

# POLICY

|   |                  |                                |                |            |
|---|------------------|--------------------------------|----------------|------------|
|  | Policy:          | <b>Disconnecting from Work</b> |                |            |
|   | Department:      | Corporate Services             |                |            |
|   | Division:        | Human Resources                | By-Law No.:    | N/A        |
|   | Administered By: | Manager, Human Resources       | Approval Date: | 2022 07 25 |
|   | Replaces:        | N/A                            |                |            |
|   | Attachment(s):   | N/A                            |                |            |

## 1. POLICY STATEMENT

The Corporation of the Town of Amherstburg (the Town) recognizes the changing nature of work and how technological advances have contributed to lack of separation between an employee's work and personal time. The Town recognizes that work-related pressures and the inability to disconnect from the work can result in stress and deterioration of employee health and well-being. The Town is committed to supporting employee's overall health by reinforcing clear delineation and separation from work by ensuring employees understand what supports and mechanisms are in place to facilitate Disconnecting from Work outside of regularly schedule hours.

## 2. PURPOSE

- 2.1. This policy provides clarity regarding an employee's disconnecting from work outside of their normal working hours, subject to reasonable exceptions and the Town's obligations to put in place appropriate measures to address this Disconnecting from Work as outlined in *Bill 27, Working for Workers Act*.
- 2.2. This policy defines what is meant by "Disconnecting from Work" and provides the framework for which the Town will implement and fulfil the requirements as set out in legislation.
- 2.3. This policy confirms the Town's commitment to support employee well-being by implementing the required measures and messages allowing for the achievement of improved work-life balance where employees are encouraged to separate from work to recharge regardless of whether employees are working in the workplace or under a flexible or hybrid work arrangement.
- 2.4. This policy ensures parties understand their respective responsibilities regarding Disconnecting from Work.

## 3. SCOPE

- 3.1. This policy applies to all Town employees, unless otherwise specified.
- 3.2. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO or designate.

## 4. DEFINITIONS

- 4.1. **Disconnecting from Work** is defined as not engaging in a range of work-related activities and communications including meetings, e-mails, telephone calls, video calls or sending or reviewing messages such that employees are free from the performance of work outside of

their normal working hours in accordance with the *Employment Standards Act, 2000 (ESA)* and this Policy, subject to any exceptions outlined within the Policy.

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

## **5. INTERPRETATIONS**

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Town policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.

## **6. GENERAL CONDITIONS**

### **Guidelines**

An employee's time outside of normal working hours is intended for employees to recharge and dedicate their time to activities that are of importance to them and wherever possible should not be used to complete work-related activities and tasks; however, owing to the current work landscape, including working from home arrangements, there may exist a lack of separation between home and work that presents challenges for employees to actually disconnect. The accessibility and proximity of the work may lead employees to continue working beyond their working hours. Habitually using personal time to complete work activities can contribute to employees' feelings of being "always on" and a felt obligation to continue working and/or respond to communication that comes in after regular working hours.

Employees unable to fully disconnect from their work may experience stress and other mental health challenges which are associated with many of the leading causes of disease and disability, can result in burnout, negatively affect performance, mood and attendance, and personal and professional relationships.

All employees are encouraged to know, and conduct their assigned work within, their established working hours to the extent that it is reasonably possible to do so. Aside from such times as work may be required outside of established working hours (i.e., employee's agreement, emergency situations, on-call duties) employees are free to disconnect from work during off hours, and are encouraged to do so.

This Policy will be governed by and interpreted in accordance with all applicable legislation, including (but not limited to) *Ontario Employment Standards Act, 2000 (ESA)* and *Occupational Health and Safety Act*.

Employee health and well-being are priorities and the Town is committed to improving overall employee health and wellness and providing employees with improved work-life balance.

### **6.1. Disconnecting from Work**

- 6.1.1. Employees are able and are supported to disconnect from their job- and job-related tasks, including communication outside of working hours and to do so without fear of reprisal.

- 6.1.2. Employees are encouraged to establish and follow clear boundaries between their work and personal lives.
- 6.1.3. Disconnecting from Work means that employees:
  - 6.1.3.1. Can and should stop performing their job duties and job-related tasks outside of expected working hours;
  - 6.1.3.2. Are not required to take work home to complete outside of regular working hours
  - 6.1.3.3. Are not expected or required to respond to work-related communication outside of regular working hours, while on rest breaks, or during any paid or unpaid time-off;
  - 6.1.3.4. Should take and use all of their scheduled work breaks and time off entitlements for non-work-related activities; and
  - 6.1.3.5. Will not face repercussion or be penalized for not communicating or continuing to work outside of their regular working hours.
- 6.1.4. Employees must also demonstrate respect for others' Disconnecting from Work and should not expect co-workers to respond, communicate, or complete work outside of their working hours.

