Alabama

It is unlawful to overhear record, amplify or transmit any part of a private communication of others without the consent of at least one of the persons engaged in the communication.

One party

It is unlawful to record any person in any place where that individual has a reasonable expectation of privacy without prior consent and for the purposes of sexual gratification.

N/A

Alaska

It is unlawful to use an eavesdropping device to hear or record all or any part of an oral conversation without the consent of a party to the conversation.

One party

It is unlawful to view or produce pictures of a nude or partially nude person without consent.

Employee Discipline: Alaska

Arizona

It is unlawful to intentionally intercept a wire, electronic or other communication without either being party to the communication or having the consent of at least one of the parties involved.

One party

It is unlawful to photograph, videotape, film, digitally record or secretly view another person in situations that person has a reasonable expectation of privacy without consent unless the surveillance is for security purposes and notice is posted.

Employee Discipline: Arizona

Arkansas

It is unlawful for a person to intercept a wire, landline, oral, telephonic or wireless communication and to record or possess a recording of such communication unless the person is one of the parties or one of the parties has given prior consent.

One party

It is unlawful to use any camera or recording device to secretly view or videotape a person in a private area out of public view if that person has a reasonable expectation of privacy and has not provided consent.

Employee Discipline: Arkansas

California

It is unlawful to wiretap, eavesdrop or record confidential conversations without the knowledge and consent of all parties to the conversation.

All parties

It is unlawful to use a camera or other recording device to view or record individuals without their permission in a rest room, locker room or changing room or any other location where an individual has a reasonable expectation of privacy. Employers may be exempt if surveillance is conducted in areas of private business used to count currency or other negotiable instruments.

Employee Discipline: California

Colorado

It is unlawful to record or intercept a telephone conversation or any electronic communication, without the consent of at least one party to the conversation. An employer may use wiretapping or eavesdropping devices on its own premises for security or business purposes, if reasonable notice of the use of such devices is given to the public.

One party

It is unlawful to film another individual's private parts without that person's consent if that individual has a reasonable expectation of privacy.

Employee Discipline: Colorado

Connecticut

It is unlawful to intentionally overhear or record a telephone conversation unless all parties consent to such recording.

All parties

It is unlawful operate any electronic surveillance device or system to record or monitor employees in areas designed for the health or personal comfort of the employees, such as rest rooms, locker rooms or lounges. Employers must provide written notice to employees who will be affected by electronic monitoring unless the information is collected for security purposes in common areas such as waiting rooms and building entrances, or if the employer believes that employees are engaged in unlawful conduct or the creation of a hostile work environment.

Employee Discipline: Connecticut

Delaware

It is unlawful to intercept a wire, oral or electronic communication unless one party to the communication has given prior consent.

Employers that wish to monitor telephone calls, email or internet use of employees are required to provide notice in written or electronic form each time the employee accesses the employer's electronic resources. Employers may run maintenance and/or protection processes that manage the type or volume of email, telephone voicemail or internet use of employees, so long as the processes do not monitor or intercept the email, telephone voicemail or internet usage of a particular employee.

One party

It is unlawful to install a camera or other recording device in any private place without consent of the person or persons entitled to privacy there. It is also unlawful to use a hidden camera to record individuals dressing or undressing in a private place.

Employee Discipline: Delaware

It is unlawful to attempt to intercept, try to intercept or disclose or use information known to be the contents of intercepted wire or oral communications unless the person is a party to the communication or a party to the communication has consented to the interception.

One party

It is unlawful to record anyone in a bathroom or other private place when nude or engaging in sexual activity, unless the recording is for security monitoring in any building. There must be signs prominently displayed informing persons that the entire premises or portions of it are under surveillance.

Employee Discipline: District of Columbia

Florida

It is unlawful to intercept and disclose wire, oral or electronic communications without a person's consent.

All parties

Florida prohibits the audio recording of employees if they have a reasonable expectation of privacy or if an employee is dressing, undressing or privately exposing his or her body at a time and a place where the individual has an expectation of privacy. Employers should notify employees if they intend to videotape them.

Employee Discipline: Florida

Georgia

It is unlawful to clandestinely overhear, transmit, or record the private conversation of another in a private place if not a party to the conversation.

