



IAPP Global Summit 2026

Privacy | AI governance | Cybersecurity law

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Global Employee Privacy: Actionable Guidance from Recruitment to Offboarding

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WELCOME AND INTRODUCTIONS



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WAIVER

Legal Waiver: The information provided in this session is intended to offer practical actionable guidance and should not be considered legal advice. For specific legal concerns or circumstances, please consult a qualified legal professional.

AGENDA OUTLINE

- I. Session Outline**
- II. Welcome and Introductions (3min)**
- III. Recruitment and Candidate Data (10min)**
 - i. Recruitment and AI Use
 - ii. Unsuccessful Candidate Data
- IV. Onboarding (10min)**
 - i. Background Checks
 - ii. Cross Border Transfers
- V. Active Employment (10 min)**
 - i. Employee Monitoring and ADM
 - ii. GPS and Biometric Data
- VI. Offboarding (5min)**
 - i. Secure Exit and Forwarding Facing Compliance
- VII. Questions and Answers (5-10 min)**

Why This Conversation Matters

AI is reshaping HR, monitoring tools are expanding, and a globalized workforce means navigating conflicting laws. This session covers actionable guidance across recruitment, onboarding, active employment, and offboarding.



Do you use AI tools in your hiring process today?

Recruitment



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Recruitment: Use of AI

- *During recruitment, employers are increasingly relying on AI tools for tasks such as automated screening and candidate evaluation. What are the key privacy risks at this stage, and what are some of the best ways to mitigate these risks?*



Actionable Guidance - Recruitment

Risk

- AI screening tools lack transparency and explainability, creating compliance gaps across jurisdictions.

Current Practice

- Organizations rely on vendor assurances with limited insight into model logic, training data, or decision criteria. Internal review is often informal or siloed within HR or IT.

Actionable Guidance - Recruitment

Solution

- Implement vendor due diligence with contractual requirements for explainability and human review. Provide candidates with consent forms and transparency notices. Establish an AI governance committee to oversee deployment and compliance.

Legal Status

- **Required / Emerging** under EU AI Act and emerging US state and other region-specific laws; similar global ADM transparency obligations.

Actionable Guidance – Unsuccessful Candidate Data

Risk:

- Indefinite retention of unsuccessful candidate data creates exposure under purpose and storage limitation principles. Increased volume of access request as discovery.

Current Practices:

- Candidate data is retained "in case of future roles," with inconsistent deletion and weak linkage to purpose or legal retention needs.

Actionable Guidance – Candidate Data

Solution:

- Defined jurisdiction-specific retention policies with automated deletion and documented exceptions; Explicit candidate opt-in for future retention. Training around candidate data and access requests.

Legal Status

- **Required** globally under purpose and storage limitation principles and access requests.

Onboarding

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What is your biggest challenge with global employee data?

Onboarding

- *How are multinational organizations managing onboarding across jurisdictions ?*



Actionable Guidance – Background Checks

Risk:

- Globally standardized background checks lead to collection of data that is unlawful or excessive in certain jurisdictions.

Current Practices:

- Purpose limitation is assumed rather than documented. Criminal, credit, or education data is collected uniformly regardless of local legal requirements.

Actionable Guidance – Background Checks

Solution:

- Service provider contracts with strict data-scope disclosure and limitations; jurisdiction-specific background check matrices; strong relationships with HR and Employment Legal Rep; internal intake and approval processes.

Legal Status

- **Required** globally (data minimization principles; consent, disclosure, and employment-law requirements); Create a matrix of jurisdictions, determine necessity.

Onboarding - Cross Border Transfers

- *Remote work has globalized employee data. What privacy risks arise when data crosses borders, and how should organizations manage international transfers?*



Actionable Guidance – Cross Border Transfers

Risk:

- Incomplete or inconsistent transfer mechanisms expose organizations to enforcement action across multiple jurisdictions.

Current Practices:

- Organizations rely on blanket SCCs and ad hoc agreements. TRAs are often incomplete or limited to external vendors, with unclear understanding of exceptions and adequacy decisions.

Actionable Guidance – Cross Border Transfers

Solution:

- Implement IDTAs and SCCs and conduct TRAs for both external and internal data flows.

Legal Status

- **Required** under EU, UK; additional localization requirements for other jurisdictions (China, Vietnam).

Active Employment



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How comfortable is your organization with using AI or automated tools in employment decisions?

Employee Monitoring



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Employee Monitoring & ADM

- 1. As employment progresses, performance management increasingly relies on data analytics and AI. What privacy issues arise when technology influences performance evaluations or disciplinary decisions?*



Actionable Guidance – Monitoring Tools Outpacing Policy

Risk:

- Organizations collect unintended data or use it beyond its stated purpose. ADM Technologies used for employee discipline without policy support.

Current Practices:

- Tracking tools vary by industry, from distracted-driving monitors to algorithmic output trackers. Policies frequently lag behind the capabilities of deployed tools.

Actionable Guidance – Monitoring Tools Outpacing Policy

Solution:

- Conduct PIA and issue notices with clear policies. Train teams to ensure consistency. Vet vendors thoroughly, including understanding data types collected and features especially if ADM is involved.

Legal Status

- **Required:** Jurisdiction-specific disclosure rules apply: Illinois/Colorado (biometrics), New York (written acknowledgement), CCPA (express notification), Connecticut (prior notice), Delaware (written/day-of notice). Federal wiretap laws. Union pre-approval may also be required.

Actionable Guidance –GPS, & Biometrics

Risk:

- GPS and biometric raise concerns, including off-hours tracking, audio recording, fatigue monitoring, biometric processing, and medical data.

Current Practices:

- Employers deploy GPS and biometric data without adequate accommodation processes, informed consent, or separation of health data from personnel files.

Actionable Guidance – GPS & Biometrics

Solution:

- Prohibit off-hours tracking, vet vendors, obtain informed consent, and implement human oversight with data separation. Train HR teams and establish a robust ADA interactive process.

Legal Status

- **Required:** Reasonable accommodation exceptions may be required under Title VII, the ADA, and the PWFA. Data collected must not lead to discrimination on protected characteristics EEO laws violations.

Offboarding

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Offboarding

- *As employees exit, issues like access rights, consent, and data retention come to the forefront. What are the most common offboarding privacy mistakes?*



Actionable Guidance – Offboarding – Secure Exit & Forward-Looking Compliance

Risk:

- Data exfiltration by departing employees and inadequate post-departure retention and access management.

Current Practices:

- Offboarding processes are reactive, with limited automation for access revocation and no systematic monitoring for large data downloads.

Actionable Guidance – Secure Exit & Forward Looking Compliance

Solution:

- Create a comprehensive offboarding program with automated processes, download alerts, and clear HR-IT communication. Formalize equipment return and access revocation. "Build offboarding backwards" — design from the desired secure end-state.

Legal Status

- **Required/best practice:** Legal requirements often limit access and may be required to protect confidential data from employees.

Q&A

- Ask us anything!

Speakers



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Thank you!

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