12, 2014

Rhode Island Enacts New Legislation Prohibiting Employers' Access to Personal Online Content

Littler ASAP

August 4, 2014

Reasonable expectations

InsideCounsel

August 1, 2014

Six Recent NLRB Cases Provide Further Insight on Structuring Employers' Social Media Policies

Littler Insight

July 23, 2014

Federal/State Activity, ACA, Privacy and Whistleblowing Most Concern Employers, Says Survey

HR Compliance Expert

July 23, 2014

Five Recent NLRB Cases Provide Further Insight On Structuring Employers' Social Media Policies

Bloomberg BNA Social Media Law & Policy Report

July 22, 2014

ACA, data security create regulatory hurdles for employers

Employee Benefit News

July 17, 2014

Court Cites Riley v. California in Civil Case Denying Inspection of Ex- Employees' Phones

Bloomberg BNA Privacy & Security Law Report

July 14, 2014

Corporate Departments Go International

Law Week Colorado

July 14, 2014

5 Lessons For Employers From California v. Riley

Law360.com

July 10, 2014

Five Lessons for Employers from California v. Riley

Littler Insight

July 10, 2014

Littler Survey Reveals Impact on Employers of a Divided Government, Myriad Forces Reinventing the Workplace

Littler Press Release

July 8, 2014

Employers Beware: Use Credit Checks At Own Risk

Law360.com

June 17, 2014

Public-Sector, Industry Answer; What Would You Change About Government?

Government Technology

June 17, 2014

Define 'Reasonable' When It Comes to Data Security

Corporate Counsel

June 11, 2014

Oklahoma and Louisiana Become the Latest States to Enact Social Media Password Protection Laws

Littler Insight

June 10, 2014

"Reasonable" Data Security: The FTC's Guideposts for Employers

Littler ASAP

June 9, 2014

'Free Speech' Can Be Costly in the Workplace

Workforce

June 1, 2014

Rochester, New York Joins The "Ban-the-Box Movement"

Littler Insight

May 27, 2014

A Tale of Two Cities: Rochester Follows Buffalo to Ban the Box

Littler ASAP

May 27, 2014

As Employees Use Smartphones to Record, Companies Try to Keep Up

Society for Human Resource Management (SHRM)

May 27, 2014

New Wearable Devices Offer Unprecedented Employee Information, Raise Privacy Issues

Bloomberg BNA Human Resources Report

May 23, 2014

States Continue Banning Employer Access to Social Media

Government Technology

May 21, 2014

Baltimore Becomes the 10th Jurisdiction To "Ban The Box"

Littler ASAP

May 16, 2014

Tennessee Joins the Growing List of States Limiting Employers' Access to Personal Online Content

Littler Insight

May 13, 2014

Data protection and privacy laws

Financier Worldwide Magazine

May 1, 2014

NLRB keeps an eye out for employer backlash on workers' social media posts

Business Insurance

April 13, 2014

Using online information against employees and applicants carries legal risks

Business Insurance

April 13, 2014

Illinois Supreme Court Strikes Down Prohibition on Non-Consensual Audio Recordings, Raising New Issues for Employers

Littler Insight

March 26, 2014

EEOC, FTC Deliver Wakeup Call On Background Checks

Law360.com

March 17, 2014

More CNIL Guidance for Multinationals Seeking to Comply with SOX & Dodd-Frank

Littler Insight

March 4, 2014

Prepare for Employee Data Breach

Society for Human Resource Management (SHRM)

March 4, 2014

San Francisco's Board of Supervisors "Bans The Box" and Further Complicates Criminal History Checks by the City's Employers

Littler ASAP

February 10, 2014

Order Striking Provisions of Hospital Code Of Conduct Provides Lessons for Employers

Bloomberg BNA Health Law Reporter™

February 6, 2014

Employers Facing New Workplace Privacy Hurdles

Corporate Counsel

January 21, 2014

BYOD? Leaving a Job Can Mean Losing Pictures of Grandma

The Wall Street Journal

January 21, 2014

NJ Bridge Debacle Disrupts Protocols For Employee Email

Law360.com

January 14, 2014

Meet GINA, a Privacy Act in Disguise

Corporate Counsel

January 8, 2014

Workplace Privacy 2014: What's New and What Employers May Expect

Littler Insight

January 7, 2014

Recent Class Action Lawsuits Shine The Spotlight On The Camouflaged Privacy Law: GINA

