

Policy Name:	Disconnecting from Work Policy
Originating/Responsible Department:	Vice-President (Finance and Administration)
Approval Authority:	Senior Management Committee
Date of Original Policy:	May 2022
Last Updated:	N/A
Mandatory Revision Date:	May 2027
Contact:	Assistant Vice-President (Human Resources)

Purpose:

The University encourages and supports employees in prioritizing their own health and wellbeing. Disconnecting from work is important for an employee’s wellbeing, and helps employees achieve a healthy and sustainable work-life balance. To support our employees in balancing their working and personal lives, the University has implemented this Policy to encourage employees to disconnect from work outside of their working hours in accordance with and subject to this Policy.

The purpose of the Disconnecting from Work Policy (the “Policy”) is to ensure that, other than in “exceptional circumstances” and their “regular work day” as defined in accordance with the Part VII.0.1 of the Ontario Employment Standards Act, 2000, S.O. 2000, c. 41 as amended (“ESA”) employees can “disconnect from work”. The Policy is intended to meet or exceed the provisions set out in Part VII.0.1 of the ESA as amended and the Regulations thereunder.

Scope

This Policy applies to all employees of the University, as defined by the ESA. For clarity, “employee” under this Policy means only those employees of the University who are considered employees under the ESA.

Definitions

In this Policy:

“disconnecting from work” means not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other work-related messages *so as to be free from the performance of work* outside of working hours.

“regular work day” means those hours of work established from time to time for each individual employee in accordance with the ESA.

“exceptional circumstances” means conditions, circumstances and events likely to interfere with the working of the University’s establishment, services or operations, including without limitation:

- an internal or external emergency;

- something unforeseen occurs, that affects the continued delivery of essential services, regardless of who delivers those services;
- something unforeseen occurs, that affects continuous processes or operations; and,
- to carry out urgent installation, maintenance or repair work to the University's physical plant, buildings, infrastructure, devices, equipment and systems as may be required.

“supervisor”: means the individual an employee reports to directly and includes without limitation administrative managers, deans, chairs and directors.

Roles and Responsibilities

University Obligations

The University supports and aims to foster a workplace culture that promotes and values disconnecting from work. The University will take reasonable steps to ensure that employees, regardless of their place of work, are:

- (a) informed of what their working hours are reasonably expected to be;
- (b) able to take applicable meal, rest periods and hours free from work as required by law, contract or applicable collective agreement language;
- (c) able to take vacation or other leave entitlements as required by law, contract or applicable collective agreement language.
- (d) hereby encouraged, other than exceptional circumstances, to not engage in work related communications outside of their regular work day.

Supervisor Obligations

Supervisors will:

- (a) facilitate implementation of the University's obligations under this Policy for those employees they supervise, including efforts to inform, where applicable, employees of what their working hours are reasonably expected to be;
- (b) encourage disconnecting from work for employees they supervise;
- (c) be mindful of employees' working hours (e.g. by not calling outside of working hours or expecting answers or responses outside of working hours); and
- (d) respond to questions or concerns regarding disconnecting from work from those employees they supervise.

Employee Obligations

The University expects all employees to comply with the following in the course of their work. Employees are to:

- (a) co-operate fully with any applicable mechanism utilised by the University to record working time or update their working status (e.g. out-of-office messages) as applicable;
- (b) be mindful of colleagues' working hours (e.g. by not routinely emailing or calling outside of working hours or expecting answers or responses outside of working hours); and
- (c) speak with their supervisor or manager if they feel their workload is preventing them from being able to take meal, rest, break or periods free from work that they are entitled to, or otherwise disconnect from work.

Procedures

An employee's ability to disconnect from work depends on the University's business, services and/or 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.

Nothing in the Policy precludes the University or other employees of the University from contacting colleagues, vendors/other third parties or other employees outside of what may be considered 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: 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 are impacting their ability to disconnect from work. Employees are encouraged to 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 or the Office of the Deputy Provost as applicable.

Employees will not be subject to reprisal for reporting such concerns as outlined above or for inquiring about, exercising or attempting to exercise any rights as provided under the ESA.

Posting, Notice and Retention

The University shall provide a copy of this Policy to each employee, regardless of their position within 30 calendar days of implementation. Should any changes be made to the Policy after its implementation, the University shall provide each employee of the University a copy of the revised Policy within 30 days of the changes being made.

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

The University shall retain a copy of this Policy and any revised version of this Policy for a period of three years after it ceases to be in effect.

Contact

Questions related to this Policy should be directed to the Assistant Vice-President of Human Resources or the Deputy Provost as applicable.

Links to Related Policies

This Policy should be read alongside the University's associated policies any relevant and applicable legislation, and any other policy that may become applicable and/or relevant including:

Environmental Health and Safety Policy
Healthy Workplace Policy
Flexible Arrangements Policy
Human Rights Policies and Procedure

Policy Implemented on: June 1, 2022