One party

It is unlawful for any person through the use of any device without the consent of all persons observed to observe, photograph or record another individual in a private place and out of public view unless an owner of real property is recording such activities for security purposes and in areas where there is no reasonable expectation of privacy.

Employee Discipline: Georgia

Hawaii

It is unlawful to intentionally intercept any wire, electronic or oral communication through the use of a device unless one of the parties to the communication has given prior consent to the interception.

One party

Employers may use security cameras or surveillance videos in common areas of the workplace, but there are restrictions. Security cameras or surveillance videos may not be used in a private place where an individual has an expectation of privacy such as restrooms, changing rooms, dressing rooms or other areas where the employee may be in a state of undress. Surveillance equipment that records audio may not be used without obtaining prior written consent from the employees involved in the audio recording.

Employee Discipline: Hawaii

Idaho

It is unlawful to record telephone or other conversations clandestinely unless at least one party to the conversation gives consent. Employers can monitor phone calls at customer service desks for the purpose of quality assurance but both the customer and the employee must be notified of the monitoring. However, once an employee receives a personal call, the employer must stop recording as soon as it is clear that the call is of a personal nature.

One party

Any video recording or monitoring by an employer is required to have a business purpose. If an employer is monitoring with video cameras, those cameras may record only video, not audio, without prior consent, and any monitoring of restrooms or locker rooms is prohibited.

Employee Discipline: Idaho

Illinois

It is unlawful to eavesdrop and knowingly and

intentionally use a device in a surreptitious manner to record, hear, intercept, retain or transcribe a private conversation (to which an individual is not a party) unless the individual does so with the consent of all the parties to the conversation. An exception is provided for employers engaged in telephone solicitation, marketing or opinion research, or bank or credit card administration if the information is used for service quality control, education, training or internal research. Employers are required to provide employees with notice that monitoring of their telephone may occur and provide access to personal-only phone lines that are not subject to monitoring. Employers should limit monitoring to business- related calls and cease monitoring immediately and destroy any recording once the employer realizes a call is not business-related. Employers should refrain from using information obtained through monitoring in legal proceedings or from providing the information to law enforcement or other third parties.

All parties

It is unlawful to videotape, photograph, or film another person without that person's consent in restrooms, locker rooms, changing rooms and other private areas without their consent.

Employee Discipline: Illinois

Indiana

N/A

N/A

It is unlawful to record an individual in areas where that individual has a reasonable expectation of privacy, such as a changing stall or restroom.

N/A

Iowa

It is unlawful for a person to intercept a wire, oral, or electronic communication by use of a mechanical, electronic or other device or disclose information that was illegally intercepted or request that others engage in the

illegal interception of messages unless one of the parties provides consent prior to the recording.

It is also unlawful to connect a listening device or tap into telephone or other communication wires or listen to, record or otherwise intercept conversations or communications of any kind unless one is a party to the communication.

One party

It is unlawful to record an individual without their prior consent in any private place where that individual would have a reasonable expectation of privacy for the purpose of arousing or gratifying the sexual desire of another person.

Employee Discipline: Iowa

Kansas

It is unlawful to record or intercept telephone or other wire communications without the consent of one party to the communication. It is also unlawful to intercept telegraphs, letters or other means of private communication. It is unlawful to enter into a private place with the intent of surreptitiously listening to private conversations or observing personal conduct.

One party

It is unlawful to engage in video surveillance in a private place where one may reasonably expect to be safe from surveillance for the purpose of viewing a person's body or undergarments without the person's knowledge or consent.

Employee Discipline: Kansas

Kentucky

It is unlawful to use any device to intentionally overhear, record, amplify or transmit any part of a wire or oral communication without the consent of at least one party.

One party

Employers may generally photograph employees in the workplace for the purposes of improving safety, efficiency and productivity as long as the photographing does not

constitute an invasion of the employee's privacy and the employer's sole purpose is related to the work

environment. It is unlawful to use filming devices for the purpose of observing or viewing another person's sexual conduct or nudity, or in a place where the individual has a reasonable expectation of privacy.

Employee Discipline: Kentucky

Louisiana

It is unlawful to intercept or have someone intercept any wire or oral communications.

