

Workplace Wearables Open Up a Murky Legal Hinterland

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The article, “Workplace Wearables Open Up a Murky Legal Hinterland,” featured in *ReadWrite*, examined the rising legal concerns that are popping up in this emerging age of workplace wearables.

Jason Geller provided advice for managing wearables in the workplace.

For employers that mandate wearables in the workplace, it’s incumbent on them to develop clear rationales and policies explaining why data is being collected and limits of its use, said Jason.

He said that employers are more frequently justifying raises, firings and promotions through productivity data. But if the data indicates an employee is becoming less active, and she is subsequently penalized for that, it leaves the employer open for a potential claim of discrimination against someone who has a disability or is less healthy.

“The employer may need to ask itself, ‘Do I need to initiate a discussion with this employee about whether the productivity was related to a disability?’” Jason said.

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Jason A. Geller
Regional Managing Partner
415.490.9020
[Email](#)