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Labor Law Corner

What to Consider Before Using AI Tool to Record Workplace Meetings

By **Vanessa Greene** — September 18, 2026

Do I need to obtain employee consent to record or transcribe a workplace conversation or meeting, including when using an AI notetaking tool?

Employers who want to record workplace conversations and meetings — including using artificial intelligence (AI) notetaking tools — generally need to obtain employee consent.

Employers considering using AI notetaking tools or other methods of recording conversations in the workplace should proceed with caution, consider how the tool is being used, and consult with legal counsel.

Consent Needed

California is a two-party consent state for audio recording. This means that, outside of limited exceptions, everyone who is a part of a recording must consent to it. In other words, you typically cannot legally record a workplace conversation without the other person's consent.

If an AI notetaking tool records audio when used (which most do to generate a transcript), the two-party consent rule applies because an audio recording is occurring. Accordingly, if the AI notetaking tool is recording the conversation, employees must be notified and provide their consent before the tool is used to transcribe the meeting.

Transcripts

Some AI notetaking tools do not merely record a conversation but also produce a transcript that paraphrases what was said rather than capturing the conversation word for word. AI tools can also occasionally hallucinate details or misattribute statements.

Employers should not assume that an AI-generated transcript is a substitute for an accurate, verbatim record of a conversation and should consider, when appropriate, giving employees a



chance to review and correct a transcript, particularly if the transcript is being used in a workplace investigation or to support any adverse employment actions, such as discipline or termination.

Review Terms

AI notetaker tools may store audio recordings on a third-party server as well as use the audio recordings to train AI models. Employers should review the AI notetaking tool's data processing and privacy terms to understand any risks, particularly if the employer is using the tool for meetings that touch on sensitive or private employee information or other types of information that could implicate privacy obligations.

CalChamber members can read more about AI in the workplace in a recent [HRCalifornia Extra article](#). Not a member? Learn how to power your business with a [CalChamber membership](#).

Column based on questions asked by callers on the Labor Law Helpline, a service to California Chamber of Commerce preferred members and above. For expert explanations of labor laws and Cal/OSHA regulations, not legal counsel for specific situations, call (800) 348-2262 or submit your question at www.hrcalifornia.com.

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