Littler ASAP

December 10, 2013

Workers Recording Workers

Human Resource Executive Online

November 26, 2013

Death of the Box: Why the Criminal History Question on Job Applications Is Heading Towards Extinction

Littler ASAP

November 13, 2013

ALJ Holds Employers Can Ban "Gotcha" Audio Recordings From The Workplace

Littler ASAP

November 6, 2013

US patchwork of social media laws creates confusion

Privacy Laws & Business International Report

October 1, 2013

What's in a "Like"? Precedent-Setting Case Poses New Risk for Employers

Littler Insight

September 25, 2013

5 Critical "To Do's" Before the Next HIPAA Compliance Deadline: September 23, 2013

Littler ASAP

September 9, 2013

New Jersey Becomes the Twelfth State to Enact Social Media Password Protection Legislation; Recent Amendment to Illinois' Law Benefits the Financial Services Sector

Littler Insight

September 4, 2013

New Jersey Court's Decision Provides Roadmap For Access To Employees' Restricted Social Media Content

Littler ASAP

August 28, 2013

New Jersey Court's Decision Provides Roadmap For Access To Employees' Restricted Social Media Content

Littler Insight

August 27, 2013

Decision Shines Light on How Not to Investigate Employees Online

Littler ASAP

August 23, 2013

Littler Attorneys Named in Best Lawyers in America® 2014 Edition

Littler Press Release

August 15, 2013

Washington State Turns Up the Privacy for Social Media

Law Technology News

July 30, 2013

Colombia Adopts Regulations to Implement its Data Protection Laws

Littler Insight

July 29, 2013

Colombia Adopta Normas Sobre la Protección de Datos Personales

Littler Insight

July 29, 2013

Social-Media Screening is a Potential Mine Field

National Law Journal

July 22, 2013

GPS Ruling by New York's Highest Court Sets Guideposts for Tracking Workers

Littler ASAP

July 15, 2013

Making Sense of the Complex Patchwork Created by Nearly One Dozen New Social Media Password Protection Laws

Bloomberg Law

July 2, 2013

Patchwork of State Social Media Password Protection Laws Creates Challenges for Employers

Littler ASAP

July 2, 2013

Making Sense of the Complex Patchwork Created by Nearly One Dozen New Social Media Password Protection Laws

Littler Insight

July 2, 2013

Nevada Becomes State 11 to Enact Social Media Password Protection Legislation

Littler ASAP

June 21, 2013

Growing social media privacy protection irks employment

Thomson Reuters News & Insight

June 6, 2013

Workplace Policy Institute: Social Media Password Protection and Privacy — The Patchwork of State Laws and How It Affects Employers

Littler Report

May 31, 2013

Minnesota Enacts "Ban the Box Law"

Littler ASAP

May 20, 2013

Washington Adds to Flood of Social Media Password Protection Legislation

Littler ASAP

May 13, 2013

Colorado is the Latest and Ninth State to Enact Legislation Restricting the Use of Credit Reports for Employment Purposes

Littler Insight

April 26, 2013

Littler Attorneys Phillip Gordon and Lauren Woon Receive Prestigious 2013 Burton Award for Writing Excellence

Littler Press Release

April 22, 2013

New Jersey Poised to Enact the Most Aggressive Social Media Password Protection Law to Date, Adding to a Patchwork of Conflicting Laws Across the U.S.

Littler ASAP

April 1, 2013

7 Steps To Get HIPAA-Compliant Now

Law360.com

March 27, 2013

HIPAA omnibus final rule effective today: Business as usual?

Health IT Security

March 26, 2013

Prepare for the coming of the privacy police

InsideCounsel

March 1, 2013

The 2012 Global Employer: Highlights of Littler's Fifth Annual Global Employer Institute

Littler Report

February 21, 2013

6 Key Takeaways Of HIPAA Final Rule For Employers

Law360.com

February 15, 2013

What Do Employers Really Need to Know About the New HIPAA/HITECH Omnibus Final Rule?

Bloomberg Law Privacy & Security Law Report

February 11, 2013

What Do Employers Really Need to Know About the New HIPAA/HITECH Omnibus Final Rule?

Littler Insight

February 5, 2013

Are Workers Free to Trash Their Employers Online?

