



June 30, 2025

The Honorable Sade Elhawary
California State Assembly
P.O. Box 942849
Sacramento, CA 94249-0057

Re: AB 1331 – Letter of Opposition

Dear Assemblymember Elhawary:

On behalf of SHRM and the California State Council of SHRM (SHRM California), we write to express our opposition to SB 1331, which would implement new regulatory requirements on employers regarding the use of workplace surveillance technologies. While SHRM and SHRM California support employee privacy and informed technology use in the workplace, AB 1331 still poses significant risks to workplace safety and operational functionality. It limits employer flexibility in monitoring public-facing and mobile workforces and introduces procedural requirements that complicate critical safety practices.

As the voice of all things work, workers, and the workplace, SHRM is the foremost expert, convener, and thought leader on issues impacting today's evolving workplaces. With nearly 340,000 members in 180 countries, SHRM impacts the lives of more than 362 million workers and families globally. SHRM California links all 16 of California's local SHRM chapters with SHRM's regional and national organizations and unites California's nearly 30,000 SHRM members.

SHRM and SHRM California believe the key to policies that support workplace and workforce innovation is to implement a balanced approach that safeguards job candidates and employees' rights while enabling businesses to use tools that will lead to better workforce decisions. We do not believe that AB 1331 efficiently accomplishes this goal.

AB 1331 prohibits employers from monitoring employee-only areas such as breakrooms, cafeterias, lactation spaces, and locker rooms-even in off-duty moments-unless specific conditions are met. Although the bill permits non-audio video surveillance in break areas under limited circumstances (e.g., no AI, posted signage, access only upon request), the default presumption is against surveillance. This restriction may inadvertently block employers from detecting threats or responding to incidents, including theft, violence, or misconduct that could occur during rest periods or in common spaces.



The bill's operational demands, combined with its broad definition of “workplace surveillance tool” and “worker data” create practical dilemmas. Safety and logistics systems used to prevent theft, support wage and hour compliance, or assist in workplace investigations now require new layers of policy, documentation, and consent. Many employers may ultimately reduce or remove these tools altogether to avoid legal exposure-jeopardizing legitimate, proactive safety efforts in the process.

AB 1331 establishes a prescriptive structure that makes it more difficult for employers to use safety and productivity-enhancing technologies. While attempts have been made to remedy some of these challenges, the bill continues to introduce uncertainty, expand liability, and inhibit lawful responses to workplace threats or misconduct. For these reasons, we respectfully urge the committee to oppose AB 1331 to clearly preserve employer access to safety tools, streamline compliance procedures, and better align with existing legal frameworks.

SHRM and SHRM California are committed to being a valuable resource and trusted partner for policymakers, working together to achieve mutually beneficial legislation. We welcome the opportunity to work with you to achieve this vision.

If you have questions regarding SHRM and SHRM California's position on AB 1331 or other policies impacting the workplace, please contact Mike Rose (mike.rose@shrm.org) or Michael S. Kalt (mkalt@wilsonturnerkosmo.com).

Sincerely,

Emily M. Dickens, J.D.
Chief of Staff and Head of Government
Affairs
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Eric De Wames
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