



Staff Report HR2022-049

Title of Report: **Electronic Monitoring Policy**
Department: **Human Resources**
Council Date: **October 5, 2022**

Recommendation:

Be it resolved that Council receive Staff Report HR2022-049 for information; and
That Council approve the final Policy #93 Electronic Monitoring Policy as presented; and
That Council consider approval of Policy #93 Electronic Monitoring Policy by Municipal By-Law 2022-152 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.

At the September 21, 2022 Council Meeting, the following resolution was carried:

Moved By Councillor Frew **Seconded By** Councillor Dobreen

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

Carried No.2022-613

Staff Comments:

Since the September 21, 2022 Council meeting, staff sent out the draft policy to other staff to review and have received no further feedback.

Staff have added section 6f to include Virtual Meeting recordings as follows:

Virtual Meeting Recordings

- Any virtual meeting held by the Township of Southgate may be recorded and the meeting software program will notify all meeting participants if the meeting is being recorded.
- Public meetings are recorded and posted electronically on the Township's website, YouTube or other online platforms in order to provide transparency to the public.
- Meetings that are not public may still be recorded for future review and minute taking purposes and may be accessed by Township administrative staff.

Staff also re-arranged section 6 to be alphabetical.

A copy of the final policy is included with the By-Law included with the agenda for this meeting.

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 final Policy #93 Electronic Monitoring Policy.
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:

None.