

## Addressing Privacy and Security Concerns Relating to Employees Working from Home



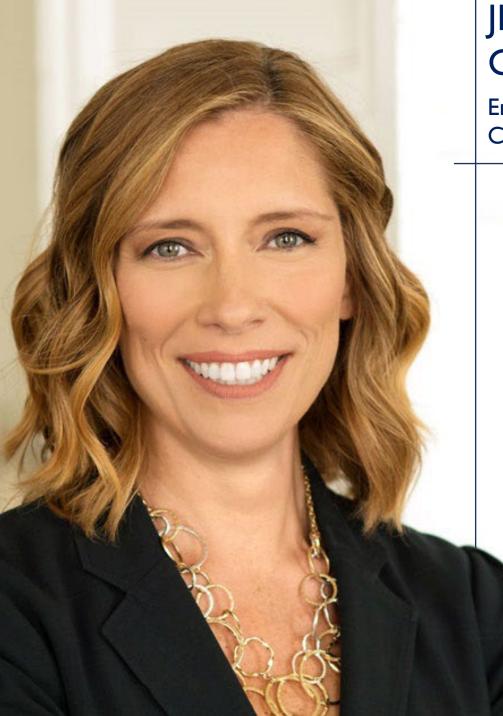




#### MICHAEL CENTRONE CPCU, CSP, CSRM, ARM

Email: michael.centrone@uticanational.com Cell: 716-880-0017

- Chartered Property Casualty Underwriter (CPCU), Certified Safety Professional (CSP), Certified School Risk Manager (CSRM), Associate in Risk Management (ARM).
- Over 25 years of insurance experience in Claims and Risk Management.
- Manage the value-added services provided to our school customers in GA, NC, SC, TX, TN, IL, NY (western) and PA (western).
- Organize/host risk management webinars, most recently Concussion Management and Managing the Aftermath of a Tragedy.
- Organize/host risk management seminars, most recently Threat Assessment and Bullying Prevention.
- Create Risk Management Alerts on trending and emerging issues, most recently Key Items for School Closure during COVID-19 and Outside Use of Facilities during COVID-19.
- Conduct in-person training presentations.
- Attend state and national school association conferences.



#### JENNIFER A. BECKAGE, ESQ. CIPP/US, CIPP/E

Email: jbeckage@beckage.com Cell: (716) 510-0306

- Certified Information Privacy Professional, United States (CIPP/US) and a Certified Information Privacy Professional, Europe (CIPP/E) as certified by the International Association of Privacy Professionals (IAPP).
- Recognized in 2018 and 2019 as one of the Top 30 data breach attorneys in the United States by Cybersecurity Docket.
- Upstate New York Super Lawyers<sup>®</sup> Super Lawyer 2019, only attorney recognized within Technology Transactions category.
- Developed multiple privacy and security programs.
- Leads a team of lawyers advising on privacy programs and litigation to help bridge gaps and foster dialogue on cost effective but high impact solutions.
- Responded to numerous data security incidents, cyberattacks, ransomware, malware by providing legal and risk mitigation advice while coordinating appropriate technical and other teams to respond and stand up operations again.
- Represented clients in federal and state data breach and privacy litigation, including defending clients in putative class actions.
- Former tech business owner; sold company to publicly-traded company and retained as VP Operations of technology products.



#### MICHAEL CHIRICO, ESQ., CISA

Email: mchirico@beckage.com Cell: (210) 637-8287

- Certified Information Systems Auditor (CISA).
- Health Information Management Systems Society, New Jersey Chapter Board Member, President-Elect, currently chair of membership committee, previously cochaired security, privacy and compliance committee.
- Developed, deployed, and trained employees on the organizational catalog of HIPAA-compliant policies and procedures and corresponding governance frameworks designed to safeguard patient and workforce data.
- Responsible for the creation and deployment of the enterprise information security and risk management awareness training programs for a workforce of 2,000 (employees and contractors).
- Completed over 500 information systems audits.
- Responsible for the development and support of the cybersecurity posture and strategy for New Jersey's largest medical center.
- Implemented the investigatory program for alleged impermissible access to health records.
- Coordinated and executed visits to USAID projects for Congressional delegates and USAID leadership.
- Coordinated regional quality improvement initiatives to reduce hospital admission.



