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# e2r Alert!

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## Policy on Electronic Monitoring for Ontario Employers – A Quick Update

As you may be aware from our recent e2r™ Alert, a recent change to the Ontario *Employment Standards Act, 2000* (ESA) requires employers with 25 or more employees on January 1 of any year have a written policy in place with respect to electronic monitoring of employees.

Since our last Alert, we confirm that employers that meet the 25-employee threshold on January 1, 2022 have until October 11, 2022 to meet the new requirement to have a written policy in place.

As a reminder, the Policy must contain:

- A description of how, and in what circumstances, the employer may electronically monitor employees;
- The purposes for which the employer may use the information obtained through electronic monitoring; and
- The date it was prepared and the date any changes were made to the policy.

While we anticipate receiving further guidance, at the moment we do not have a definition of what exactly electronic monitoring means. As such, it is very difficult to draft a policy addressing the issue.

The good news is there is ample time before the policy needs to be in place and so we would advise waiting until we have greater clarity about this new requirement.

Stay tuned!

As always, if you have any questions regarding a specific situation, please do not hesitate to reach out to speak with an e2r™ Advisor.