

## Being Watched in the Office

Many employees complain that they're being watched while they work during the day. The majority of US companies keep watch on their workers with video cameras, tape recorders, computer surveillance. If you send personal e-mail on your office computer, there's good chance the boss is keeping an eye on you. In a new survey of more than 900 major US companies, nearly two-thirds of them acknowledge using a range of surveillance methods to monitor their employees.

Some employers issue that warning, but others do not. In the most worrisome finding of the survey, up to a quarter of the companies that monitor their workforce do it secretly. And the practice is on the rise. According to the ACLU Workplace Rights Project, the number of employees being monitored has doubled in the last five years.

What's driving this increase? Partly, it's competition. If everyone else in an industry is keeping tabs on their workers, there's pressure to join in. But, to large extent, companies have stepped up monitoring simply because it could be done, cheaply and efficiently.

Most employers insist that these are legitimate and even necessary business practice. According to these employers, even as surveillance becomes more widespread, there's nothing sinister about the practice itself. They claim that these practice we're talking about for the most part are very legitimate forms of performance monitoring. They say employers have a right to know how equipment they provide is being used on the job, if rules are being obeyed, if employees are getting the job done. That helps explain why banks routinely tape customer service calls, and why the US Postal Service is testing a satellite system to track how long it takes to get the mail delivered.

The National Association of Manufacturers says companies are using technology to accomplish other important goals . Video cameras were recently installed in his building the deter theft . And the Association keeps a log of all phone calls so employees can pay the company for their personal calls. According to the Association, monitoring can be used for the workers' own protection.

If an employee is sending pornography from an employer's computer, obviously the employer would be expected to go through there . If somebody complain about sexual harassment, that somebody's sending out racial slurs over the e-mail, the employer has a right to take action. In fact, the Chevron Corporation was sued by female employees who said they were sexually harassed through company e-mail.

But many attorneys are arguing that employees do not give up their privacy rights when they show up for work. Rebecca Lock, the legal director of the ACLU's Workplace Rights Project, doesn't agree. She concedes there are legitimate uses of monitoring program. But too often,

surveillance practices demean workers for no good reason.

Lock argues that employees should not have to leave their human dignity at the workplace door. And she says they're entitled to a few safeguards in this area. Employees should always be informed when they're monitored. Some employees even emphasize that there should be no monitoring whatsoever in purely private areas.

Yet, so far there is only one state — Connecticut — that forbids surveillance in areas such as locker rooms or the employee lounge. In other states, employers do secretly videotape private places if they suspect theft or criminal activities such as drug dealing.

There's only one federal statute, the 1986 Electronic Communications Privacy Act, that safeguards employee privacy. But according to the National Association of Manufacturers, the scope of the act is limited to eavesdropping on private telephone calls.

Employee rights attorney Penny Nathan Cain is involved in a case over this very issue. She says as companies continue to expand employee monitoring, workers are turning to the courts to protect their rights.

There may even be good business reasons for companies to think twice about increased surveillance. Studies link electronic monitoring to higher levels of worker stress, which can lead to lower productivity.

#### Questions:

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