



POLICY	
Policy Number: CORP2022-005	Date Approved: June 7, 2022
Department: Corporate	Date Reviewed:
Disconnecting from Work	

Purpose

The health and wellbeing of our employees is of the utmost importance to us, and we, the Corporation of the Town of Kirkland Lake (the "Town"), encourage and support our employees in prioritizing their own wellbeing.

Disconnecting from work is important for an individual's wellbeing, and helps employees achieve a healthy and sustainable work-life balance.

To encourage and support our employees in balancing their professional and personal lives, whether working traditional hours in the workplace, remotely or flexibly, we have implemented this Disconnecting-from-Work Policy (the "Policy") to encourage employees to disconnect from work outside of their normal working hours in accordance with applicable legislation and subject to this Policy.

This Policy should be read alongside any relevant Collective Agreement sections. In addition, any relevant and applicable legislation such as the Employment Standards Act, 2000 (the Working for Workers Act, 2021, Bill 27) and the Occupational Health and Safety Act 1990, or other policy that may become applicable and/or relevant.

Scope

This policy applies to all employees, as defined by the Ontario Employment Standards Act, 2000 ("ESA"), whether they are working onsite, remotely, or through an approved flexible work arrangement. For clarity, "employee" under this Policy means only those employees of the Town who are considered employees under the ESA.

Definitions

Disconnecting from work means 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.

Normal working hours means as set out in each individual employee's terms and conditions of employment. A normal workday varies by employee, position and/or department.

Policy

The Town of Kirkland Lake 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 work duties outside their normal working hours.

It is expected that employees disconnect from work when not scheduled to work, if possible, and especially when on scheduled vacation or other approved leave.

Employee health and wellbeing are priorities while on and off duty. The Town is committed to increasing overall employee health and wellness and providing employees with a better work life balance. In accordance with Bill 27, this policy has been established to support employee wellness, minimize excessive sources of stress related to work or workload, and ensure that employees have the ability to disconnect from their work outside their normal workday.

1.1 In the ordinary course of business there will be situations when it is necessary to contact employees 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 an employee 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; or
- f) other business or operational reasons that require contact outside of an employee's normal working hours.

1.2 Nothing in this Policy precludes the Town or other employees of the Town from contacting employees outside their normal working hours for circumstances as outlined above, or as otherwise required to meet operational needs, subject to any rights or other entitlements the receiving employee may have under the Ontario Employment Standards Act, 2000 (the "ESA").

Employer Obligations

1.3 The Town will take steps 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, applicable collective agreement or contract;
- c) able to take vacation or other leave entitlements as required by law, applicable collective agreement or contract and not be asked to perform work during this time;
- d) not contacted unnecessarily outside of normal working hours, including on Town provided devices;
- e) able to work in a healthy and safe working environment.

Leadership Obligations

1.4 Leaders are responsible for knowing and respecting when their employees are disconnecting from work. There may be instances where Leaders are required to contact employees during periods of unscheduled time, but these instances will be limited, if possible, to emergency situations. In general, Leaders will make reasonable efforts to reduce the amount of time employees are expected to work while unscheduled.

Employee Obligations

1.5 Employees are responsible for making reasonable efforts to disconnect from work during unscheduled hours, and especially while on scheduled vacation and other approved leaves.

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

- a) ensure that they manage their own working time and consider their obligation as an employee, while working, to take reasonable care to protect their health and safety and that of their coworkers;
- b) co-operate fully with any appropriate and/or reasonable mechanism utilised by the Town to record working time or update their working status (e.g. out-of-office messages), including when working remotely or flexibly;
- c) be mindful of coworkers' working hours (e.g. by not routinely emailing or calling outside of normal working hours or expecting answers or responses outside of normal working hours);

- d) comply with any requirements to obtain prior approval before performing overtime work;
- e) notify their supervisor or manager in writing of any meal, 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;
- f) speak with their supervisor or manager if they feel their workload is preventing them from being able to take meal, break or hours-free-from work periods that they are entitled to.

