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The dark side of 21st century flexible work

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The Darkside of 21st Century Flexible work

Introduction

On 11 March 2020, the WHO declared COVID-19 a global pandemic. This was only the beginning of the ripple which brought on a tidal wave of stay-at-home orders, emptying offices overnight, turning kitchen counters and living rooms into offices as millions around the world were forced into embracing remote work. Whilst the practice of telecommuting and remote work has been in existence for many years, employees working remotely and flexibly remained few and far between, often limited to Western and advanced market economies (Lund et al., 2021). However, the context of the COVID-19 pandemic inadvertently accelerated the remote working trend potentially by decades, as organisations globally were forced to rapidly develop and deploy their remote-working capabilities such as videoconferencing, document-sharing tools, and new ways of managing, all out of necessity (Bick et al., 2020). As a result, in response to one of the biggest forced social experiments, we have overcome cultural and technological barriers which once prevented remote work in the past, triggering a lasting structural and behavioural reshaping of where, when, and how work takes place.

Many recognise the opportunities and benefits of remote working – for workers, this represented increased flexibility and autonomy, particularly in helping reconcile demands from work and home, resulting in greater productivity and satisfaction; for organisations, remote working allowed significant and long-term potential of real estate cost savings, more effective deployment of their workforce, and a means of attracting (virtual) international talent. Herein, as we emerge from the pandemic, many organisations are opting to either shift to a hybrid or completely remote working models. For instance, a recent study by Gartner reports that 74% of CFOs surveyed intend to have at least a proportion of their workforce continue working remotely on a long-term basis (Lavelle, 2020). Elsewhere, a study by IBM indicates that 54% of American respondents wished to continue remote working arrangements (Bick et al., 2020). However, it is important to note that such remote and flexible work is paradoxically linked with a dark side of work, where organisations have adopted tracking, monitoring, and surveillance tools in order to exert control over as well as support remote workers' flexibility (Aloisi & De Stefano, 2022; Wang et al., 2021). This gives rise to the term, the flexibility

paradox, wherein higher levels of flexibility beget greater and wider forms of control, a dilemma discussed widely in Chapter XX.

Given the erosion of the once-clear demarcation between work and home in remote and flexible working arrangements, and the increasing proliferation of Artificial Intelligence (AI) being applied to data collected via electronic monitoring and surveillance in key HR activities, the rise of flexible and remote work does not come without challenges and consequences related to privacy, discrimination, ethics, and trust in the employment relationship. As recent forecasts and modelling indicates, advancements in technology has created the capacity for nearly four to five times as many people to potentially work from home in some form compared to before the pandemic (Lund et al., 2021). However, the rapid permeability and adoption of such developments into the private household have far-outpaced the development of clear legal guidelines pertaining to the electronic tracking, monitoring and surveillance of work. As such, HR and management are increasingly at the forefront of managing these new ways of working. This includes having to carefully balance the benefits and costs of how we manage and support flexible and remote work. These issues and their far-reaching consequences need to be more fully understood by HR professionals to ensure that its implementation do not cause more harm than problems it proposes to resolve, particularly now that rather than being the exception, remote and flexible work is fast becoming our new normal.

The rise of remote work and the pandemic paradigm

Recent trends such as the advancements in technology and events such as the COVID-19 pandemic have fast-tracked the emergence of new ways of working, characterised by "a wide range of practices placed on a continuum of work flexibilisation and diversification, from remote work to collaborative entrepreneurship and digital nomadism" (Aroles, Mitey, & de Vaujany, 2019, p. 286). Whilst technology has sometimes been introduced as a means of connecting geographically dispersed remote workers and of enabling their performance, it has also been leveraged as a means of monitoring and surveillance, particularly as managers remain doubtful as to whether workers can be trusted to be productive in their absence (Leeds, 2007; Mazmanian, Orlikowski, & Yates, 2013). Indeed, this was particularly a major concern during the pandemic and was quickly dubbed, the 'productivity paranoia'

(Christian, 2022). In a survey of 20,000 people across 11 countries, Microsoft reported that 85% of leaders struggled to trust that their remote/hybrid working employees were being productive. As a result, many organisations worldwide raced to find electronic means of 'keeping an eye' on employees given it was no longer possible to do so physically. This fuelled demand for worker surveillance tools (Kurkowski, 2021). By 2022, it is estimated that the number of large firms tracking, monitoring, and surveilling their workers has increased two-fold since the start of the pandemic (Morgan & Nolan, 2023; Migliano & O'Donnell, 2022).

