

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2117 Session of
2003

INTRODUCED BY VEON, DeWEESE, BELFANTI, MANN, PISTELLA, BELARDI,
FABRIZIO, SHANER, KELLER, LEVDANSKY, BEBKO-JONES, LEACH,
DONATUCCI, WALKO, KIRKLAND, SURRA, JAMES, DALEY, YOUNGBLOOD,
FREEMAN, HORSEY, DeLUCA, GOODMAN AND SCRIMENTI,
OCTOBER 21, 2003

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 21, 2003

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting secret workplace
3 surveillance.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 7331. Secret workplace surveillance.

9 (a) Offense defined.--A person commits an offense if he,
10 being an employer or an officer, manager or employee of any
11 employer, hires any person or is hired for the purpose of secret
12 watch, surveillance or reporting to the employer of the work
13 behavior or personal habits of employees.

14 (b) Exceptions.--Subsection (a) shall not apply to:

15 (1) General management and supervisory practices
16 required to evaluate employees' work performance executed by
17 management personnel.

1 (2) Employees who openly disclose prior to their service
2 that they will be observing and reporting employee behavior.

3 (3) Academic studies compiling data, provided individual
4 names of employees are not disclosed.

5 (4) Reports compiled by employers relating to illegal
6 activities of employees if the employer has probable cause to
7 believe illegal activity is occurring at the workplace.

8 (c) Penalty.--Whoever hires another or is hired in violation
9 of subsection (a) shall be fined in an amount not to exceed
10 \$1,000 for each violation.

11 Section 2. This act shall take effect in 60 days.