#### DANIEL P. GREENE, ESQ., CIPP/E

Email: dgreene@beckage.com Cell: (716) 574-7674

- Certified Information Privacy Professional, Europe (CIPP/E) as certified by the International Association of Privacy Professionals (IAPP).
- Seasoned trial attorney with significant data breach experience, including for clients in emerging and non-traditional markets.
- Experience in working with SaaS providers, e-commerce retailers, financial institutions and alternative health care facilities to respond to and mitigate incidents, evaluate and effectuate reporting obligations, and defend resulting regulatory investigations and audits, including New York State DFS.
- Represents clients across a spectrum of matters, including incident response matters, government investigations, internal audits, securities reviews, privacy, civil and white-collar criminal litigation.
- Recognized as Business First's 2017 "40 Under 40" Award.
- Counsels clients on governance best practices, crisis and incident response and communications, and compliance with U.S. and European data security and privacy laws.
- Interfaces with state and federal agencies routinely in response to investigations, enforcement notices, and compliance audits; and diligently represents clients in federal court litigation.



- Law firm focused on technology and data security and privacy
- Beckage firm includes Certified Information Privacy Professionals by the International Association of Privacy Professionals (IAPP), IT professionals, former tech entrepreneurs, federal regulator, former Chief Information Security Officer (CISO), current Certified Information Systems Auditor (CISA), business owners and former public-company executive.
- Practice areas:
  - **Regulatory Compliance** Policy drafting, contract review, training and tabletop exercises.
  - Incident Response Help mitigate legal risk in breach response and identify and coordinate legal notifications and reporting obligations.
  - Litigation Represent clients in federal and state technology, data breach and privacy litigations, and during audits and investigations.
  - Risk Management Work with clients to evaluate IT network and enterprise from a legal and risk
    management perspective with Beckage's internal Certified Information Systems Auditor (CISA).







