

Administration	Health & Safety	Board Approved Date:	Oct. 2022
Policy	Electronic Monitoring Policy	Revision Date:	N/A
Policy No.	20-125	Internally Approved Date:	22-10-07
References	Corporate Policy and Procedures Manual including the following policies: Privacy IT and Communications Equipment CCTV (Closed Circuit Television) Social Media Security Policy Video Surveillance Policy Email Policy Employee Code of Conduct Privacy Policy Applicable collective agreement <i>Canadian Charter of Rights and Freedoms</i> , 1982 <i>Employment Standards Act</i> , 2000 <i>Ontario Human Rights Code</i> <i>Working for Workers Act, 2022</i> ("Bill 88")		
Forms	NA		

1. Policy Statement

Durham Region Non-Profit Housing Corporation (DRNPHC) has implemented this written policy on the electronic monitoring of employees both in accordance with the requirements of the *Employment Standards Act* and to promote transparency surrounding DRNPHC's electronic monitoring practices.

The Region recognizes the privacy rights afforded to employees under the *Freedom of Information and Protection of Privacy Act* and any other established jurisprudence and legislation.

2. Purpose & Scope

The purpose of this policy is to:

- Give notice to employees of the DRNPHC's electronic monitoring activities in accordance with the *Employment Standards Act*.
- Outline how and in what circumstances DRNPHC may electronically monitor employees.
- Outline the purposes for which information obtained through electronic monitoring may be used by DRNPHC.

This policy applies to all DRNPHC employees, volunteers, students, and contractors providing services on behalf of DRNPHC.

This policy may be subject to revisions from time to time as new technologies are introduced in the workplace.

3. Definitions

The following definitions should be used when reading this policy:

Electronic Monitoring

Includes all forms of employee monitoring that is done electronically.

4. Procedures

DRNPHC conducts electronic monitoring, and may use information gathered from such monitoring, including but not limited to, the following ways:

Cell Phones. The date and time of first and last device communication, app inventory, storage space, phone number, cellphone calls, location (only when and if lost mode is activated), and network connection in order to monitor appropriate use, and compliance with applicable policies, procedures, and expectations.

Computers and Tablets. Date and time of first and last device communication, start-up or shutdown, log in or log off, and software/processes run, network connections establish, and device hardware and software inventory in order to monitor appropriate use, and compliance with applicable policies, procedures, and expectations.

Personal devices. When personal devices are connected to DRNPHC - date and time of first and last device communication, operating system version, and device name in order to monitor compliance with applicable policies, procedures, and expectations.

Web Activity. Date and time, website accessed, amount of data exchanged, type of data/application in order to monitor appropriate use, and compliance with applicable policies, procedures, and expectations.

Email Activity. Date and time, IP address, message or meeting on send or receive (sender, recipient, subject), message, appointment, meeting, or contact (accessed/read, moved, deleted) in order to monitor appropriate use, and compliance with applicable policies, procedures, and expectations

Microsoft Teams activity. Date and time, meeting joined/participation, Team created, modified or deleted, in order to monitor appropriate use, and compliance with applicable policies, procedures, and expectations.

File Activity. Date and time, IP address Network shares, share drive activity in order to monitor appropriate use, and compliance with applicable policies, procedures, and expectations.

Vehicle usage activity. The records, location and usage of DRNPHC motor vehicles in order to monitor appropriate use, expense requisition and costs claimed by employees arising from motor vehicle use, and to monitor compliance with applicable policies, procedures, and expectations and to comply with legal and regulatory requirements.

Cameras and surveillance equipment. Video and audio transmissions and recordings are monitored, saved and archived for security purposes, and to monitor compliance with applicable policies, procedures and expectations.

Information gathered via the aforementioned electronic monitoring activities may also be used to assess productivity, and in the investigation of alleged violations of law, regulations, or applicable DRNPHC policies, procedures and expectations, or other instances of misconduct.

For greater certainty, nothing in this section affects or limits DRNPHC's ability to electronically monitor its employees.

Violations

If an employee in the course of their employment with DRNPHC experiences violations of this Policy, they are urged to report it as promptly as possible after it has occurred. However, delays in reporting will not automatically preclude DRNPHC from investigating the complaint.

Employees are encouraged to report such concerns or issues to their immediate supervisor. If that is not appropriate or the matter cannot be resolved by doing so, employees should direct their concerns or issues to DRNPHC Human Resources representative.

Employees will not be subject to reprisal for reporting such concerns as outlined above.

Roles and Responsibilities

Management

Management is responsible for the following items:

- Ensure that electronic monitoring is conducted in accordance with this Policy.
- Encourage any employee that experiences a violation of this Policy, to report the alleged violation.
- Conduct inquiries into alleged violations of this Policy.
- Involve the Human Resources representative in any investigation of alleged violations of this Policy.
- Develop, review, and distribute this Policy.
- Provide education and training to assist management staff in complying with and enforcing this Policy.
- Provide consultation and advice on the interpretation of this Policy

Human Resources

The Human Resources representative is responsible for the following items:

- Investigate complaints related to this Policy.

Posting, notice and retention

DRNPHC shall provide a copy of this policy to each employee of DRNPHC within 30 calendar days of implementation. If any changes are made to the policy after its implementation, DRNPHC shall provide each employee of DRNPHC a copy of the revised policy within 30 days of the changes being made. A copy of this policy and future revisions will be provided electronically unless otherwise requested.

DRNPHC shall provide a copy of this policy to all new employees upon onboarding and within 30 calendar days of the employee commencing employment with DRNPHC. A copy of this policy will be provided electronically, unless otherwise requested.

DRNPHC shall retain a copy of this and any revised version of this policy for three years after it ceases to be in effect, in compliance with the ESA.

Related information

Corporate Policy and Procedures Manual including the following policies:

- Privacy
- IT and Communications Equipment
- CCTV (Closed Circuit Television)
- Social Media
- Security Policy
- Video Surveillance Policy
- Email Policy
- Employee Code of Conduct
- Privacy Policy
- Applicable collective agreement
- *Canadian Charter of Rights and Freedoms, 1982*
- *Employment Standards Act, 2000*
- *Ontario Human Rights Code*
- *Working for Workers Act, 2022 ("Bill 88")*

Inquiries

For further information regarding this policy, contact DRNPHC's Human Resources representative or the Chief Executive Officer.

End.