

As required by a New York State law that becomes effective in May 2022, Highlands at Pittsford is obligated to inform its employees that they may be subject to electronic monitoring or recording while using any Highlands at Pittsford-provided equipment or software, as further described below, regardless of whether an employee is working on Highlands at Pittsford property or working remotely. This notice also applies to the use of Highlands at Pittsford-provided systems, applications, and software on a personal device, such as a personal cellular phone or personal computer.

Highlands at Pittsford has the capability of monitoring or recording any electronic mail (email) or transmissions and internet access or usage by an employee on any Highlands at Pittsford-provided equipment, email systems, or software.

In some instances, voicemail messages are transferred automatically from an employee's Highlands at Pittsford-assigned office telephone to the employee's Highlands at Pittsford-assigned email account and those voicemail files may be accessed under the same circumstances that email is accessed.

Additionally, Highlands at Pittsford monitors and records employees' telephone conversations or transmissions for certain phone lines. Specifically, Highlands at Pittsford has the capability to record and monitor Automated Call Distribution (ACD) lines. Employees in positions that utilize these lines for their work are notified and trained accordingly. Highlands at Pittsford does not record or monitor telephone conversations or transmissions of phone lines not dedicated to emergency calls or customer service training purposes. Transmission of voicemail messages to email accounts occurs in some instances as referenced above.

Employees may use a Highlands at Pittsford ID card, Highlands at Pittsford-provided key card or key fob to gain access to Highlands at Pittsford buildings, facilities, or resources. Highlands at Pittsford logs any Highlands at Pittsford ID card, Highlands at Pittsford-provided key card or key fob uses or swipes and may review those logs for employment-related purposes. This includes Highlands at Pittsford-provided equipment used to gain access to parking lots requiring permits.

Many areas of Highlands at Pittsford are subject to video surveillance. This video surveillance captures video only; audio recordings are not captured.

Certain Highlands at Pittsford systems, such as the electronic medical record system, create an audit trail to monitor when a record is accessed and by whom. Personal data, including name and home address, of employees who access Highlands at Pittsford electronic medical records may be compared to information related to the accessed record, such as the home address of a patient, to determine if it appears likely the access violated HIPAA and should be investigated further by Highlands at Pittsford officials.

Highlands at Pittsford has the capability to monitor employees' use of Highlands at Pittsford-provided equipment or use of Highlands at Pittsford wireless networks to conduct personal business, such as accessing personal email accounts or personal social media accounts. Highlands at Pittsford does not routinely actively monitor or record such activities but may do so for reasons including the following situations:

- To investigate or prevent a violation of law or Highlands at Pittsford Policy;

- To protect the health or safety of or to provide assurance to Highlands at Pittsford or to health or other regulators or law enforcement authorities that harm has not occurred to patients or others;
- To minimize or stop computer activity that interferes with Highlands at Pittsford's network or other computer operations;
- To comply with a subpoena, warrant, court order, or similar legal process, including a discovery request or a litigation stay order, or as part of an investigation undertaken by the Office of Counsel in connection with a pending or potential claim in anticipation of litigation; or
- When the user is unwilling, unable, or unavailable to consent to access information needed by another Highlands at Pittsford employee in order to fulfill a teaching, research, patient care, or other legitimate Highlands at Pittsford function.

At all times, Highlands at Pittsford reserves the right to take such actions as may be necessary to maintain and protect Highlands at Pittsford's information technology infrastructure and the content of any information in the infrastructure, including email, usage data, and similar information, may be accessed in the course of such maintenance or protection actions.

THE LIVING CENTER  
THE HIGHLANDS  
AT PITTSFORD

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