Key Considerations

# AGENDA



Legal Landscape

COVID–19 & Privacy



**Conclusion & Debriefing** 





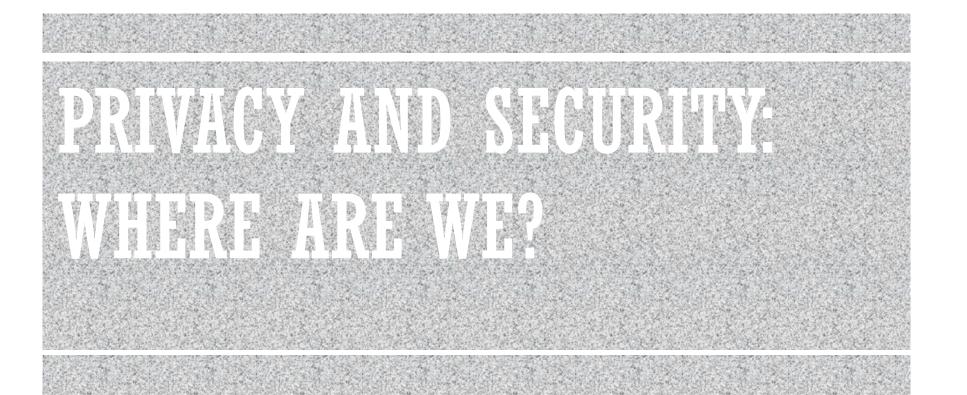
# PRIVACY & SECURITY WHEN WORKING FROM HOME







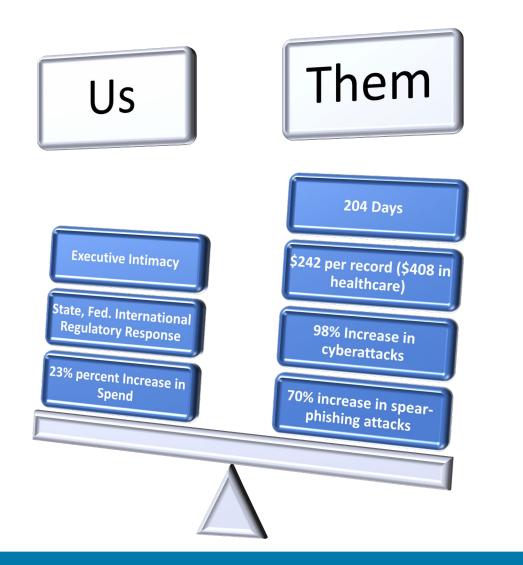
#### PRIVACY & SECURITY CONSIDERATIONS







### **SIGN OF THE TIMES**



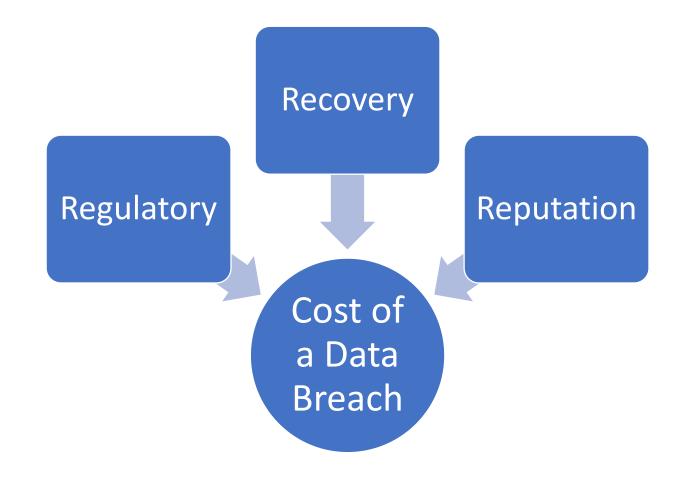
2019 was neither the best of times nor the worst of ...but instead, a sign of the times. times



θ



#### **THREE R's**

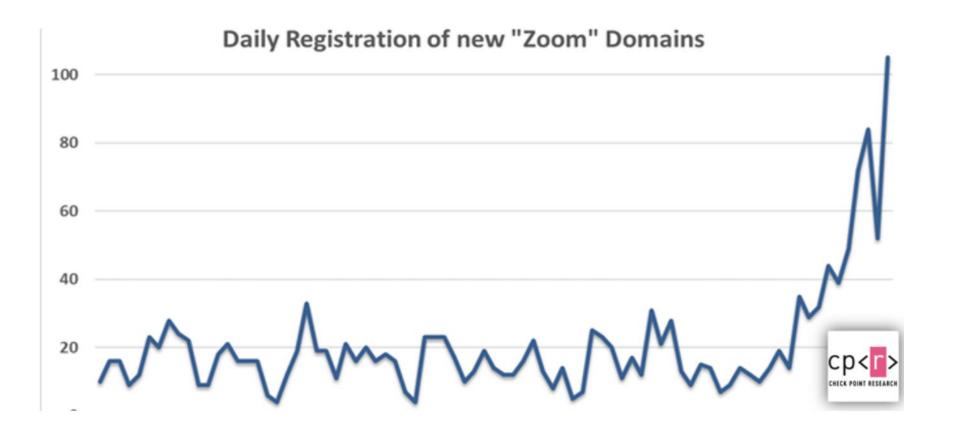




θ



## **DOMAIN SPOOFING**



Beckage

Google Classroom, which URL, classroom.google.com, can be impersonated by googloclassroom\.com and googieclassroom\.com.



### **DOMAIN SPOOFING**

Domain Information				
Domain:	bergenregionalmedicalcenter.com			
Registrar:	APRIL SEA INFORMATION TECHNOLOGY CORPORATION			
Registered On:	2005-07-26			
Expires On:	2019-07-26			
Updated On:	2018-07-27			
Status:	clientDeleteProhibited clientTransferProhibited clientUpdateProhibited			
Name Servers:	ns111373.ztomy.com ns211373.ztomy.com			

	Dogistrant Contact	
25	Registrant Contact	
1 ~ 1	0	

Name:	Vietnam Domain Privacy Services			
Organization:	Vietnam Domain Privacy Services			
Street:	Ground floor, 60 Nguyen Dinh Chieu, Dakao Ward, District 1			
City:	HoChiMinh			
Country:	Vietnam			
Phone:	+84-2822423641			
Fax:	+84-2822202013			
Email:	baonat@dichvubaomattenmien.vn			