Bloomberg Businessweek

January 24, 2013

Five Key Takeaways For Employers Confronting The Massive, Omnibus HIPAA/HITECH Final Rule

Littler ASAP

January 22, 2013

Five Key Takeaways For Employers Confronting The Massive, Omnibus HIPAA/HITECH Final Rule

Littler ASAP

January 22, 2013

States Crack Down on Employers Demanding Passwords

Baseline.com

January 8, 2013

Michigan's New "Internet Privacy Protection Act" Sets Limitations for Employers and Employees

Littler Insight

January 4, 2013

Michigan's New "Social Media Password Protection" Law Multiplies the Challenges for Employers Seeking to Investigate Employees' Social Media Misconduct

Littler ASAP

January 2, 2013

Colorado Becomes Tenth State to Pass Social Media Password Protection Legislation

Littler ASAP

December 31, 2012

More than half of in-house counsel say data security is their top legal concern

InsideCounsel

December 21, 2012

EEOC Loss on ADA Confidentiality Provides Useful Win for Employers

Littler ASAP

November 26, 2012

Even Administrative Agencies Make Mistakes: Corrected Model FCRA Forms Now Available To Employers Who Conduct Background Checks

Littler ASAP

November 19, 2012

Littler Mendelson's Workplace Privacy and Data Protection Practice Group Chair Philip Gordon Interviewed About What Obama's Second Term Means for Privacy Law

Littler ASAP

November 14, 2012

California's New Social Media "Password Protection" Law Takes a More Balanced Approach by Accounting for Employers' Legitimate Business Interests

Littler Insight

October 10, 2012

Social Media Policies in the NLRB's Crosshairs

Littler Insight

October 9, 2012

The National Labor Relations Board Sheds Useful Light on Key Social Media Policy Provisions

Littler ASAP

September 24, 2012

California (Surprisingly) Becomes First State to Take a More Balanced Approach to Social Media "Password Protection" Laws

Littler ASAP

September 5, 2012

Newly Enacted New York Law May Open Trap for Unsuspecting Employers

Littler ASAP

August 28, 2012

Recently Enacted New Jersey Law Shines Spotlight on Critical Social Media Issue for Healthcare Employers

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Employee use of own smart devices still risky for employers

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TVNewsCheck

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Two Recent Decisions Illuminate for Employers the Broad Contours of ADA Confidentiality vs. the Narrow Boundaries of HIPAA Privacy

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Genetic Shake-Up: You must make the Genetic Information Nondiscrimination Act part of your company's DNA

Workforce Management

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Cos. Must Turn Other Cheek Over Worker Facebook Rants

Law360.com

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New Maryland Statute Further Complicates Patchwork of "Credit Privacy" Laws

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Society of Human Resource Management Online

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Corporate Counsel

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Employment Law 360

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EEOC Meeting Keeps Spotlight on Employers' Use of Credit History

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New California Law Illustrates Challenges of Background Check Compliance for Employers

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Enhanced HIPAA Penalties Raise Stakes for Employers and Health Care Providers Responding to a Security Breach

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GINA Becomes Effective November 21, 2009: Are You Ready?

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Swine Flu and Workplace Privacy

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Littler Insight

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Recent Enforcement Actions and Significant Amendments to the HIPAA Privacy Rule Compel Employers to Revisit Their HIPAA Compliance Efforts

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First Federal Court Decision to Uphold "Termination" Based on MySpace Content Rejects First Amendment Claim of the "Drunken Pirate"

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N.J. Supreme Court Seals the Door to Internet Service Providers' Voluntary Disclosure of Information About "Cybersmearing" Employees

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The Christian Science Monitor

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New Oregon Law Imposes Most Stringent Information Security Standards Yet On Employers

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Our HR Manager's Laptop Was Stolen; Should We Offer Credit Monitoring Service?

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Who Said Employees Have No Right To Privacy In Their Corporate E-Mail And Internet Access?

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Want To Get Rid Of Tag-Along State Law Claims? Try The Communications Decency Act

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E-Commerce Times

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French Data Protection Authority Fires Warning Shot to U.S. Multinationals: U.S.-Based Employer Fined for Improper Transfers of Employee Data to the U.S.

