

Zoe M. Argento

Shareholder
Co-Chair, Privacy and Data Security Practice
Group

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Focus Areas

Privacy and Data Security
General Data Protection Regulation (GDPR)
AI and Technology
International Employment Law
Background Checks
Healthcare

Overview

Zoe Argento has focused on representing and counseling clients on all aspects of workplace privacy and information security for more than a decade. With a background in computer science, Zoe quickly grasps the technical issues and distills practical solutions for her clients from complex technologies, laws, and facts. Zoe regularly provides advice to businesses of all sizes on:

- Data security laws and standards
- Security incident response
- Data protection laws, including the GDPR and CCPA, and similar laws in dozens of countries
- Artificial intelligence
- Wiretap Act, Stored Communications Act, Computer Fraud and Abuse Act and analogous state laws
- The Health Insurance Portability and Accountability Act and other health laws
- Social media and other new technologies
- Platform privacy policies, cookies policies, and terms of use
- Biometric data, geolocation data, and other forms of tracking data
- Background screening laws

- Online copyright and trademark risks

Zoe bridges the gaps between information technology, employment laws, and data protection laws. Representative engagements include:

- Developing an international data protection program for a rapidly expanding global software firm, including drafting workforce and website privacy notices, implementing cross-border data transfer mechanisms, developing internal policies and procedures, advising on governance, negotiating contracts with vendors, and providing training
- Leading the response to a ransomware breach for a global manufacturing company, including coordinating the forensic investigation, engaging external forensic experts, advising on remediation and operational issues, and managing communications. Zoe's team also drafted and advised on security incident notifications for affected individuals and government authorities in domestic and international locations and defended against regulatory investigations
- Developing a compliance program for artificial intelligence tools to manage employee performance, including advising on implementation, preparing risk assessments, drafting notices, and preparing policies
- Conducting a comprehensive data privacy review for a national nonprofit and assisting to remediate gaps. This included data mapping and data flow analysis, developing a data management program across various divisions, and establishing internal policies and procedures for data retention, security, privacy notices, and vendor management.

Zoe is a Certified Information Privacy Professional (CIPP/US), as credentialed by the International Association of Privacy Professionals (IAPP). She has written extensively on subjects related to privacy, data security, and artificial intelligence, and has given many presentations on these topics. Prior to Littler, Zoe taught at a law school and practiced privacy, data security, and intellectual property law at a large law firm in Boston. After graduating law school, she clerked at the U.S. District Court for the District of Rhode Island. Before law school, Zoe served as an officer in the U.S. Navy.

Professional and Community Affiliations

- Co-Chair, International Association of Privacy Professionals KnowledgeNet of Denver
- Member, International Association of Privacy Professionals

Recognition

- Order of the Coif
- Named, Best Law Firm Writer, *The Burton Awards*, 2016

Education

J.D., Boston College Law School, 2007, *cum laude*

B.A., Harvard College, 1999, *magna cum laude*

Bar Admissions

Colorado

Massachusetts

Languages

Spanish

Publications & Press

Wearable Tech Guidance Highlights Data Risk for In-House Counsel

Bloomberg Law

January 6, 2025

EEOC Fact Sheet on Wearable Technologies Indicates Growing Concern over Employee Monitoring

Littler Insight

January 2, 2025

Boeing backtracks on surveillance system after media scrutiny

International Employment Lawyer

December 11, 2024

Automated Decisionmaking Technology, Risk Assessments, Cybersecurity and More: Implications of the Proposed CCPA Regulations for Employers

Littler Insight

December 9, 2024

Cybersecurity Considerations for Employers Sponsoring ERISA Plans

Littler Insight

November 12, 2024

Business leaders plead for changes in state's new AI law

The Sum & Substance

October 30, 2024

New Colorado privacy laws to impact "broad swath" of companies

The Sum & Substance

August 7, 2024

New Colorado Law Protects Consumer Biological and Neural Data

Law Week Colorado

July 16, 2024

Implications for Employers of Colorado's New Biometrics Law

SHRM Online

July 10, 2024

Implications for Employers of Colorado's New Biometrics Law

Littler Insight

June 27, 2024

Almost Half of Employers Use AI According to Littler Study, but Legal Risks Abound

