

Town of Greater Napanee Disconnecting from Work Policy



Approval Date:	May 24, 2022	Resolution #	285/22
Revised Date:		Resolution #	
Review Scheduled:	October 2023		
Department:	Human Resources	Contact:	Human Resources
Approval Authority:	Council	Policy No:	HR-2022-01

Introduction

The Town of Greater Napanee (The Town) prioritizes the health and well-being of its employees and recognizes that disconnecting from work is an important part of a healthy work-life balance and encourages and supports our employees in prioritizing their own wellbeing.

In keeping with the corporate values of being an employer of choice, and to encourage and support our employees in balancing their work and personal lives, whether working traditional hours in the workplace, remotely or flexibly, the Town has implemented this Disconnecting-from-Work Policy (the “Policy”). This Policy encourages employees to disconnect from work where possible outside of their normal working hours.

This Policy should be read alongside the Town’s associated policies on vacation, overtime, health and safety, hours of work, accommodation and any relevant and applicable legislation, and any other policy that may become applicable and/or relevant.

Purpose

The intent of this policy is to ensure the Town has clear definitions, roles, and responsibilities as well as meet obligations under *Ontario’s Working for Workers Act* (Bill 27).

Scope

This policy applies to all Town employees, as defined by the Ontario *Employment Standards Act, 2000* (“ESA”), whether they are working remotely, in the workplace, flexibly or are mobile. For clarity, “employee” under this Policy means only those employees of the Town which are considered employees under the ESA.

Definitions

Work: Partaking in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages.

Disconnecting from work: Disconnecting from work means the expectation to not have to engage in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work.

Hours of Work: Includes core hours of work for a department/division as set based on operational requirements. For example, core administrative office hours are generally 8:30am – 4:30pm while core hours for operational sites often begin and/or end at different times and may include evening, night, and weekend shifts.

Includes scheduled on-call and standby hours, as outlined in collective agreements or employment agreements.

Includes alternative hours of work as agreed to by an employee and their manager/supervisor or as part of a Flexible Work Arrangement or Workplace Accommodation.

Emergency: A situation or impending situation that requires timely or immediate attention and/or action, failing which the situation may reasonably result in an adverse impact on human health, animal health, property, or the environment.

Unforeseen Circumstance: An unforeseeable incident or occurrence that unless addressed can reasonably lead to an adverse impact on:

- a) the delivery (including, for greater certainty, the failure to deliver) of the Town's services and/or programs, and/or
- b) the Town's reputation and/or
- c) the health and safety of employees or the community.

Employer Obligations

The Town will make efforts to ensure that all employees, regardless of their place of work, are:

- (a) informed of what their normal working hours are reasonably expected to be and are informed of the circumstances in which they will be expected to engage in work-related communications outside their normal working hours.
- (b) able to take applicable meal, rest periods and hours free from work as required by law, employment contract and/or applicable collective agreement language.
- (c) able to take vacation or other leave entitlements as required by law, employment contract and/or applicable collective agreement language.

Employee Obligations

The Town expects all employees to comply with the following in the course of their work.

Employees must:

- (a) cooperate fully with any applicable mechanism utilised by the Town to record working time or update their working status (e.g., out-of-office messages), including when working remotely, flexibly, or when mobile.
- (b) be mindful of colleagues', customers/clients', vendors' and other third parties' working hours

- (c) Leverage available technology to avoid sending emails to individuals during their off hours, delayed send feature in outlook is an excellent example
- (d) ensure that they take ownership of their work and meet the Town's operational needs.
- (e) comply with the Town's policies and applicable collective agreements.
- (f) notify their supervisor or manager, in writing, of any right or entitlement they were unable to exercise and the reasons why.

Ability to Disconnect from Work

An employee's ability to disconnect from work depends on the Town's operational needs and the duties and obligations of the employee's position, subject to an employee's employment contract, applicable collective agreement and/or their minimum statutory entitlements under the ESA.

In the ordinary course of business there will be situations when it is necessary to contact colleagues outside of an employee's normal working hours, including but not limited to:

- (a) checking availability for scheduling.
- (b) to fill in on short notice for a colleague who has called in sick or is unavailable for work.
- (c) where unforeseeable circumstances may arise.
- (d) where an emergency may arise.
- (e) where employees voluntarily wish to communicate with one another for work-related purposes outside of their normal working hours.
- (f) other business or operational reasons that require contact outside of an employee's normal working hours

Nothing in the Policy precludes the Town or other employees of the Town from contacting colleagues outside of what may be considered normal working hours or standard business hours, subject to any rights or entitlements the receiving colleague or employee may have under their employment contract, applicable collective agreement and/or their minimum statutory entitlements under the ESA.

This Policy does not afford employees a "right to disconnect" beyond what is within their individual employment contract, applicable collective agreement and/or their minimum statutory entitlements under the ESA, which may include rights or entitlements speaking to: normal hours of work and hours free from work, overtime pay, meal and/or rest periods, public holidays and public holiday pay, and vacation.

Nothing in this Policy is intended to amend or supersede any grievance procedure or other aspect of any applicable collective agreement.

Reporting Concerns

All employees are expected and required to report any concerns or issues they may have which they feel is impacting their ability to disconnect-from-work. Employees are encouraged to report such concerns or issues to their immediate supervisor. If that is not appropriate or the matter cannot be resolved by doing so, employees should direct their concerns or issues to Human Resources.

Employees will not be subject to reprisal for reporting such concerns as outlined above.

Roles and Responsibilities

To build a culture where employees feel supported to disconnect from work, it is important to recognize that everyone has obligations, and a joint approach is required.

Posting, Notice and Retention

The Town shall provide a copy of this Policy to each employee of the Town within thirty (30) calendar days of implementation. Should any changes be made to the Policy after its implementation, the Town shall provide each employee of the Town a copy of the revised Policy within thirty (30) days of the changes being made.

The Town shall provide a copy of this Policy to all new employees upon onboarding and within thirty (30) calendar days of the employee commencing employment with the Town.

The Town shall retain a copy of this and any revised version of this Policy for three (3) years after it ceases to be in effect.

Reference Documents

[Bill 27, Working for Workers Act](#)

[Employment Standards Act, 2000, S.O. 2000, c. 41](#)