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## Key Updates in Rules and Risks of Employee Monitoring

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Use of company devices and employee communications are often key issues in trade secret and related litigation. For the most part, United States law has been very supportive of an employer's ability to engage in aggressive employee monitoring, as long as there is appropriate communication to employees about these activities. Most employers have policies in place to notify employees that they do not have a reasonable expectation of privacy in company devices, communications and networks, and that the company may monitor such electronic systems for any legitimate business purpose.

These historic practices are now facing new challenges. Employers should be aware of recent laws in several jurisdictions that require employers to give employees certain notices of electronic monitoring.

In this WilmerHale client alert titled "[New Rules and Risks in Employee Monitoring](#)," we share some updates around laws governing employee monitoring.

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