Tracking is often a feature of many monitoring systems which may be employed to capture certain employee and production statistics. Electronic monitoring is often therefore more specific to certain activities or operations. More specifically, it involves the use of electronic instruments and/or devices such as audio, video, computer systems or software to collect, store, analyse, and report on individual or group actions and performance (Nebeker & Tatum, 1993; Siegel et al., 2022). Electronic surveillance, on the other hand, is often more encompassing, continuous, discerning, discrete, intrusive, and comprehensive than electronic monitoring. It may also be more indiscriminate and rolled out more widely, beyond key performance indicators or production indices. It is important to note that whilst tracking can support both monitoring and surveillance, monitoring and surveillance are not by default one or the same. The critical point here is how much information is collected, why information is collected, and with whom this information is shared.

Monitoring is often legitimate and legally required to safeguard the well-being of workers, track progress on business goals, and working hours. Organisations may monitor data access and transferrals to protect their customers' privacy, data, and IP (e.g., code). Surveillance is more akin to a risk management approach. The use of more cloud and networked resources to allow employees to work from various locations make organisations incredibly vulnerable to outside attacks and IP theft. Powered by advancements in AI and machine learning, organisations are also making use of electronic data from employees to predict risks associated with employee behaviours such as burnout, quitting, espionage (Kurkowski, 2021). Additionally, organisations may also be motivated to engage in electronic monitoring and surveillance (EMS) to amass data on employees as it can serve as a basis of

evidence-based management (EBM), evidence-based HRM (EBHRM) and HR analytics (Greasley & Thomas, 2020). The adoption of such methods is also increasingly widespread given it permits a means of using seemingly more 'scientific' knowledge in analysing human capital and in improving business performance (Fitz-Enz, 2010; Greasley & Thomas, 2020). This, in turn, has the potential to strengthen the position in which the HR function occupies in organisations, moving into a more strategic, performance- and analytically-oriented role (Lawler, Levenson, & Boudreau, 2004; Levenson, 2005; Mondore, Douthitt, & Carson, 2011).

Whilst we have witnessed a significant increase in the frequency and scope of EMS as a function of the widespread adoption of remote and flexible work, it is important to note that the practice of tracking, monitoring and surveillance is not entirely new. Arguably these practices are inextricably bound with modern management and bureaucracies. The foundations of workplace surveillance can be traced back to the Ford Motor Company's which on top of high surveillance workplace management, developed a Sociology Department, where officers physically patrolled, monitored, and spied on factory workers and their families, outside of their rostered shifts, to ensure there was compliance with a 'moral' and 'healthy' lifestyle (e.g., no excessive alcohol consumption and gambling). These were taken as 'productivity metrics' (beyond clocking in, counting output) as they were conditions which were perceived to have a significant impact on their productivity levels on the factory floor. Poor scores on such 'metrics' had significant implications for individual's compensation and benefits, and employment (Saprong & Reese, 2014; Vitak & Zimmer, 2023). An illustrative metaphor in understanding the impact of such monitoring and surveillance practices at the workplace is Foucault's use of Benthem's panopticon prison design. Central to this metaphor is the concept of self-supervision as the central tower where the guard observes from, is strategically placed where it permits the observation of prisoners in all prison cells at any point in time. Whilst the guard may not be visible to the prisoners, prisoners monitor and adjust their own behaviours as they must operate under the assumption of being permanently visible (Bauman & Lyon, 2013; Danaher et al, 2000; Foucault, 1977).

In the midst of the emerging 4th Industrial Revolution, advancements in digital technologies and AI have made significant progress in efforts to support the rapid switch to widespread remote and

flexible work. Such progress has made EMS cheaper and more efficient, thereby allowing it to be more readily available for adoption and implementation in more workplaces. Increasingly, we see this paradox of flexibility emerge, where remote working can be introduced as a way for workers to have greater levels of flexibility and autonomy (Fried & Heinemeier Hansson, 2013), yet, 'productivity paranoia' associated with hybrid, remote, and flexible forms of work means managers remain sceptical on whether workers can be trusted to work productively in their physical absence (Leeds, 2007; Mazmanian et al., 2013). In response, organisations enlist EMS as means of maintaining supervisory control over productivity in increasingly office-free environments, resulting in a higher number of electronically monitored employees. Some scholars argued that such trends are not all too surprising, as the use of such technology at the workplace is, in fact, a natural evolution and extension of the Fordist Sociology Department. Instead of employing officers to spy on factory workers, this is being replaced by the omnipresent, invisible, and unblinking digital eye(s) of technology (Holland & Tham, 2020; Saprong & Reese, 2014).