One party

An employer may not engage in the unauthorized electronic surveillance of its employees with respect to wire or oral communications except when an employee has consented to electronic surveillance. It is unlawful to use a hidden camera to observe or record a person if the person has not consented or if the recording is for a lewd or lascivious purpose.

Employee Discipline: Louisiana

Maine

It is unlawful to intercept the contents of any wire or oral communications without the consent of the sender or receiver.

One party

An employer may not engage in audio and video surveillance in private places, except where the general public or substantial groups of people have access, without the consent of persons entitled to privacy. It is unlawful to install or use in a private place, any device for observing, photographing, recording, amplifying or broadcasting sounds or events in that place without the consent of the person entitled to privacy. A private place is a place where one may reasonably expect to be safe from surveillance, including, but not limited to, changing or dressing rooms, bathrooms and similar places.

Employee Discipline: Maine

Maryland

It is unlawful to record a conversation without the consent of all the parties to the conversation. It is also unlawful to intercept transmitted material, including images and audio recordings, without consent. If a consumer business monitors telephone calls for quality control, not only is the employee required to consent, but the customer must consent as well. Consent is presumed if a party knows he or she is being recorded.

All parties

It is unlawful to use a hidden camera in a bathroom or dressing room or on private property for purposes of conducting deliberate, surreptitious observation of a person inside the private residence or in a private place with prurient intent.

Employee Discipline: Maryland

Massachusetts

It is unlawful to engage in wiretapping, intercepting, assessing or electronically overhearing a conversation. without the consent of all parties to the conversation. An employer may record a telephone conversation between employees or between an employee and a third party in Massachusetts only if the employer is a party to the conversation and all parties to the conversation consent. Eavesdropping on employee phone calls is permissible only if justified by business necessity. Once an employer determines that a communication is private, the employer is required to stop listening.

All parties

It is unlawful to engage in electronic surveillance of any person nude or partially nude where that person has a reasonable expectation of privacy.

Employee Discipline: Massachusetts

Michigan

It is unlawful to use any device to eavesdrop upon a conversation without the consent of all parties. Case law states that a private conversation may be recorded so long as that person is a party to the conversation.

All parties

It is unlawful to install, place, or use in any private place any device for observing, recording, transmitting, photographing or eavesdropping upon the sounds or events in that place without the consent of the person or persons entitled to privacy in that place. A *private place* is a place where a person may reasonably expect to be safe from casual or hostile intrusion or surveillance. It does not include a place to which the public or a substantial group of the public has access.

Employee Discipline: Michigan

Minnesota

It is unlawful to intercept wire, electronic or oral communications or use any device to intercept oral communications or intentionally disclose the contents of any intercepted communication unless one person is party to the communication or one person provides prior consent.

One party

Video cameras recording sound are subject to wiretapping restrictions. With regard to video surveillance, it will depend on whether the individual has a reasonable expectation of privacy. Surveillance in a parking garage or public area would likely be acceptable as opposed to surveillance in a private office or restroom, which would be an invasion of privacy.

It is unlawful to use any type of device for observing, photographing, recording, amplifying or broadcasting sounds or events through the window or other aperture of a sleeping room in a hotel, a tanning booth or any other place where a reasonable person would have an expectation of privacy and has exposed or is likely to expose his or her intimate parts or the clothing covering the immediate area of the intimate parts.

Employee Discipline: Minnesota

Mississippi

It is unlawful to secretly tape a conversation, whether the conversation is face-to-face or electronically transmitted. This law does not apply to a conversation intercepted by someone who is a party to it.

One party

It is unlawful to secretly record another person with lewd,

licentious or indecent intent without that individual's consent while the individual is in a restroom, fitting room or areas where the individual would have a reasonable expectation of privacy.

Employee Discipline: Mississippi

Missouri

It is unlawful to intercept a wire communication, record it or disclose its contents without the consent of one of the parties to the communication. It is also unlawful to use an electronic or mechanical device to intercept any oral communication when that device transmits communications by radio or interferes with the transmission of the communication.

One party

It is unlawful to knowingly view, photograph or film another person, without that person's knowledge and consent while the person is in a state of undress in a place where he or she would have a reasonable expectation of privacy.

