



THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

Subject: Acceptable Use of Information Technology Policy

Director: Corporate Services

Manager: Human Resources

Report Number: Human Resources-2022-09

Meeting Date: Monday, October 3, 2022

Recommendation: THAT Committee of the Whole recommend that Council approve the Acceptable Use of Information Technology Policy as presented in Report # Human Resources 2022-09;

AND FURTHER THAT they recommend that Council repeal Sections 47 - 50 from By-Law No. 2020-023 Consolidated Human Resources Policy Manual (2020).

Date to be considered by Council: Monday, October 3, 2022

Report Summary:

The Municipality of Kincardine continually reviews and updates workplace policies to ensure relevancy and compliance with legislative requirements. The Municipality has created an updated Acceptable Use of Information Technology policy in order to provide clear direction for employees and to include the requirements related to Electronic Monitoring of Employees. The updated policy is being presented to Council for approval prior to the deadline of October 11, 2022.

Origin: Bill 88 – Working for Workers Act, 2022

Existing Policy: Consolidated Human Resources Policy Manual

Background/Analysis:

The Municipality of Kincardine values trust and is committed to maintaining a transparent and fair workplace. It is in the best interest of the Municipality of Kincardine to continually review and update policies, when necessary, to ensure that they remain relevant and align with workplace requirements.

In April 2022, the Ontario government amended the Employment Standards Act, 2000 to introduce a requirement that workplaces with twenty-five (25) or more employees in Ontario create a written policy on Electronic Monitoring of Employees by October 11, 2022. The legislative requirement allowed employers to create a new separate policy or incorporate the information into an existing policy.

The Municipality of Kincardine was already in the process of creating a new Acceptable Use of Information Technology policy which would incorporate sections of the current HR Policy Manual but also enhance our policy requirements. Inappropriate use of IT assets exposes the Municipality to risks including malware attacks, compromising of network systems and services, loss of confidential information and legal issues. Therefore, there was a need to create a formal policy and the decision was made to incorporate the information regarding electronic monitoring of employees.

Electronic Monitoring is defined by using technological, electronic, or digital means to track, observe, or monitor employee actions. The Municipality of Kincardine collects information for monitoring through a number of different ways: GPS; network, remote and file access; email access; emergency services applications; video surveillance; and electronic meetings. The legislation does not limit the employer's ability to electronically monitor employees but requires the employer to inform the employee that it is happening and explain the purpose.

All new employees will receive a copy of the policy upon commencing employment and this policy will be circulated to staff on a regular basis. Failure to comply with this policy may result in the loss of access privileges and/or other disciplinary action up to and including termination.

The implementation of the new Acceptable Use of IT policy will require the removal of the following sections of the current Consolidated Corporate Human Resources Policy Manual (2020) in order to provide clear direction to employees:

- Section 47 – Acceptable Computer Use
- Section 48 – Internet Access and Acceptable Use
- Section 49 – Software Licenses, Acquisition, Installation & Support
- Section 50 – Management of Users

Integrated Strategy 2020 – 2025: Goal #1: Human Resources Alignment - to update policies to ensure a positive workplace culture.

Financial Implications: None

Attachments:

1. GG 6.20 - IT Acceptable Use Policy
2. Consolidated Human Resources Policy Manual (2020-023)

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