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Newsroom: Yelnosky on Workplace Privacy

Roger Williams University School of Law

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Newsroom

Yelnosky on Workplace Privacy

Professor Michael Yelnosky is cited in the Providence Journal explaining why, in some private workplaces, watching employees with a surveillance camera is allowed.

From the PROVIDENCE JOURNAL: "[PolitiFact: Privacy has its limitations](#)" by C. Eugene Emery Jr.,
Journal Staff Writer



February 17, 2013: [...] Rep. Brian Patrick Kennedy, a Democrat from Hopkinton, wants to put some limitations on how much private information you must reveal if you apply for a job or enroll in a school. [...] It was this sentence in his news release that caught our eye, particularly the reference to employer rights: "Employers and schools have no more right to this private information than they do in providing surveillance of a dorm room or a worker's cubicle."

[...] Is it legal to monitor workers that way?

"In some workplaces, the answer is pretty clearly yes," **said Michael Yelnosky, who specializes in labor law at Roger Williams University School of Law.** In a private workplace with no union, placing a surveillance camera is no different from having a supervisor sit behind the worker and watch everything, **he said.**

"It might come out differently if there's a union in place," **he said.** "The employer would have to bargain that issue before he went ahead and unilaterally made that change" because it would be a change in working conditions.

The rules are a bit different if the employer is the government, **he said.** "The Supreme Court has said you have some protections in the workplace against your public employer that you wouldn't have from your

private employer because the Constitution prohibits some state invasions of privacy where it doesn't say anything about private employers." [...]

For full story, click [here](#).