Law Week Colorado

May 22, 2024

Colorado's Landmark AI Legislation Would Create Significant Compliance Burden for Employers Using AI Tools

Littler Insight

May 16, 2024

A Comprehensive Global Guide for AI Data Protection in the Workplace

Corporate Compliance Insights

April 16, 2024

China's New Cross-Border Data Transfer Rules Substantially Reduce Compliance Burdens for Multinational Employers

Littler ASAP

March 27, 2024

Developing a Global Data Protection Framework for Artificial Intelligence in the Workplace

Littler Insight

February 29, 2024

Time for Employers to Complete California Privacy Rights Act Compliance as Court of Appeal Lifts Injunction on Enforcement

Littler Insight

February 20, 2024

New Year, New Data Protection Laws: What Employers Should Know

Littler Insight

January 25, 2024

Practical Ways to Reduce Workplace Theft

SHRM Online

December 5, 2023

With a Key Deadline Fast Approaching, Now Is the Time to Address Requirements for Data Transfers Outside of China

Corporate Compliance Insights

November 6, 2023

Strategy to Address China’s Recent Proposed HR Exception to Facilitate Cross-Border Data Transfers

Littler Insight

October 31, 2023

Department of Commerce Extends the Data Privacy Framework with UK-U.S. “Data Bridge”: Key Takeaways for Multinational Employers

Littler ASAP

October 18, 2023

With a Key Deadline Fast Approaching, Now Is the Time to Address the New and Complex Requirements for Data Transfers Outside of China

Littler Insight

September 25, 2023

Data protection issues for employers to consider when using generative AI

IAPP

August 9, 2023

5 Tips For Employers Handling Generative AI Privacy Risks

Law360

August 8, 2023

Department of Commerce Launches the EU-U.S. Data Privacy Framework: Considerations for Multinational Employers that Transfer EU Personal Data to the United States

Littler Insight

July 19, 2023

Court Postpones Enforcement of California Privacy Rights Act Regs

SHRM Online

July 6, 2023

Breathing Room for Employers as Court Enjoins Enforcement of California Privacy Rights Act Regulations

Littler ASAP

July 2, 2023

Final Regs Clear Path for Employers to Complete CPRA Compliance

SHRM Online

June 21, 2023

Finalization of Regulations Clears the Path for Employers to Complete California Privacy Rights Act Compliance Efforts Before June 30, 2023 Deadline

Littler Insight

June 14, 2023

An Overview of the Employment Law Issues Posed by Generative AI in the Workplace

Littler Report

May 11, 2023

Littler Survey: Economic Volatility, AI Adoption and Heightened Regulatory Activity Pose New Challenges for Employers

Littler Press Release

May 10, 2023

The Littler Annual Employer Survey 2023

Littler Report

May 10, 2023

The ins and outs of workplace privacy law: A chat with Zoe Argento

International Association of Privacy Professionals (IAPP)

March 24, 2023

Complying with California's new privacy law is a big deal for employers

Marketplace

January 2, 2023

Episode 4: Getting to Know the California Privacy Rights Act (CPRA) Practical Guidance Podcast: Data Privacy Series

LexisNexis

November 28, 2022

California Privacy Rights Act (CPRA): Employer Obligations

Lexis Practical Guidance

November 18, 2022

Employers Face Robust Monitoring Disclosure in Labor Board Plan

Bloomberg Law

November 2, 2022

Does the new California Privacy Rights Act (CPRA) apply to employers?