What is distinctive of EMS through the pandemic paradigm is its pervasiveness, ubiquitousness, and intrusiveness. This is partly enabled by the advancements in digital devices, software, and systems, creating a portable panopticon (De Saulles & Horner, 2011; Holland & Brewster, 2021) that is capable of watching and recording every word, keystroke, and click as we work in our homes. Indeed, with the increasing adoption of remote and flexible working models, boundaries between where and when work begins and ends only exacerbates the potential intrusiveness of EMS. For instance, designed as means of fostering interconnectedness among remote workers, Sneek is a videoconferencing-call software that is perpetually on, taking webcam pictures of employees and uploading them on 'a virtual wall' so managers can observe the whole team whilst they worked remotely (Holmes, 2020). Software allowing managers to have remote access to employees' systems attempts to replicate the openness and informality of managers walking around and lending team members a helping hand. Other software have been designed to track and collect electronic data on employees. Time Doctor, Teramind, ActivTrack and Insightful are among some of the most popular EMS software which allow discrete and intermittent recordings of employees' screens whilst they work and tracks a range of activities such as

login times, keystrokes, active time spend on applications (e.g., MS Word), search histories, and bandwidth utilisation as a means of productivity. Managers are sent notifications when tracked data indicate the employee is distracted (e.g., on social media), perceived to be taking excessive breaks, or engaging in potentially suspicious activities (Laker et al., 2020; Migliano & O'Donnell, 2022). In combination with advancements in biometric data collection, EMS software and equipment today also boasts capabilities in collecting such data in office-free working environments. For instance, employees may be required to scan fingerprints or faces to clock-in and out, or their eye movements can be scanned via webcams to track employee attention (Morgan & Nolan, 2023).

The contemporary EMS landscape is a combination of AI and machine learning, with the potential to power exponential growth in volume, scope and depth of data organisations are able to collect on workers. This enables new ways of 'assessing performance' and policing behaviours, ultimately performing the role of a 'virtual Sociology Department'. In applying algorithms, software like Produscore calculates a daily 'productivity score' from weighing and aggregating data collected via tracking individuals' emails, messaging apps, browsers, and databases. Even seemingly innocuous applications many of us use on a daily basis such as Microsoft 365 had once produced productivity scores and charts based on individual activity across various applications such as email (MS Outlook), calendars, and calls (MS Teams) (Cyphers & Gullo, 2020; Silverman, 2020). AI recognition technology scans facial expression, tone of voice, and together with the mining of emails and chat communications, software such as Read, an extension application to Zoom (virtual meeting platform), can produce insights on individual engagement and sentiment. Other AI monitoring technology coupled with predictive analysis can also be used to flag whether a worker is likely to engage in certain undesirable behaviours e.g., quit, espionage, theft. For instance, Veriato scans the text of individuals' emails and chats, and calculates a daily 'risk score' for each worker, representing the probability that they may be disgruntled and may engage in behaviours which may harm the organisation. As such, the expansive practice and capabilities of EMS today requires much careful consideration, especially as these are often uncharted and unregulated (legal) terrains. The following sections explores the issues associated with EMS in our increasingly distributed workforces.

The value of electronic monitoring and surveillance in remote work

There are several key and practical factors that encourage organisations to engage in EMS to 'watch' their employees, particularly in instances where workers are engaging in work remotely. The first and foremost being the ability to monitor, manage, and improve performance of individuals, and thereby, the organisation (Gagne & Balve, 2011). In fact, the simple presence of electronic monitoring has been reported to encourage higher levels of accountability, integrity, and concentration (Ball, 2010; Idema & Rhodes, 2010; Ravid et al., 2019; Wang et al., 2020), therefore encouraging higher levels of performance. Research has suggested that individuals are more likely to engage in helpful behaviours beyond the requirements of their jobs if they perceive such behaviours are being monitored (Bhave, 2014). Additionally, EMS also enables the accurate, timely, and consistent collection of information on workers' workflow processes and performance, which could be helpful in providing insights on *how* managers can support the development of individual and team productivity, whilst effectively managing wastage, inefficiencies, and inappropriate behaviours (e.g., social or cyber loafing, theft) (Saprong & Reese, 2014). Productivity scores, dashboards, charts generated by software such as Produscore or Microsoft 365's MyAnalytics provide the opportunity for managers to pinpoint chock points in the work system such as team members being bogged down by too many virtual meetings or requiring developmental help with tasks. Indeed, research has found that electronic monitoring, when used in a developmental and supporting manner, can improve performance, job satisfaction, and wellbeing (Ravid et al., 2019; Wells et al., 2007).

