News

Arbitrator Finds Video Surveillance Reasonable in Light of Safety Issues in the Workplace

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A recent arbitration award has confirmed that where an employer has legitimate concerns regarding safety in the workplace, it may install and operate video surveillance. This decision, which involved surveillance in a fire station to ensure equipment was not tampered with, engaged privacy considerations, the reasonableness of such surveillance and whether the surveillance was conducted in a reasonable manner.

The significance of this award is in its analysis of when video surveillance would be useful in the workplace. Here, the employer was attempting to address a legitimate safety issue, which necessitated its action. The surveillance was not constant nor ongoing. It involved monitoring of a fixed area of the fire station, and not of employees. A recent incident of tampering with the equipment was not necessary to establish the reasonableness of the conduct.

A more detailed discussion of this award is found our recent Case in Point blog post, "Employer's Use of Video Surveillance in Fire Station Reasonable When Addressing a Serious Safety Concern."