Littler 2 the Point Video

July 26, 2022

California Privacy Rights Act for Employers: Developing and Posting a Privacy Policy for Human Resources Data

Littler Insight

April 19, 2022

New Jersey Joins the Trend of Increasing Privacy Protections for an Employee's Location

Littler Insight

March 30, 2022

CPRA Preparation: Action Steps

Littler Podcast

October 27, 2021

Employers May Lose Grip on Employee Monitoring

Reuters

October 19, 2021

CPRA Vendor Management

Littler Podcast

October 14, 2021

CPRA Enforcement

Littler Podcast

September 29, 2021

California Privacy Rights Act for Employers: The Rights to Opt Out of Sales and Sharing, Restrict Sensitive Personal Information, and Non-Discrimination

Littler Insight

September 7, 2021

CPRA Individual Rights

Littler Podcast

August 30, 2021

CPRA and Information Security

Littler Podcast

August 16, 2021

California Privacy Rights Act for Employers: The Rights to Know, Delete, and Correct

Littler Insight

August 16, 2021

Ninth Circuit Holds TCPA Prohibits Pre-Recorded Recruiting Calls to Cell Phones Without Prior Express Consent

Littler Insight

August 13, 2021

CPRA: Background, Notice at Collection, and Website Privacy Policy

Littler Podcast

August 4, 2021

As Colorado and Virginia Follow California's Lead in Enacting Data Privacy Laws, Employers Must Start Planning to Address an Inevitable Trend

Littler Insight

July 8, 2021

The European Union's New Standardized Data Transfer Agreement: Implications for Multinational Employers

Littler Insight

June 9, 2021

Inaugural Report of Littler's Global Workplace Transformation Initiative

Littler Report

March 30, 2021

Conversations with Women: Impacts of the Pandemic on Women in the Workforce

Littler Podcast

March 10, 2021

Substantial New Privacy Obligations for California Employers: The California Privacy Rights and Enforcement Act of 2020 Passes at the Polls

Littler Insight

November 5, 2020

Employers Likely to Receive One-Year Reprieve from Full California Consumer Privacy Act

Littler Insight

September 3, 2020

With COVID-19 Resurgent, Employers Confront Privacy and Information Security Issues When Testing Employees for COVID-19

Littler Insight

August 3, 2020

'Schrems II' and Transfers of HR Data: Action Steps for US Multinationals

National Association of Privacy Professionals

July 22, 2020

EU's Highest Court Opens Personal Data Transfers to the United States: Action Steps for U.S. Multinational Employers to Keep HR Data Transfers on Track

Littler Insight

July 20, 2020

The Next Normal: A Littler Insight on Returning to Work – Privacy and Data Security Implications of Employee Screening

Littler Insight

April 27, 2020

Frequently Asked Questions on Workplace Privacy and COVID-19

Littler Insight

March 31, 2020

Employers Receive Last-Minute Reprieve From The Most Onerous CCPA Compliance Obligations

Littler Insight

September 17, 2019

Employers receive last-minute reprieve from the most onerous CCPA compliance obligations

IAPP.org

September 17, 2019

Colorado Limits Inquiries About Applicants' Criminal History

Littler Insight

June 12, 2019

Littler Elevates 28 Attorneys

Littler Press Release

January 2, 2019

Hit the Pause Button: The Implications of Recording in the Workplace

Littler Insight

September 4, 2018

Drones Are Coming. Here's How to Be Ready

TLNT

November 15, 2017

What's So Bad About My Bad Credit?

CNN Money

November 9, 2017

Vendor Breaches and Their Implications for Employers

Littler Insight

September 15, 2017

Can You Fire an Employee for Attending a Protest? Yes, Depending on Your State

MH&L Magazine

August 21, 2017

Helping To Protect Your Company From A Cyber-Attack: Eight Tips For Human Resources Professionals And In-House Employment Counsel

Littler ASAP

May 18, 2017

5 Ways to Address Negative Social Media

Human Resource Executive Online

March 23, 2017

Dear Littler: Can A Boss Fire Someone for Off-Duty Political Activities?

Dear Littler

January 20, 2017

Littler Attorneys Selected as Recipients of "2016 Distinguished Legal Writing Award"

Littler Press Release

April 14, 2016

Social Gatherings and Social Media this Holiday Season – What's Not to "Like"?