A second key point relates to the issue of safety and security. This can include the protection of individuals' safety and wellbeing, including employees and other critical stakeholders such as the community or the public, and the safeguarding of corporate interests and trade secrets (Ball, 2010; West & Bowman, 2016). Fundamentally, employers have a basic duty of care to ensure the safety and wellbeing of their workers. Software tracking productivity (e.g., Teramind tracking keystrokes, time spent on applications) and levels of engagement (e.g., Read application on Zoom uses AI facial scanning) could alert a manager that an individual may be at the early stages of burnout if he or she is normally very active, participative, and engaged in meetings, chats, and emails but begins to clock

metrics of much lower activity and engagement levels. This enables a manager to take proactive measures in minimising stress and other psychosocial risks for workers, despite having limited visibility in physically observing them (Aloisi & De Stefano, 2022). Another threat to individual wellbeing in remote and flexible working environments relates to social isolation. Managers may use electronic monitoring tools to help in recreating the sense of cohesion as one would experience when working in a shared physical space. For instance, Pesto reads and synchronises individuals' calendars and music playlists while Sneek captures webcam photos of workers intermittently and circulates among team members to replicate the sense of 'proximity' and togetherness as one would experience working in the same office. In certain workplaces, EMS tools may also be used to protect workers against potential lawsuits or formal complaints. In the context of call centre workers, Seawell, Barker, and Nyberg (2012) noted that individuals felt at ease, knowing recordings of customer interactions existed to protect them in instances of complaints. For customers, organisations are compelled to ensure that their data, especially those of sensitive nature such as health and credit card information, are handled with utmost care. EMS software such as RemoteDesk leverages real-time facial recognition via webcams and object detection technology to alert workers when they are in instances of potential security breach. This might be when a recording device (e.g., phone) comes into view, ensuring their workers are always operating in secure environments, no matter where and when that might be. For employers, electronic means of monitoring including emails, Internet usage and footprint could serve to protect against the risks of sabotage, data theft, hacking and espionage activities (Vitak & Zimmer, 2023). As noted, software such as Veriato and KeenCorp uses data collected via EMS and predictive analysis to flag potential risks of misconduct behaviours and disengaged employees based on a score generated from existing data available in the daily workflow such as word patterns in emails (Bales & Stone, 2020; KeenCorp, 2018).

A third point is when effectively designed and implemented, electronic monitoring and collection of accurate data could offer data-based insights to support faster and more effective decision-making practices aimed at in improving processes and performance (West & Bowman, 2016). Employees working under conditions of having their performance electronically monitored have also reported to perceive that their treatment by management to be more procedurally fair (McNall & Roch,

2007) as they believe their performance is more accurately captured thereby, positively impacting task satisfaction (Stanton & Julian, 2002). More generally, Bekkers, Edwards and de Kool (2013) also note that electronic monitoring has the potential to facilitate higher levels of transparency, clarity, and accountability in decision-making. These, in turn, not only helps reinforce HR's strategic function in organisations (Lawler et al., 2004; Greasley & Thomas, 2020), but also aids in improving workers' levels of trust in their organisation (Bekkers et al., 2013).

Whilst there may be several germane reasons and benefits to the use of EMS to track, monitor and surveil workers, there are also various cautionary considerations organisations and managers need to be aware of, particularly in an era where such technology is readily available and easily implementable. This firstly, includes the overreliance on such wholesale datafication in making key HR decisions such as hiring, performance evaluations, promotions, and disciplinary actions. Central to this concern stems from the limited checks and balances in ensuring reliability and validity in the data collected via EMS, and the potential ethical issues which may arise when applied to making key decisions in the employment relationship. Secondly, organisations and managers should be wary of how EMS can quickly go down the slippery "functional creep" slope, where monitoring initially used for one purpose is extended (often without the knowledge of those being monitored) to other purposes (Vitak & Zimmer, 2023). For instance, webcam-based EMS technology such as RemoteDesk could be initially introduced as a means of ensuring workers handling sensitive data in their work are in a secure working environment to avoid potential security breaches. However, the same EMS technology may also be leveraged to track how often workers may be distracted on their mobile phones as this is also considered device with recording capabilities and would be flagged by the EMS system as a potential security breach. The pervasiveness and unboundedness of EMS' functional creep capabilities is exacerbated not just by the advancements in technology, but by the rapid growth of flexible working arrangements and together with it, the blurring boundaries between work and non-work (Hansen & Weiskopf, 2021; Tham & Holland, 2021). Together, this has the potential to rewrite the informational and power asymmetry in the employment relationship, allowing the organisation to have heightened visibility over their workers' every move, thought, and intention (Alder-Bell & Miller, 2018). Whilst