## 6.2. **Workload and Productivity**

- 6.2.1. The Town understands that there are circumstances where employees wish or need to work outside of their normal hours to address a time-sensitive deadline, to attend to an urgent matter, or due to unforeseen circumstances; however, employees should not routinely work outside of their schedule hours to complete or catch up on work.
- 6.2.2. Employees having difficulty managing their workload during regularly schedule hours should meet with their direct manager to evaluate current workload, priorities and due dates.
- 6.2.3. Managers and Supervisors will work with employees to develop solutions to ensure:
  - 6.2.3.1. Current workload is reasonable and does not result in the employee working excess hours
  - 6.2.3.2. Regular job duties can be completed during working hours; and
  - 6.2.3.3. Employees can remain productive and meet goals and objectives
- 6.2.4. Working additional hours does not automatically equate to increased productivity. Employees are encouraged to seek ways to maximize productivity within their workday by using effective time management tactics including:

- 6.2.4.1. Scheduled calendar time blocking to complete specific tasks or communication and follow-up activities;
- 6.2.4.2. Strategizing with their manager to organize and prioritize work;
- 6.2.4.3. Break down projects and tasks into manageable portions and milestones;
- 6.2.4.4. Minimize disruptions by setting on-line status to “busy” or “do not disturb”;
- 6.2.4.5. Whenever possible, institute at least one dedicated work day per week without meetings; and
- 6.2.4.6. Set goals to work continuously for specified periods of time before taking a rest break or responding to communication (i.e., Pomodoro technique)

### **6.3. Working Hours**

- 6.3.1.1. Employee’s working hours are established as laid out by their employment contract, in policy or collective agreements or prescribed between an employee and their direct manager.
- 6.3.1.2. It is generally expected that all employees are able to complete their work, including reviewing and responding to work-related communications during their normal hours of work. The Town does not expect that employees engage in work or work-related communications outside of their normal hours of work, subject to exceptions as detailed and outlined below.
- 6.3.1.3. Employees who are unable to complete their work or attend to work-related communications within normal working hours are to notify their manager at the earliest opportunity.

### **6.4. Exceptions**

- 6.4.1. There are situations where it may be necessary for employees to perform work or communication with colleagues outside of their normal hours of work, examples include but are not limited to the following:
  - 6.4.1.1. Emergency or exigent circumstances that arise with or without notice
  - 6.4.1.2. Requirement to assist or fill in with short notice for a colleague
  - 6.4.1.3. Nature of the employees’ work is such that it requires work and/or work-related communications to be accomplished outside of their normal working hours.
  - 6.4.1.4. Unforeseen business or operational reasons
  - 6.4.1.5. Employee request or agreement to work certain hours or have flexible working hours; and

- 6.4.1.6. Other circumstances as outlined by an employee's manager that are deemed inherent to the position

## 6.5. Meetings, Calls and Work-Related Communications

- 6.5.1. Employees should make all reasonable efforts to schedule meetings, calls and attendance to work related communications during normal hours of work, subject to exceptions outlined in this Policy.
- 6.5.2. Employees may feel obligated to send or respond to messages outside of working hours. The Town, may on occasion send general communication to employees when they are in fact not working (i.e., day off or scheduled vacation) but will endeavour to ensure that communications are such that they do not require an immediate response, unless it is unavoidable to do so.
- 6.5.3. Employees must also respect other's disconnecting from work and limit or avoid direct communications (i.e., sending emails, text messaging, instant messaging) or phone calls to employees and clients outside of regularly scheduled work hours, during breaks, or during times where employees are known to be off (i.e., regularly scheduled day off or vacation time.)
- 6.5.4. The Town recognizes that it may be necessary to send communication to a group of employees (i.e., department), or to forward important communication to an employee who is not working. In these instances, responses should not be expected until such time as the employee has returned to work. In urgent or emergency situations where a response is required, manager approval should be sought prior to sending.
- 6.5.5. Employees not replying to work-related communications outside of their working hours will not face repercussions.
- 6.5.6. Communication boundaries can be set by doing the following:
  - 6.5.6.1. Set clear expectations for an e-mail response time;
  - 6.5.6.2. Logging off for the day or setting your on-line status to "away", "out of office", "do not disturb", or "offline" when not working;
  - 6.5.6.3. Scheduling break times in your calendar; and
  - 6.5.6.4. Avoiding using work email for unrelated communication, such as newsletters, coupons or personal correspondence
- 6.5.7. Employees should at all times strive to act consistently with limited sending and responding to communications outside of scheduled hours. However, should it be necessary to conduct work, compose messages or communications outside of working hours, consider using a scheduling tool that allows the communication to be sent at a specified time during work hours or clarify in the communication that a response is not expected outside of normal working hours.

- 6.5.8. Employees are expected to use their best judgement when determining whether to conduct work activities, send or respond to work-related communications outside of normal working hours.

