**Employment Law Study Aid #9: Privacy Law**

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| **Year** | **Law** | **Description** |
| 1986 | [Electronic Communications Privacy Act](https://bja.ojp.gov/program/it/privacy-civil-liberties/authorities/statutes/1285) | Prohibits employers from intercepting oral, wire, and electronic communications of employees except for legitimate business purposes, or when an employee consents to monitoring. |
| 1988 | [Employee Polygraph Protection Act](https://www.dol.gov/agencies/whd/polygraph) | Prohibits most private employers from using lie detector tests, either for pre-employment screening or during the course of employment |
| 1970 | [Fair Credit Reporting Act](https://www.ftc.gov/legal-library/browse/statutes/fair-credit-reporting-act) | Places requirements upon employers about the ways they can obtain and use consumer information reports in employment decisions. |
| 1996 | [Health Insurance Portability and Accountability Act](https://www.cdc.gov/phlp/publications/topic/hipaa.html#:~:text=The%20Health%20Insurance%20Portability%20and,the%20patient's%20consent%20or%20knowledge.) | The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law that required the creation of national standards to protect sensitive patient health information from being disclosed without the patient’s consent or knowledge. The US Department of Health and Human Services (HHS) issued the HIPAA Privacy Rule to implement the requirements of HIPAA. The HIPAA Security Rule protects a subset of information covered by the Privacy Rule ([CDC.org](https://www.cdc.gov/phlp/publications/topic/hipaa.html#:~:text=The%20Health%20Insurance%20Portability%20and,the%20patient's%20consent%20or%20knowledge.)). |
| 1935 | [National Labor Relations Act](https://www.nlrb.gov/guidance/key-reference-materials/national-labor-relations-act#:~:text=In%201935%2C%20Congress%20passed%20the,workers'%20full%20freedom%20of%20association.) | “Protects workplace democracy by providing employees at private-sector workplaces the fundamental right to seek better working conditions and designation of representation without fear of retaliation” (NLRB.gov). |
| 1974 | [Privacy Act](https://www.justice.gov/opcl/privacy-act-1974#:~:text=The%20Privacy%20Act%20of%201974%2C%20as%20amended%2C%205%20U.S.C.,of%20records%20by%20federal%20agencies.) | “Establishes a code of fair information practices that governs the collection, maintenance, use, and dissemination of information about individuals that is maintained in systems of records by federal agencies” (DOJ.gov) |

**Relevant Law:**

* Electronic Communications Privacy Act (ECPA)
* Employee Polygraph Protection Act (EPPA)
* Fair Credit Reporting Act (FCRA)
* Health Insurance Portability and Accountability Act (HIPAA)
* National Labor Relations Act (NLRA)
* Privacy Act of 1974