



September 3, 2026

The Honorable Governor Gavin Newsom
 Governor, State of California
 1021 O Street, Suite 9000
 Sacramento, CA 95814

**SUBJECT: AB 1883 (BRYAN) EMPLOYMENT: WORKPLACE SURVEILLANCE
 REQUEST FOR VETO**

Dear Governor Newsom:

The California Chamber of Commerce, and the organizations listed below, respectfully urge you to **VETO AB 1883 (Bryan)**. **AB 1883** definitions are broad, and the bill offers no workable safety exception. This exposes employers to civil penalties even for AI-enhanced security systems adopted to comply with existing state mandates like SB 553's (Cortese)'s workplace violence prevention requirements.

AB 1883's Workplace Surveillance and Artificial Intelligence Definitions are Overly Broad

AB 1883 would codify a definition that we have consistently argued is far too broad. The bill defines a "workplace surveillance tool" to include any "instrument" or "device" that collects any "employee data." This definition is broad enough to sweep in routine workplace tools such as video security systems, fatigue detection systems, and EAP chatbots. Compounding the problem, **AB 1883** layers on a separate, equally sweeping prohibition on tools that incorporate "artificial intelligence" on top of this definition. These definitions create a broad prohibition on most modern security systems employer's use.

AB 1883 Does Not Provide a Meaningful Safety Exception

Proposed Section 1581(a)(1) prohibits any use of a workplace surveillance tool that uses AI and is "capable of" recognizing or making inferences about a worker's "emotional state." While Section 1581(b) purports to exempt tools "used to ensure safety," that exemption is illusory as drafted. The exemption only applies when the tool "does not meet the specifications in subdivision (a)." This means any AI-enabled safety tool that also happens to be "capable of" "emotional-state" inference falls outside the exemption entirely, regardless of its intended safety purpose.

We understand there are scenarios where guardrails should govern how these tools are used, or when they may support an adverse employment action. However, a blanket capability-based prohibition sweeps in legitimate safety technology alongside any genuinely concerning uses. This is particularly consequential considering SB 553, which requires employers to adopt workplace violence prevention plans. The security tools employers have deployed to comply with SB 553 increasingly rely on enhanced AI capabilities to detect and immediately alert employees to a threat within the workplace. Many of these systems, by their nature, analyze behavioral or physiological indicators that could be characterized as "inferring emotional state," such as agitation, distress, or aggression.

For example, an employer complying with SB 553 might install an AI-enabled security system to detect threatening behavior and alert staff in real time. To distinguish a genuine threat from routine activity, the system's underlying model necessarily relies on behavioral cues that amount to an inference about a worker's "emotional state," even though the tool's only purpose is to prevent violence. Because the system is AI-enabled and therefore "capable of" the kind of behavioral inference Section 1581(a)(1) prohibits, it would not qualify for the safety exception in Section 1581(b) despite being adopted specifically to comply with SB 553. The result is that **AB 1883** would expose an employer, including small businesses, to civil penalties up to \$500 per violation for using the exact type of AI-enhanced threat-detection technology that SB 553 incentivized employers to adopt. Further, because "emotional state" is not defined, it opens employers up to litigation to determine what "emotional state" means.

AB 1883 Creates a Vague Venue Standard

Proposed Section 1582(e) describes where a civil action under the bill may be brought. It includes a provision that states the civil action may be filed "wherein the person resides or transacts business." This subdivision appears to be broader than existing California

Code of Civil Procedure Section 395 regarding proper venue. We want to ensure that this provision does not broaden the scope of where civil actions can be filed beyond existing venue rules so as not to encourage forum shopping.

For these reasons, we urge you to **VETO AB 1883 (Bryan)**.

Sincerely,



Andrea Lynch
Policy Advocate- Labor, Employment, and Workers Compensation
California Chamber of Commerce
And the Organizations Following

American Petroleum and Convenience Store Association (APCA)
Associated General Contractors – California
Associated General Contractors – San Diego
Building Owners and Managers of California (BOMA)
California Apartment Association
California Assisted Living Association
California Association of Sheet Metal and Air Conditioning Contractors National Association (CAL SMACNA)
California Association of Winegrape Growers (CAWG)
California Attractions and Parks Association
California Business Properties Association
California Craft Brewers Association
California Distributors Association
California Grocers Association
California Hospital Association
California Landscape Contractors Association (CLCA)
California League of Food Producers
California Manufacturers and Technology Association (CMTA)
California Moving and Storage Association
California Restaurant Association
California Retailers Association (CRA)
California's Credit Union
Civil Justice Association of California, Annalee Augustine
Family Business Association of California
Los Angeles Area Chamber of Commerce
National Association of Independent Property Owners (NAIOP)
Resource Recovery Coalition of California (RRCC)
Security Industry Association (SIA)
Self-Storage Association
SHRM California
TechNet
Western Growers
Wine Institute

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