



House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

## EMPLOYER MONITORING OF EMPLOYEE COMMUNICATIONS

**House Bill 4255**  
**Sponsor: Rep. Liz Brater**  
**Committee: Employment Relations,  
Training and Safety**

**Complete to 9-18-00**

### A SUMMARY OF HOUSE BILL 4255 AS INTRODUCED 2-11-99

The bill would create a new act to prohibit employers from monitoring their employees communications unless the employer established an employee monitoring policy and disclosed that policy to their employees.

The bill would prohibit employers from monitoring employee communications unless the employer established a written communication monitoring policy that was disclosed to each employee and that did all of the following: specified the methods of monitoring that the employer would exercise, the communication media that would be subject to monitoring, and the type of communications subject to monitoring; identified the frequency at which monitoring would occur; and provided each employee whose communication were monitored with advance written notice of the monitoring.

The bill also would require employers to comply with employee communications monitoring policies that the employer established under the bill, and would make an employer who monitored an employee communication in violation of the bill liable to that employee for actual damages or \$5,000, whichever were greater, plus reasonable attorney fees.

Finally, the bill would define “employee” to mean someone, who as a volunteer or for compensation, provided an employer with labor. “Employer” would mean a person who employed an individual for compensation or who supervised an individual providing labor as a volunteer. And “monitoring” would mean listening to, reading, or recording a communication between an employee and a person who was not an employee.

Analyst: S. Ekstrom

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.