Employee Discipline: Missouri

Montana

It is unlawful to record a conversation without the knowledge of all parties to the conversation that the conversation is subject to monitoring. It is unlawful to purposely intercept an electronic communication.

All parties

It is unlawful for an owner, manager or employee of a business or landlord to secretly record a person in private places within public establishments, like restrooms and changing rooms.

Employee Discipline: Montana

Nebraska

It is unlawful to intentionally intercept any wire, electronic or oral communication and disclose its contents unless one party to the communication consents.

One party

It is unlawful to view or record, either by video, audio or electronic means, a person in a state of undress who would have a reasonable expectation of privacy, such as in a restroom, locker room or shower room without his or her prior consent.

Employee Discipline: Nebraska

Nevada

It is unlawful to surreptitiously record or intercept a wire or telephone communications or private conversation without the consent of all parties to the communication. There is an exception to this for emergency communications.

One party for telephone and wire communications, two parties for in-person communications

It is unlawful to use a hidden camera to photograph or record the private area of a person in a place where the person has a reasonable expectation of privacy, regardless of whether a person is in a public or private place.

Employee Discipline: Nevada

New Hampshire

It is unlawful to intercept, disclose, or use the contents of any telecommunication or oral communication without the consent of all of the parties. Employers are not permitted to monitor employee telephone and email communications without prior consent.

All parties

It is unlawful to install or use a device for the purpose of observing, photographing, recording, amplifying, broadcasting or transmitting images or sounds of the private body parts of a person including the genitalia, buttocks or female breasts, or a person's body underneath that person's clothing; any images or sounds

in a private place or any images or sounds outside of a private place which would not ordinarily be audible or comprehensible outside the place without the consent of the person entitled to privacy.

the person entitled to privacy.

A private place is a place a person may reasonably expect to be safe from surveillance, including public restrooms; locker rooms; the interior of one's dwelling place; or any place where a person's private body parts, including genitalia, buttocks or female breasts, may be exposed.

There is an exception for public or private entities that within the scope of their employment and upon suspicion attempt to capture sounds or images via monitoring and surveillance to obtain evidence of illegal activity, violation of rules and regulations, fraudulent conduct or a pattern of business practices adversely affecting health or safety.

Employee Discipline: New Hampshire

New Jersey

It is unlawful to intercept a wire, electronic or oral communication, or disclose or use the contents of an interception or evidence derived from it, unless one is a party to the communication or one party has given prior consent. There is a business-extension exception that allows employers to monitor employee conversations provided that the service provider or subscriber furnished the intercepting equipment and the employee used the equipment in the ordinary course of business.

One party

N/A

Employee Discipline: New Jersey

New Mexico

It is unlawful to interfere with communications, which means knowingly and without lawful authority reading, interrupting, taking or copying any message, communication or report intended for another by telegraph or telephone without the consent of the sender or intended recipient. New Mexico's statute limiting the monitoring of audio communications does not prohibit the recording of an in-person or telephone conversation by one of the parties to the conversation.

One party

It is considered a crime of video voyeurism and unlawful

intimate areas of another person without their knowledge and consent while the person is in the interior of any areas where the person would have a reasonable expectation of privacy or under circumstances in which the person would have a reasonable expectation of privacy either in a public or private space.

Employee Discipline: New Mexico

New York

It is unlawful to wiretap, intercept, access or electronically overhear a conversation without the consent of at least one of the parties to the conversation. An employer may record a telephone conversation between employees or between an employee and a third party in New York if the employer is a party to the conversation or one of the employees involved in the conversation consents.

One party

An employer is prohibited from conducting video surveillance in certain areas of the employer's premises without a court order and from videotaping employees surreptitiously in private spaces such as restrooms, locker rooms or dressing rooms when an individual has a reasonable expectation of privacy. This law does not apply to audio surveillance, and video surveillance is permitted in other public areas. It is also unlawful to engage in surreptitious visual surveillance for the purpose of amusement, profit, abuse sexual gratification or for no legitimate purpose in any place where a person has a reasonable expectation of privacy and without the person's knowledge and consent. There is an exception for surveillance via a security system when notice is posted and video surveillance devices are installed in an obvious manner.

Employee Discipline: New York

North Carolina

It is unlawful to willfully intercept, use any device to intercept, disclose the contents of, or use the contents of

any wire, oral or electronic communication without the consent of at least one party to the communication.

