

ELECTRONIC MONITORING PROCEDURE

RATIONALE:

The Employment Standards Act, 2000 (ESA) requires that employers with 25 or more employees give notice to employees on the electronic monitoring of employees in the form of a written policy.

The Board has a duty to uphold the security of its information resources and electronic systems. The board also has a duty to uphold the safety and security of students, staff, board property and electronic assets. The Board may, at its discretion, use information obtained through electronic monitoring to investigate violations of its policies as well as any applicable laws. Where appropriate, such information may lead to disciplinary action, up to and including termination of employment, including for cause.

TERMINOLOGY:

Electronic Monitoring: refers to the review of data, records or output of technologies deployed on corporate networks, devices, as well as work tools or central access.

Electronic System: is a device connected via wire or wireless communication to exchange real time data. This includes end user devices but also the servers and systems the Board uses to conduct their business. Examples include email, firewalls, ventilation controls and wireless access points.

On Demand Monitoring: refers to the access of data collected via our electronic systems (Board provided technology), critical business systems and/or logs for those systems for a specific, episodic purpose such as an imminent threat to the integrity of board electronic systems, a privacy information breach, a violation of board policies that risks the safety and security of staff, students, board property and/or board electronic systems.

Routine Monitoring: refers to electronic monitoring in which critical business systems are routinely checked against quality control rules to make sure they are always of high quality and meet established standards.

PROCEDURES:

The responsibility for and commitment to the HWDSB's Electronic Monitoring Procedure exists at all levels of the organization. All stakeholders within HWDSB contribute to the success of the Procedure. This Procedure is applicable to all full-time, part-time, temporary, and casual employees, volunteers and Trustees of HWDSB.

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1.0 Responsibilities

- 1.1 The Director of Education is responsible to:
 - 1.1.1 Ensuring the implementation of and compliance with this Procedure, including the designation of required resources.
 - 1.1.2 Providing written approval for On Demand Monitoring.
- 1.2 Human Resource Division is responsible for:
 - 1.2.1 Facilitating communication with all employees and stakeholders of this Procedure.
 - 1.2.2 Providing support and assistance to supervisors, managers, principals.
 - 1.2.3 Reviewing this procedure, at minimum, on an annual basis with all labour leaders and management groups.
 - 1.2.4 Providing this procedure to each employee within 30 calendar days of implementation. Further, should any changes be made to the procedure after its implementation, each employee will be provided a copy of the revised procedure within 30 days of the revisions being made.
 - 1.2.5 Providing all new employees with a copy of this procedure upon onboarding and within 30 calendar days of commencing employment with HWDSB.
- 1.3 Supervisors, Managers, Principals are responsible for:
 - 1.3.1 Communicating the expectations of this Procedure with all staff at the start of each school year.
 - 1.3.2 Ensuring all monitoring is aligned with this procedure.
- 1.4 Employees are responsible for:
 - 1.4.1 Having an understanding of this procedure.
 - 1.4.2 Reviewing this procedure annually.

2.0 Key Elements of the Electronic Monitoring Procedure

- 2.1 The Board conducts electronic monitoring to ensure we:
 - 2.1.1 Protect staff, students, and technology from harm.
 - 2.1.2 Keep our facilities and property safe and secure.
 - 2.1.3 Protect electronic resources from unauthorized access.
 - 2.1.4 Protect against loss, theft, or vandalism.

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2.2 Routine Monitoring

- 2.2.1 The Board routinely monitors electronic systems ([Appendix A](#)). The Board may monitor and access any files, documents, electronic communications, and the use of the internet at any time to ensure the integrity of our electronic systems.

2.3 On Demand Monitoring

- 2.3.1 The Board may access data collected through our technology systems (Board provided technology including but not limited to the following situations (approvals required indicated in parentheses):

2.3.1.1 To comply with legislative disclosure or Freedom of Information (FOI) access requirements under MFIPPA (Municipal Freedom of Information and Protection of Privacy Act) and PHIPA (Personal Health Information Protection Act), or to assist with the investigation and resolution of a Privacy Breach if the employee holding the records, or connected to the breach is absent from work or otherwise unavailable (Authorized by the Director or Designate, the Privacy Officer and the member of Executive Council responsible for Human Resource Services and Staff Well-Being).

2.3.1.2 To complete regular maintenance of the Board owned electronic information systems (Authorized by Information and Instructional Technology Department, as needed).

2.3.1.3 When the Board has a business-related need to access the employee's Board provided device. For example, when the employee is absent from work or otherwise unavailable (Authorized by the Director or Designate, or the member of Executive Council responsible for Human Resource Services and Staff Well-Being).

2.3.1.4 In order to comply with obligations to disclose relevant information in the course of a legal matter (Authorized by the Director or Designate, or the member of Executive Council responsible for Human Resource Services and Staff Well-Being).

2.3.1.5 When the Board has reason to believe that there has been a violation of the Code of Conduct, Board Policy, Board Procedure, or is undertaking an administrative, legal or disciplinary investigation (Authorized by the Director or Designate, or the member of Executive Council responsible for Human Resource Services and Staff Well-Being).

3.0 Other

- 3.1 The Board recognizes its obligations under the Ontario Human Rights Code, the Employment Standards Act, the Privacy Act and other applicable legislation as well as its collective agreements and Terms and Conditions where applicable. The Board will apply

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this Electronic Monitoring Procedure in a manner that fully complies with those obligations.

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APPENDIX A: Electronic Monitoring – Administrative Procedure

Tool	What is monitored?	How	Purpose
Web filtering	All internet traffic	Firewalls	Protect from harmful and inappropriate content.
E-Mail filtering	All e-mail traffic	Safety and Security	Prevent the transmission of inappropriate/confidential data over insecure e-mail.
Network Monitoring	All network traffic	Packet analysis	Protect the integrity and availability of the network.
Account Authentication	Staff login to services	Authentication Server	Protect against unauthorized access.
Device Management (iPads)	Installed on all Board iPads	Mobile Device Management	Protect against loss/ theft and enforce security settings.
Device Management (laptop)	Installed on one-to-one/ administrative laptops	Endpoint Security Tool, e.g., antivirus software, web filtering, application/patch management	Protect against loss/ theft and enforce security settings.
HWDSB supported applications	Overall usage	Network management and monitoring tools	To protect against unauthorized access and monitor overall usage.
Phone logs	Some facilities	Private Branch Exchange (PBX) phone system	Call quality (e.g. bandwidth, latency, jitter, packet loss, compression), call volume and voicemail storage monitoring.
Video surveillance	Some facilities	Video surveillance cameras and recording systems	Safety, theft, illegal activity, policy violations/ incident monitoring and review.
Access Cards	All facilities	Through door reader	Control and monitor access to buildings.
Electronic sign-in	Some facilities	Electronic data collection	Maintaining a Visitor's Book per the Education Act and where necessary for health-related purposes.