



BULLETIN

ELECTRONIC MONITORING POLICY

This COTAPSA Bulletin provides general information for Members in relation to the City of Toronto's [Electronic Monitoring Policy](#) that came into effect on October 11, 2022.

As you may be aware, the Ontario government introduced a requirement for employers of more than 25 people to inform their workers how they may be monitored electronically. This requirement was added to the Employment Standards Act, 2000 (ESA) on April 11, 2022. The Policy should apply to all employees.

The Policy must include a statement on whether an employer monitors its' employees or not, and must specifically include:

- a description of how and under what circumstances an employer electronically monitors employees;
- the purposes for which the information obtained through electronic monitoring may be used by the employer;
- the date the Policy was prepared; and
- the date any changes were made to the Policy.

The requirement to introduce an Electronic Monitoring Policy does not establish a right for employees not to be electronically monitored by their employer, nor does it create any new privacy rights for employees. The Policy does not affect or limit an employer's ability to use information obtained through the electronic monitoring of its employees in any way it sees fit; however, an employer is required to state in its written Electronic Monitoring Policy the purposes for which it may use information obtained through electronic monitoring.

The Ministry's guidelines on the written Policy can be found [here](#) on the Government of Ontario website.

Should you have any questions or require further clarification, please email COTAPSA at cotapsa@toronto.ca.