

INDEX

B

Balancing of Interests

- Charter, 7
- Charter values, 7

C

Conclusion, 97

D

Discipline for Misuse of Technology

- discipline for misuse of technology, 51
- practice points, 61
- privacy interests in electronic monitoring, 49

E

Electronic Surveillance at the Workplace

- admissibility, 36
- direct visual surveillance, 41
- installation of video surveillance, 31
- surveillance in the non-union workplace, 39

Enforceable Search Policies

- case law, 65
- nature of the business, 70
- searches in the non-union setting, 78
- strategies for conducting employee searches, 78
- summary, 76
- • demonstrate the need for the search, 77
- • less intrusive, 77
- • past practice, 78
- • universal or random, 77

I

Introduction

- arbitrators, 1
- fraudulent disability claims, 1
- misuse of technology, 4
- practical approach, 4
- privacy rights, 2
- relevance, 3

M

Medical Examinations

- degree of detail, 95
- duration of absence, 94

Employer's Guide to Surveillance

Medical Examinations (*cont'd*)

- fitness to return to work, 81
- medical evidence required to qualify for sick pay, 93
- nature of occupation, 84
- practice points, 91
- scope of disclosure, 86
- summary, 96
- the company doctor, 89

P

Practice Points for Employers Wanting to use Surveillance

- after the surveillance evidence is obtained, 47
- prior to undertaking video surveillance, 45
- when engaging the private investigator, 46

V

Video Surveillance Outside the Workplace

- doctor, 9
- reasonableness standard, 10
- • exhaustion of other alternatives, 20
- • reliability of objective means of ascertaining injury, 19
- relevance standard, 27
- summary, 30