

# **THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

## **STAFF REPORT**

**DATE:** November 1, 2022

**TO:** Committee of the Whole

**FROM:** Cyndy Wood, HR Business Partner

**SUBJECT: Electronic Monitoring of Employees**

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### **RECOMMENDATION:**

**THAT Committee of the Whole recommend that Council approve the Electronic Monitoring of Employees Policy in order to be compliant with legislative requirements of the Employment Standards Act, 2000 (ESA).**

### **BACKGROUND:**

As part of its changes to the Employment Standards Act, 2000 (ESA), the Province has directed that employers that employ 25 or more employees establish a policy on the electronic monitoring of employees. This policy must be in place by October 11, 2022.

The Province notes that "the ESA requirements: - do not establish a right for employees not to be electronically monitored by their employer, [and;] - do not create any new privacy rights for employees". The attached policy is presented to comply with this legislative change.

The Municipality does not actively use electronic monitoring of its employees, however there are several operations in place that result in passive monitoring of employees, including, but not limited to:

- operation of Municipal vehicles that have a GPS/Automatic Vehicle Location (AVL) tracking system,
- gaining access to a facility that is controlled by an electronic keyfob security system,
- gaining access to a facility that is controlled by an alarm system,
- through periodic checks of computers and information technology equipment as part of maintenance and security processes,
- gaining access to the corporate computer network/domain,
- live streaming and/or recording of meetings,
- building and property security cameras, and
- other means that may be implemented in the future.

## **DISCUSSION:**

In order to be compliant with the amendments to the Employment Standards Act, 2000 (ESA) which stipulates that all Employers that employ more than 25 employees on January 1<sup>st</sup>, 2022 have until October 11, 2022 to have a written policy on the electronic monitoring of employees in place.

## **OPTIONS:**

Option 1: *Recommended* – Implement new AD32 -Electronic Monitoring of Employee Policy to ensure our legal obligations under the employment legislation.

Option 2: *Not Recommended* – Do not pass the policy and be non-compliant with the Employment Standards Act.

## **FINANCIAL IMPLICATIONS:**

N/A

## **SUMMARY:**

The policy has been developed within the framework of requirements stipulated in the ESA. It is good government and Human Resources best practice to be compliant with all employment legislation. The policy creates transparency in the employment relationship by describing under what circumstances employees may be monitored and how the information will be utilized.

Respectfully submitted by,

Reviewed by:

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Cyndy Woods,  
HR Business Partner

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Ken Kelly,  
CAO

## **ATTACHMENTS:**

1. DRAFT Policy AD32 – Electronic Monitoring of Employee Policy
2. [Written policy on electronic monitoring of employees | Your guide to the Employment Standards Act | ontario.ca](#)