

Does Recording Client Calls Violate Employee Privacy?



The union grieved a government agency's use of audio recordings and screen shots to monitor employees' phone conversations with clients. The agency denied any privacy violations, claiming that the materials were 'work product' rather than personal employee information. The arbitrator said the information was privacy protected to the extent it reveals an employee's personal work style. But citing PIPA provisions allowing employers to collect personal information for 'reasonable' employment purposes, the arbitrator ruled that the agency could use the recordings and screen shots, provided that they were limited to incoming calls, kept for only 30 days, used only for investigating complaints, discrete training purposes and very limited random review and stored in a secure location. The agency also had to maintain strict logs to monitor use [*Alberta Union of Provincial Employees v Legal Aid Alberta*, 2018 CanLII 121117 (AB GAA), Nov. 20, 2018].