One party

It is unlawful to record and disseminate photographic images still or moving obtained while secretly peeping into a private room to observe any person for the purposes of sexual gratification.

Employee Discipline: North Carolina

North Dakota

It is unlawful to intercept any wire or oral communication by an electronic, mechanical or other device or intentionally disclose or use the contents of any intercepted communication unless one of the parties to the communication provides prior consent.

One party

It is unlawful to install or use any device for observing, photographing or recording in a private space such as a dressing room or changing room with the intent to intrude upon or interfere with the occupant.

Employee Discipline: North Dakota

Ohio

It is unlawful to intercept a wire, oral, or electronic communications unless the person is a party to the communication or one of the parties has given prior consent.

One party

It is unlawful to secretly or surreptitiously videotape, film, photograph, or otherwise record another person under or through clothing for the purpose of viewing that person's body or undergarments. It is also unlawful to trespass, eavesdrop, surreptitiously videotape, film, photograph, or record another nude person (and additionally spying or eavesdropping on nude minors) or otherwise surreptitiously invade another's privacy. Employers should not engage in video surveillance in sensitive areas like restrooms, locker rooms, lactation rooms set aside for breast milk pumping, or other changing areas.

Employee Discipline: Ohio

Oklahoma

It is unlawful for a person to intercept, use or disclose any wire, oral or electronic communication without prior consent of at least one participant to the communication. An employer must obtain prior consent from at least one participant to any email or telephone communication it intends to monitor.

One party

It is unlawful to use video surveillance equipment in a clandestine manner for any illegal, illegitimate, prurient, lewd or lascivious purpose in order to view a person in a private place where the person has a reasonable expectation of privacy or to capture images of the private areas of a person's body whether that person is in a private or public place.

Employee Discipline: Oklahoma

Oregon

It is unlawful to monitor or record a telephone, wire, or oral communication without the consent of one party. It is unlawful to monitor or record a live conversation without the consent of all parties to the communication.

One party

Video surveillance conducted in a reasonable and unobtrusive manner will not give rise to a viable claim for invasion of privacy.

Employee Discipline: Oregon

Pennsylvania

It is unlawful to intercept, disclose, or use any wire, electronic, or oral communication without consent of all participants.

All parties

Audio recording of employees without their consent is unlawful. The law is silent with regard to video recordings.

It is unlawful to view, photograph or film another person in a state of full or partial nudity without consent, under circumstances in which that person has an expectation of privacy.

Employee Discipline: Pennsylvania

Rhode Island

It is unlawful to monitor or record wire communication except where the person recording is a party to the communication or one of the parties has provided prior consent.

One party

Employers are prohibited from making an audio or video recording of an employee in a restroom, locker room, or room designated by an employer for employees to change their clothes, unless authorized by court order. It is unlawful to install or use visual surveillance devices to record the intimate areas of another person for the purposes of sexual arousal or gratification without that person's knowledge and consent.

Employee Discipline: Rhode Island

South Carolina

It is unlawful to use an electronic, mechanical or other device to intercept oral communications unless the individual is a party to the communication or when one of the parties to the communication has given prior consent. Employers may therefore monitor or review the contents of employee telephone conversations or voicemail, or may create audio recordings of employees with prior consent or with disclosure by a party to the communication.

One party

It is unlawful to use video or audio equipment to invade the privacy of others. South Carolina law prohibits the surreptitious visual surveillance and the recording of another person for sexual gratification without her consent when that person is in a place where the person has a reasonable expectation of privacy. This law does not apply to security surveillance in businesses in order to decrease theft.

Employee Discipline: South Carolina

South Dakota

of a telephone or telegraph communication or one who is not present during such a conversation or discussion to intentionally and with an instrument or device overhear or record the communication or to aid, authorize, employ, procure or permit another individual to do so without the consent of either the sender or the receiver.

One party

It is unlawful to install a surveillance device in any private place without the consent of anyone entitled to privacy there. A private place is defined as a place where one may reasonably expect to be safe from casual or hostile intrusion or surveillance, but does not include a place to which the public or a substantial group has access. It is also unlawful to use or disseminate any visual recording or photographic device to photograph or visually record a person without clothing or under or through the clothing, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, with the intent to self-gratify, to harass or to embarrass and invade the privacy of that other person when the other person has a reasonable expectation of privacy.