Littler Insight

December 14, 2015

The Big Move Toward Big Data in Employment

Littler Report

August 4, 2015

The E-Workplace: Internet Security, Privacy & Social Media Policies

March 3, 2015

Ring in the New Year with Four Ban-The-Box Laws

Littler ASAP

January 26, 2015

The Brave New World of Wearables in the Workplace: Privacy and Data Security Concerns for Employers

Bloomberg BNA Privacy & Security Law Report

January 19, 2015

Four New Laws Within 40 Miles: The Washington, DC Area Accelerates the "Ban-the-Box" Movement

Littler Insight

December 2, 2014

Information Security Risks for Employers: \$150,000 Settlement Illustrates the Reach of State Law

Society for Human Resource Management (SHRM)

October 29, 2014

Settlement highlights info security risks for employers

Rhode Island Lawyers Weekly

October 6, 2014

California Takes the Lead Again in Data Breach Laws

Littler ASAP

October 3, 2014

Settlement highlights info security risks for employers

Massachusetts Lawyers Weekly

September 25, 2014

NLRB's Recent Triple Play Decision Tackles Two Critical Social Media Issues for Employers

Littler Insight

September 2, 2014

Define 'Reasonable' When It Comes to Data Security

Corporate Counsel

June 11, 2014

"Reasonable" Data Security: The FTC's Guideposts for Employers

Littler ASAP

June 9, 2014

A Tale of Two Cities: Rochester Follows Buffalo to Ban the Box

Littler ASAP

May 27, 2014

Baltimore Becomes the 10th Jurisdiction To "Ban The Box"

Littler ASAP

May 16, 2014

San Francisco's Board of Supervisors "Bans The Box" and Further Complicates Criminal History Checks by the City's Employers

Littler ASAP

February 10, 2014

Killing the Golden Goose: The Dangers of Strengthening Domestic Trade Secret Rights in Response to Cyber-Misappropriation

Yale Journal of Law and Technology

2014

Whose Social Network Account? A Trade Secret Approach to Allocating Rights

19 MICH. TELECOMM. & TECH. L. REV. 201

2013

Social Media: The Separation of Work & Play

National Symposium on Technology and Labor and Employment Law - American Bar Association (ABA)

2013

What the Digital Millennium Copyright Act Can Learn from Medical Marijuana: Fixing the AntiTrafficking Provisions by Basing Liability on the Likelihood of Harm

35 COLUM. J.L. & ARTS 503

2012

To Cache or Not to Cache: Internet Service Provider Caching of Peer to Peer Traffic

WHITTIER L. REV. 421

2010

Applying Genericide to the Right of Publicity

10 VAND. J. ENT. & TECH. L. 321

2008

Speaking Engagements

2024 Rocky Mountain Regional Employer Conference

Denver, CO

October 18, 2024

How HR and In-House Legal Can Help Prevent and Respond to the Next Killer Data Breach

July 16, 2024

Data Protection for Multinational Employers: Frameworks, Artificial Intelligence and More

May 15, 2024

Face the (Cyber) Nation - Employee Benefits

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2024

Face the (Cyber) Nation – Employee Benefits Edition

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2024

Recipe for Success: The Data Protection Framework for AI in the Global Workplace

Littler Executive Employer Conference, Phoenix, AZ

May 9, 2024

Recipe for Success: The Data Protection Framework for AI in the Global Workplace

Littler Executive Employer Conference, Phoenix, AZ

May 8, 2024

Artificial Intelligence in the Global Workplace

International Association of Privacy Professionals, Global Privacy Summit, Washington, DC

April 4, 2024

Strategies for Managing Your Employees' AI Addiction

March 13, 2024

Square Pegs and Pitfalls: Privacy and Data Security in the Workplace

California Lawyer's Association

March 8, 2024

Artificial Intelligence in the EU - What is Happening on the Other Side of the Pond and Why You Should Definitely Care

December 12, 2023

2023 Rocky Mountain Regional Employer Conference

Denver, CO

October 27, 2023

The New Business Models: Intersection of Employment, Privacy and Cybersecurity Law

