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January 27, 2022

January Tip of the Month: New York Mandates Electronic Monitoring Notice

Effective May 7, 2022, New York employers that electronically monitor their employees' telephone, email, or internet access or usage will be required to provide their employees with written notice of such electronic monitoring upon hire. This electronic monitoring law further requires that each new hire acknowledge the notice, either in writing or electronically. Employers must also post a notice "in a conspicuous place which is readily available for viewing" regarding such monitoring. Employers should promptly consider their electronic monitoring practices and, as applicable, begin preparing the required notices and acknowledgement forms and updating their employee onboarding practices in order to comply with this new law.

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