we may have, overtly, increasing flexibilisation of work arrangements, it may be accompanied by a dark side of being subjected to greater levels of 'invisible' and total control that EMS can enable organisation and managers to have or what has been termed, the flexibility paradox – see chapter XX (Alder-Bell & Miller, 2018; Ball, 2022; Hansen & Weiskopf, 2021). To a certain extent, these issues are driven by the fast and widespread adoption in workplaces in response to the forced move to remote working as mandated by COVID-19 stay-at-home orders (Vital & Zimmer, 2023). These developments have far outpaced the legal boundaries in many countries which govern workers' rights to the protection and privacy of their data, particularly in increasingly office-free working environments (Ball, 2010; Nguyen, 2021; Tham & Holland, 2021; Vital & Zimmer, 2023). Together, these factors here have the impact of challenging the boundaries of privacy and ethics and therefore, the quality and integrity of the employment relationship. The following section explores these potential complex ethical, legal, and social negative implications of EMS in the context of increasing flexibilisation of work.

The dark side of electronic monitoring and surveillance in remote work

One of the primary impetuses for engaging in EMS is its capacity to track, monitor, and develop employee performance by being able to conduct accurate and timely performance appraisals and provide constructive and specific feedback (AMA, 2001; Holman et al., 2002; McNall & Roch, 2009). However, research indicates that EMS specifically for performance purposes could elicit significant negative impact on performance, employee attitudes and behaviours, and the employment relationship that outweighs its positive effects (Aloisi & Gramano, 2019).

In some circumstances, EMS may even induce unintended consequences, some of which may be the exact counterproductive or undesirable behaviours EMS is meant to discourage in the focus on greater productivity (Tham & Holland, 2021). When EMS is being used to watch certain behaviours in determining one's level of productivity, it sends clear signals as to which behaviours are expected and valued in an organisation (Holland et al., 2016). Indeed, research substantiates this notion as evidence suggests that tasks which are monitored are perceived by individuals to be more critical and worthy of attention as opposed to non-monitored tasks (Ball, 2010). In this pandemic paradigm where simple proxies such as keystrokes, number of emails sent, time spent on applications are being used as

productivity metrics and may appear to support the basis of "evidence-base" HR decisions in the absence of physical managerial observation, contrarily it can inadvertently encourage new forms of what Zuboff (1988) termed as anticipatory conformity. This is essentially where individuals engage in self-monitoring behaviours, which are often safe, passive, and docile to ensure they conform to the behaviours the organisation is monitoring and using as a measure of performance. This can promote an overly narrow focus on the quantified proxy measures (e.g., keystrokes, number of messages sent) may come at the expense of activities critical to individual, team and organisational performance such as ideation, brainstorming, planning, and collaborative teamwork (e.g., "if it isn't counted, it doesn't count"), activities which may be critical in generating tangible results (Hanley & Hubbard, 2020; Nguyen, 2020). For instance, in a sample of remote workers, Bakewell et al. (2018) found that engineers avoided assisting a colleague as that time spent would have been considered unaccounted for in their newly introduced continuously monitoring EMS system and performance metrics, thereby discouraging what would have been a naturally occurring organisational citizenship behaviour (OCB). Indeed, research has also found that high levels of intrusive EMS encourage individuals to minimise the frequency of OCBs and positive social exchanges with colleagues (Grant & Mayer, 2009; Korsgaard et al., 2010). These in turn, can compound feelings of workplace isolation (Mulki et al., 2008), a common challenge for those working remotely or virtually and a threat to overall productivity, worker well-being and turnover.

