

PRESS RELEASE: MAY 19, 2015

## **Case involving employee fired for disabling tracking app on her cell phone when she was not working captures national media attention.**

An AK+G case brought by Gail Glick and Brett Beeler involving an employee who claims she was fired because she refused to enable an app that would track her location even when she was off the clock has captured national media attention.

Gail Glick has appeared on:

CBS Radio, WPHT, Philadelphia, “The Rich Zeoli Show” (May 18);

Air Talk with Larry Mantle at noon (KPCC 89.3) (May 18)

<http://www.scpr.org/programs/airtalk/2015/05/18/42909/watching-workers-debating-the-legality-of-24-7-tra/>;

HLN’s “The Daily Share” (May 15); Fox Network’s “Fox and Friends” (May 15) [http://video.latino.foxnews.com/v/4235960072001/worker-fired-after-uninstalling-gps-app-that-tracked-her/?playlist\\_id=930909787001](http://video.latino.foxnews.com/v/4235960072001/worker-fired-after-uninstalling-gps-app-that-tracked-her/?playlist_id=930909787001);

Fox Business Network’s “Varney & Company” (May 14) <http://video.foxbusiness.com/v/4238731871001>;

AM 910, San Francisco (May 14);

WGN Chicago (May 14); CBC Radio Toronto (May 14) <http://www.cbc.ca/news/technology/employee-tracking-apps-raise-worker-privacy-questions-1.3075673>;

and KFI News Los Angeles (May 13).

The case was the third item on MSN’s desktop (May 13) <http://a.msn.com/01/en-us/BBjldhh?ocid=se> and was featured on CNN Money (May 13) <http://money.cnn.com/2015/05/13/technology/fired-gps-app/index.html>.

Other coverage has included:

Bloomberg News (May 18) <http://www.bloomberg.com/news/articles/2015-05-18/your-boss-is-now-tracking-you-at-home>;

<http://www.cbsnews.com/news/do-companies-have-a-right-to-track-employees-247/>

<http://www.dailykos.com/story/2015/05/12/1384113/-Women-Allegedly-Fired-For-Refusing-To-Allow-Her-Boss-24-7-Monitoring>

<http://www.examiner.com/article/woman-fired-after-disabling-company-required-gps-app-that-tracked-her-24-7>

<http://www.cultofmac.com/322420/intermex-privacy-lawsuit/>

<http://www.businessinsider.com/a-woman-was-fired-for-deleting-an-app-from-her-phone-2015-5>

<http://www.legalreader.com/lawsuit-calls-intermexs-247-gps-policy-an-invasion-of-privacy/>

<http://l.inq.cm/2084389/employer-brags-about-placing-247-tracking-app-on-employee-phones-fires-woman-who-deletes-it/>

<http://www.digitaltrends.com/mobile/employee-fired-delete-tracking-app-news/>

<http://www.brudirect.com/0-science-technology/science-technology-security-privacy/item/24970-woman-allegedly-fired-for-deleting-iphone-app-that-monitored-her-24-7?tmpl=component&print=1>

<http://mashable.com/2015/05/11/california-lawsuit-location-tracking-app/>

<http://www.techeye.net/business/company-used-apple-app-to-spy-on-worker>

<http://tippingpitchers.com/showthread.php?t=86710>

<http://www.hntimes.com/2015/05/woman-sues-company-that-allegedly-made.html> (Hanoi Times)

<http://www.nyooztrend.com/regional/330458-worker-fired-for-disabling-gps-app-that-tracked-her-24-hours-a-day.html>

<http://community.aarp.org/t5/Politics-Current-Events/Employer-App-Tracks-Woman-24-7/td-p/1571111>

<http://www.courthousenews.com/2015/05/08/timecard-app-tracks-workers-woman-says.htm>

[http://news.yahoo.com/sign-times-employee-fired-removing-gps-tracking-app-155924671.html;\\_ylt=A86.J3ZZQ1JVXF8AIS8nnIIQ;\\_ylu=X3oDMTByMXM3OWtoBGNvbG8DZ3ExBHBvcwM4BHZ0aWQDBHNIYwNzcg--](http://news.yahoo.com/sign-times-employee-fired-removing-gps-tracking-app-155924671.html;_ylt=A86.J3ZZQ1JVXF8AIS8nnIIQ;_ylu=X3oDMTByMXM3OWtoBGNvbG8DZ3ExBHBvcwM4BHZ0aWQDBHNIYwNzcg--)

[http://www.slate.com/blogs/future\\_tense/2015/05/11/intermex\\_employee\\_says\\_she\\_was\\_fired\\_for\\_deleting\\_xora\\_gps\\_apps.html](http://www.slate.com/blogs/future_tense/2015/05/11/intermex_employee_says_she_was_fired_for_deleting_xora_gps_apps.html)

<http://www.cnet.com/news/woman-allegedly-fired-for-deleting-iphone-app-that-monitored-her-24-hrs-a-day/>

<http://www.theguardian.com/technology/2015/may/12/us-employee-myrna-arias-sues-intermex-xora>

<http://yro.slashdot.org/story/15/05/11/2058223/worker-fired-for-disabling-gps-app-that-tracked-her-24-hours-a-day>

<http://arstechnica.com/tech-policy/2015/05/worker-fired-for-disabling-gps-app-that-tracked-her-24-hours-a-day/>

<http://www.wci360.com/news/article/timecard-app-tracks-workers-woman-says>

Coverage first appeared in Courthouse News Service in an article by Rebekah Kearn on May 8, 2015: [www.courthousenews.com](http://www.courthousenews.com)

The case in broad outline: Myrna Arias worked for a money transfer company, Intermex Wire Transfer LCC. Soon after she was hired, she was required to install an app on her cell phone that she believed tracked her location even when she was off the clock. Arias claims she refused to keep the app running on her company issued cell phone at all times or waive her right to privacy, and she was fired as a result.

Arias is suing Intermex in Kern County Superior Court. She filed suit on May 5, 2015. Arias is claiming damages for lost earnings and wages in excess of \$500,000. She also seeks an injunction prohibiting her former employer from continuing to require its employees to maintain GPS tracking devices on their cell phones.

Glick said that while an employer can legally monitor an employee at work if there is a “legitimate business interest in doing so, if an employee can’t stop the intrusion during off work hours, then that is a complete violation of our laws against invasion of privacy.”

Glick said that Arias objected to the app because she determined that there was no way to turn off its GPS tracking feature. Glick pointed out that Arias believed that even if she turned off the app on her phone, its GPS would still be running in the background.

Intermex, a vendor of money wire-transfer services, has 30,000 locations worldwide and offers services in 45 states and 16 Latin American countries. Arias worked for Intermex as a sales executive and account manager from February 10, 2014 to May 5, 2014.