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## POL.COR.22.06 Disconnecting from Work

**Policy Type:** Corporate (Approved by Council)  
**Date Approved:** June 6, 2022  
**Department:** Administration  
**Staff Report:** FAF.22.102  
**Revision Dates:** Original

### Policy Statement

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The Town of The Blue Mountains (the Town) recognizes the need for time away from Work for rest and for employees to maintain a work-life balance. Disconnecting from Work is important for an individual's wellbeing, and helps employees achieve a healthy and sustainable Work-life balance.

### Purpose

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To encourage and support our employees in balancing their working and personal lives, whether working traditional hours in the workplace or remotely, the Town has implemented this Disconnecting from Work Policy (the Policy) to encourage employees to Disconnect from Work, where possible, outside of their normal Hours of Work in accordance with and subject to this Policy.

### Application

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1. This Policy applies to all employees, whether they are Working remotely, or in the Workplace. For clarity, "employee" under this Policy means only those employees of the Town which are considered employees under the ESA.
2. This Policy should be read alongside the Town's associated policies including, but not limited to those referenced in References and Related Policies section, health and safety, accommodation, any relevant and applicable legislation, and any other Policy that may become applicable and/or relevant. Unionized employees should consult their collective agreement for any deviations from this Policy.
3. In the ordinary course of business there will be situations when it is necessary to contact colleagues outside of an employee's normal Hours of Work, 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 an Unforeseen Circumstance 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 Hours of Work; or
  - f) other business or operational reasons that require contact outside of an employee's normal Hours of Work.
4. Nothing in this Policy precludes the Town or other employees of the Town from contacting employees or colleagues outside their normal Hours of Work for circumstances as outlined above, or as otherwise required to meet operational needs, subject to any rights or other entitlements the receiving colleague or employee may have under the Ontario *Employment Standards Act, 2000* (the ESA).

## Definition

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**Disconnecting from Work** means to not engage in Work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, to be free from Work.

**Emergency** means a situation or impending situation that requires timely or immediate attention and/or action.

**ESA** means Employment Standards Act, 2000 which provides the minimum standards for most employees within Ontario. It sets out the rights and responsibilities of employees and employers in most Ontario Workplaces.

**Hours of Work** includes core Hours of Work for a Department/Division based on operational requirements and which may include evening and weekend shifts. Includes scheduled on-call and standby hours and includes alternative Hours of Work as agreed to by an employee and their Manager/Supervisor.

**Unforeseen Circumstance(s)** means an unforeseeable incident or occurrence that unless addressed can reasonably lead to an adverse impact on the Town's services, programs and/or impacts the health and safety of employees or the community.

**Work** means executing employment duties and/or responsibilities including but not limited to engaging in Work-related communications, including telephone calls, text messages, emails, and video calls.

## **Procedures**

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The Town wishes to build a culture where employees feel supported to disconnect from Work outside of their normal Hours of Work where possible.

### **1. Employer Obligations**

The Town will take steps to ensure that all employees, regardless of their place of Work, are:

- 1.1. informed of what their normal Hours of Work 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 Hours of Work;
- 1.2. able to take applicable meal, rest periods and hours free from Work as required by law, Policy and/or collective agreement language; and,
- 1.3. able to take vacation or other leave entitlements as required by law, Policy, and/or applicable collective agreement language.

### **2. Employee Obligations**

The Town expects all employees to comply with the following in the course of their Work. Employees must:

- 2.1. cooperate fully with any applicable mechanism utilised by the Town to record Working time or update their Working status (i.e., out-of-office messages), including when Working remotely;
- 2.2. be mindful of colleagues' Hours of Work (i.e., by not routinely emailing or calling outside of normal Hours of Work or expecting answers or responses outside of normal Hours of Work);
- 2.3. ensure that they take ownership of their Work and meet the Town's operational needs;
- 2.4. comply with the Town's Lieu and Overtime, Remote Work policies and on-call/stand-by requirements, including any requirements to obtain prior approval before performing overtime Work;
- 2.5. notify their supervisor or manager in writing of any meal, rest, break or hours-free-from-Work period which they are entitled to but were unable to use due to performing Work for the Town on a particular occasion, and why this occurred
- 2.6. speak with their supervisor or manager if they feel their Workload is preventing them from being able to take meal, rest, break or hours-free-from-Work periods that they are entitled to.

### **3. Ability to Disconnect from Work**

- 3.1. An employee's normal Hours of Work are as set out in their employment contract and/or applicable collective agreement.
- 3.2. Normal Hours of Work for employees may vary. It is important to remember that all employees' ability to disconnect from Work is within the context of their own individual Work schedules, the Town's operational needs and the duties and obligations of the employee's position.
- 3.3. Despite the establishment of normal Hours of Work, all employees recognize that there may be busier periods or other circumstances where Work must be completed outside of normal Hours of Work.
- 3.4. 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 Policy, applicable collective agreement and/or their minimum statutory entitlements under the Employment Standards Act (ESA).
- 3.5. This Policy does not afford employees a "right to disconnect" beyond what is within Policy, 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.
- 3.6. Nothing in this Policy is intended to amend or supersede any grievance procedure or other aspect of any applicable collective agreement.
- 3.7. This Policy does not apply in situations where an employee voluntarily wishes to communicate with another employee for Work-related purposes outside of their normal Hours of Work.

### **4. Reporting Concerns**

- 4.1. 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.
- 4.2. Employees should report such concerns or issues, in writing, 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.
- 4.3. Employees will not be subject to reprisal for reporting such concerns as outlined above.

### **5. Posting, Notice and Retention**

- 5.1. The Town 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 Town shall provide each employee a copy of the revised Policy within thirty (30) days of the changes being made.

- 5.2. 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.
- 5.3. 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.

## **Exclusions**

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None

## **References and Related Policies**

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HR Procedure – Disconnecting from Work  
[POL.COR.17.05 Vacation Policy](#)  
[POL.COR.17.06 Lieu & Overtime Policy](#)  
[POL.COR.19.02 Council Staff Relationship Protocol Policy](#)  
[POL.COR.19.05 Inclement Weather Policy](#)  
[POL.COR.22.04 Public and Town Designated Paid Holidays](#)  
[POL.ADM.20.01 Remote Work Policy](#)  
[POL.ADM.21.03 SMT Conference and Training Policy](#)  
[POL.ADM.21.04 SMT Vacation Policy](#)  
Town of The Blue Mountains Emergency Response Plan (internal document)  
[Bill 27 Working for Workers Act, 2021](#)  
[Occupational Health & Safety Act](#)  
[Ontario Employment Standards Act](#)  
[ESA Guide Written Policy on Disconnecting from Work](#)  
[Ontario Regulation 285/01 \(when Work is deemed to be performed\)](#)  
[Ontario Human Rights Code](#)

## **Consequences of Non-Compliance**

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In accordance with the Town policies, collective agreements and applicable legislation Managers/Supervisors/Directors and the Human Resources Department will collaboratively Work with employees to resolve issues related to Disconnecting from Work to ensure all employees experience an appropriate Work-life balance.

## **Review Cycle**

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This Policy will be reviewed at minimum once per term of Council and as required for legislative changes.