

# Workplace Electronic Monitoring Policy



Electronic monitoring includes all forms of employee monitoring that is done electronically during working hours. Examples include tracking employee movements through access cards and GPS devices on delivery vehicles, and tracking employee website visits, emails, and online chats. This model policy uses GPS tracking examples.

## **1. STATEMENT OF COMPANY USE OF ELECTRONIC MONITORING TECHNOLOGY**

ABC Company uses digital technologies and equipment to electronically monitor activities in the workplace and/or activity during work hours.

## **2. PURPOSE**

The purpose of this Policy is to make you fully aware of all aspects of the Company's electronic monitoring activities, including how monitoring is performed, the devices and equipment used, the circumstances in which you may be subject to electronic monitoring, the information collected as a result of electronic monitoring and how the Company uses that information.

## **3. HOW ELECTRONIC MONITORING IS PERFORMED**

It is important for workers to understand how ABC Company performs electronic monitoring so that they understand that they're being monitored and recognize that they have **no**

**reasonable expectation of privacy** in the information collected in the course of monitoring activities. [*Describe the monitoring you perform, the systems, devices and equipment you use to perform it and the circumstances in which monitoring may be performed*].

**Example:** Global Positioning System (GPS) technology installed in ABC Company trucks to monitor information about the whereabouts, speeds and uses of those vehicles during delivery and transport operations. GPS has been installed in the following vehicles [*list*]. All such vehicles will be identified by clearly posted markings indicating that the vehicle is equipped with GPS.

#### **4. PURPOSES OF ELECTRONIC MONITORING**

After careful consideration, ABC Company has determined that electronic monitoring is necessary to collect essential information that cannot be collected using less privacy-invasive means. This includes productivity, safety, hours of work, etc. [*Explain the purposes for performing electronic monitoring activities.*]

**Example:** Use of GPS in Company vehicles is an important safety measure whose primary purpose is to ensure that workers drive safely and comply with all traffic safety requirements. The secondary purpose of deploying GPS is to identify vehicle misuse, identify ways to reduce fuel costs and improve overall operational effectiveness.

#### **5. INFORMATION COLLECTED**

Electronic monitoring activities performed by ABC Company will collect only the information necessary to achieve the purpose(s) described above. [*Explain the information that you collect in carrying out electronic monitoring.*]

**Example:** GPS collects information showing how the vehicle is operated, including:

- Speed of travel;
- Unsafe driving practices like rapid “jackrabbit” starts;
- Seat belt usage;
- Route of travel;
- Time of arrival;
- Length of stop;
- Time vehicle is spent idling;
- Location of the vehicle at every stop;
- Vehicle mileage;
- Acceleration and deceleration.

## **6. USE OF INFORMATION COLLECTED VIA ELECTRONIC MONITORING**

To repeat, ABC Company will use the information generated by electronic monitoring solely for the purpose(s) listed in Section 4 above. *[Describe how you will use electronic monitoring information.]*

**Example:** Supervisors in charge of operations performed by vehicles equipped with GPS will regularly review GPS data each week to ensure that:

- Workers are operating the vehicles safely;
- Vehicles are being operated within reasonable proximity of assigned work locations;
- Efficient travel routes are being utilized;
- Work activities are being planned efficiently; and
- Reported activities correspond with designated work hours and assigned duties.

## **7. DISCLOSURE OF INFORMATION COLLECTED VIA ELECTRONIC MONITORING**

ABC Company will limit access to the personal information contained in the data it collects from electronic monitoring to persons who need it to carry out the purposes for which the data is collected and not disclose it to anybody else, except with the consent of the individual or as permitted or required by law. *[Describe to whom you disclose electronic monitoring*

*information.]*

**Example:** No persons other than the designated supervisors referred to in Section 6 above will have access to the GPS data. In the event of a reported or observed incident, the GPS data may also be used to assist in the investigation of the incident and may be turned over to law enforcement or other government personnel, if appropriate.

## **8. RETENTION OF INFORMATION COLLECTED VIA ELECTRONIC MONITORING**

ABC Company will keep the data it collects from electronic monitoring for [*specify time*] unless retention for a longer period is required to accomplish the purposes of carrying out monitoring or where required by law. Old data that is not reused or recycled will be shredded, burned, magnetically erased or otherwise made permanently unreadable.

## **9. CONSEQUENCES OF NONCOMPLIANCE**

Individuals who fail to follow this Policy or who use or disclose electronic monitoring information inappropriately will be subject to disciplinary sanctions, up to and including termination in accordance with the ABC Company Progressive Discipline Policy and the terms of any applicable collective agreements.