

## **POLICY 3.13 – Electronic Monitoring Policy**

<b>Policy Category:</b>	Personnel – All
<b>Subject:</b>	Electronic Monitoring Policy
<b>Approving Authority:</b>	President
<b>Responsible Officer:</b>	Vice President (Operations & Finance) Associate Vice-President (Human Resources)
<b>Related Procedures:</b>	<a href="#">Procedures for Policy 3.13 – Electronic Monitoring Policy</a>
<b>Related University Policies:</b>	<a href="#">MAPP 1.13 Computing, Technology and Information Resources</a> <a href="#">MAPP 1.41 Building Access Control</a> <a href="#">MAPP 1.42 Video Monitoring</a>
<b>Effective Date:</b>	June 29, 2023
<b>Supersedes:</b>	(NEW)

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### **I. PURPOSE**

1. Western University (the “University”) is committed to transparency with Employees and Assignment Employees so they are informed when and how their work is being monitored.
2. The purpose of this Policy is to provide information and transparency about how the University electronically monitors the activities of Employees and Assignment Employees. This commitment is reflected in the University’s existing related policies:
  - [MAPP 1.13 Computing, Technology and Information Resources](#)
  - [MAPP 1.41 Building Access Control](#)
  - [MAPP 1.42 Video Monitoring](#)
3. This Policy should be read alongside the University’s related policies, collective agreements, individual employment contracts, and any applicable and/or relevant legislation. Individuals should also refer to the University’s Procedures for Policy 3.13 – Electronic Monitoring Policy when reviewing and/or consulting this Policy.

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4. This Policy is not intended to amend or supersede any aspect of any applicable collective agreement, employment contract or University policy. In the case of conflict between the provisions of this Policy and the provisions of any applicable collective agreement or employment contract, the latter shall prevail.
5. This Policy does not create any new privacy rights, nor a right not to be electronically monitored. Nothing in this Policy affects or limits the University's ability to conduct, or use information obtained through electronic monitoring.
6. This policy applies to all Employees and Assignment Employees.

### II. DEFINITIONS

1. The following definitions shall apply to this Policy:
  - 1.01 Employee: University staff, faculty, clinical faculty, adjunct faculty, clinical adjunct faculty, managers and leaders, librarians and archivists, post-doctoral associates, graduate teaching assistants or any other individual who is an "employee" for the purposes of the *Employment Standards Act, 2000*.
  - 1.02 Assignment Employee: an employee employed by a temporary employment agency for the purpose of being assigned to perform work on a temporary basis for the University.

### III. POLICY

#### 1. University Obligations

- 1.01 The University is committed to ensuring that any information collected through electronic monitoring is handled appropriately and in keeping with University policies, collective agreements, individual employment contracts, and any applicable and/or relevant legislation.
- 1.02 The University collects information through electronic monitoring for a variety of purposes, including ensuring campus safety, as well as protecting the University's technological, legal, financial, academic, research and administrative interests.
- 1.03 The University uses technological, electronic, or digital means to actively and/or passively monitor the following:
  - the safety of individuals, buildings and property;
  - physical access to University buildings;
  - electronic devices or information systems that are owned, operated, maintained, or contracted by the University;
  - University-owned motor vehicles;
  - University-provided telecommunication services;

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- University-issued payment cards; and
  - time-tracking systems for employee payroll.
- 1.04 All information collected through electronic monitoring will be securely stored and protected.
- 1.05 In the event the University collects any personal information, as defined in the *Freedom of Information and Protection of Privacy Act*, through the use of electronic monitoring, the University shall collect, use and disclose that personal information in accordance with applicable policies and legislation.
- 1.06 The University may use electronic monitoring tools for monitoring or investigating the behaviour or conduct of an Employee or Assignment Employee, or ensuring compliance in completing required training (e.g., health and safety), subject to any rights an Employee or Assignment Employee may have under any applicable collective agreement, employment contract or University policy. These purposes may include informing decisions to issue discipline in accordance with the University's related policies, collective agreements, individual employment contracts, and any applicable and/or relevant legislation.

### 2. **Employee and Assignment Employee Obligations**

- 2.01 All Employees and Assignment Employees should review and familiarize themselves with this Policy and its related policies, as identified in section 1.2. These policies provide the purposes for which, and detailed descriptions of how and in what circumstances, the University may electronically monitor Employees and Assignment Employees.