

Spies Among Us: How Bosses Remotely Monitor Work-From-Home Employees, NEWSDAY, quote by Keith Gutstein, Esq., 3-16-2022

By Jamie Herzlich, Newsday

Since the pandemic accelerated remote work, there's been an uptick in the use of electronic monitoring tools to track employees' performance and productivity, experts say. Some workers' rights groups have called it invasive with employees often not knowing they're even being tracked or how the information's being used. New York has passed legislation that takes effect May 7 and requires private employers to provide written notice upon hiring to any employee who's subject to electronic monitoring, including their phone, email, and/or internet usage."

Letting employees know

Under the law, employers must notify employees of electronic monitoring upon being hired. The notice must be "in writing, in an electronic record, or in another electronic form and acknowledged by the employee either electronically or in writing," says Keith Gutstein, co-managing partner of the Woodbury office of Kaufman Dolowich & Voluck LLP. The employers must post a notice of electronic monitoring in a conspicuous place that's readily available to any employees subject to electronic monitoring, he says. For more see <https://tinyurl.com/2p8pj4ht>. The law dictates employers notify new employees, but Gutstein advises notifying all employees if the company's doing any form of electronic monitoring.

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