

## I Always Feel Like Somebody's Watching Me

Due to advances in audio-visual technology in recent years, employers can install video surveillance systems in the workplace at an affordable price point. The installation of such systems enable employers to monitor their entire operations for security, employee safety, prevention of theft, supervision of employees and reducing the potential for liability.

However, if improperly implemented, an employer's use of such systems can potentially violate privacy rights. To avoid invasion of privacy claims from your employees, the following steps should be taken prior to using or installing video surveillance systems in your workplace:



### Do:

- Notify employees that cameras have been installed (including the general locations), and obtain their acknowledgment of monitoring in writing.
- Place signs in conspicuous areas around your office and work areas to remind employees that they are being monitored by surveillance camera video.
- The cameras should be installed in open work areas only. Have the cameras plainly visible and consider posting signs next to the cameras stating "recording in progress."
- Limit video camera use to the "common" areas of the workplace (e.g. a shop floor, common hallways, parking lots, etc.).
- Implement a clear, well written workplace video surveillance policy. (Please refer to the sample policy found on our website here)
- Review your state's laws concerning employee privacy rights before installing any cameras in the workplace.

### Don't:

- Place any cameras in an area where employees have a legitimate expectation of privacy, such as restrooms, locker rooms, changing areas, or private offices.
- Install cameras that have audio taping capabilities.
- Install "secret" video cameras without first consulting with legal counsel about the intended purpose of installing secret cameras.
- Use cameras to monitor employees who are participating in union organizing activity.

Workplace surveillance is an area in which employers must balance between their right to run a business productively and efficiently and their employees' rights to privacy. Employers should

familiarize themselves with the various laws that impact workplace surveillance, and implement clear, well written policies.