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Who's There? What to Do When the Government Is Knocking on Your Door - An Employer's Guide to Handling Government Visits and Information Requests

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March 13, 2007

E-Discovery: Three Major Challenges For Employers

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Denver Post and Twin Cities Pioneer Press

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Phil Gordon Notes the Impact of Universal Messaging Systems

Compliance Week

November 14, 2006

Phil Gordon Moderates Data Dilemmas Roundtable

InsideCounsel

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Phil Gordon Advises Employers to Gain Consent Before Taping Employee Calls

InsideCounsel

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Blogging and the Workplace: What You Should Be Doing About Your Employees' Wanderings Through the "Blogsphere"

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California's Supreme Court Requires Employers Nationally to Re-Examine Telephone Monitoring Policies and Practice

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Phil Gordon Advises Employers to Use Caution with Government's Customer Info Requests

InsideCounsel

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Executive Counsel

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Re-Thinking Privacy: 10 Reasons Why Your Business Should Be More Concerned About Workplace Privacy

BNA Privacy and Security Law Report

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Responding to Security Breaches Under Ohio's and Pennsylvania's New Notice-of-Security-Breach Statutes and Other States' Notice Laws

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Prohibiting Porn in Your Workplace Is Not Enough: New Jersey Court of Appeals Imposes New Duties on Employers Who Engage in Electronic Monitoring

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DOOCES WILD: How Employers Can Survive the New Technological Poker Game of Employee Blogging

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New FTC Regulations On Proper Destruction of "Consumer Information": Steps Employers Need to Take to Comply

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Michigan Becomes the First State in the Nation to Open the Door to Potential Employer Liability for Workplace Identity Theft

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How to Win the Battle Over Electronic Discovery

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HR's Role in HIPAA Security Compliance

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Evaluating the Evolving Options for Trans-Atlantic Transfers of Human Resources Data

BNA Special Publication

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HR Outsourcing: Your Firm's Sensitive Data Could Be At Risk

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Incidence of Workplace Identity Theft Signals Need for Proactive Measures

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California Supreme Court Sets New Standard for Protecting Corporate e-Mail Systems from Unauthorized Communications

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The Next Great Trans-Atlantic Voyage: European Laws Protecting Human Resources Data Arrive on America's Shores

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On July 1, 2002, a New California Law Will Place Additional and Dramatic Limitations Upon a Company's Use of the Social Security Numbers of Customers and Employees

Littler Insight

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Speaking Engagements

How To Implement a Legally Compliant Workplace COVID-19 Testing Program While Waiting for the Vaccine To Arrive

February 16, 2021

2020 Rocky Mountain Virtual Employer

November 18, 2020

The COVID-19 Testing Conundrum: What Employers Need to Know to Develop an Effective and Lawful Testing Program

October 7, 2020

Getting Ready for Brazil's New Data Protection Law (LGPD)

August 6, 2020

The New York SHIELD Act, California Consumer Privacy Act, and Data Security for Employers: HR's Role in Building a Compliant Data Security Program

March 4, 2020

The California Consumer Privacy Act: What Employers Need to Know and Do Before the January 1, 2020 Compliance Deadline

November 14, 2019

BYOD, the Cloud and Beyond: Managing the Risks of the Remote Workforce

2019 Rocky Mountain Employer Conference, Denver, CO

October 4, 2019

Anticipating and Beating the Risks of the Latest Wave of Technology Entering the Workplace

2019 Executive Employer Conference, Phoenix, AZ

May 9, 2019

The New Brazilian Data Protection Law and Lessons Learned from the EU and U.S. Experience - Rio de Janeiro

Mattos FilhoPraia do Flamengo, 200 – 11^º andarRio de Janeiro, Brazil

February 21, 2019

The New Brazilian Data Protection Law and Lessons Learned from the EU and U.S. Experience - Sao Paulo

Mattos FilhoAl. Joaquim Eugênio de Lima, 447Sao Paulo, Brazil

February 20, 2019

Legal and Practical Guidance for Protecting Employer Data: A Discussion on the GDPR and Privacy Issues in the Workplace

Indianapolis, IN
December 5, 2018

2018 Ohio Regional Employer Conference

Cleveland, OH
October 18, 2018

The EU General Data Protection Regulation: What are the implications for your organization? Even if it's not a multinational employer?

