



POLICY No. 2022-04

Electronic Data Collection & Use Policy

Originating Department HRD-07-2022

SMT Approval: 2022-08-29

Council in Committee: 2022-09-20

Recommendation #: 14

Council Approval: 2022-09-26

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Revision History: [Click here for revision history](#)

1. PURPOSE

Haldimand County values transparency, clarity and accountability for all employees.

This policy has been developed to disclose how and in what circumstances employee data is collected and/or monitored, and the purposes for which the information may be used by the County. This policy is intended to establish guidelines for corporate practices and procedures related to electronic monitoring of employees. It aims to balance individual's privacy with the employer's responsibilities.

2. SCOPE

This policy applies to all Employees, Volunteer Firefighters, members of Council, Library Board Employees, as well as citizens appointed as committee members and Board members who interact with Haldimand County employees in the workplace, whether they are working remotely or in the workplace.

In accordance with Ontario legislation, this policy also extends to contractors and their employees. Accordingly, Haldimand County will endeavor to ensure all contractors are aware of this policy and its potential implications for their staff.

3. DEFINITIONS

- **Authorized users:** those who can request the release of stored information.
- **Electronic monitoring:** includes all forms of employee information collection that may be monitored as outlined herein.
- **Electronic devices:** means any County owned device on which information is capable of being stored electronically.
- **Employee:** for the purposes of this policy only, the term employee includes any County representative identified within the Section 2.0 “Scope”.
- **Log book:** a document in which one records details and events related to data access.

4. RESPONSIBILITIES

4.1 Employer Obligations

- Describe how and in what circumstances the County electronically monitors employees;
- To disclose the purposes for which the information obtained through electronic monitoring may be used;
- To establish a process for accessing collected data that is transparent and fair.

4.2 Employee Obligations

- Read and understand the terms of the policy herein;
- Understand the electronic devices that can be monitored and in what circumstances employees are electronically monitored, how employees will be electronically monitored and the purposes for which the information obtained through electronic monitoring may be used;
- Recognize that County facilities, equipment and time are to be used in furtherance of legitimate County purposes;
- Be protective of the County’s interests and your own, and ensure the County’s values and professional standards are maintained.

5. ELECTRONIC MONITORING PARAMETERS

Employees may be subject to electronic monitoring while in County facilities and other locations, including where County business is conducted, in accordance with applicable policies, procedures and expectations.

5.1 The County electronically monitors employees in the following circumstances:

a) County Vehicles (Ambulances, Snow Plows, Road Patrol Pickups)

- The County monitors the employee’s movement by tracking applicable employee’s vehicles through Automatic Vehicle Location (AVL).

- The County uses the information collected to, including but not limited to, protect the County's legal interests, to defend claims, undertake investigations, to ensure the appropriate use of employer vehicles, legal compliance, performance management, assessing operational efficiencies, and situations related to safety.

b) Electronic Timecard Systems

- The County monitors applicable employee's attendance at work, through electronic timecard systems.
- Applicable employees are aware their timecards are being monitored and have been trained on using the system.
- The County uses the information collected to, including but not limited to, ensure applicable employees are paid appropriately, to address concerns/complaints related to attendance, in investigations, performance management and to protect the County's legal interests.

5.2 The County collects the following electronic information that is not actively monitored:

a) Access and Attendance (HCAB Key Fobs (Entry and Printers) and GVL Door Access)

- The County has the ability to collect information related to entry into various County buildings through a key fob system. The County also has the ability to collect information related to computer usage.
- While the County has this ability, it does not actively monitor information.
- The County may use the information collected to, including but not limited to, troubleshoot access issues, tracking of secured areas, in investigations, performance management and to protect the County's legal interests.

b) Networks and Systems

- Collection of and access to information regarding networks and systems is outlined in the Corporate IT Acceptable Usage Policy (Policy No. 2001-08).
- Generally, the County has the ability to passively monitor employee emails, online Zoom chats, internet usage and VPN/Citrix connection through different channels; while the County has this ability, it does not currently monitor collected information regularly.
- The County may use the information collected to, including but not limited to, tracking and reporting on use, troubleshoot issues, in investigations, performance management, to ensure the appropriate use of employer equipment and to protect the County's legal interests.

c) Camera Surveillance

- Collection of and access to information regarding camera surveillance is outlined in the Security Video Surveillance Systems Policy (Policy No. 2014-03).
- Generally, the County has the ability to conduct monitoring using security cameras (located at various pools, arenas, libraries etc.), computer cameras and through remote access; While the County has this ability, it does not monitor collected information regularly.

- The County may use the information collected to, including but not limited to, troubleshoot issues, in investigations, performance management, to ensure the appropriate use of computers, to defend claims, respond to requests from the police and to protect the County's legal interests.

5.3 The County may collect or actively monitor the following electronic information:

a) Phone GPS

- The County has the ability to turn the location on County issued phones, however, as a default, this feature is turned off and it is not County practice to collect this information.
- Where warranted and with or without the employee's knowledge, the County may turn the location feature on a County issued phone, including but not limited to, to ensure safety measures of staff, to defend claims and to protect the County's legal interests.

5.4 Using information collected through electronic monitoring

This policy outlines the purposes for which information is obtained, monitored and accessed. However, per the Employment Standards Act (ESA), the information herein does not affect or limit the County's ability to obtain or use the information to the stated purposes.

Any information collected by the County through electronic monitoring may be disclosed during legal proceedings, requests for disclosure, search /subpoena, employee reviews or during consideration of disciplinary decisions, up to and including termination of employment. Likewise, nothing in this policy prevents the County from using information accessed through other means, such as incidentally or through regular work practices.

Nothing in this policy is intended to amend or supersede any grievance procedure or other aspect of an applicable collective agreement.

6. ACCESSING INFORMATION

An authorized user may access stored, employee data for, testing, routine or legitimate work plan purposes in consultation with the Manager, Innovation and Technology Services (ITS) and the Municipal Information & Privacy Coordinator, or designates.

Requests for data access involving an isolated or ongoing issue, legal claim or investigation may be submitted, in writing, for approval to the Manager, ITS and relevant General Manager. Employee related concerns must also include a copy to the Director, Human Resources or designate.

Requests for access to data involving a member of the senior management team or Council is subject to authorization of the Chief Administrative Officer. Requests for access to data

involving the Chief Administrative Officer is subject to authorization of the Mayor. Further, access of any data could be obtained with authorization by Legal representatives retained by the County.

7. REFERENCE

This policy should be read alongside the Information Technology Acceptable Usage Policy, Security Video Surveillance Systems Policy, Corporate Use of Social Media Policy, applicable collective agreements or policies governing non-union employees, various health and safety policies and guidelines, relevant and applicable legislation, and any other policy that may become applicable and/or relevant.

REVISION HISTORY					
REPORT	CIC		COUNCIL		DETAILS
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	
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