

Employee Electronic Monitoring Policy

OVERVIEW OF POLICY:

The Town of Halton Hills recognizes the balance between an employee's right to privacy; the need to protect the safety and security of employees, the public, and Town property; and address complaints involving the workplace. While the Town does not actively monitor employees, monitoring devices are in place and data collected from them may be used for specific purposes as outlined in this policy.

This policy is to be used in addition to existing Town policies and procedures, applicable legislation and collective agreements (see References and Related Documents).

SCOPE:

This policy applies to all Town employees (non-union, union, full-time, part-time, contract, and students). "Employee" under this policy means only those employees of the Town which are considered employees under the *Employment Standards Act, 2000*.

PURPOSE:

The purpose of this policy is to inform employees how their work is being electronically monitored, what information is being collected and how this information may be used.

Definitions

Electronic monitoring means using technological, electronic or digital means to track, observe or monitor someone's actions in the course of their duties or while at the workplace. The workplace includes various buildings, offices, vehicles or outdoor spaces where work is conducted on behalf of the Town of Halton Hills.

Application

This policy applies to all employees regardless of their work site (working from home, in the workplace, mobile), regular or flex hours.

Use of Electronic Monitoring

The Town engages in electronic monitoring in various forms for the following purposes, including but not limited to:

- Protecting the safety and security of employees, the public, and Town property

- Ensuring appropriate use of Town property, and time during working hours
- Investigating and addressing complaints and/or vehicle collisions (from the public and staff)
- Accurately processing employees' hours worked using the time and attendance system
- Identifying and addressing employee performance concerns through training and development, and if warranted and justified, for correcting behaviour through the disciplinary process

Global Positioning System (GPS)

Real-time tracking software/devices/equipment is installed in most Town-owned vehicles, including but not limited to:

- Trucks (Public Works, Recreation and Parks, and Fire Services)
- Survey van
- Snowplows
- ActiVan

For ActiVan Transit Operators, dispatch software installed on Town tablets, is used for tracking the location of drivers within their assigned schedules for the purpose of route planning.

The GPS in Town vehicles is capable of monitoring and storing recorded information such as the following: the vehicle location, time spent at a location, route, speed, driving practices/vehicle maneuvering (e.g., heavy acceleration, breaking etc., seatbelt use, engine diagnostics, etc.).

The GPS is used to support operational activities (e.g., monitor plow route completion, winter material application), investigate incidents and to ensure the Town vehicle is used appropriately for the intended purpose during working hours.

Although available GPS information is not actively reviewed in all circumstances, management reserves the right to access the information as necessary for the uses set out above. Information obtained that indicates inappropriate use of Town vehicles or employee work time, may be investigated and may lead to disciplinary action if necessary.

Computer and Electronic Mail (Email) and Instant Messaging

The Town has the ability to monitor computer and electronic mail/messaging use such as:

- Sign in/out time & location
- E-mails and instant messages (e.g., Teams Chat)
- System accessibility i.e., what was accessed while signed in

- Internet usage
- Recordings of virtual meetings (notice is provided in the meeting platform)

Although not actively monitored, the information about staff's use of Town computers/tablets and electronic e-mail/instant messaging, may be accessed by management upon request to the IT Department and if circumstances warrant.

This information may be used to evaluate employee performance, ensure the appropriate use of employer equipment and ensure work is being performed during working hours. Information obtained that indicates inappropriate usage of Town computer/tablets and email may be investigated as warranted and may lead to disciplinary action.

Video Surveillance (cameras)

There are many functioning and recording cameras used by the Town at offices, facilities, and on Town vehicles.

The cameras are in place to monitor Town property and staff safety, in areas where interactions with the public may occur, or where administrative security is needed (e.g., where cash transactions take place).

There is signage throughout Town property where video surveillance is present.

The cameras may be viewed by management who have live access, and/or historical footage may be reviewed or requested by management in the course of following-up on incidents and/or complaints where this information is deemed useful in determining a sequence of events or causation. Information obtained that indicates inappropriate use of Town equipment or property may be investigated as appropriate and may lead to disciplinary action.

Cameras on Town vehicles are installed and configured to capture views external to the vehicle. While the Town has the capability to monitor the internal cab of a vehicle, this function has not been enabled at this time.

Key Fob (keyless entry system) and Biometric Clocks

The key fob system allows the Town to grant and restrict staff access to specific entrances or areas of municipal buildings and property. Through the key fob system, the Town has access to historical data tracking of when a FOB was used and where. The Town maintains a record of the specific FOB an employee has been assigned.

Biometric clocks are installed in several Town facilities for time and attendance purposes. These devices capture employees' start and end times and correlate directly to the Town's payroll system allowing for efficient and accurate processing of pay. Certain employee groups (e.g., CUPE employees, Facilities staff and applicable student positions), are required to use biometric clocks.

The Town of Halton Hills has the ability to actively monitor staff however, review of the data captured is only utilized for the purpose of addressing workplace issues when they arise. Careful consideration will be taken when determining whether it is necessary to access data, and each circumstance will be reviewed on a case-by-case basis.

RESPONSIBILITIES:

Management

- Respond to employees' inquiries on the technology that will be used to monitor employee activities.
- Identify any equipment and vehicles that are being monitored to track employee activities.
- Provide authorization as needed to access collected data for specific operational reasons.
- Provide a copy of this policy to employees as requested by Human Resources.

Employees

- Be aware that information related to their individual activities and whereabouts will be collected, stored and disclosed in accordance with this Policy and other relevant Town policies.
- Only access collected data for the purposes authorized by management.
- Do not tamper, disable or interfere with any electronic employee monitoring in use with any Town equipment or systems.

Human Resources

- Provide a copy of this policy to all new employees within 30 days of starting their employment as part of the hiring process.
- Review and update the policy as required.

PRIVACY AND CONFIDENTIALITY:

The Town's electronic monitoring is aimed at collecting information related to its business; however, some information collected by monitoring may be considered personal information. All information collected through electronic monitoring will be securely stored and protected. The Town will adhere to all privacy and confidentiality legislation that applies to the collection, use and disclosure of personal information obtained by electronic monitoring.

Date Policy Activated: October 11, 2022

REFERENCES AND RELATED DOCUMENTS:

- Town of Halton Hills' Personnel Policy Manual and the following sections:
 - Schedule G – Electronic Mail Policy
 - Schedule H - Computer Use Policy
 - Schedule J - Guidelines for use of Social Media & Digital Communications
- Work From Home Policy and Agreement

- Collective Agreement – CUPE, Local 73
- Collective Agreement – Halton Hills Professional Fire Fighters Association, Local 3327
- Video Surveillance Policy
- Municipal Freedom of Information and Protection of Privacy Act
- Employment Standards Act, 2000, as amended

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