Using EMS for performance could also unintentionally encourage undesirable and ultimately unproductive behaviours as workers may identify ways to 'game' the system. It was not long before the Internet and social media had numerous posts on such tips and tricks e.g., hoisting the laptop lid open with a wine cork pressing down on a key on the keyboard, so it appears as though a worker is constantly typing furiously on a blank MS Word document. Research also found that workers may rather engage in time-consuming behaviours to hide problems encountered at work as opposed to formally requesting for assistance and risk leaving a digital trace of it (Bakewell et al., 2018). For example, productivity dashboards that make individual productivity metrices visible to all team members are meant to foster transparency, collaborative troubleshooting, and a felt sense of cohesion

in geographically dispersed teams. However, these can also have the unintended effect of engendering 'lateral surveillance', where individuals are watched by not just their managers, but their peers as well. This in turn, may also encourage individuals to engage in ultimately unproductive behaviours such as masking problems encountered in work tasks rather than engage in collaborative problem-solving, all in the sake of appearing 'productive'. Research evidence supporting the use of EMS for enabling higher levels of performance is few and far between, with evidence generally supporting a negative impact of performance (e.g., Becker & Marique, 2014; Thompson et al., 2009). In fact, a recent meta-analysis by Siegel et al. (2022) finds that overall, there is no significant relationship between monitoring and performance.

Another instrumental reason organisations and managers engage in EMS is to capture and assess worker performance more accurately and fairly as its reach far exceeds manager's physical observation. This can be particularly valuable given workers are increasingly geographically dispersed as remote and flexible working arrangements are fast becoming commonplace, and the rise in project-based work in the knowledge industry, where individuals may work in project teams or with clients without direct working contact with their reporting managers. However, there are concerns related to the accuracy, reliability, and validity of using EMS-collected data in determining performance (Mateescu & Nguyen, 2019). EMS technology which has experienced significant boom during the COVID-19 pandemic, such as, Hubstaff, Teramind, and Insightful, tracks and records productivity 'proxy' measures such as keystrokes and mouse movements to calculate a productivity score which can be shared with both individual workers and their managers. A concerning issue is that these 'proxy' metrics can be overly narrow, rigid, and at times, may ultimately be an inaccurate measure of individual productivity. For example, as a social experiment, together with his supervisor, a New York Times journalist trialled Hubstaff for several weeks and found that it consistently reported his productivity scores as less than 50% despite working up to 14-hour days. The EMS tool only tracked his typing and mouse movements and did not capture time spent making phone calls and other essential noncomputer work (Satariano, 2020).

The reliance on EMS data to determine performance may not always be free of bias. For instance, webcams combined with AI recognition technology scanning used to track workers' time spent at work, facial expression, tone of voice etc. to determine individual levels of productivity and engagement levels may have ingrained inaccuracies and biases. This can be attributable to the fact that AI models are built based on previously available data which may be biased as minorities may already be underrepresented (Ball, 2022). Particularly, facial recognition technology has been shown to suffer from gender and racial bias. AI algorithms struggle to accurately identify people with darker skin tones, with reports of workers therefore consistently having troubles being recognised by facial recognition systems in ways their colleagues with lighter skin did not (e.g., being signed out of systems for prolonged inactivity despite being in front of their screens and having to spend time re-scanning). This creates obvious concerns around whether their 'performance' is being accurately captured by such EMS technology. Such concerns have been cautioned by scholars, where the widespread and unchecked use of EMS technology and AI in automising key HR decisions and processes could further perpetuate discriminatory biases (Aloisi & Gramano, 2019).

Contemporary use of EMS technology in remote and flexible working environments also raise some significant and unique concerns related to privacy and ethics, especially with increasingly enmeshed temporal and spatial boundaries that used to clearly demarcate 'work' and 'private' spheres. Advancements in EMS technology also allows for monitoring powers which far surpasses that of our human gaze or traditional analogue surveillance systems. Increasingly, many of us working remotely and flexibly are being exposed to omnipresent, real-time, and individualised EMS that is not confined to the workplace or working time (Katsabian, 2019), giving managers and employers essentially, an "open window" to workers' homes and private lives – the "pandemic panopticon" (Aloisi & De Stefano, 2021).

