Exploitative Workplace Surveillance and Technologies Task Force Act of 2023

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Workplace Surveillance

We know from worker testimonies, anecdotal evidence, research, and news reports that employers are increasingly surveilling their workers and making determinations about their employment with algorithms and automated decision systems. But there are many unanswered questions about how many employers are surveilling workers, how they use that data, and how it impacts workers and workplaces. For instance: are employers sending surveillance data to third parties that could jeopardize data security and privacy? Are workplace surveillance methods creating unseen workplace hazards? How are automated decision systems impacting historically marginalized populations like workers of color, women, and workers with disabilities? Are employers using worker surveillance technology to suppress unionization?

This legislation would create a dynamic interagency task force, led by the Department of Labor and the Office of Science and Technology Policy, to lead a whole of government study and report to Congress on these novel areas.

Exploitative Workplace Surveillance and Technologies Task Force Act

The Exploitative Workplace Surveillance and Technologies Task Force Act would establish an interagency task force to study and report on workplace surveillance. This task force would be led by a representative from the Department of Labor and comprised of representatives from the Office of Science and Technology Policy, the Department of Commerce, the Federal Trade Commission, the National Labor Relations Board, the Equal Employment Opportunity Commission, the Consumer Financial Protection Bureau, and other relevant agencies.

The task force would be charged with:
- studying the prevalence and types of workplace surveillance across industries;
- how employers are collecting and using data;
- the impact of workplace surveillance and automated decision systems on compensation, scheduling, career advancement, duties, safety, health coverage, and termination;
- the implications for worker organizing efforts;
- the impact of workplace surveillance and automated decision systems on vulnerable populations like workers with disabilities, low-wage workers, older workers, workers of color, and formerly incarcerated individuals;
- the impact on gender equity in the workplace;
- and the feasibility of requiring impact assessments for the use of workplace surveillance or automated decision systems.