θ



NTER	NATIO	ONAL	ТН	RE/	<b>\TS</b>			UserLog	inFailed	
	200	Oct 07 2018	Oct 14 2018	Oct 21	2018					
	F SORT BY: Time Created V	TIME CREATED +								
	ch ∓ UserLoginFailed	Thu, Nov 01 2018, 04:16 Ruestan	rederation 185.255.31.123	office365.com   ~	USMA-Sensor Hyper-V					
	☆ 🔻 UserLoginFailed	Thu, Nov 01-2019, course PM	o 📫 185.255.31.123   🗸	office365.com   ~	USMA-Sensor Hyper-V					
	☆ 〒 UserLoginFailed	Thu, Nov 01 2018, 09:31 AM	↔ 176.120.208.64   ~	office365.com   ~	USMA-Sensor Hyper-V					
	☆ 亚 UserLoginFailed	Thu, Nov 01 2018, 08:55 AM	<ul> <li>185.19.178.33   ~</li> </ul>	office365.com   ~	USMA-Sensor Hyper-V					
	☆ 〒 UserLoginFailed	Thu, Nov 01 2018, 08:04 AM	<ul> <li>I85.266.31.123   ~</li> </ul>	office365.com   ~	USMA-Sensor Hyper-V					
Duratia	☆ 〒 UserLoginFailed	Thu, Nov 01 2018, 07:52 AM	o 📫 185.255.31.123   🗸	15						
Russia	☆ ⊤ UserLoginFailed	Thu, Nov 01 2018, 07:52 AM	<ul> <li>90.188.252.216   ~</li> </ul>	1.0						
	☆ 〒 UserLoginFailed	Thu, Nov 01 2018, 12:03 AM	<ul> <li>94.19.116.37   ~</li> </ul>	1						
	☆ ▼ UserLoginFailed	Wed, Oct 31 2018, 06:36 PM	○ ■ 186.266.31.123   ~							
	☆ ▼ UserLoginFailed	Wed, Oct 31 2018, 04:16 PM Tue, Oct 30 2018, 10:55 PM	<ul> <li>im 185.255.31123   ~</li> <li>im 83.234.206.200   ~</li> </ul>	0.5						
	☆ ▼ UserLoginFailed	Tue, Oct 30 2018, 10:55 PM	<ul> <li>iiii 83.234.206.200   </li> <li>iiii 109.167.243.86   </li> </ul>				/			
	슈 후 UserLoginFailed	Tue, Oct 30 2018, 10:36 PM	o 🗰 80.73.87.206   ~	Oct 31 06:00 PM		Nov 01 12:00 AM		Nov 01 06:00 AM	Nov 01	
				F SORT BY: Time Cr	reated 🗸	TIME CREATED -	OTX SOURCE ASSET	DESTINATION ASSET	SENSOR	
lue e		/	/ ~	ັ ☆ ▼ UserLoginFai	iled	Thu, Nov 01 2018, 0 Iran, Islam	ic Republic of 79.127.33.146	office365.com   ~	USMA-Sensor Hyper-V	
Iran		Nov 01 12:00 AM	Nov 01 06:00 AB	☆ 🔻 UserLoginFa	iled	Thu, Nov 01 2018, 06:12 AM	♦ 185.46.110.169   ↓	office365.com   🗸	USMA-Sensor Hyper-V	
		HOT OF ILLOOPHI	100 01 00.00 A	☆ 🔻 UserLoginFa	iled	Thu, Nov 01 2018, 05:08 AM		office365.com   🗸	USMA-Sensor Hyper-V	
	T BY: Time Created 🗸			☆ 🔻 UserLoginFai		Thu, Nov 01 2018, 04:35 AM		office365.com   ~	USMA-Sensor Hyper-V	
	EVENT NAME \$	TIME CREATED + OTX	SOURCE ASSET	DESTINATION ASSET	SENSOR					
	UserLoginFailed	Thu, Nov 01 2018, 10:23 AM $\diamondsuit$	ITT.23.249.82 ↓	office365.com 🗸	USMA-Sensor Hyper-V					
	UserLoginFailed	Thu, Nov 01 2018, 10:07 AM $\diamondsuit$	🐼 186.235.84.238   🗸	office365.com   🗸	USMA-Sensor Hyper-V					
Brazil	UserLoginFailed	Thu, Nov 01 2018, 09:42 AM 🔶	I79.127.175.202   ↓	office365.com   ~	USMA-Sensor Hyper-V					
	UserLoginFailed	Thu, Nov 01 2018, 09:33 AM $\diamondsuit$	∞ 177.223.14.12   ~	office365.com   🗸	USMA-Sensor Hyper-V					
	UserLoginFailed	Thu, Nov 01 2018, 08:52 AM 🔶	177.73.182.34   ✓	office365.com   ~	USMA-Sensor Hyper-V					
eckage										45+ Y

### **INTERNATIONAL THREATS**



45+ YEARS



Ω

#### Passphrases Crack Time

A passphrase is several random words combined together, like xkcd's famous correcthorsebatterystaple suggestion.