Working Hours

- 1.7 An employee's normal working hours are as set out in their employment contract and/or applicable collective agreement.
- 1.8 Normal working hours 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.
- 1.9 Despite the establishment of normal working hours, all employees recognize that there may be busier periods or other circumstances where work must be completed outside of normal working hours.

Communication

Town employees working within a twenty-four-hour, seven day per week operation (24/7), may be scheduled to work a variety of shifts that may or may not overlap with co-workers and supervisors. As such, these employees may receive messages (including emails, voicemails, texts, etc.) when they are not working.

- 1.10 Employees are not expected to respond to corporate communications outside of their normal working hours, with the exception of unforeseen circumstances, such as an emergency and/or applicable mandatory Ministry reporting obligation(s). Employees who do not respond to work-related communications outside of normal working hours will not face negative repercussions to their employment.
- 1.11 Where possible, work-related communications should be checked or sent during normal working hours. Due to differing/non-standard work schedules within the Town, some employees may send communications at times, which are inopportune for other employees, such as evenings or weekends. The sender should consider the timing of their communication and potential for disturbance, and the recipient should understand that they will not be expected to respond until their working time recommences (or unless otherwise required and stipulated within the communication per the circumstances as outlined at sections 1.1 and 1.22).

- 1.12 If a manager/supervisor sends communications outside applicable normal working hours and it requires immediate or prompt response, the response expectation should be set out in the communication.
- 1.13 If an employee is not online or available during their normal working hours, it is expected that they will update their working status (i.e. set out-of-office notification, update voicemail indicating specific time away and whom to contact during the absence).

Meetings

- 1.14 Where possible, meetings should be scheduled during the Town's standard hours of operation, or normal working hours if the attendees have work schedules outside of the Town's standard hours of operation.
- 1.15 Those organizing meetings should be mindful of the time of those whom they are inviting to attend, and ensure that those invited will play an active role and have something to contribute to the matters being discussed.
- 1.16 Effort should be made to not schedule meetings through standard break times, such as 12 pm to 1 pm for administrative staff.
- 1.17 When meetings are scheduled outside of an employee's regular working hours, effort should be made by the employee and their supervisor to schedule equivalent time off at an alternate time within the pay period.

Time away from work (i.e. vacation, lieu, sick)

- 1.18 All employees are expected to take their allotted vacation entitlements as set out in their employment contract or respective collective agreement.
- 1.19 Employees are expected to use all applicable tools to update their status and to ensure that impacted individuals are informed of their status indicating they are away from the office, including but not limited to:
- a) Voicemail — desk and corporate cellular phone (if applicable);
 - b) Email out-of-office reply including specific days away and whom to contact during the absence.

Reporting Concerns

- 1.20 All employees are expected and required to report any concerns or issues they may have which they feel is affecting their ability to disconnect-from-work.

1.21 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 their department head or Human Resources.

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

Posting, Notice and Retention

- 1.23 The Town shall upload this Policy to HR Downloads within 30 calendar days of implementation for employees to review. Should any changes be made to the Policy after its implementation, the Town shall upload the revised policy to HR downloads for employees to review within 30 days of the changes being made.
- 1.24 The Town shall ensure this Policy is assigned to all new employees upon onboarding and within 30 calendar days of the employee commencing employment with the Town of Kirkland Lake.

Exceptions

- 1.25 Select employees, including Directors and Managers, are required to be on-call or participate in a standby rotation in accordance with their terms of employment and/or position requirements. For the purpose of this policy, an employee on-call or standby does not have the ability to disconnect from work communications, related to the reasons for being placed on-call or standby.

Due to the nature of their position, some employees may be afforded flexibility in working hours and location, which may occasionally affect their normal working hours in a day. For example, an employee attends a personal appointment during their regular workday, but subsequently works past their normal end time to account for work time missed while attending the appointment. For the purposes of this policy, the employee's normal workday would be considered extended accordingly.