Employee Discipline: South Dakota

Tennessee

It is unlawful to intentionally intercept, any wire, oral or electronic communication, procure another to do so or use or disclose such communications without the consent of at least one of the parties to the communication.

One party

It is unlawful to observe another without consent and knowingly spy upon, observe or otherwise view an individual, when the individual is in a place where there is a reasonable expectation of privacy, without the prior effective consent of the individual if the viewing would offend or embarrass an ordinary person if the person knew the person was being viewed; and was for the purpose of sexual arousal or gratification of the viewer.

Employee Discipline: Tennessee

Texas

It is unlawful to intercept, attempt to intercept, or employ

or obtain another to intercept or attempt to intercept a wire, oral or electronic communication or use or divulge information obtained by such interception without the consent of at least one party to the communication.

One party

It is unlawful to videotape or record another person in a bathroom, private dressing room or any other location without his or her consent for the purpose of sexual gratification or to invade his or her privacy.

Employee Discipline: Texas

Utah

It is unlawful to intercept any wire, electronic or oral communication or use or disclose any intercepted wire, electronic or oral communication without the consent of a party to the communication.

One party

It is unlawful to make audio or video recordings of individuals without their consent, unless one is a party to the communication.

It is unlawful to install a hidden camera or audio recorder to tape a person in a private place without consent. A private place is a place where one may reasonably expect to be safe from intrusion or surveillance.

Employee Discipline: Utah

Vermont

N/A

N/A

It is unlawful to view, film or record the intimate areas of another person without that person's knowledge and consent while the person is in a place where the person would have a reasonable expectation of privacy.

N/A

Virginia

It is unlawful to intercept or record wire, oral, or electronic

communications or disclose or use such communications unless one party to the conversation consents.

One party

It is unlawful to engage in video surveillance or record any person in any state of undress in a place of privacy such as a restroom, locker room or dressing room without that person's consent.

Employee Discipline: Virginia

Washington

It is unlawful to intercept or record private communications transmitted by telephone, telegraph, radio or other device unless all parties to the communication consent.

All parties

It is unlawful to engage in surreptitious video surveillance or record another person for the purpose of arousing or gratifying the sexual desire in a place where the person recorded would have a reasonable expectation of privacy, except when such surveillance is conducted for security purposes or during an investigation. It is unlawful to record or transmit any private conversation recording while viewing or videotaping employees.

Employee Discipline: Washington

West Virginia

It is unlawful to intercept or attempt to intercept any wire, oral or electronic communication except if the person performing the interception is a party to the communication or if one of the parties has provided prior consent.

One party

It is unlawful for any employer, whether public or private, to operate any electronic surveillance device or system

for the purpose of recording or monitoring the activities of the employees in areas designed for the health or personal comfort of the employees or for safeguarding of their possessions, such as rest rooms, shower rooms, locker rooms, dressing rooms and employee lounges.

It is unlawful to visually nortray or video record another

person with their knowledge while that person is in a state of undress and would have a reasonable expectation of privacy.

Employee Discipline: West Virginia

Wisconsin

It is unlawful to intercept or attempt to intercept any wire, oral or electronic communication or use or disclose any intercepted communication unless one of the parties to it provides consent.

One party

It is unlawful to install or use a surveillance or recording device in any private place. An employer that owns or operates a locker room must adopt a written policy that specifies who may enter and remain in the locker room to interview or seek information from any individual in the locker room, details recording devices that may be used in the locker room and the circumstances under which they may be used, reflects the privacy interests of individuals who use the locker room and provides that no person may use a cell phone to capture, record, or transfer a representation of another person, under certain circumstances, in the locker room.

Employee Discipline: Wisconsin

Wyoming

It is unlawful to intercept any oral, wire, or electronic communication except when the person intercepting the communication is a party to the communication or when one of the parties has provided prior consent.

One party

It is unlawful to surreptitiously capture an image by means of a camera, video camera or any other image recording device of another person without his or her consent in an enclosed area where that person would have a reasonable expectation of privacy, such as a restroom, bath, shower, or dressing or fitting room.