Tysons Corner, VA
October 11, 2018

Getting Ahead of the Curve: Strategies for Addressing the Latest Privacy and Information Security Developments in Today's Technology-Driven Workplace

Rocky Mountain Employer
September 21, 2018

Help (Really) Wanted: How to Use New Technology and Big Data Lawfully to Find and Hire the Right Employees

Littler Executive Employer, Phoenix, AZ
May 3, 2018

Three Weeks and Counting: Key Action Items for U.S. Multinational Employers Before Enforcement of the EU's New General Data Protection Regulation Begins

Littler Executive Employer, Phoenix, AZ
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Is Your Company Prepared for GDPR? Advanced Session

New York, NY
March 29, 2018

Is Your Company Prepared for GDPR? Beginner Session

New York, NY
March 28, 2018

Data Privacy in the EU: Status of the EU/US Privacy Shield and Preparing for the Advent of the EU's General Data Protection Regulation

Association of Corporate Counsel (ACC) Webinar
October 31, 2017

How to Screen out the “Employee from Hell” Without Having to Litigate Against the “Applicant from Hell”

Littler Rocky Mountain Employer Conference

October 3, 2017

Meeting The Next HR Data Protection Challenge: What Multinational Employers Must Do Before The EU’s Upcoming General Data Protection Regulation (GDPR) Takes Effect

September 28, 2017

Managing HR Data Globally Without Violating the EU’s New General Data Protection Regulation (GDPR) and Other International Data Protection Laws

Pittsburgh, PA

September 19, 2017

Combatting The Insider Threat

Pittsburgh, PA

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The Insider Threat: Enhancing Data Stewardship to Protect Your Information Assets

June 13, 2017

One-Year Countdown: Get Ready for Europe’s New Data Protection Framework Before It’s Too Late

May 11, 2017

The Insider Threat: Protecting Information Assets Through Data Stewardship and Continuous Risk Monitoring

December 1, 2016

Inaugural Canada Conference

Toronto, ON

November 21, 2016

Second Annual Mexico Conference - Mexico City

México City

October 5, 2016

Segunda Conferencia Anual en México - Ciudad de México

México City

October 5, 2016

Segunda Conferencia Anual en México - Monterrey

Monterrey, NLE

October 4, 2016

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The Insider Threat: Enhancing Data Stewardship to Protect Your Information Assets

Rocky Mountain Employer Conference
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2016 Rocky Mountain Employer Conference

Denver, CO
September 21, 2016

Privacy Shield, GDPR, and Brexit: Their Impact on U.S. Multinational Employers' Cross-Border Transfers of Employee Personal Data

Denver, CO
August 18, 2016

The Cross-Border Conundrum: How Can Multinationals Centralize Their HR Data to Comply with the Multitude of International Data Protection Laws?

The 2016 Executive Employer® Conference, Scottsdale, AZ
May 5, 2016

The Insider Threat: Enhancing Data Stewardship to Protect Your Information Assets

May 5, 2016

The Impact of Technology on Workplace Privacy, Information Security and Your Company's IP Assets

May 4, 2016

Employee Privacy in Europe: Where Does Europe Stand with Privacy Shield and the General Data Protection Regulation

April 27, 2016

Europe's Changing Landscape for Global Employers: Insights into US-EU Safe Harbor 2.0, The EU's New General Data Protection Regulation and other European Employment Law Changes

February 2, 2016

Security Breach Response: How To Comply With The Multitude Of Breach Notification Laws, While Protecting Your Organization From The Fallout

2015 PPN Health Access Executive Briefing Conference, Sacramento, CA
December 1, 2015

Data Breach And Security Issues

2015 SWBA Conference
November 13, 2015

The New “New Digital Workplace”: What’s Next And What Should Employers Do To Prepare?

2015 All Hands Meeting
October 28, 2015

Cyber Security for The Mid-Market

2015 CEO Mid-Market Conference
October 20, 2015

Workplace Privacy: The “New Digital Workplace,” What’s Next And What Should Employers Be Doing To Prepare?

2015 Rocky Mountain Employer Conference
October 7, 2015

The Data Breach Imperative: How HR Can Play A Critical Role In Protecting The Organization From Information Security Meltdown

2015 Colorado Society for Human Resource Management (SHRM) Conference
October 1, 2015

The New 'New Digital Workplace:' What’s Next And What Should Employers Do To Prepare?

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October 1, 2015

Payroll Multinationals – How To Navigate The Complex Web Of Global Data Protection

2015 Texas Payroll Conference
September 25, 2015

How To Prepare For A Security Breach and Respond Effectively When It Inevitably Occurs

2015 NAPBS Annual Conference
September 21, 2015

How To Comply With The Multitude Of Breach Notification Laws, While Protecting Your Organization From the Fallout

Marathon Petroleum
August 31, 2015

What Does The ‘Ban-The-Box Movement’ Really Mean For Employers and Consumer Reporting Agencies?