## 6.6. **Breaks and Time Off**

- 6.6.1. Meal breaks are provided to employees to meet legislative requirements and to allow employees the opportunity to become refreshed enabling their ability to refocus on their work productively. Employees are encouraged to refrain from work activities during these periods.
- 6.6.2. The Town understands the importance of having personal time off for its employees. Employees are encouraged to use their accrued paid vacation time in full every year to allow for rest, relaxation and personal pursuits with any exemptions going to the CAO for approval.
- 6.6.3. Employees are expected to, wherever possible to complete time-sensitive projects and meet deadlines prior to commencing their vacation and/or to have planned for sufficient coverage in their absence. Managers will work with employees to ensure appropriate delegation of tasks and duties required to be completed in their absence to maintain workflow and productivity. Employees should not be reluctant to take vacation due to workload pressures, unless there are limitations or restrictions as a result of a due date, project priority, scheduling conflict or unforeseen circumstance that prevent an employee from doing so.

## 6.7. **Overtime**

- 6.7.1. Hours worked outside an employee's standard hours may lead to overtime hours. The Town permits employees to request or require overtime in certain situations to ensure work is completed; however, employees are not permitted work overtime unless directed or pre-approved by their manager.

## 6.8. **Mental Health Support**

- 6.8.1. The Town recognizes that the workplace plays a significant role in managing and supporting employee mental health, and understands that deterioration of mental health and wellness can be triggered by excess pressures at work or at home and result in lowered work performance and harm to one's physical and mental condition.
- 6.8.2. The Town will support employee mental health by:
  - 6.8.2.1. Minimizing work-related sources of stress;
  - 6.8.2.2. Addressing internal factors that contribute to employee burnout;
  - 6.8.2.3. Regularly address workload, productivity and expectations;
  - 6.8.2.4. Promote work-life balance;

- 6.8.2.5. Assist employees in recognizing the signs and symptoms of mental health challenges;
- 6.8.2.6. Having an open-door policy for communication and providing a work environment where employees can be assured they can raise issues of mental health with their manager;
- 6.8.2.7. Treating mental health with the same level of importance as physical health and safety;
- 6.8.2.8. Conducting risk assessments to identify workplace factors that contribute to worsening or improving mental health and
- 6.8.2.9. Providing employees with the assistance and access to resources needed to support mental health (i.e., employee assistance programs, accommodations, flexible work arrangements etc.).

## 7. **RESPONSIBILITIES**

Shared responsibility exists for all employees to work together to ensure everyone is able to disconnect from work outside of normal working hours in accordance with this Policy.

7.1. **Council** has the authority and responsibility to:

7.1.1. Support employees Disconnecting from Work Policy.

7.2. The **CAO** has the authority and responsibility to:

7.2.1. Ensure compliance with the Disconnecting from Work Policy.

7.2.2. Support managers in addressing barriers including workload pressures that have the potential to interfere with the intent and application of this policy.

7.3. The **Manager, Human Resources** has the authority and responsibility to:

7.3.1. Provide new and existing employees with a copy of this Policy within 30 days of their employment as well as provide and amended versions of the Policy within 30 days of any amendment's.

7.3.2. Provide advice on the review and amendments to this Policy as often as may be required.

7.4. **Management** has the authority and responsibility to:

7.4.1. Take all reasonable steps to ensure that employees under their supervision are able to disconnect from work outside of their normal hours of work in accordance with this Policy.

7.4.2. Make attempts to resolve employee concerns regarding compliance with this Policy.

- 7.4.3. Advise employees of the limited instances in which they may be expected to perform work outside of their normal hours of work; and
  - 7.4.4. Refrain from penalising or taking reprisal action against employees who have questions regarding this Policy or request compliance with it. Legitimate management direction and/or corrective action towards employees is not considered as reprisal action.
  - 7.4.5. Provide employees with information regarding their normal hours of work given the nature of their work and any other information required to assist employees with complying with this Policy.
- 7.5. **Employees** have the responsibility to:
- 7.5.1. Take all reasonable steps to ensure that they effectively manage their work and work-related communications during their normal working hours
  - 7.5.2. Fully cooperate with any time recording methods the Town uses to track or monitor hours of work
  - 7.5.3. Take all reasonable steps to ensure that their colleagues are able to disconnect from work in accordance with this Policy; and
  - 7.5.4. Notify their manager if they experience undue pressure to work or respond to work-related communications outside of their normal working hours, or if they are otherwise unable to comply with the Policy.

## **8. REFERENCES AND RELATED DOCUMENTS**

- 8.1. [\*Employment Standards Act, 2000\*](#)
- 8.2. [\*Occupational Health and Safety Act \(OHSA\), R.S.O 1990\*](#)
- 8.3. [Town of Amherstburg's Hours of Work Policy](#)
- 8.4. [Town of Amherstburg's Duties Policy](#)
- 8.5. [Town of Amherstburg's Time-In-Lieu-Of Overtime Policy](#)
- 8.6. [Town of Amherstburg's Health and Safety Policy](#)
- 8.7. [Town of Amherstburg's Work at Home in the Event of an Emergency Policy](#)
- 8.8. [Town of Amherstburg's Workplace Wellness Program Policy](#)
- 8.9. [Town of Amherstburg's Non Union Annual Vacation Policy](#)