Subjects: Geolocation
Occupation: Manager
Data type: Localisation

Can I install a GPS in my vehicles?

In order to optimize the movements of his deliverers, an employer decides to analyse their routes and installs a GPS systems in the delivery vehicles. The data was then retrieved and analysed by the company's computer specialists. The results of these analyses were reported to the management. Employees were instructed to transfer the system at the end of the day to the computer specialist so that the data could be collected. They were surprised that a GPS had been installed in their vehicles. They confronted the management expressing their dissatisfaction, feeling they were being spied on by such a system. They felt that they would be judged on their speed and their work breaks would be monitored, etc…
The management made more precise enquires regarding the steps to follow when installing and using such a system. They contacted the consultant for the protection of corporate data or the federal/cantonal commissioner.
The management met with the deliverymen to explain the purpose of this analysis. They explained that this was temporary and it was to be used to redefine the delivery routes to improve working conditions for everyone. We can monitor the services provided by the worker; however it is illegal to monitor the behaviour of the person.

Recommendations
The objective must be clear, and the most adequate and less intrusive means to achieve this must be chosen. These measures must be the subjected to adequate communication. The employer should inform and consult the employees or their representatives and, if possible, obtain their consent before introducing the automated systems for the collection and processing of their personal data.

Basic principles
LIPAD 38 and 42 ; LPD 4; 12, 13, 14 and 17 ; LTr 6 ; OLT3 26 ; CO 328 and 328b

Principles of legality, good faith and proportionality (suitability, the necessity for these measures and the least intrusive); The principle of transparency of the data collection: the purpose of the collection must be recognizable; protection of workers

Resources
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