Lakehead UNIVERSITY | University Secretariat

Electronic Monitoring Policy

Category: Human Resources

Jurisdiction: Vice-President (Administration and Finance)

Approval Authority: Executive Team

Established on: October 11, 2022

Amendments: None

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1. Policy Statement

Lakehead University is committed to transparency with regard to electronic monitoring.

2. Purpose

The purpose of this Electronic Monitoring Policy (the "Policy") is to provide transparency about the University's use of electronic monitoring tools for employee activity.

This Policy is intended to outline the University's electronic monitoring practices and should be read in conjunction with other applicable University policies, guidelines, or standards.

3. Scope

This policy applies to all employees, as defined by the Ontario Employment Standards Act, 2000 ("ESA"). For clarity, "employee" under this Policy means only those employees of the University who are considered employees under the ESA.

4. Definitions

"Electronic Monitoring" refers to employee monitoring that is done electronically.

"Active Electronic Monitoring" is the use of electronic monitoring tools that are intended to intentionally track employee activity or location and are monitored in real-time or close proximity to the time of collection.

"Passive Electronic Monitoring" is the collection, analysis and/or retention of data that may include, without limitation, data about employee activity or location either in physical spaces or on the university's network that is not actively monitored.

5. Policy Electronic Monitoring Practices

1) The University uses various electronic monitoring tools in different circumstances and for different purposes. The University does not actively monitor employees using electronic means for the purpose of employee performance management as a normal course of business and only as permitted by law. The University categorizes its electronic monitoring practices into two groups: Active Electronic Monitoring and Passive Electronic Monitoring. The University may use data collected from active or passive electronic monitoring tools for employment-related purposes and reserves any and all rights to do so.
2) The Table (Appendix 1) outlines how and in what circumstances the University uses electronic monitoring tools, and the purposes for which information obtained through electronic monitoring tools may be used by the University.
3) Personal information that is collected through the tools listed in Appendix 1 is collected because it is necessary to the proper administration of lawfully authorized activities of the University. Appendix 1 identifies the principal purposes for which any personal information of employees collected is intended to be used. Employees with any questions regarding the collection of their personal information can direct their questions

to; Director. Risk Management and Access to Information, Main Phone 807-343-8010 Ext. 8518

4) The University values employee privacy and its use of any electronic monitoring tools for employment-related or disciplinary purposes is discretionary. The University's use of any electronic monitoring tools for employment-related purposes is further subject to any rights an employee may otherwise have per their employment contract, collective agreement or otherwise at law. In addition to the purposes listed in Appendix 1, the University may use any electronic monitoring tools for the purposes of monitoring, evaluating or investigating employee performance, behaviour or conduct, including whether to issue an employee discipline, up to and including termination of employment.
5) This Policy does not provide employees any new privacy rights or a right to not be electronically monitored. Nothing in this Policy affects or limits the University's ability to conduct, or use information obtained through, electronic monitoring.
6) Nothing in this Policy is intended to amend or supersede any grievance procedure or other aspect of any applicable collective agreement.
7) In the event the University collects any personal information, as defined in the Freedom of Information and Protection of Privacy Act (FIPPA), when using the electronic monitoring tools listed in Figure 1, the University shall collect, use and disclose personal information in accordance with applicable legislation, including, but not limited to, FIPPA.

6. Posting, Notice and Retention

1) The University will provide all current employees with access to or a copy of this Policy within 30 calendar days of implementation.
2) The University will provide all employees hired after this Policy is first implemented with access to or a copy of this Policy (or the applicable revised version) within 30 calendar days of the employee's start date.

3) The policy may be amended from time to time in the University's sole discretion. In the event this Policy is amended, the University will provide each employee with access to or a copy of the amended Policy within 30 calendar days of the date the amendment(s) become effective.
4) The University will provide a copy of this Policy to assignment employees assigned to perform work for the University within 24 hours of the start of the assignment or within 30 days of the Policy's implementation, whichever is later.
5) The University shall retain a copy of this Policy and any revised version of this Policy for a period of three (3) years after it ceases to be in effect.

Review Period: 5 years;

Next Review Period: 2027-2028;

Related Policies and Procedures: None;

Policy Superseded by this Policy: None.

Appendix 1

Electronic Monitoring Tool	**Circumstances in which electronic monitoring may occur**	**How Electronic Monitoring Occurs**	**Purpose for which the collected information may be used**	**Responsible point of contact**
Email tracking	Continuous - Passive Electronic monitoring	Software records copies of all messages sent or received by addresses within the University's domain	Network and identity management security, support and compliance with FIPPA	Director of Technology Services Centre
Door access control	Each scan - Passive Electronic monitoring	An electronic sensor creates a record each time an authorized user scan their key fob and enters controlled University spaces.	Facility security	Director of Physical Plant
Firewalls/VPN/ Web gateways and portals including tracking technologies like cookies	Continuous - Passive Electronic monitoring	Network security programs and tools to monitor use and access of University systems and networks.	Network and identity management security and support	Director of Technology Services Centre

Endpoint threat detection and response protection system	Continuous - Passive Electronic monitoring	"EDRS" monitors the use of workstations (programs run, files read and written, etc.) and compares it against a baseline to detect abnormalities and potential unauthorized use.	Network and identity management security and support	Director of Technology Services Centre
Security Information Event Management System	Continuous - Passive Electronic monitoring	Network security programs and tools to monitor use and access of University systems and networks.	Network and identity management security and support	Director of Technology Services Centre
Computing, Communication and Network systems	Continuous - Passive Electronic monitoring	Network security programs and tools to monitor use and access of University systems and networks.	Network and identity management security and support	Director of Technology Services Centre

Telephone and conferencing system logs	Continuous - Passive Electronic monitoring	Network security programs and tools to monitor use and access of University systems and networks	Network and identity management security and support	Director of Technology Services Centr
Video Cameras system	Continuous	Cameras record video footage of specific areas within the University's facility.	Facility security, employee and asset protection	Director of Security Services
Video Surveillance (investigation)	With reasonable Grounds to suspect unlawful activity or breach of contract	Investigators may be retained to document employee activity outside of work using video camera technology.	To detect unlawful activity or activity in breach of employment contract	Director of Security Services
Time and attendance and presence or position audit or tracking systems	Each entry - Active and Passive Electronic Monitoring	For the purpose of tracking time and attendance supporting payroll or ensuring tours and duties	To detect and log presence and activity	Associate Vice-President of Human Resources Director of Security Services