

# Corporate Policy and Procedure

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Policy	<b>Disconnect Policy</b>
Category	Corporate
Authority	Human Resources
Related Policies	Code of Conduct Hybrid Work Policy Overtime Policy
Approved By	Executive Team
Effective Date	Thursday, June-02-2022
Revision Date	Click or tap to enter a date.

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## Policy Statement

The City of Guelph 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. An increased connection and work activity can lead to overwork and/or other unintended adverse health consequences such as increased anxiety, stress and/or burnout.

In keeping with the Corporate Value of Wellness, this Policy aims to outline key definitions and responsibilities related to disconnecting from work outside of regular hours of work.

## Purpose

The intent of this Policy and its procedures is to ensure the City has clear definitions, roles, and responsibilities as well as meeting obligations under Ontario's Working for Workers Act, 2021, S.O. 2021, c. 35 (Bill 27).

## Scope

This Policy applies to all City of Guelph employees, although it is primarily intended for employees who can remain connected to the workplace outside their hours of work because of their use and/or access to their personal and/or City-issued technology, including through remote work/hybrid work arrangements.

## Definitions

### Work

Executing employment duties and/or responsibilities including, but not limited to, engaging in work-related communications, including telephone calls, text messages, e-mails, and video calls.

### **Disconnecting from work**

Not engaging in work-related communications, including e-mails, telephone calls, video calls or the sending or reviewing of other messages, 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.

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

Also includes alternative hours of work as agreed to by an employee and their manager/supervisor in accordance with the Hybrid Work Policy or other 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(s)**

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 City's services and/or programs; and/or (b) the City's reputation; and/or (c) impacts the health and safety of employees or the community.

## **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.

### **General Manager**

General Managers are responsible for:

- Oversight of the core hours of work within their department.
- Discussing with their teams about their right to disconnect, acknowledging individual preferences with respect to processing items such as emails.
- Communicating their expectation that while items may be received outside of core hours of work, action is not required until the employee is back on shift, with the exception of an emergency or unforeseen circumstance.

### **Manager/Supervisor**

Managers/supervisors are responsible for:

- Ensuring team members take meal breaks and rest periods from work in accordance with the Employment Standards Act, 2000, S.O. 2000, c. 41, as amended (the ESA), and applicable collective agreements.
- Respecting team members' ability to disconnect from work outside of Hours of Work by not routinely e-mailing or calling outside Hours of Work, except in the event of an emergency and/or when operational requirements require contact through communication methods established with the employee directly or through the appropriate collective agreement. This is not to prevent managers/supervisors from communicating with their teams, in a general manner, in 24/7 environment; whereby someone will always inevitably be on non-work time, however it is intended to encourage nondirect communication to those individuals who are on non-work time unless it is in the case of an emergency or unforeseen circumstance.
- Following on-call and standby processes, where applicable, for emergencies and unforeseen circumstances. Where on-call and/or standby employees are not available, establishing appropriate communication methods with employees for emergencies and unforeseen circumstances (e.g., e-mails with the subject line "Please respond ASAP" or a direct telephone call).
- Reminding team members of their ability to disconnect outside of Hours of Work and discussing with team members best practices to uphold this ability.
- Not penalizing an employee for acting in compliance with this Policy.
- Discussing with their teams about their right to disconnect, acknowledging individual preferences with respect to processing items such as emails.
- Communicating their expectation that while items may be received outside of core hours of work, action is not required until the employee is back on shift, with the exception of an emergency or unforeseen circumstance.

## **Employee**

Employees are responsible for:

- Performing the required daily and weekly hours of work as specified for their job to complete work and requesting additional time to complete work, when necessary, through the appropriate process. This includes any on-call or standby requirements of their role.
- Taking meal breaks and rest periods from work in accordance with the ESA or their collective agreement.
- Fully cooperating with any time recording methods used to record working time including when working remotely.

- Respecting other employees' ability to disconnect by not routinely expecting work-related contact outside of Hours of Work.
- Discussing with their manager/supervisor when being excessively contacted while exercising their ability to disconnect from work to review options.

## **Human Resources:**

Human Resources is responsible for:

- Ensuring that managers/supervisors and employees are aware of, and comply with, related legislation in all jurisdictions such as the ESA and applicable collective agreements.
- Supporting problem solving where challenges are experienced in disconnecting from work and, when required, investigating claims of retaliation under this Policy.
- Reviewing, updating, and communicating any changes to this Policy as outlined in the legislation.
- Role modelling appropriate disconnect behaviours after their own Hours of Work finish for the workday.

## **Procedure**

### **1.0 Disconnecting from Work**

Employees have an ability to disconnect from work outside of their Hours of Work. This ability applies to employees working core hours or alternative hours. Should an employee have concerns about their working time or an inability to disconnect from work, it is important to bring this to the attention of their manager/supervisor to resolve any concerns.

Managers/supervisors will first contact employees who are on-call and/or on standby for emergencies, unforeseen circumstances and/or operational requirements, wherever possible, as outlined in the applicable collective agreement.

Employees may need to be occasionally contacted outside of their Hours of Work if an emergency or an unforeseeable circumstance arises, and/or when operational requirements require contact. This contact will be made through communication methods established between the manager/supervisor and the employee.

Where a manager/supervisor sends communications outside an employee's Hours of Work and no immediate response is required, employees should not feel they need to respond until their next scheduled Hours of Work. However, managers/supervisors are encouraged to role model disconnection from work outside of their own Hours of Work, recognizing that their behaviour sends an

important message to employees.

All employees should be mindful of times e-mails and work-related texts are sent and work-related telephone calls are made. Should a manager/supervisor notice that a member of their team is sending/responding to work communications at odd hours or are logging in excessively, they should speak to the employee as soon as possible, as this may indicate they are finding it difficult to manage their workload during their Hours of Work.

Employees should use communication methods such as out-of-office alerts, voice messages and calendar settings to indicate their Hours of Work. Employees are encouraged to use other technologies, such as "delayed send" e-mails, where their Hours of Work may not coincide with a colleague's Hours of Work.

Employees who are excessively contacted while exercising their ability to disconnect from work are encouraged to discuss the difficulty with their manager/supervisor. The employee is permitted to file a complaint with Human Resources. Human Resources will conduct the investigation, following up with parties as necessary, supporting problem solving.

## **Compliance**

In accordance with the City of Guelph policies, collective agreements and applicable legislation, any non-compliance with this Policy will result in an investigation. Any employee found to be disrespecting another employee's ability to disconnect from work outside of Hours of Work other than under exceptional circumstances, emergencies or operational requirements is subject to possible progressive discipline up to and including termination.

Managers/supervisors and employees should work collaboratively to resolve issues related to disconnection. Employees can escalate disconnection issues to Human Resources where difficulties continue.

## **Reprisals**

It is a violation of this Policy for anyone to take any reprisal against any person for the reason that they invoked this Policy or participated in an investigation of a complaint.

## **Resources**

Policy snapshot (TBD)

[Collective Agreements](#)

Leader conversation guide and FAQs (TBD)

Wellness resources – [Employee Family and Assistance Program](#)

## Reference Documents

[Bill 27, Working for Workers Act, 2021, S.O. 2021, c. 35](#)

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

[Human Rights Code, R.S.O. 1990, c. H.19](#)

## Revision History

Document Owner	Issue / Revised Date	Reason for Changes
Human Resources		New Issue