

Ontario Will Require Certain Employers to Implement Electronic Monitoring Policies

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On February 24, 2022, the Government of Ontario [announced](#) that it will introduce new legislation requiring employers with 25 or more workers to implement a written electronic monitoring policy for their employees.

According to the announcement, an employer's electronic monitoring policy would need to advise whether the employer electronically monitors its employees. If so, the policy would need to describe how and in what circumstances the employees are monitored, and disclose the purpose of collecting information through electronic monitoring. The policy would apply to employees working in the workplace, in the field, or at home.

The recent announcement follows the passing of the *Working for Workers Act, 2021* which amended, among other employment-related statutes, the *Employment Standards Act, 2000*, by prohibiting—subject to narrow exceptions—the use of non-compete agreements and by requiring employers in Ontario with 25 or more employees to create a policy regarding disconnecting from work.

We will monitor and provide further details regarding the proposed electronic monitoring policies. If you would like to discuss how the proposed changes may impact your business or require assistance to comply with the necessary changes, please contact a member of WeirFoulds' Employment Law Group.

The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.

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