

**Township of Southgate
Administration Office**

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Staff Report HR2022-047

Title of Report: **Electronic Monitoring Policy**
Department: **Human Resources**
Council Date: **September 21, 2022**

Recommendation:

Be it resolved that Council receive Staff Report HR2022-047 for information; and
That Council approve draft Policy #93 Electronic Monitoring Policy as presented; and
That Council consider approval of Policy #93 Electronic Monitoring Policy by Municipal By-Law at the October 5, 2022 Council Meeting.

Background:

On April 11, 2022, Bill 88 – the Working for Workers Act, 2022 was given Royal Assent. Within this Bill it contains a Digital Platform Workers’ Rights Act, 2022 which made amendments to the Employment Standards Act, 2000 (ESA).

The amendment to ESA now requires all employers that employ 25 or more workers to have a written policy in place on how the employer electronically monitors employees. The Policy must include:

- If the employer is electronically monitoring employees and if so,
 - A description of how and in what circumstances the employer may electronically monitor employees, and
 - The purpose for which information is obtained through the electronic monitoring and how it is used.
- The date the policy was prepared, and date changes were made; and
- Any other information as may be prescribed by law in the future.

The Policy is to be in place by October 11, 2022 and copies provided to employees by November 10, 2022. Employers must also provide a written copy of the policy to all new employees within 30 days of their start date.

Important to note is that this policy does not affect or limit an employer’s ability to engage in electronic monitoring of employees and does not provide any new rights to employees or employers.

Staff Comments:

Staff have written Policy #93 Electronic Monitoring Policy in accordance with the Employment Standards Act, 2000 as amended and the draft is included as Attachment #1. Staff have also consulted with other municipalities and resources for information on what the policy should entail, and the draft policy has been reviewed by senior staff for feedback.

Financial Implications:

There is no financial impact as a result of this report.

Communications & Community Action Plan Impact:

This report has been written and presented to Council to communicate accurate information to the public.

Concluding Comments:

1. That Council receive this report as information.
2. That Council receive the draft and provide any feedback.
3. That Council consider approval of Policy #93 Electronic Monitoring policy by Municipal By-Law at the October 5, 2022 Council meeting.

Respectfully Submitted,

Human Resources: *Original Signed By*

Kayla Best, HR Coordinator/ Assistant to the CAO

CAO Approval: *Original Signed By*

Dave Milliner, CAO

Attachments:

Attachment #1: Policy #93 Electronic Monitoring Policy Draft