



UNIVERSITY OF  
TORONTO

# POLICY ON TRANSPARENCY IN ELECTRONIC MONITORING

DIVISION OF PEOPLE STRATEGY, EQUITY & CULTURE

NOVEMBER 2022





# BACKGROUND

- Provincial government introduced [Bill 88, the \*Working for Workers Act, 2022\*](#)
  - Amended the *Employment Standards Act* in **April 2022**; now requiring employers to have written policies for electronic monitoring in the workplace.
  - [Additional guidance](#) released **July 2022**
- Provides transparency to employees

# WHAT THE LEGISLATION REQUIRES

- The policy must include:
  - a description of how and in what circumstances the employer may electronically monitor employees
  - the purposes for which the information obtained through electronic monitoring may be used by the employer
- Employees must be provided with a copy of the Policy

# THE HEART OF OUR POLICY

- It is the University's intention to engage in Electronic Monitoring, or use data collected through such monitoring, in limited situations, such as those involving the following:
  - health and safety concerns;
  - security of University property, including information technology devices and systems;
  - investigations;
  - when required by law (e.g., court order); and
  - other situations, if notice is given to employees (e.g., employees will be notified when a meeting is being recorded).

Not an  
exhaustive list

High-level to  
capture a  
variety of  
circumstances  
within Divisions

# WHAT IS ELECTRONIC MONITORING?

- Electronic Monitoring means "all forms of **employee** monitoring that is done electronically"; for example:
  - the use of GPS monitoring of University-owned vehicles
  - the use of cards or fobs to access University premises
  - the use of video surveillance/closed-circuit television (CCTV)
  - the use of information technology, digital assets, and systems

# WHAT WE DON'T DO

The University does *not*:

- Use system surveillance to monitor academic work or impose limitations on academic freedoms (e.g., accessing intellectual property or confidential research data)
- Use video surveillance in areas where privacy or comfort is expected (e.g., bathrooms, changerooms);
- Use devices such as keystroke counters to monitor typing or activity;
- Track how long employees are logged into University systems;
- Use electronic monitoring for the purposes of performance monitoring; or

