

Title:	Disconnect from Work Policy		
Policy Group: Your Government and People	Policy Administrator: Human Resources and Organizational Development		
Resolution No.: CW-146-2022	Policy Number: HR-01		
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1. Policy Statement

- a) The Corporation of the County of Prince Edward prioritizes the health and wellbeing of our employees, and is committed to creating and maintaining a sustainable work-life balance for its employees. The County recognizes that due to work-related pressures, the current landscape of work, or an employee's work environment or location, employees may feel obligated or choose to continue to perform their job duties outside of their regular working hours.
- b) This Disconnecting from Work Policy (the "Policy") encourages and supports employees to balance their working and personal lives, whether working traditional hours in the workplace, remotely or flexibly. The Policy encourages employees to disconnect from work outside of their normal working hours in accordance with and subject to this Policy.

2. Purpose

- a) This policy meets the obligations under *Ontario's Working for Workers Act* (Bill 27) and outlines the responsibilities of the workplace parties with respect to the ability to disconnect from work outside of hours of work to achieve healthy work-life balance.

3. Scope

- a) This policy applies to all full time, part time and contract employees. For clarity, "employee" under this Policy means only those employees of the Municipality which are considered employees under the ESA.

- b) This policy applies to all employees whether they are working remotely, in the workplace or are mobile. The policy does not negate from flexible work hours, as this Policy is not meant to override or replace any Collective Bargaining Agreement.
- c) This Policy does not apply to Volunteer Fire Fighters, or those who provide emergency or on-call services who due to the nature of their activities could be contacted beyond what is deemed normal working hours.
- d) Service standards need to be maintained. When staff are absent from the workplace, communication on who is responsible for the service they provide shall be provided, as appropriate.

4. Legislative Authority

- a) This Policy is subject to:
 - Bill 27 – Working for Workers Act, 2021
 - Occupational Health and Safety Act
 - Employment Standards Act, 2000 (ESA)
 - Collective agreements
 - By-law 130-2021 a By-Law to authorize compensation and benefits and hours of work for non-union employees

5. Definitions

- a) **Disconnect from Work:** Is defined as not engaging 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.
- b) **Regular Working Hours:** An Employee's regular working hours as set out in their employment contract and/or applicable collective agreement. Regular working hours for Employees may vary. The ability to disconnect from work is within the context of individual work schedules.

6. General

- a) An employee's ability to Disconnect From Work depends on the County'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.
- b) 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:

- i. checking availability for scheduling
- ii. to fill in on short notice for a colleague who has called in sick or is unavailable for work
- iii. employees occupying management positions or job positions which would require them to be on call or standby are expected to respond to work-related communications, as needed
- iv. where unforeseeable circumstances may arise
- v. where an emergency may arise
- vi. where employees voluntarily wish to communicate with one another for work-related purposes outside of their normal working hours; or
- vii. other business or operational reasons that require contact outside of an employee's normal working hours.

c) Employees ability to Disconnect from Work includes:

- i. the ability to stop performing their job duties and work-related tasks when they are not expected to work.
- ii. not being required to take work home with them to complete outside of regular working hours.
- iii. not expected or required to respond to work-related communication outside their regular working hours, while on break, or during any paid or unpaid time off.
- viii. taking and using all of their scheduled breaks and time off entitlements for non-work-related activities.
- v. not facing repercussion or being penalized for not communicating or continuing to work outside of their regular working hours.

d) Nothing in this Policy is intended to amend or supersede any employee's employment contract, applicable collective agreement, Non-Union Compensation By-law No. 130-2021, and/or their minimum statutory entitlements under the ESA, which may include rights or entitlements such as:

- i. normal hours of work and hours free from work
- ii. overtime pay
- iii. on call
- iv. meal and/or rest periods
- v. public holidays and public holiday pay, and
- vi. vacation

e) Nothing in this Policy precludes The County or other employees of The County 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.

7. Responsibility & Implementation

a) Employees

- i. Must take their allotted breaks, vacation and related entitlements as set out in their offer of employment and/or, applicable collective agreement to prevent burnout and promote well-being.
- ii. Report any concerns or issues they may have which they feel is impacting their ability to disconnect-from work 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 the Manager of Human Resources and Organizational Development or designate.
- iii. Will not be subject to reprisal for reporting such concerns as outlined above.
- iv. Are required to record their working time and to update their working status (e.g. out-of-office messages), including when working remotely or flexibly.
- v. Must be mindful of colleagues', customers/clients', vendors' and other third parties' working hours.
- vi. Must ensure that they take ownership of their work and meet The County's operational needs.
- vii. Must comply with the County's overtime policy (By-Law 130-2021) and relevant collective agreement provisions as may be applicable, including any requirements to obtain prior approval before performing overtime work.
- viii. Must notify their supervisor or manager, in writing, of any right or entitlement they were unable to exercise and the reasons why.

b) Employer will promote and maintain a healthy and safe working environment and ensure business continuity is maintained. The employer must ensure Employees are:

- i. 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.
- ii. Able to take applicable meal, rest periods and hours free from work as required by law, contract and/or applicable collective agreement provisions, and able to take vacation or other leave entitlements as

required by law, contract and/or applicable collective agreement language.

8. Documentation and Forms

- a) The County shall provide a copy of this Policy to each employee within 30 calendar days of implementation. Should any changes be made to the Policy after its implementation, The County shall provide each employee with a copy of the revised Policy within 30 days of the changes being made.
- b) The County shall provide a copy of this Policy to all new employees upon onboarding and within 30 calendar days of the employee commencing employment.
- c) The County shall retain a copy of this and any revised version of this Policy for three (3) years after it ceases to be in effect.