Newmarket

Corporate Procedure

Electronic Monitoring

Procedure #: HR.8-08-001
Policy Number: HR.8-08
Sub-Topic: Employee Core Values
Topic: Corporate Culture
Applies to: All Employees

Purpose

This procedure supports Electronic Monitoring Policy #HR.8-08 (the "Policy"). It outlines the roles and responsibility of the Employee and the Employer for ensuring employees understand the implications of electronic monitoring for ensuring a respectful work place.

Procedure

To build a culture where employees feel trusted, safe and supported when using corporate equipment to perform their job duties and responsibilities.

Employee Responsibilities

1) Use corporate equipment reasonably and with care and with limited personal use.
2) Comply with all other corporate policies impacting the use of corporately owned equipment in meeting municipal operational, business and/or service delivery needs.
3) Report any concerns or issues which impacts personal privacy or use of technology by contacting their immediate Supervisor/Manager or Human Resources.
4) Discuss situations with their immediate Supervisor/Manager or Human Resources where the application or compliance with this Policy may be in question as promptly as possible.
5) Accept that when using personal devices on corporate networks that data and information may be captured by the Employer (corporate WiFi, etc.).
6) Understand that the data from any device or equipment that connects to the Town network/system(s) can be captured and may be monitored.
7) Consult with and obtain approval from their respective Commissioner, Director, and Human Resources prior to the installation of any data monitoring technologies on corporate equipment.
8) For data security purposes, consult with Information Technology prior to downloading any App on corporate equipment or devices that have not been approved by the Town.

Employer Responsibilities

Commissioners/Directors/Managers/Supervisors

1) Lead by example. Respect and support employees with their ability to use corporately owned equipment reasonably and with care.

2) Ensure employees are aware of Department or Business Unit specific expectations for electronic monitoring and technology use.
3) Communicate and discuss the expectations of this Policy with employees during team meetings.
4) Ensure that employees complete cybersecurity training and understand the importance of the security of all Town systems.
5) Advise Human Resources of any new requirements to electronically monitor employees for the purposes of updating the Policy.
6) Inform of any use and installation of data monitoring technologies on corporate equipment in consultation with Information Technology and Human Resources.
7) If there is a requirement to actively monitor all employees or groups of employees, make Human Resources aware to ensure compliance with the Policy.
8) Consult with and obtain approval from the CAO or their respective Commissioner or Director as appropriate, Human Resources, and Information Technology prior to the installation of any data monitoring technologies.

Human Resources Department

1) Provide interpretation and guidance in relation to the Policy and this Procedure and applicable legislation to employees.
2) Provide support and education to employees regarding the Policy and electronic monitoring.
3) Revise and update the Policy and Procedure and obtain approval as appropriate.
4) Provide a copy of the Policy and Procedure to all employees no later than 30 days following its effective date.
5) Provide a copy of the revised Policy to all employees if changes have been made no later than 30 days following its revised effective date.
6) Provide a copy of the Policy and Procedure to a new employee no later than 30 days from the day the employee commencing employment.
7) Provide temporary help agency employees with a copy of the Policy and Procedure within 24 hours of commencement of their assignment.
8) Retain copies of every written policy on electronic monitoring of employees required by the Working for Workers Act, 2022 for three years after the policy is no longer in effect.
9) Update the Policy as appropriate if there are any changes to what equipment is being used to actively monitor employees.
10) Provide approval for active electronic monitoring and coordinate with appropriate departments when data is obtained through electronic monitoring is used for, but not limited to, employee performance management, health and safety, etc.
11) Ensure that the use of the data collected, monitored and used for investigation purposes on an individual employee or employees is used for

security, health and/or safety, and employee performance management purposes, etc.

Information Technology Department

1) Protect the security and access of the data and information collected.
2) Ensure captured data aligns with data governance policies.
3) Where required, limit disclosure of data for the purposes of an internal investigation or to third parties to the amount or extent necessary to accomplish the purposes for which it is to be used or required by law in consultation with Human Resources.
4) Provide assistance and guidance for any installation of approved data monitoring technologies.
5) Provide guidance to employees regarding the downloading of Apps onto corporate equipment and devices to maintain the integrity and security of corporate systems.

Cross-References

Corporate Policy

Acceptable Use of Social Media #COMM.3-01
Employee Code of Conduct Policy #CAO.3-01
Employee Complaint Policy #HR.04-02
Disconnecting from Work Policy #HR.2-08
Internet & e-Mail Acceptable Use Policy #IT.1-01
Progressive Discipline Policy #HR.04-01
Records Retention Policy #CORP.1-06

Other Government Legislation

Employment Standards Act
Digital Platform Workers' Rights Act
Working for Workers Act-Bill 88
Municipal Freedom of Information and Protection of Privacy Act
Personal Information Protection and Electronic Documents Act

Contact

Human Resources Department or at hr@newmarket.ca

Details

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