

Los Angeles Invasion of Privacy Attorneys

Aggressively Fighting Unlawful Invasions of Privacy from Los Angeles

As a California employee, you may be wondering to what extent your employer can monitor your activities in and out of the workplace. How much of a right to privacy do you have under the law, especially as new communication and surveillance technologies continue to emerge?

If you suspect your employer may be crossing a line and violating your rights, our team at The Spivak Law Firm can help you understand your legal options. Our Los Angeles invasion of privacy lawyers have **over 25 years of legal experience** and are prepared to litigate these often-complex cases. We have a complete understanding of the applicable laws and will aggressively pursue a just outcome.

Call [\(877\) 242-7034](tel:877-242-7034) or [contact us online](#) to request a free initial consultation. *Hablamos Español* [877-452-0078](tel:877-452-0078)

Can My California Employer Conduct Background Checks or Drug Tests?

You may have received a job offer contingent on a successful background check. In most cases, employers do have the right to conduct these sorts of background checks in California. They may be able to access your criminal history, DMV records, academic information, and even negative information from your credit reports.

A California employer *cannot* ask about your criminal history during an interview process. They can only learn about any criminal record through a background check, which must be conducted (with your consent) *after* a conditional offer of employment has been made.

Your medical information is considered highly confidential in California. During a recruitment process, a California employer can only attempt to assess your ability to complete the job responsibilities. Before and after hiring, an employer cannot request or require you to provide medical records or any type of “genetic information.” The employer cannot discriminate against you for any medical information you voluntarily disclose.

Drug testing is also highly regulated in California and can in some cases constitute a violation of your right to privacy. In many cases, employers *can* require drug testing for prospective employees, but the testing protocol must be universally applied. Random drug testing of employees is typically illegal *unless* an employee’s position involves matters of public health and safety. Even then, the affected employees must receive advance notice of the test.

If you are unsure whether a request for sensitive information or a company-mandated drug test violates your rights, get in touch with Our Los Angeles invasion of privacy attorneys. We will review the facts of your case and advise whether your employer broke the law.

Can My California Employer Put Surveillance Cameras in My Workplace?

If you notice cameras installed throughout your office or work facility, you may be wondering about their purpose. Do these surveillance devices have some legitimate business-related purpose, or are they only there to spy on you?

This question gets to the heart of whether California employers can use surveillance cameras in the workplace. **Employers can only use cameras to record work activities if the business interests in doing so outweigh their employees' right to privacy.** Employers can also require employees to submit to security and COVID-19 checks to protect their customers and workers.

What does this mean in practice? Basically, **it is generally accepted that employers can use video cameras for security purposes.** They must inform employees of their intention to record footage using these cameras. Cameras *cannot* be installed in restrooms, changing rooms, or locker rooms. They also cannot be used to record protected employee activities, such as discussions about unionization.

Employers must obtain your consent before they record the audio of a conversation. For example, if you are called into a private, one-on-one meeting, your employer cannot record what is said without your permission. This goes both ways: California is a two-party consent state for audio recordings, so keep in mind that you cannot secretly record things your employer says. It is also illegal to eavesdrop in California, meaning your employer cannot attempt to "listen in" on what you are saying without your knowledge.

Fear Your Privacy Has Been Invaded? We Can Help.

Determining whether an act constitutes an invasion of privacy can be challenging, as the legality will often depend on specific situational factors. Our team at The Spivak Law Firm can quickly determine whether you have a case and walk you through your legal options. Our Los Angeles lawyers are ready to fight to hold your employer accountable for misconduct and recover the damages you deserve. We can also assist you if your employer [wrongfully terminates](#) or [retaliates](#) against you for objecting to unlawful practices.

Do not wait to call [\(877\) 242-7034](tel:8772427034) or [contact us online](#) if you believe your employer is violating your inalienable right to privacy.
