HEALTH AND SAFETY FACT SHEET

Wearable tracking and biometric monitoring



Employers are increasingly using wearables and other devices to monitor workers on the job. These devices can track movement, heart rate, fatigue levels and other biometric data. Employers often describe these devices as safety or productivity tools, but they can create health, privacy and workplace rights concerns.

What is wearable tracking and biometric monitoring?

Wearable tracking and biometric monitoring involve technologies that collect information about workers. Some devices may be worn as wristbands, watches, hard hats, safety vests, or other forms of personal protective equipment (PPE), or they may be built into workplace equipment.

They may collect:

- **Location and movement data:** GPS location, proximity sensors or body movements
- **Biometric data:** Heart rate, body temperature, perspiration and indicators of fatigue or stress
- **Neurological (brain and attention) data:** Attention, focus or brain activity

The data collected can be used for scheduling, performance assessment, discipline, workers' compensation or other purposes — even when workers are told it is only for safety.

Not all wearable devices raise the same concerns

Choosing to wear a personal device for your own purposes is different from your employer requiring you to wear one. Your data may not be fully private either way, but with a personal device, *you* choose to take on that risk. That changes when your employer requires you to wear a device and can access, use or share the information it collects.

If your employer asks you to use a device, provides the device or receives data from a device you use, that is employer monitoring — regardless of how it is described or whether participation is called "voluntary."

Physical health concerns

Monitoring devices can create physical health hazards, including:

- Skin irritation, rashes or allergic reactions from materials in the device
- Pressure injuries from tight-fitting monitors worn over long shifts
- Distraction or altered movement that increases the risk of injury
- Inaccurate readings that create a false sense of safety — for example, a fatigue monitor that misses signs of exhaustion in a worker operating heavy equipment

Psychological health concerns

Knowing that your movements and behaviours are being tracked can remove a sense of control over your own work, rest and even bodily functions. It can also increase stress, anxiety and burnout.

Feeling constantly watched can:

- Feel intrusive and dehumanizing
- Increase stress and anxiety
- Undermine trust in the employer and workplace

Privacy and data rights

Biometric data is among the most sensitive personal information that exists. It can reveal information to your employer about your physical health, mental health and future medical risks.

Before agreeing to use any technology that provides information to employers or third parties, you should ask:

- What data is being collected?
- How is it stored and for how long?
- Who has access to it?
- How and why is this information being collected?
- Who owns the data and can it be shared with others?
- Can you opt out? (And if not, why not?)

It is important to remember that for many members, consent in an employment relationship may not feel like it is truly voluntary. Workers (especially vulnerable or precarious workers) may feel they have no real choice but to comply, even if participation is presented as voluntary.

How can this data be used against you?

One of the most serious concerns with workplace monitoring is how collected data may be used after a worker is injured.

Employers may claim that biometric and tracking data is collected to protect workers. But the same data can be used to shift blame onto workers when something goes wrong.

If you are injured at work, your employer could potentially use data from workplace monitoring to contradict your account of the incident, blame you and argue:

- The injury was not work-related
- You didn't follow safe work procedures (for example, based on movement, posture or location data)
- Your own fatigue or stress levels caused the incident, rather than unsafe workload or working conditions

Workers' compensation systems are generally no-fault — meaning you do not have to prove that your employer or someone else was at fault for your injury to be eligible for benefits. Employer-collected data could still affect investigations, claims and settlement discussions. This is especially concerning when employers use data to blame workers for injuries caused by unsafe working conditions.

What you can do

If your employer introduces or proposes monitoring technology:

- **Talk to your union steward or local before agreeing to participate.**
- **Ask questions.** Request written information about what is being collected, why and how it will be used.
- **Don't assume it's only for your benefit.** Data collected for stated safety purposes can be used for other purposes.
- **Document your concerns.** If you experience discomfort, stress or other physical or mental health effects from monitoring, report them to your employer and union, including through your joint health and safety committee.

Like any other workplace hazard, employers have a duty to protect your health and safety from hazards created by monitoring and surveillance. Workers have a right to privacy and to know what data is being collected about them, how it is being used and who can access it.

Bargaining protections

If monitoring technology is being considered in your sector or workplace, think about how you can use your collective agreement to protect your members.

Before your employer starts using monitoring technology, negotiate for:

- A blanket prohibition on technologies that track location, biometric or neurological (brain and attention) activity
- Mandatory consultation before any monitoring is introduced to determine how it will and will not be used

If monitoring is in place, make sure:

- Full disclosure of what data is collected, how it is used and who has access
- Data cannot be used in discipline proceedings, performance management or post-injury investigations
- Members can always access their own data and challenge inaccurate records
- Workers always have the right to provide their own account of an incident before any data is interpreted or acted upon
- Biometric data cannot be used to single out or blame workers for injuries that result from hazardous working conditions

For more information, contact your CUPE local or national representative.

FOR MORE INFORMATION, CONTACT:

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