The below chart assumes the attacker knows what dictionary you used and the dictionary has around 8000 words.

Number of Words	Time to Crack			
3 words	3 seconds			
4 words	7 hours			
5 words	8 years			

source: reddit

#### Passwords Crack Time

Alphanumeric means the password is made up of uppercase and lowercase letters, as well as numbers. Basically *A-Z*, *a-z*, *o-9*.

Password Length	Time to Crack	with special character			
9 characters	2 minutes	2 hours			
10 characters	2 hours	1 week			
11 characters	6 days	2 years			
12 characters	1 year	2 centuries			





Ю

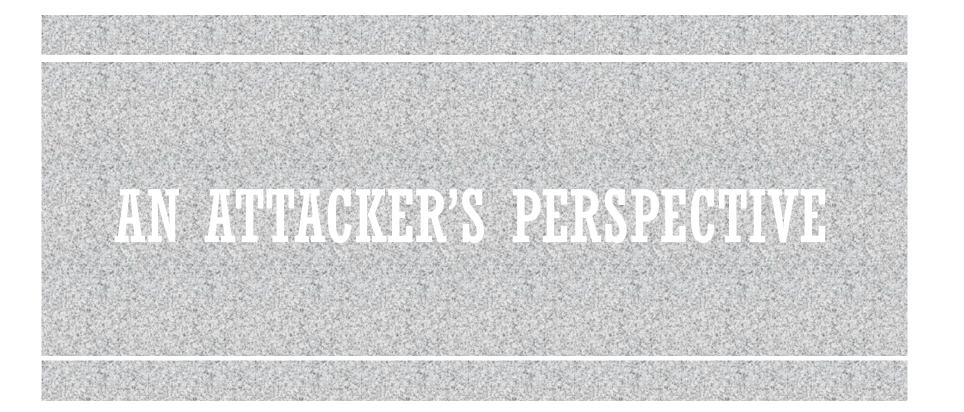
# **KEY CONSIDERATIONS**







### PRIVACY AND SECURITY CONSIDERATIONS







#### **INCREASING COMPLEXITIES**



415,000 Lines of Code



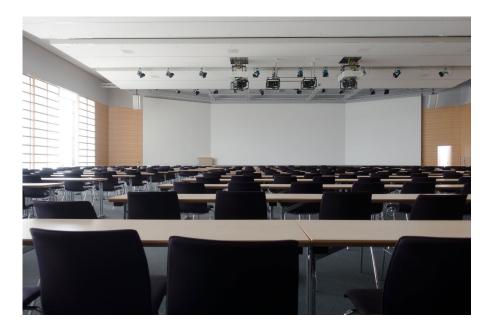
100,000,000 Lines of Code

Apollo Capsule ran on less memory than your iPhone.





### **INCREASING COMPLEXITIES**



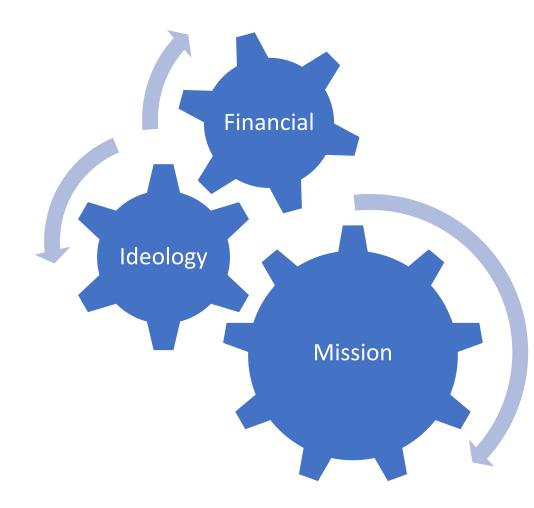
#### 100,000,000,000 Lines of Code 100's of Systems, Vendors and Devices







