

The Honorable Anna Caballero
Chair, Senate Appropriations Committee
State Capitol Building, Room 412
Sacramento, CA 95814

RE: AB 1331 (Elhawary) – Workplace surveillance – SUPPORT

Dear Chair Caballero,

Omidyar Network, a California based philanthropic and investment organization committed to elevating humanity's interests and role in how technology is governed and held accountable, supports AB 1331, which would limit the use of workplace surveillance tools by employers.

Omidyar Network's philanthropic and investment efforts have continued for more than two decades and stem from our founder's work at two great California companies, PayPal and eBay. We envision a world where our shared humanity steers our digital future. So far, we have committed more than \$1.94 billion to initiatives that share our vision.

Employers have used surveillance to monitor and control workers for decades and as technological capabilities of these tools have increased, so have their usage. Employers now have access to much more than cameras and GPS; current technology includes wearable devices to monitor worker speech, location, biometrics, retina tracking, facial recognition, and walking patterns. This type of surveillance must be carefully regulated to protect employees' privacy and workplace rights.

Employer surveillance has already begun to encroach on workers' rights as well as their personal wellbeing. Employers are increasingly using surveillance of designated off-duty areas such as break rooms, locker rooms, and cafeterias to monitor worker sentiment and private conversations. Because off-duty areas in the workplace are often the only places workers can gather to discuss wages and working conditions, surveillance of these areas inhibits workers from exercising their rights to unionize or advocate for themselves. Additionally, research has shown that surveillance in the workplace increases psychological distress, stress, and overall lower job satisfaction among workers.¹

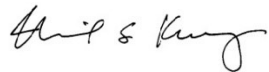
By updating existing workplace privacy laws to cover new and developing high-tech surveillance tools, AB 1331 would expand protections for workers from invasive employer surveillance. Specifically, the measure would significantly limit employers' ability to monitor or review surveillance of off-duty areas and would allow workers to leave behind all wearables, cameras, or other tracking tools while not on the clock. Lastly, it would ensure that the law stays ahead of developing technology by preemptively prohibiting employers from requiring workers to implant or embed tracking devices in their bodies.

¹ [Private Eyes, They See Your Every Move: Workplace Surveillance and Worker Well-Being - PMC](#)

Regulating employers' use of surveillance technology in the workplace enables employees to exercise their rights as intended and protects their ever-diminishing privacy both inside and outside the workplace. Establishing these boundaries is a crucial step in ensuring responsible governance of surveillance technology.

For these reasons, we respectfully request your support for this important measure.

Sincerely,



Mike Kubzansky
CEO, Omidyar Network

cc: Assemblymember Sade Elhawary
Members, Senate Appropriations Committee