

Opening remarks from the Financial Services Union to the Dail Committee on Enterprise, Trade & Employment

I would like to express my sincere gratitude to all members of the Committee who have facilitated the meeting today. I know the Committees schedule is hectic so taking the time today to listen to the reports of workers in the finance sector on their experiences and attitudes towards technological surveillance by their employers is much appreciated by the FSU and by staff working in the sector.

Can I take a moment to introduce Dr. Michelle O'Sullivan from our research partners in the Department of Work & Employment Studies, Kemmy Business School, University of Limerick (UL) who collaborated with us on this research. Without the work and professionalism of Michelle and the team from UL this report would not have happened.

This report was published just four weeks ago but even since then the developments over the last few months in AI have been dramatic.

The advances in technology and in particular over recent times the creation of Chat GPT has brought technological advances in the workplace to a new level. Indeed, even two Government Departments have seen fit to use Chat GPT for a short while to see what benefits it might bring.

It is claimed that recent developments in AI will transform our healthcare and education sectors.

I mention this to emphasis the ever-changing nature of technology, the rapid advance been made and to warn about the shortage of research on the benefits or detriments these advances may bring to the workplace and to workers.

Workplace technology will advance and be enhanced over the next few years. It is vital research and legislation keeps pace with these changes so society, businesses and staff can both benefit and be protected from any unforeseen consequences.

The FSU first commissioned this research in partnership with University of Limerick in 2019 and again in 2021 with a follow up survey carried out by the FSU in 2023.

The research project sought to establish the experiences and attitudes of financial services employees to technological change in their job and this report focuses on employees' experiences and attitudes towards technological surveillance by their employer in particular.

Globally this took a massive leap forward as literally millions of office-based workers moved overnight to being homeworkers due to the COVID 19 pandemic.

The findings are based on interviews conducted with financial services employees by the University of Limerick pre-COVID19 in 2019 followed by a large-scale survey of employees during COVID19 restrictions in 2021 with a further survey of members conducted by the FSU in February 2023.

Surveillance of staff by their employers and how data on staff is collected, stored, and used was always an issue that needed to be addressed. However, it seems clear from these findings there is a need for regulation and legislation to keep pace with the changing nature of technology.

A notable finding in the report is the extent to which respondents to the survey were unaware of the level of employer tracking and monitoring, with over half indicating they did not know if their office or home computer was monitored. Almost one quarter of respondents reported that their employer had increased data collection on their work since they started home working while 28% said data collection had stayed at the same level.

Two thirds of respondents felt surveillance was demoralising and indicated that surveillance increased their levels of stress while over half felt that surveillance at work was a violation of privacy.

A majority felt that surveillance indicated a lack of trust on the part of their employer (60%) while an even larger percentage (63%) felt that the use of surveillance erodes trust. Survey respondents reported having some experience with technological surveillance of their devices, but significant proportions were unaware if their devices were monitored or not. Interviewees spoke of varying levels of employer technological surveillance pre-COVID from very little to very extensive depending on where they worked and their role. Overall, employees had negative attitudes towards technological surveillance, viewing it as demoralising, stressful, and indicating a lack of trust by employers.

The report makes recommendations for employers and the government.

For employers,

It is the view of the FSU that the concerns of employees evident in the survey findings can be addressed through collective bargaining between employers and trade unions.

The FSU call on employers to prioritise the following issues:

- Providing evidence on the necessity and proportionality of technological surveillance in all its forms
- That surveillance functions should only be introduced with the agreement of the union and affected employees.
- That the employers' collection of data from surveillance functions and the nature of its usage should be negotiated with the agreement of the union and affected employees
- To address, with the union, the impact of surveillance on employees, such as their stress and trust levels.
- Providing evidence to the Union on the organisations' cybersecurity measures to protect employee data collected, in particular, biometric data.

For Government and legislators:

We would ask this committee to commission a report into the use of surveillance in the workplace with a view to exploring what, if any legislative changes that may be required to best protect workers and provide for workers voice on this issue.

The research for the report would concentrate on possible legislative changes that may be required to keep pace with technology advances whilst ensuring proper regulation of employers' collection and use of data from surveillance functions.

This may involve:

- stronger legislative mechanisms that (i) support trade unions access to, and representation of, workers for feedback on these issues and (ii) require employers to meaningfully negotiate with unions on technological surveillance.
- legislation regulating employers' collection and use of data from surveillance functions with the aim of ensuring procedural justice, distributive justice, interpersonal justice, and informational justice within organisations.
- Empowering the Data Protection Commission to proactively inspect employments to ensure compliance on current GDPR legislation.

Finally, can I again thank the Committee for inviting us to address the meeting.

I hope the Committee members find the report insightful and worthy of consideration.