#### **ATTACKER MOTIVATIONS**





θ



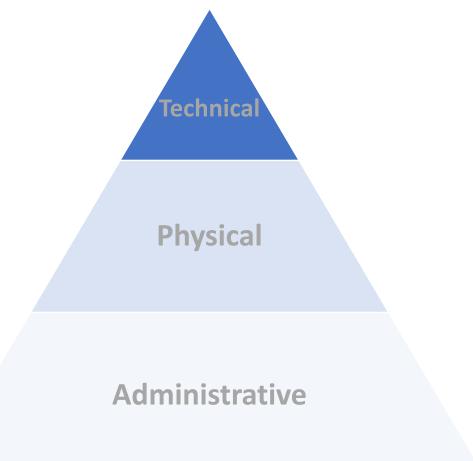
#### **FRAMEWORKS**

Access Control Audit Control Integrity Person/Entity Authentication <u>Transm</u>ission Security

Facility Access Controls Workstation Use Workstation Security Device & Media Controls

Security Management Process Information Security Officer "Workforce" Security Information Access Management Information Security Training Security Incident Protocol Contingency Plan, Evaluation and Training

#### Confidentiality, Integrity, Availability



5+ YEAR



#### **POLICY ALIGNMENT**

By following these policies internally, you set a standard for remote employees to use them as well.







## **POLICY ALIGNMENT**

- Safeguarding credentials
- Users have no expectation of privacy
- Email must never be used for personal use
- Clicking links or opening documents from unknown recipients is prohibited
- Personal webmail use
- Social Media acceptable use
- Home Environment Hardened





## ENCOURAGING BEST PRACTICES THROUGH POLICIES AND PROGRAMS

MAKE CYBERSECURITY TRAINING INTEGRAL TO THE ON-BOARDING PROCESS

-

TAKE TIMELY DISCIPLINARY ACTIONS IN CASE OF BREACHES DEVELOP AND ENFORCE AN ACCEPTABLE USE POLICY

Ξ



ENCOURAGE RESPONSIBLE USE OF SOCIAL MEDIA









You don't need to be a cybersecurity expert, you can safeguard employee and company information by staying informed.



Liaise with IT and legal teams to continuously evaluate cybersecurity needs.







#### **Unsecured Transmissions**

#### POTENTIAL DAY-TO-DAY PRIVACY RISKS



**Unintentional Transmissions** 



Multi-tasking



**Over-Collection of Data** 





## TIPS WHEN WORKING FROM HOME



Ensure your Wi-Fi connection is secure



Update your anti-virus software and security software



Watch out for scams targeting remote workers

Use a VPN

Set up two factor authentication





Beckage

# **LEGAL LANDSCAPE**







## **Overview Current and Emerging Laws**

- Data Privacy Laws
  - GDPR
  - CCPA & Other States
- Data Security Laws
  - New York SHIELD Act
- Industry-Specific Hybridized Privacy & Security Laws
  - New York Education 2-d law





## **KEY POLICY CONSIDERATIONS**

- New and emerging laws require policy updates with legal counsel:
  - Information Security Policy
  - BYOD (Bring Your Own Device) Policy
  - Record Retention & Data Retention Policy
  - Identity Access Management
  - Incident Response
  - Business Continuity





## **BEST PRACTICES FOR MANAGING RISK**

#### POLICIES AND PROCEDURES

- In addition to policy updates:
  - Perform an enterprise risk assessment.
  - Conduct vulnerability scans and penetration tests.
  - Perform a table-top exercise focused to issue spotting legal compliance.
  - Review your cyber insurance.
  - Legal review contractual obligations to confirm address regulatory requirements.
  - Train staff.





Beckage

# **COVID-19 & PRIVACY**







## **COVID-19 & PRIVACY**

- Fitness for Duty: Collection of PI in connection with fitness for duty/medical surveillance of employees.
  - EEOC Pandemic Flu Guidance.
  - BIPA/CCPA/OSHA may all be implicated.
- Text Message/Information Campaigns. Updates re: COVID-19 closures and impact. TCPA may still apply, though there are important exceptions.
- Remote Work Force: Licenses, knowing your technology, video conferencing and IT security policies.
- Increase in Phishing and Malicious Attacks: Phishing campaigns are targeting COVID-19 fears.





