



London  
CANADA

## Electronic Monitoring

**Procedure Name:** Electronic Monitoring

**Revision History:** N/A

**Last Review Date:** October 10, 2022

**Service Area Lead:** Deputy City Manager, Enterprise Supports

### 1. Procedure Statement

- 1.1 The [Employment Standards Act, 2000 \(“ESA”\)](#) requires employers to have a written policy in place with respect to electronic monitoring of employees.
- 1.2 In accordance with the *ESA*, this Procedure describes how and in what circumstances the Corporation may electronically monitor employees and the purposes for which information obtained through electronic monitoring may be used by the Corporation.
- 1.3 This Procedure does not create any new privacy rights for employees or a right not to be electronically monitored. It intends to provide transparency to employees about the Corporation’s electronic monitoring practices and to reflect the Corporation’s commitment to balancing individual privacy with its business and employer obligations.

### 2. Definitions

- 2.1 **Corporation Resources:** includes Corporate Technology (as defined in the Corporation’s *Use of Technology Procedure*), vehicles, equipment, and all other resources provided to employees for work purposes.
- 2.2 **Electronic Monitoring:** includes all forms of monitoring of employees’ use of Corporation Resources by electronic means, whether directly or indirectly, actively or passively, on an ongoing, occasional, or as-needed basis.
- 2.3 **Employee:** means all employees of the Corporation, including permanent, temporary, full-time, part-time, casual, and assignment employees as defined in section 1(1) of the *ESA*.

### 3. Applicability

- 3.1 This Procedure applies to all employees of the Corporation, whether working on-site or remotely.
- 3.2 This Procedure should be read in conjunction with the Corporation’s related policies and procedures including those identified below, as well as any relevant and/or applicable legislation, including the *ESA* and [Municipal Freedom of Information and Protection of Privacy Act \(MFIPPA\)](#).

### 4. The Procedure

#### 4.1 How and In What Circumstances Electronic Monitoring May Occur

- a) Corporation Resources are provided to employees to enhance delivery of municipal services to residents and to ensure the work of the Corporation is conducted in an effective, safe, and efficient manner.

- b) Employees should have no expectation of absolute privacy in relation to the use of Corporation Resources and should be aware that use may be subject to electronic monitoring.
- c) Employees accessing Corporation Resources, whether during or outside work hours, are subject to this Procedure and all other applicable Corporation by-laws, policies, and procedures.
- d) Employees' use of Corporation Resources, including the listed systems, applications, and devices, are or may be subject to electronic monitoring, directly or indirectly, actively or passively, on an ongoing, occasional, or as needed basis as follows:

Corporation Resource	System/Application/Device
Physical Facilities	<ul style="list-style-type: none"> <li>• CCTV and Corporate security video cameras</li> <li>• Access card system (swipe cards, key fobs, individual specific PIN or passcode)</li> <li>• Biometric reader system</li> </ul>
Vehicles/Fleet and Equipment	<ul style="list-style-type: none"> <li>• Global Positioning System (GPS)/Automatic Vehicle Locator (AVL)</li> <li>• On-board telematics (diagnostic technology provides vehicle operation information, including speed, seat belt usage, hard braking, location, routes, idling etc.)</li> <li>• On-board radio systems (location)</li> </ul>
Corporate Technology	<ul style="list-style-type: none"> <li>• Internal shared drives</li> <li>• Office 365, including e-mails sent/received and calendar entries</li> <li>• Log-in/log-out systems</li> <li>• Secure File Transfer system</li> <li>• Software and internet usage, including browsing activity</li> <li>• Collaboration and instant messaging tools (e.g., Teams chat activity, SMS messages sent/received)</li> <li>• Client and client server applications (e.g., Kronos, JD Edwards, PointClickCare etc.)</li> <li>• File share systems</li> <li>• Network traffic and data loss prevention systems</li> <li>• Privileged and vendor remote access management system ("PAM")</li> <li>• Cloud software/Software as a Service (SaaS) usage</li> <li>• Laptops, tablets, and workstations</li> <li>• Telephone and cellular phone systems/voicemail (inbound/outbound call sources, roaming and data usage)</li> <li>• Password equipped scanners/photocopiers</li> </ul>

- e) The above list is not intended to be exhaustive. In certain situations, or in response to changes in business/operational needs or the law, the Corporation may engage in other forms of electronic monitoring through systems, applications, and/or devices not listed above.

**4.2 How Information Obtained Through Electronic Monitoring May Be Used**

- a) Information obtained through electronic monitoring may be used for all purposes consistent with the Corporation's functions and responsibilities as a municipality, including pursuant to applicable laws, Corporation by-laws, policies, practices, or procedures, and collective agreements.
- b) Such purposes may include, but are not limited to, the following:

- Identify and investigate security threats
  - Detect and alert the Corporation of abnormal and/or unauthorized activity
  - Safeguarding Corporation employees, customers, premises, and other assets
  - Resolve technical issues
  - Ensure usage accuracy for billing/payment purposes
  - Ensure compliance with applicable laws, Corporation by-laws, policies, procedures, practices, and expectations
  - Internal investigation and disciplinary purposes
  - Enhance delivery of Corporation services
  - Ensure business continuity
  - Respond to freedom of information (FOI) requests, law enforcement agency and litigation production requests/obligations, resident complaints/concerns, or as otherwise required by law.
- c) Nothing in this Procedure affects or limits the Corporation's ability to use information obtained through electronic monitoring, provided such monitoring complies with applicable laws, by-laws, collective agreements, and Corporation policies, practices, and procedures. The Corporation reserves the right to conduct electronic monitoring of employees to ensure secure, effective, and appropriate use of Corporation Resources.

#### 4.3 Policy Review and Communication

- a) The Corporation shall review this Procedure annually.
- b) The Corporation shall provide a copy of this Procedure to all new employees within thirty (30) days of hire and to all assignment employees within twenty-four (24) hours of the start of their assignment.
- c) In the event this Procedure is revised, the Corporation shall provide a copy of the revised version to employees within thirty (30) days of the changes being made.

#### 4.4 Related Resources

- [Code of Ethics](#)
- [Disconnecting from Work Procedure](#)
- [Record Management Policy \(By-Law No. CPOL.-128\(b\)-157\)](#)
- [Respectful Workplace Policy](#)
- [Social Media Procedure](#)
- [Use of Technology Procedure](#)
- [Workplace Violence Prevention Policy](#)
- [Employment Standards Act, 2000](#)
- [Municipal Freedom of Information and Protection of Privacy Act](#)