

Privacy: Employer Doesn't Have to Stop Using Allegedly Privacy-Invasive GPS App



An elevator construction and maintenance firm issued employees a mobile device that, among other things, deploys global positioning satellite (GPS) technology to track their whereabouts during work hours. The union claimed that the app violated employees' privacy and asked the BC arbitrator to order the firm to disable it until the grievance was resolved. The arbitrator refused. The harms employees would suffer if the GPS app was later found to be privacy-invasive could be repaired, the arbitrator reasoned; but the damage to the firm if the app was found valid would be significantly greater given the importance of the information and its investment in the devices. However, while allowing the firm to keep using the GPS app, the arbitrator ordered it to notify the union of the information it collected using the app [[Kone Inc. v International Union of Elevator Constructors, Local 82](#), 2022 CanLII 1018 (BC LA), January 14, 2022].