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## Reminder: New York Employers Must Soon Implement Electronic Monitoring Policy

By Matthew Berger

New York will soon require employers to provide written notice to employees if they monitor or intercept employee telephone conversations or transmissions, emails, or internet access or usage.

As discussed in our prior [alert](#), the new requirement, which takes effect on May 7, 2022, stems from an amendment to the New York Civil Rights Law. It mandates that employers provide either written or electronic notice of their monitoring practices to all new hires and post the monitoring notice in a conspicuous location that is readily available for employees to view. All affected employees must also acknowledge, either in writing or

electronically, that they have received the monitoring notice.

It is recommended that employers immediately distribute their electronic monitoring policy (which ideally should be in an employee handbook) if they have not done so already. Employers also should post the policy in a conspicuous location and obtain employee acknowledgments.

*For more information about this alert, please contact Matthew Berger at [mberger@foxrothschild.com](mailto:mberger@foxrothschild.com) or any member of Fox Rothschild's [New York Labor and Employment Group](#).*