

## **The implications of the coronavirus on workplace monitoring and surveillance**

The spread of Coronavirus around the globe has led to unprecedented changes to the way we live and work. Attempts to curb the advance of the virus have empowered governments to enact mass surveillance capabilities in ways never previously seen.

For example, the activities of quarantined residents in Taiwan are monitored through their mobile phones and they can expect a visit from the police if they leave their home or switch off their device. In China people now have to scan a barcode, write down their name, ID number, temperature and where they have visited recently simply to enter their home or place of work. A self-quarantine app for health workers in South Korea uses GPS to ensure they do not leave their homes.

So far, the response of the UK government has not been anything on this scale. However, civil liberty group Big Brother Watch has warned that the Coronavirus Bill published in March contains the “most draconian powers in peace time Britain” and has urged close scrutiny from Parliamentarians.

And it is not just at state level that monitoring and surveillance is of concern. It is unclear yet how the pandemic will have reshaped the world of work, but the current social distancing measures have inevitable implications for how employers interact with their workers.

With the largest ever work-from-home mobilisation ever seen in this country, we are now more reliant than ever on technology to keep us connected. Technology is now essential to how many of us conduct our work, but it also creates plenty of opportunities to monitor the activities and performance of staff and employers may feel even more justified in doing this if they are managing a remote workforce.

Software already exists that counts keystrokes, mouse clicks and even takes screenshots of computer screens, to see if the worker is at their desk. There is anecdotal evidence of workers feeling tied to their laptop for fear of an alert being sent to the employer if the computer goes into rest mode.

Employers may also feel they can contact staff at all hours, and employees may in turn feel under pressure to check messages or log in outside of their usual working hours. This blurring of work boundaries and the sense of being constantly monitored will for many become a source of stress.

There is growing concern that as we accept the measures implemented to deal with the public health emergency, we will in the long-term have grown to accept this level of monitoring and surveillance as the new norm.

The groundwork is already there. The *TUC's I'll be watching you* report from 2018 found that facial recognition and handheld/wearable location tracking devices were already being more widely used in UK workplaces than had been expected.

Sociometric badges which monitor face-to-face interactions and speech and body movement to ascertain someone's mood have been used in the US for several years and in China, companies have been using sensors in helmets to scan workers' brainwaves for signs

of fatigue. Apps also exist to measure how many times someone switches between applications to gauge how distracted they are, and others focus on detecting workers that are up to something, by monitoring the level of risk they pose.

As with other forms of workplace monitoring, these technologies are open to unfair profiling of employees and abuse by employers. They need to be accompanied by agreed workplace policies setting clear parameters as to where and when it is acceptable for workers to be monitored, how this is done, what the information gathered is used for, how and for how long the information is stored and who has access to it.

While workers in China have real concerns that the surveillance measures introduced under the lockdown could become a permanent way of life, in the UK the *Data Protection Act 2018* and the *Human Rights Act 1998* apply strict rules as to what employers can and cannot do and the introduction of the General Data Protection Regulation (GDPR) has further boosted workers' protection.

However few of us fully understand the law or really comprehend how information we give about ourselves can be used. Now and in the post-Covid-19 world we need to ensure that technology enables but does not take over our lives.

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