

## Electronic Monitoring Policy



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Human Resources	March 22, 2023	22-2023	1	4
Subsection	Repeals By-Law Number		Policy Number	
	N/A		HR-2-5	

### Purpose

This Policy identifies the circumstances in which the City of Kenora ("City") engages or may engage in electronic monitoring of employees, directly or indirectly, and the purposes for which the information obtained through the electronic monitoring may be used.

### Background

Amendments to the Employment Standards Act, 2000, require all employers, including the City, to prepare a written policy concerning electronic monitoring of employees and to provide a copy of that policy to all employees.

The Policy must outline the following:

- If, how, and in what circumstances electronic monitoring occurs;
- The purposes for which information obtained through electronic monitoring may be used; and
- The date the policy was prepared and the date of any changes made.

The amendments do not establish a right for employees not to be electronically monitored, nor create any new privacy rights for employees.

### Definitions

#### Electronic Monitoring

Includes all forms of monitoring of employees that is done electronically throughout the workplace, directly or indirectly, whether continuously, episodically, or on an as needed basis.

#### Application

This Policy applies to all City of Kenora employees.

#### How and In What Circumstances Electronic Monitoring Occurs

City resources are provided to employees to deliver services for residents, reduce work related risk, improve productivity of business operations, and enhance the effectiveness of communications.

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The City reserves the right to electronically monitor employees, directly or indirectly, at its discretion. Employees should not expect absolute privacy in relation to their use of City resources, and should not assume that any use of City resources is exempt from electronic monitoring in accordance with this Policy.

As of the date of this Policy, electronic monitoring may be performed directly or indirectly, whether continuously, episodically, or on an as needed basis, through the following assets, systems, services, equipment, and devices at the City:

### Asset

- Lynxfield Global Positioning System & Automatic Vehicle Locator GPS/AVL
- PSD Citywide (on-board diagnostic technology to provide information and mapping of assets)

### Systems

- Office 365 / internal shared drives
- Outlook email
- Software and internet usage
- HRIS MyWay Electronic time and attendance reporting
- Other third party systems: Canada Revenue Agency, Backcheck, Ontario Provincial Police Vulnerable Sector search
- CCTV
- WSIB Incident Reporting
- City of Kenora Social Media Accounts

### Service

- Customer Service – Citywide incident reporting
- Mailroom
- Purchasing Cards

### Equipment

- Telephone and cellular phone systems/voice mail (roaming and data usage)
- Laptop and tablet work stations
- Fax
- Photocopier/scanner password equipped
- Live monitoring as an extension of quality monitoring programs

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### Hard device

- Security key-fobbed access
- Duress buttons or wearable tools
- This list is not exhaustive and may be updated as policies, practices, and procedures change, or as assets, systems, services, equipment, and devices, are upgraded or replaced.

### How Information Obtained Through Electronic Monitoring May Be Used

Information obtained through electronic monitoring may be used for all purposes consistent with the City's responsibilities as a municipality, any City By-law, policy, practice, or procedure, and the City's obligations pursuant to the various Collective Agreements with the City's bargaining units.

Such purposes include but are not limited to employee safety, the protection and security of the City's resources, monitoring employee compliance with applicable policies and procedures, and complaint response.

### Other purposes may include:

- Workforce management
- Operational auditing, monitoring, and reporting
- Health and safety monitoring
- WSIB or Ministry of Labour investigations
- Coaching and quality improvement
- Labour Relations-related investigations
- Privacy complaints, monitoring, and auditing
- Security incidents, including workplace violence, thefts, vandalism, and threats
- IT related investigations
- Data review and pattern monitoring
- Resolving technical issues
- As evidence for forensic investigations on behalf of the City or an authorized third party such as law enforcement agencies or other government bodies
- Responding to freedom of information requests, litigation-related requests, or otherwise as required by law.

Information obtained by the City through electronic monitoring shall be collected, maintained and dispersed in accordance with the City's responsibilities as a municipality, any City By-law, policy, practice, or procedure, and the City's obligations pursuant to the various Collective Agreements with the City's bargaining units.

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### Related By-laws, Policies, and Procedures

This Policy is to be read, implemented, and interpreted with other related By-laws, policies, and procedures, including but not limited to:

- AF-1-3 Video Surveillance
- AF-8-1 Communications
- AF-1-2 Purchasing/Credit Card Policy
- AF-4-3 Internal Audit Policy
- HR-2-6 Technology Usage Policy
- AF-6-2 Strategic Asset Management
- AF-7-1 Enterprise Risk Management
- AF-8-2 Social Media Policy
- HR-2-4 Vehicle Operation Policy
- HR-2-1 Employee Conduct Policy
- HR-2-7 Learning & Development
- HR-2-21 Emergency Hours of Work
- HR-2-23 Customer Service Standards