NAPBS Webinar
July 29, 2015

Getting Ready For the Next Wave Of Challenges – Recent Legal Developments And Security Incident Preparedness And Response For Pre-Employment Screeners

2015 TazWorks User Group Meeting

May 14, 2015

What Is A Data Breach And What Do I Need To Do About It? Video Shoot Script

May 8, 2015

Working From Home In All Its Dimensions

May 7, 2015

The New “New Digital Workplace: What’s Next And What Should Employers Do to Prepare?”

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The New “New Digital Workplace” Panel Questions

May 7, 2015

Opening Session Script

May 7, 2015

Balancing Privacy Rights with Personal Devices: BYOD

PBI

April 28, 2015

Recent Developments For CRAs & Employers: The Legal Landscape Becomes More Treacherous Than Ever

NAPBS Webinar

April 22, 2015

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PPN Health Access

April 15, 2015

Ethics & Compliance Forum

2015 Textron, Inc., Providence, RI

March 15-17, 2015

Cybersecurity: Protecting Your Company’s Confidential Information in the Age of Cloud Computing and BYOD and Responding to Security Breaches When Those Protections Fall Short

2015 Global Employer Latin America Conference

March 5-6, 2015

The E-Workplace: Internet Security, Privacy & Social Media Policies

The National Employment Law Institute (NELI)

March 3, 2015

The E-Workplace: Protecting Employer Information v. Employee Privacy

2015 NELI Conference

March 2, 2015

Building Successful Virtual Employer/Business Resource Groups (ERGs/BRGs) and Related Workplace Social Media Challenges

Out & Equal Summit

November 5, 2014

The 2014 Rocky Mountain Employer Conference

Denver, CO

October 30, 2014

Recent Developments for CRAs and Employers: The Legal Landscape Becomes More Treacherous Than Ever

2014 NAPBS Conference, Denver, CO

October 21, 2014

Corporate Security vs. Employee Privacy in the Digital Age

CEO Connection Mid-Market Convention, Wharton University of PA

October 20, 2014

Cyber Liability Update

AmTrust Presentation Webinar

October 17, 2014

Navigating the Latest NLRB Decisions on Employee Policies and Discipline

Social Media and the Workplace, Webinar

October 9, 2014

What Every GC Must Know About Privacy and Ethics

Social Media in Internal Investigations, Webinar

October 1, 2014

Social Media and the NLRB: New Challenges for Union-Free Employers From An Unlikely Regulator

Littler Webinar - 2014 United Healthcare Presentation

July 16, 2014

Privacy Developments in the Digital Workplace

Fifteenth Annual Institute on Privacy and Data Security Law - Practising Law Institute (PLI), Chicago, IL
July 15, 2014

Recent Developments for CRAs and Employers: The Legal Landscape Becomes More Treacherous Than Ever

2014 TazWorks User Group Meeting, Park City, UT
May 22, 2014

Managing Corporate Data Across Multiple Global Privacy Regimes

Workplace 3.0: Responding to Innovative Forces Changing the Workplace
May 8, 2014

Protecting Your Confidential Information In The Workplace and In The Cloud

Workplace 3.0: Responding to Innovative Forces Changing the Workplace
May 8, 2014

Employee Privacy In The Age of Big Brother Technology

Workplace 3.0: Responding to Innovative Forces Changing the Workplace
May 8, 2014

Bring Your Own Device (BYOD)

May 7, 2014

Key Practical Issues In Negotiating Business Associate Agreements, Responding To A Breach Of Unsecured PHI, And Understanding HHS Enforcement

WEDI Webinar - Beyond The Legal Requirements
May 1, 2014

Meeting The Evolving And Increasingly Complex Challenges of Implementing Legally Compliant Background Check and BYOD Programs

CBA/CLE Employment Law 2014
March 20, 2014

Avoiding Employer Liability Due to Employees' Expanded Privacy Rights: Crafting Effective Policies and Practices

Strafford Webinar
March 19, 2014

Navigating the Challenges of Cross-Border Whistleblower Investigations

Textron, Inc.
February 27, 2014

The New Data Juggernaut: Time for Multinationals to Address Workplace Privacy in Latin America or Risk Damaging Their Corporate Brand