New York City Bar Association

October 11, 2023

2023 Littler AI Summit

Washington, DC

September 21, 2023

Operationalizing Privacy: Building a Privacy Program to Manage the Explosion of Privacy Laws

Littler Executive Employer Conference, Phoenix, AZ

May 11, 2023

Practical Answers to Employers' Most Common and Tricky Privacy and Information Security Questions

Rocky Mountain Employer Conference

October 27, 2022

Littler AI Summit

Washington, DC

September 28, 2022

California Privacy Rights Act in the Face of Uncertainty: How to Advance Your Organization's Compliance Program While Awaiting Final Regulations

September 22, 2022

Your Data Can Help or Hurt You: What Should You Do?

Professional Background Screening Association (PBSA) Annual Conference 2022

September 12, 2022

Finding the Cure for Data Protection Overload: Practical Solutions for Managing the Onslaught of New U.S. and Global Data Protection Laws

Littler Executive Employer Conference

May 5, 2022

California Privacy Rights Act Workshop: Practical Steps for Compliance with Human Resources Data

Littler Executive Employer Conference

May 4, 2022

California Privacy Rights Act - Steps To Take Now: Project Planning, Vendor Contracting, and Data Retention and Security

April 14, 2022

California Privacy Rights Act for Human Resources Data

IAPP KnowledgeNet Webinar

March 9, 2022

Time to Get Ready! Key Steps for Employers to Address Compliance with the California Privacy Rights Act

February 3, 2022

2021 California Virtual Regional Employer Conference

Sacramento, CA

October 28, 2021

2021 Rocky Mountain Virtual Regional Employer Conference

Denver, CO

October 6, 2021

The Pandemic May Be Coming to an End, but New State Privacy Laws and Remote Work Complications Ensure that Data Protection Challenges Will Continue

2021 Littler Executive Employer Conference

May 12, 2021

Compliance Coffee Talk

Denver, CO

April 7, 2021

How To Implement a Legally Compliant Workplace COVID-19 Testing Program While Waiting for the Vaccine To Arrive

February 16, 2021

To Text or Not To Text: Legal Risks and Options of Texting with Employees

December 3, 2020

2020 Rocky Mountain Virtual Employer

November 18, 2020

New York and California Privacy Laws: What Employers Need to Know

Japan Society Webinar

June 25, 2020

The Next Normal: Strategies and Best Practices for Returning to Work in Colorado

May 11, 2020

Tales from the Trenches: Updates and Practical Guidance for Employers on COVID-19

April 21, 2020

The New York SHIELD Act, California Consumer Privacy Act, and Data Security for Employers: HR's Role in Building a Compliant Data Security Program

March 4, 2020

The California Consumer Privacy Act: What Employers Need to Know and Do Before the January 1, 2020 Compliance Deadline

November 14, 2019

GDPR, CCPA, and the New World of Data Protection Laws: What In-House Counsel Should Know

Senior Women's Corporate Counsel Annual Retreat, Beaver Creek, CO

November 2, 2019

BYOD, the Cloud and Beyond: Managing the Risks of the Remote Workforce

2019 Rocky Mountain Employer Conference, Denver, CO

October 4, 2019

Tracking Your Employees' Digital Trail

2019 New England Employer Conference, Newton, MA

September 27, 2019

Two Hot Topics in Legal Risk: HIPAA and Texting

National Association for Home Care & Hospice Webinar

July 25, 2019

Tracking Your Employees' Digital Trail

2019 Mid-Atlantic Employer Conference, Bethesda, MD

June 7, 2019

Anticipating and Beating the Risks of the Latest Wave of Technology Entering the Workplace

2019 Executive Employer Conference, Phoenix, AZ
May 9, 2019

How to Ride the Next Wave of Background Check Class Actions? Get Up to Speed Now on Gnarly State and Local Requirements

2019 Executive Employer Conference, Phoenix, AZ
May 9, 2019

2019 Philadelphia Regional Employer Conference

Philadelphia, PA
April 2, 2019

Workplace Privacy and Data Security

Financial Service Centers of America Annual Conference, Las Vegas, NV
October 4, 2018