Webcam-based EMS technology such as Sneek can be constantly on. This may mean that it could be actively watching and listening in to workers even outside of work, including time, conversations, and spaces that are private given the difficulties in clearly delineating when the former stops and the latter begins in remote working settings. With an example of a New York Times writer

who repurposed his kitchen as his home office spot, the EMS software would capture his family members and their private background conversations (Satariano, 2020). In other cases, workers completing work on personal computers are still required to be subjected to their organisation's EMS, whether that is allowing intermittent screenshots of their screens to be taken or supervisors and/or colleagues being able to remotely access their computers. This means that employers potentially have access to personal private information such as banking, passwords, medical records, and correspondences with doctors and the potential for such information to be hacked via work. Accordingly, scholars and international watchdogs alike have highlighted growing concerns pertaining to the scope and intensity of privacy invasion in contemporary forms of EMS adopted in remote working settings (Ball, 2021; Hern, 2020; Vatcha, 2020). These concerns can be exacerbated as it can often be unclear when such data might be collected, how such data is being used and stored, and what measures are put in place to ensure the capturing of data related to non-work activities (or time) are discounted and not used in punitive ways against workers (Vitak & Zimmer, 2023).

In some cases where such EMS technology is also used to measure individual productivity, some individuals may be unfairly penalised for decreases in productivity if the software has rigidly defined parameters (e.g., number of focused hours within a predefined and fixed working day window). This may inadvertently penalise certain groups of workers who may not always conform to such standard work patterns. For instance, women are more inclined to integrate and oscillate between meeting role demands from both work and home throughout the day (Gudeta & van Engen, 2018) as there are still expectations to fulfil normative gender roles and shoulder most of the care and domestic responsibilities (Drew & Humbert, 2012).

The adverse impact of EMS systems on work intensification and workers' wellbeing are also well known (Chillakuri & Vanka, 2021; Wang et al., 2021). Particularly in instances where EMS is implemented in ways that are punitive, limits individual autonomy, or used as means of pressurising high performance, it is likely to increase workers' stress levels (cf., Alge & Hansen, 2013; Backhaus, 2019; Holland, Hecker & Cooper, 2015; Mallo, Nordstrom, Bartels, & Traxler, 2007; Ravid et al., 2019). Being subjected to EMS over a working day, across a large proportion of our adult lives could

have significant negative implications for an individual's health and wellbeing in the long run (Bosco et al., 2015; Funder & Ozer, 2019).

Contemporary forms and uses of EMS in remote and flexible working environments has stretched the boundaries of the granularity, scale, and frequency of data collection (Further, Mattescu, & Nguyen, 2019; Vitak & Zimmer, 2023). Such 'digital exhaust' has the capacities to compound EMS' negative effects on individual wellbeing (Leonardi, 2021). Indeed, recent research evidence from studies conducted during the pandemic of remote working indicates identifies that EMS can exacerbate presenteeism tendencies, a concerning trend particularly among remote workers (e.g., Bathini & Kandathil, 2020; Bulinska-Stangrecka et al., 2021; Sinclair et al., 2020). Individuals working remotely report higher levels of work intensification (Mallett et al., 2020), ultimately, working longer hours than before (Bolisani et al., 2020; DeFilippis et al., 2020; Rees, 2020). Workers subjected to high levels of EMS tend to report higher levels of anxiety (Indiparambil, 2019), emotional exhaustion (Baer et al., 2015), stress (Mallo, Nordstrom, Bartels, & Traxler, 2007) and burnout (Adams & Mastracci, 2018).

An illustrative example of such impact of EMS in contemporary remote working settings is the case of Barclays. The British bank came under the Information Commissioner's Office's investigation in 2020, where they faced a potential fine of £865 million for breaching privacy laws when it used Sapience Analytics surveillance software to track its remote workers. Initially launched to monitor staff anonymously, without the knowledge of its workers, Barclays enabled a feature which allowed managers to track individual employees' productivity score – of which included a calculated percentage of working time in 'the zone' (high concentration and productivity). Employees were sent automatic alerts of their scores and prompts throughout the day on how to improve their time in 'the zone' (e.g., putting mobile phones away). What raised concerns was the fact that the software would also log bathroom visits as 'unaccounted activity', which could negatively impact their productivity scores. The whistleblower described "the stress this (use of Sapience Analytics) is causing is beyond relief", with employees' accounts detailing how they were too anxious to step away from their desks to fetch water or use the bathroom in case it had negative repercussions for their performance.