# **CONCLUSION & DEBRIEFING**



θ



### WE ARE LAWYERS, SO WE HAVE A LEGAL DISCLAIMER

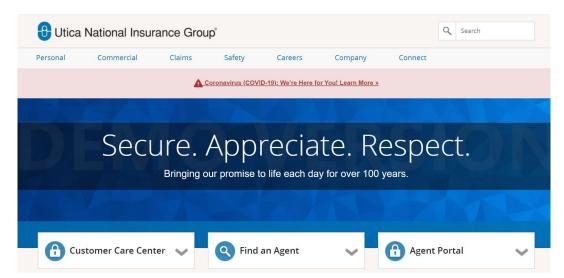
- Thank you.
- The foregoing is for information and advertising purposes only. The information is not legal advice for any specific matter and does not create an attorney-client relationship. The recipient of this publication cannot rely on its contents.
- If legal advice is required for any specific matter, please consult with qualified legal counsel. We would be happy to assist you.
- For additional questions contact an attorney at Beckage PLLC or visit Beckage.com
- Check out the Beckage Blog at Beckage.com/blog and follow Beckage on LinkedIn for updates.





## **UTICA NATIONAL INSURANCE GROUP**

- COVID-19 Resources
  - uticanational.com
- Social Media
  - Utica National Insurance YouTube channel
  - Facebook, Twitter, LinkedIn, Instagram
- Coverage
  - Cyber Suite
- Customer Care Center







#### UTICA NATIONAL / HSB RESOURCE PAGE



#### **Prevention and Mitigation Through Preparation**

Companies of every size are vulnerable to cyber attacks and data breaches caused by hackers, dishonest employees or through an accident.

Although it may not be possible to protect against all cyber attacks and data breaches, the more knowledge you have, the more effective you can be at responding to cyber attacks and data breaches. Being informed and prepared can help lower the costs of response and reduce potential reputation harm.

The eRiskHub® provides tools and information to help your business prepare and respond to a cyber incident. If you suspect your business has suffered a cyber attack or data breach, report the claim to your insurer promptly.

#### To Report a Loss

If you have a claim, or need help responding to a known or suspected privacy or security breach, contact Utica National toll-free at 1-800-274-1914 and ask for extension 2063 in the Home Office Claims Legal Department. You may also report a Cyber Suite matter by fax: 888-538-2018.

Please do not engage any service providers listed in this portal until we have had an opportunity to discuss the circumstances of the claim with you.



#### Had a Breach?

In the event that your organization suffers a cyber attack or you suspect you have suffered a data breach, you should promptly contact your broker or insurer to report a claim. From there, we will work with you to understand the extent and scope of the incident, explain your coverage, and respond.

#### My Tech Support

My Tech Support provides a wide range of technical support, including free scanning and diagnostics, a mobile desktop assistant, virus removal, and chat support. You can use My Tech Support as your "help desk" to diagnose and fix common computer problems, including some virus infections. *Learn More >* 





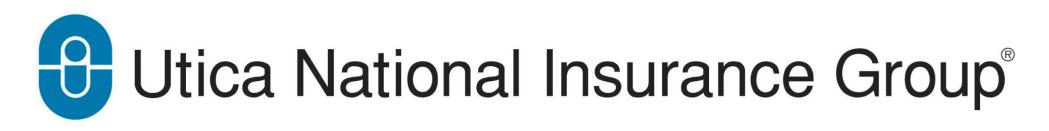
#### QUESTIONS

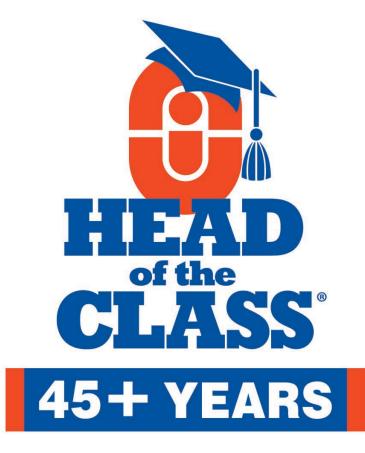




θ







Proudly servicing educational institutions for over 45 years