

State HR Policy 50.010.08, Recording Workplace Conversations, is effective Sept. 26, 2025.

General Information

1. What is the purpose of this policy?

The purpose of this policy is to support open communication, spontaneous dialogue and mutual respect among employees, managers, temporary staff and volunteers. It is also to communicate that recording workplace conversations without the knowledge of all parties is prohibited.

2. Who does this policy apply to?

This policy applies to all employees and others working in an agency, where not in conflict with an applicable collective bargaining agreement.

3. Why is this policy coming out now?

The policy was implemented because employees and agencies regularly raise questions regarding recording permissions and notification requirements. This policy outlines what types of recordings are permitted or prohibited in the workplace.

4. What types of recordings does this policy apply to?

The types of recordings this policy applies to are:

- Audio recordings (e.g. phone or virtual meetings)
- Visual recordings (e.g., video or photos)
- Automated transcriptions (e.g., Microsoft Teams or artificial intelligence-generated transcripts)

5. What business activities are allowed to be recorded under the policy?

The policy has listed specific business activities where recordings are allowed:

- Investigatory or disciplinary meetings
- Public meetings (as defined by law)
- Recordings approved by an appointing authority for a legitimate business reason
- Individual conversations an employee wishes to record, upon approval from their supervisor
- Recordings authorized by law enforcement
- Authorized building security or surveillance

6. Who do recordings in the workplace belong to?

Recordings made in the workplace are property of the state. This includes both recordings made in the course and scope of agency business or those individually approved at an employee's request. However, recordings made by labor organization representatives acting in their official capacity under Public Employee Collective Bargaining Act (PECBA) remain the property of the labor organization.

7. Are recordings subject to disclosure under the public records laws?

Any recording made in the workplace may be subject to disclosure under public records laws.

8. Is there a requirement to retain recordings made in the workplace?

Yes, all recordings must be properly stored and retained in accordance with state records retention rules.

9. Where are state records retention schedules located?

General state retention schedules and agency specific retention schedules are maintained by the [Oregon Secretary of State](#). Retention is based on the reason for the recording (e.g. agency training, phone call recording for quality assurance, staff meeting recordings).

10. What are some examples of a legitimate business reason an agency may permit recording in the workplace?

Recording live trainings or staff meetings to make available for employees to view at a later time, creating transcriptions for note taking purposes and utilizing recorded interview platforms for recruitment purposes are some examples of situations where agencies may permit recordings in the workplace. Refer to questions 19, 20, and 22 for additional information.

11. What are examples of recordings made by an employee?

Examples of recordings made by an employee would be pictures taken in the course of work for legitimate business reasons, and audio recording or transcriptions of an individual training under an approved accommodation under the Americans with Disabilities Act (ADA).

12. Does this policy affect my union rights?

This policy does not have impact on employees' union rights. This policy does not override rights under the Public Employee Collective Bargaining Act (PECBA). If you are a union steward and unsure when recordings are allowed to be made under PECBA, please contact your labor organization.

13. Am I allowed to use my personal cell phone to record in the workplace?

No. Use of a personal cell phone to record in the workplace is not allowed. The use of personal equipment for work purposes is not allowed.

14. Can I decline to be recorded in a meeting?

No. You cannot decline to be recorded in a meeting made for a legitimate work-related purpose. Employees are expected to attend work-related meetings and training courses as assigned.

15. Does this policy mean I am no longer able to record training I conduct as part of my position?

No. You may continue to record agency training as approved as outlined in (1)(a)(D): Situations where the appointing authority determines a legitimate business reason for the recording exists. Please speak with your manager if you are unsure what approvals have been received.

16. Am I allowed to record a Teams or Zoom meeting on my personal phone?

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No. The use of a personal cell phone or electronic device to record is not authorized. However, if your wish to record a meeting is due to a disability, please let your manager know. The agency will engage in the Americans with Disability Act (ADA) reasonable accommodation process with you.

17. Is using closed captioning in virtual meetings considered a recording?

Closed captioning is considered a recording when it is stored and capable of being reproduced.

18. May I record individual conversations with my manager or co-worker because I believe they are being unprofessional?

No. Recording individual conversations with your manager or co-worker because you believe their behavior is unprofessional is not allowed. Inappropriate work behavior may be reported to your manager, another manager, the agency, board or commission's human resources section, executive director, chair or the DAS Chief Human Resources Office.

19. Do employees have to consent to being recorded?

No. Employees do not have to consent to being recorded, but they must be notified of the recording.

20. If I'm recording a meeting for note taking purposes, do I need permission from those attending?

You do not need permission from those attending a meeting that is being recorded; however, they must be notified of the recording.

21. If I create a drawing during a meeting, is that considered a recording?

No. Drawings created by employees are not considered visual recordings under the policy.

22. Is the Microsoft Teams recording message to all participating considered a proper notification complying with the policy?

Yes. The notification that appears when a presenter is recording is considered proper notification and complies with the policy.

23. If I use an artificial intelligence (AI) note taking tool, is that considered a recording?

Yes. An AI note taking tool is considered a recording.

24. Is there an appeal process if I ask to record a one-on-one meeting with my manager and they do not approve?

No. There is no appeal process for a manager denying the request of an employee to record. Managers have the discretion to decide when a work-related meeting may be recorded.

25. Can human resources record an investigatory meeting?

Yes. A recording of an investigatory meeting is allowed under the policy.

26. If I record a meeting in the workplace on my personal phone, is it a public record?

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Recording on your personal phone is prohibited. If you do make a recording in the workplace on your personal phone, the recording and your phone may be subject to disclosure under the public records laws.

27. I am a union steward. When may I record meetings and conversations?

Recordings by a union steward may be made when acting in their official capacity as a labor organization representative as allowed under the Public Employees Collective Bargaining Act.

28. What if an employee records a meeting without supervisor's approval?

A recording made by an employee that is not for an approved legitimate business reason or approved by a manager will be a violation of this policy. Consequences for violation of a CHRO policy may lead to discipline, up to and including dismissal.

29. Who do I contact if I have questions?

Contact your manager or human resource representative if you have any questions.