Related to the discuss above, research has also found the potential of highly intrusive EMS to have an adverse impact on employee attitudes and behaviours. From a stress perspective, scholars have

purported that EMS' pressure on work intensification is likely to have a flow-on effect in hampering job satisfaction (Holman et al., 2002). From the work design lens (Parker, 2014), there may be a tendency to simplify job tasks (in complexity and variety) as this makes monitoring and tracking EMS easier, effectively reducing employee's autonomy and thereby, job satisfaction. To this end, several studies (Alge & Hansen, 2013; Backhaus, 2019; Ravid et al., 2019) and meta-analysis (Siegel et al., 2022) have found a negative relationship between EMS and job satisfaction. The presence of EMS technology can also signal a lack of trust – shaking the foundations of the employer-employee relationship (Migliano & O'Donnell, 2022). Indeed, if workers perceive EMS to be a signal of mistrust and a violation of the employment relationship, individuals will likely restore equity in the relationship by disengaging (Migliano, & O'Donnell, 2022), reducing levels of organisational citizenship behaviours (Jeske, 2011), and commitment to colleagues, supervisors, and the organisation (Ball, 2022). In some cases, employees may even retaliate by engaging in counterproductive work behaviours (Bakewell et al., 2018; Martin et al., 2016).

The future

We conclude this chapter with a few final propositions for discussions for, practitioners, and managers. One of the key challenges, when we discuss the dark side of flexibility, is that our concepts and understanding of privacy at work are often insufficiently explicit, clear, and mutually agreed (Lockwood & Nath, 2021). A nebulous sense of privacy as well as implicit and largely vague psychological contracts formed by the workforce, can increase the likelihood that employees and organisations experience a conflict over tracking, monitoring, and surveillance practices. Transparency in communication, mutual commitment and accountability are all key to ensuring that both the workers and the organsition clearly outline their expectations around privacy and work in a way that supports the adoption of solutions and work practices (Vatcha, 2022). A number of resources on employee monitoring and its conversion into fully fledged employee surveillance may be helpful here (Indiparambil, 2019; Hagen et al., 2018; McParland and Connolly, 2020; West and Bowman, 2016; Yost et al., 2019).

Another area for more discussion around “flexible work” or “remote work” (Bal & Izak, 2020), it is important to reflect on our use of the term “at work”. For the majority of, managers, and employees, the idea of "at work" still implies a fixed location like an office and/or time. This location specificity around working and our assumptions about work require a rethink, similar to how we now store data in the cloud and distributed data centres, rather than specific office-based servers. Not all organisations are ready for a digital transformation of their business and business model that could support a fully remote workforce. Similarly, many organisaitons are still clinging on to older leadership models that emphasize control, rather than other leadership models such as inclusive (Antonacopoulou & Georgiadou, 2021), servant leadership (Al-Asfour et al., 2022) or liberating leadership (although it is clear that these leadership models also have their limitations, see Picard & Islam, 2019). The COVID-19 pandemic has sparked new interest in leadership in changing times as non-coercive and supportive (Crevani et al., 2021). Situationally appropriate leadership competencies are, in addition to business transformation, HR operational and budget reviews, important cornerstones of future remote working ambitions.

This also connects to divergent workforce expectations. Since COVID-19’s emergence in 2020, many organisations adopted new work practices to support the needs of the business and to meet workers’ requests for more flexibility (Allstrin et al., 2022). In the last three years, many formerly on-site employees transitioned into more remote roles, either due to lockdowns or by choice. Many organisations are not equipped to meet all requests for employee and work flexibility indefinitely. In short, workforce flexibility may be operationally and organizationally dependent: at some times a possibility, and not in all instances and at all times. The cross-functional collaboration required to implement many monitoring and surveillance tools further complicates matters for many of these organizations (Jeske & Calvard, 2022). These circumstances require open discussion and efforts to reach agreement with workers in order to counteract potential conflicts in expectations regarding the form of flexibility that will be open to remote workers in the future (e.g., by adopting clearer HR guidelines, managerial communications in hiring and onboarding; Bal & Izak, 2021).

Conclusion

While this chapter focuses more on white-collar workers, it is important to remember that time and location monitoring are also increasingly common among many blue-collar workers like handyman who now log their repairs, locations, and pictures of their work with laptops for their employers while on the go. In this case, the tracking of work completed and monitoring of employees is the result of more and more organisations outsourcing cleaning, repairs and maintenance to larger vendors. These vendors often adopt these practices to manage large-scale operations of their distributed workforce and tie these operations directly to the workflow related to ticketing and billing processes. For many of these workers, their pre-pandemic working arrangement did not necessarily change, compared to many remote workers who are knowledge workers and moved their base of operations from offices to their homes. Nevertheless, in this case, many tradespeople now bring remotely monitored equipment to the various sites where they work, including the home of customers.

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