The Next Frontier: Wearables, Drones, and Colorado's New Data Privacy Law

Rocky Mountain Employer Conference
September 21, 2018

Hiring Traps for Even the Wary: How Fair Chance Acts, Salary History Bans and Consumer Reporting Laws Continue to Catch Employers Off Guard

Littler Executive Employer, Phoenix, AZ
May 3, 2018

How the AI and Robotics Revolution Will Shape the Employment and Labor Law Landscape

Littler Executive Employer, Phoenix, AZ
May 2, 2018

Privacy Concerns in Today's Technology-Based Workplace

Littler Webinar
February 2, 2018

How to Screen out the "Employee from Hell" Without Having to Litigate Against the "Applicant from Hell"

Littler Rocky Mountain Employer Conference
October 3, 2017

Privacy Concerns in Today's Technology-Based Workplace

Milwaukee Regional Employer Conference
September 12, 2017

Combating the Insider Threat to Data Security

Denver KnowledgeNet Chapter of the International Association of Privacy Professionals, Denver, CO
April 15, 2017

Cyber Security: Identifying and Reducing the Risks

American Association of Port Authorities, Oakland, CA
April 8, 2017

Handling Negative Employee Social Media

Lorman Education Services Live Webinar
March 16, 2017

The Insider Threat: Enhancing Data Stewardship to Protect Your Information Assets

Rocky Mountain Employer Conference
September 21, 2016

Regulation or Partnership?: Government, the Private Sector, and Cybersecurity

Cybersecurity + Law Enforcement: The Cutting Edge Symposium, Roger Williams University School of Law, Bristol, RI
October 16, 2015

Workplace Privacy: The "New Digital Workplace," What's Next and What Should Employers Be Doing to Prepare?

2015 Rocky Mountain Employer, Denver CO
October 7, 2015

Social Media and the Labor Law Practitioner: Navigating the Latest NLRB Decisions on Employee Policies and Discipline

Labor and Employment Relations Association, Rocky Mountain Chapter, Denver, CO
May 12, 2015

Employee Data Protection: FTC's Reasonable Data Security Guideposts for Employers in 2015

February 13, 2015

The 2014 Rocky Mountain Employer Conference

Denver, CO
October 30, 2014

Social Media and the Workplace: Navigating the Latest NLRB Decisions on Employee Policies and Discipline

Clear Law Institute Webinar
October 9, 2014

Trade Secrets and Cyber-Security

Computer Science Department – Brown University, Providence, RI
November 1, 2013

Killing the Golden Goose: The Dangers of Strengthening Domestic Trade Secret Rights in Response to Cyber Risks

13th Annual Conference - Intellectual Property Scholars, New York, NY
August 8, 2013

Intellectual Property and Torts Panel

Cyber Threats & Cyber Realities Conference - Roger Williams University, Bristol, RI
June 17, 2013

Social Media: The Separation of Work & Play

National Symposium on Technology and Labor and Employment Law, Section of Labor & Employment – American Bar Association, Berkeley, CA
April 23, 2013

Whose Social Network Account

12th Annual Conference - Intellectual Property Scholars, Palo Alto, CA
August 10, 2012

Hot Topics in Intellectual Property Law

National Conference of Law Reviews Inc., Providence, RI
March 30, 2012

Who Owns the Social Media Account?

4th Annual Internet Law Work-in-Progress Symposium - New York Law School, New York, NY
March 24, 2012

What the Digital Millennium Copyright Act Can Learn From Medical Marijuana

Dean Dinwoodey Center for Intellectual Property Studies - The George Washington University Law School, Washington, DC
February 23, 2012

Electronic Communications Privacy Act and Stored Communications Act in the Context of Social Media

Annual Meeting - Rhode Island Bar Association, Providence, RI
June 16, 2011

Books & Book Chapters

- *Littler on Employee Monitoring: Searches, Surveillance & Privacy Concerns*, The Littler National Employer Library, co-author Philip L. Gordon