

Good Business or Big Brother? In-Office Tracking is a Contentious Subject and Messaging Matters

Law firms track everything from badge swipes to keystrokes for their employees. But is putting a person's location in a public forum a bridge too far?

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Goodwin Procter announced earlier this week that it was rolling out a system called “Colleague Connect,” which would allow employees to search a firm-wide database to see who is in the office at any given time. The email said the firm believed it would “enhance the way we interact with each other, making our office communication more efficient and productive.”

Not everyone saw it like that.

Comments from a Fishbowl posting showing a snapshot of the email Goodwin sent out ranged from slightly snarky (“My firm just puts a chip in us because some just leave their phones at their desk”) to slightly less snarky with a dark edge (“It’s not like the firm doesn’t track this info already. It’s invading ‘privacy’ you never had.”) to supportive (“Honestly, I appreciate this, it’s always a pain to figure out who is in when I’m in.”)

Depending on where one sits, all three can be valid.

Goodwin—which said in a statement that it is “committed to continuing to improve the hybrid work experience for all members of the Goodwin community”—is drawing attention right now on Fishbowl. But the firm is hardly alone in trying to make it more appealing for people to come into the office, and knowing if the people you want to work with are there can be a big part of that.

AshLea Allberry is the chief operating officer of Maptician, Inc, which offers an application that helps organizations manage hybrid working environments via office reservations and, among other elements, seeing who is in the office. (Goodwin’s application was built in house.)

She said the company has seen massive interest from Big Law over the last several months.



“We are in the tens now, and we are adding anywhere from five to ten more a month,” Allberry said of Maptician’s law firm client count. “We use the same technology the firms use already to do this. We use access control, badging swipes, VPN and IP technology to see who is where. What I am describing is already being collected, we are just making it digestible.”

Working on the assumption that Goodwin, and other firms that utilize this sort of technology, aren’t actively trying to LoJack their employees as some sort of dystopian master plan, there is a broader question in play. Overreaction or no, a percentage of workers really do feel that these endeavors are a bridge too far. So how do firms balance the benefits of this sort of technology (more efficiency, hopefully greater in-office attendance) with the perceived drawbacks (my employer doesn’t trust me to do my work and is tracking when I am and am not in the office and is broadcasting it to the whole firm)?

Already There

As Allberry emphasizes, most law firms are already tracking who is in the office via badge swipes.

But publishing that information for all to see, while couched in the drive for efficiency, can also be painted as a way to publicly shame those who aren't coming in into doing so.

Ru Bhatt, a partner in the associate practice group at Major, Lindsey & Africa, said he hears both sides of it in his work.

"There is a line, and it's a fine line," he said. "I can understand the negative reactions on tracking. There might be some firms that don't roll this out because they see negative implications. But I do think it is done in good faith and spirit."

And that is why the messaging, and the targets of that messaging, are so important.

Allberry gave a good example of how the same information, conveyed differently, might have a different effect.

"Firms need to make sure their people know why these things are being implemented," Allberry said. "Otherwise, they assume 'Big Brother.' You can position it as having someone in two-to-three days a week, which might turn someone off, or you can say eight to 12 days a month, which is more palatable."

And they are of course the same number of days.

To that point, Goodwin explained some of the thinking behind the rollout of Colleague Connect.

"For extra flexibility, we are able to vary our individual schedules on a weekly basis," the firm said in a statement. "Our people have noted that our flexible model means they do not always know when colleagues are in the office, on different floors for example. To address this, we designed Colleague Connect to make it easier for us to connect with each other in-person on any particular day when we are working from a Goodwin office. Because Colleague Connect is designed to facilitate in-person collaboration, it provides a snapshot only of who is an office that particular day."

Steve Nelson, executive principal of The McCormick Group out of Washington, D.C., said that some people, especially those who already come in to the office or are already outperforming peers, won't really care.

"Most of the people who are in the office and are doing well won't object much," he said. "They are so driven they are not going to be concerned about it. They have already self-selected."

But he did say that as word of this sort of thing gets around, it could negatively impact firms in other areas of talent acquisition and retention.

"I think it will probably hurt them in their law school recruiting," he said.

Ultimately, the core issue—for partners, associates and everyone in between—is one of trust.

"It is a great window into firm culture," Nelson said. "It might convey that you are somewhat distrustful of your employees, that the focus on productivity trumps everything else."