The Global Employer Latin America Conference 3rd Annual
February 20-21, 2014

Navigating the Challenges of Cross-Border Whistleblower Investigations

Navex Global Webinar
February 6, 2014

Investigating Cross-Border Whistleblower Claims: A Challenge for Multinational Employers

July 31, 2013

All Aboard The HIPAA Omnibus – An Auditor’s Perspective

Health Care Compliance Association
June 18, 2013

Going Mobile: Managing Risk in a Workplace Driven by Personal Devices, Social Media, and Cloud Computing

Charlotte, NC
April 18, 2013

Translating the Trends: What to Expect in 2013

Littler Mendelson, San Francisco, CA
April 10, 2013

Social Media and the NLRB: New Challenges for Union-Free Employers From An Unlikely Regulator

Littler Mendelson, San Francisco, CA
April 10, 2013

Managing Retailer's Challenges of Bring Your Own Device (BYOD) Programs

March 19, 2013

What Does The New Omnibus HIPAA/HITECH Final Rule Really Mean For Employers And Their Service Providers?

February 19, 2013

What Every Multinational Should Know About Bounty Hunters and Whistleblowers

Littler Mendelson, Washington D.C.
November 8, 2012

Background Checks for the 21st Century: How to Protect Your Organization Without Sinking in the Quagmire of New Laws

Bloomberg BNA Webinar
October 30, 2012

Brinker after Kirby: Still No Free Lunch in California

Littler Mendelson, Scottsdale, AZ
May 11, 2012

Business or Pleasure: The Challenge of "Bring Your Own Device" Policies in the Workplace

Littler Mendelson, Scottsdale, AZ
May 11, 2012

Managing the Social Media Activity of A Multinational Workforce after the Global Privacy Juggernaut

Littler Mendelson, Scottsdale, AZ
May 10, 2012

The Truth About the Workplace of the Future: Debunking the Myths Surrounding Flexible Work

July 15, 2011

What Employers Need to Know About the Genetic Information Nondiscrimination Act

January 14, 2011

New ADA Accessibility Regulations and Design Standards

December 8, 2010

Who Says Social Networking Is Just for Kids?

Indianapolis, IN
March 17, 2010

On the Cutting Edge of Workplace Privacy

Pittsburgh, PA
March 12, 2010

On The Cutting Edge of Workplace Privacy

Houston, TX
February 5, 2010

On the Cutting Edge of Workplace Privacy

Dallas, TX
February 4, 2010

Meeting the Compliance Challenges of a Reinvigorated HIPAA and the Genetic Information Non-Discrimination Act of 2009

Denver, CO
October 8, 2009

Meeting the Compliance Challenges of a Reinvigorated HIPAA and the Genetic Information Non-Discrimination Act of 2009

July 24, 2009

Getting Past the EFCA Hype and Getting Down to Business

July 24, 2009

Sex Offenders, Terrorists and Video Resumes: How Far Can You Go to Get Information on Prospective and Current Employees?

Denver, CO

May 12, 2009

Employers' Obligations Under Massachusetts' New Data Security Law

Burlington, MA

October 4, 2007

Philip Gordon Speaks at "Human Resources" Panel at International Association of Privacy Professionals (IAPP) Privacy Academy

Henderson, NV

October 28, 2005

"Privacy Professional Boot Camp" Workshop at International Association of Privacy Professionals (IAPP) Annual Meeting

Henderson, NV

October 26, 2005

Books & Book Chapters

- *Combatting the Insider Threat: Reducing Security Risks From Malicious and Negligent Employees*, Chapter 24, *Navigating the Digital Age*, NYSE/Palo Alto Networks, 2015
- *Social Media and Employment Law, An International Survey*, Chapter 34, *International Bar Association Series*, co-authors Phillip L. Gordon and Jordan Cornett, 2015
- *Managing the Evolving Challenges of Workplace Privacy and Information Security*, Chapter 13, *Inside the Minds™: Recent Trends in Privacy and Data Security*, Aspatore, 2013
- *International Labor and Employment Law*, Chapter 21, *International Corporate Practice: A Practitioner's Guide to Global Success*, Practising Law Institute, co-authors Philip Berkowitz, Joseph Lazazzero, Trent Sutton and Stefan Marculewicz, 2012
- *Littler on Background Screening & Privacy Rights in Hiring*, The Littler National Employer Library
- *Littler on Employee Monitoring: Searches, Surveillance & Privacy Concerns*, The Littler National Employer Library, co-author Zoe M. Argento