

CORPORATE POLICY



Policy Title: **Disconnecting from Work Policy**
Policy Category: **Human Resources**
Policy No.: H-011
Department: Corporate Services
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Author: Human Resources
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Related Documents/Legislation:
Corporate Employee Code of Conduct and Ethics Policy
Corporate Respectful Workplace Policy and Program
Corporate Self-Funded Leave Policy
Corporate Vacation Policy
Corporate Remote Working Procedure
Bill 27, Working for Workers Act, 2021
Employment Standards Act (ESA)
Occupational Health and Safety Act (OHSA)
Key Word(s): Bill 27, Disconnecting from Work, ESA, Employment Standards Act, 2000, Hours of Work, Overtime, Hours-Free-From-Work

POLICY STATEMENT:

The City of Waterloo (the “City”) is committed to supporting a work environment that promotes the health and wellbeing of its employees, and encourages employees to prioritize their own wellness. The City recognizes that the ability to disconnect from work is important for an individual’s wellbeing, and can assist employees in achieving a healthy and sustainable work-life balance.

PURPOSE:

The purpose of the *Disconnecting from Work Policy* (the “Policy”) is to outline the expectations of the City in regards to respecting working hours in a way that allows and supports employees in achieving and maintaining a healthy work-life balance.

This Policy should be read/reviewed alongside the City’s associated policies, procedures and collective agreements, in addition to any relevant and applicable legislation, and any other policy or procedure that may become applicable and/or relevant.

DEFINITIONS:

Disconnecting From Work in accordance with the *Employment Standards Act* (“ESA”) means to not engage 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.

Employee refers to any employee of the City considered an employee under the *ESA*.

Mandatory Policy, *Municipal Act*: No

Policy Administration Team, Review Date April 29, 2022

Corporate Management Team, Review Date May 11, 2022

Hours-Free-From-Work is time in which employees are not scheduled to be working for the City in any capacity, in accordance with the *ESA*.

Supervisor is a person who has charge of a workplace or authority over a worker.

For the purpose of this policy, 'supervisor' includes employees with the titles of Supervisor, Manager, Assistant Deputy Chief, Deputy Chief, Director, Fire Chief, Commissioner, or equivalent.

Working Hours refers to an employee's normal working hours (exclusive of vacation, time off in lieu, personal days, sick days, or other absences) as stated within their employment contract, an approved alternate workweek arrangement or flex-time, and/or applicable collective agreement, and/or as scheduled by their supervisor.

SCOPE:

This policy applies to all City employees, including members of council.

POLICY COMMUNICATION:

The City will communicate this Policy within 30 calendar days of implementation to all employees and make copies available through the City's website and intranet. Employees hired after implementation will receive a copy of this Policy as part of the City's new hire orientation process.

POLICY:

1.0 GUIDELINES

This Policy does not prohibit work-related contact with or between employees outside of normal working hours, however encourages employees to limit such contact wherever possible.

There may be circumstances or requirements as set out in an applicable collective agreement, employment contract, policy and/or procedure that require an employee to occasionally and/or regularly be available to work outside of their normal working hours (e.g. on-call, on stand-by, etc.). Some employees may also be required to flex their time as necessary, to support community engagement activities such as public meetings, open houses and committee meetings.

Employees who are not on-call, on stand-by, or otherwise required to work may need to be contacted by the City outside of their normal working hours in situations including, but not limited to:

- checking availability and scheduling work;
- filling in on short notice for a colleague who has called in sick or is unavailable for work;
- ensuring continuity of service and/or efficient operations;
- where unforeseeable circumstances arise that cannot be resolved during normal working hours; and/or,
- where an emergency arises.

Employees should utilize available tools to limit communications outside of normal working hours, as directed by their supervisor or as otherwise appropriate to the circumstances. Tools include, but are not limited to:

- scheduling meetings within normal working hours where possible;
- allocating an appropriate amount of time for meetings;
- setting out of office messages; and/or,
- using delayed email delivery.

It is important to recognize that continued contact outside of normal working hours can disrupt and negatively impact an employee's work-life balance. As such, reasonable effort should be made to minimize this contact.

2.0 RESPONSIBILITIES

All employees (including supervisors) are responsible to:

- record working time in accordance with established procedures;
- update their working status as soon as reasonably possible when out of the office or otherwise unavailable (e.g. out-of-office messages);
- be mindful of colleagues', customers/clients', vendors' and other third parties' working hours by:
 - avoiding emailing, messaging, and calling outside of normal working hours; and,
 - not expecting or requiring answers to non-urgent matters outside of normal working hours.
- manage their work time efficiently;
- comply with the City's overtime and hours of work policies, procedures, and/or applicable collective agreement(s), including any requirement to obtain prior approval before performing overtime work; and,
- report to their supervisor if their workload is preventing them from being able to take meal, rest, or other break periods they are entitled to during normal working hours, or to reasonably disconnect from work outside of such.

Supervisors are responsible to:

- inform employees, regardless of their place of work, of their normal working hours;
- discuss with employees how they will be contacted in the event of emergencies outside of normal working hours;
- communicate expectations to employees regarding the recording of working time and/or updating of their working status;
- ensure employees are able to take applicable meal, rest and break periods, and have the appropriate hours-free-from-work in accordance with the *ESA*, and/or as outlined in their employment contract, applicable collective agreement, or other;
- promote a healthy and sustainable work-life balance for all employees;
- review and address circumstances that may be impacting an employee's ability to disconnect from work in a fair and timely manner, as appropriate and in consideration of City operations; and,
- ensure employees are able to take vacation or other leave entitlements in accordance with the *ESA*, and/or as outlined in their employment contract, applicable collective agreement, or other.

The City is responsible to:

- implement and maintain the *Disconnecting from Work Policy*;
- promote a healthy and sustainable work-life balance for all employees;
- review and address circumstances that may be impacting an employee's ability to disconnect from work in a fair and timely manner, as appropriate and in consideration of City operations; and,
- prevent employees from being subject to reprisal or retaliation for not responding to work-related communications received during hours-free-from-work.

Members of Council are responsible to:

- limit communications with City employees outside of their normal working hours, including evenings and weekends for employees with Monday to Friday work schedules; and,

- utilize available tools and/or resources where possible, such as designated contacts, for communicating time sensitive or urgent matters that arise outside of a division's or team's normal working hours.

3.0 REPORTING CONCERNS

Employees are encouraged to report any concerns or circumstances they feel impact their ability to disconnect from work to their supervisor, outside of obligations set out within an applicable collective agreement, employment contract, or other.

Where reporting concerns or circumstances to their supervisor is not appropriate or possible for whatever reason, employees may contact their respective Employee Relations representative.

Employees will not be subject to reprisal or retaliation for reporting concerns or circumstances with honest and/or genuine intentions.

4.0 RETENTION

Per the legislated requirement, the City shall retain a copy of this policy and any revised version of this policy for three years after it ceases to be in effect.

5.0 REVIEW

Human Resources reserves the right to review and evaluate this Policy on a regular basis and amend as necessary. Leadership and the unions/associations will have the opportunity to participate in the review.

COMPLIANCE

In cases of a policy violation, the City may investigate and determine appropriate corrective action.