



**The Corporation of the
Town of Cobourg**

Resolution

Moved By	<u>SUZANNE SEGUIN</u>	Resolution No.:
Last Name Printed	<u>SEGUIN</u>	176-22
Seconded By	<u>BRIAN DARLING</u>	Council Date:
Last Name Printed	<u>DARLING</u>	June 6, 2022

WHEREAS at the Committee of the Whole Meeting on May 30, 2022, Council considered a Memo from the Manager, Human Resources, regarding the Town of Cobourg Disconnecting from Work Policy;

NOW THEREFORE BE IT RESOLVED THAT Council approve the Disconnecting From Work Policy for the Town of Cobourg.



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Policy Title: Disconnecting From Work

Division: General Administration
Effective Date: June 2, 2022
Approval Level: Town Council
Section Number: 2-20

Department: Human Resources
Revision Date: July 1, 2027
Policy Number: New

Purpose

The *Working For Workers Act* lays out the rules under the Employment Standards Act (ESA) to ensure that employees are disconnecting from their job at the end of their workday. The term “disconnecting from work” is defined in the ESA to mean not engaging in work-related communications, including emails, telephone calls, video calls or sending or reviewing other messages and to be free from the performance of work.

Policy

The Town of Cobourg values the health and well-being of employees. Disconnecting from work at appropriate times is vital for a person’s well-being and sustaining a healthy work life balance. Disconnecting at appropriate times also enables employees to work more productively during their actual working hours and reduces the likelihood of employee burnout.

This Disconnecting from Work Policy (the Policy) supports each employee in disconnecting from work outside of their normal working hours, subject to reasonable exceptions.

Definitions

Disconnecting from work is defined as not engaging in work or work-related communications, including emails, telephone calls, video calls or sending or reviewing other messages such that employees are free from working outside of their normal working hours in accordance with the ESA and this Policy, including the exceptions detailed below.

Disconnecting from Work

This will allow employees to be able to disconnect from their job at the end of each workday, which will assist them in spending more time with their families and/or taking time for themselves. In addition, employees will not be required to engage in work-related

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communications after their workday is over.

Emails, telephone calls and video conferencing calls: Employees will not be required to respond to any work-related emails, calls or any other messages after their scheduled workday is over.

Out-of-office notifications: All employees will be able to set up an immediate response system made for their email and phone. These out-of-office notifications will advise anyone who emails or phones the employee after their workday is over, that they will respond to their messages on the next business day. This will be an automated response.

Employer Obligations

- To provide new employees with access to this Policy upon hire.
- To review and amend this Policy as often as may be required.
- To provide existing employees with a copy of any amended versions of the Policy within 30 days of the amendment.
- To allow employees to take vacation or other leave entitlements as required by law, applicable collective agreements or contracts and not be asked to perform work during this time.
- Allow employees to take applicable meal, rest period and hours free from work as required by law, applicable collective agreements or contracts.
- To take all reasonable steps to ensure that management and employees are able to disconnect from the workplace at appropriate times as detailed in this Policy.
- To refrain from penalizing or taking any other reprisal action against employees who have questions regarding this Policy or request compliance with it. Legitimate employer direction and/or corrective action towards employees is not considered “reprisal action”.

Employee Obligations

- Take all reasonable steps to ensure that they are able to effectively manage their work and work-related communications during their normal working hours.
- To take all reasonable steps to ensure that their colleagues are able to disconnect from work in accordance with this Policy and be mindful of colleagues’ working hours. This would include not routinely emailing or calling outside of normal working hours or expecting answers or responses outside of normal working hours.

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- To comply with the Town's overtime policy, including any requirements to obtain prior approval before performing overtime work.
- To notify their Manager if they feel undue pressure to work or respond to work-related communications outside of their normal working hours, or if they are otherwise unable to comply with this Policy.

Emergencies and Urgent Events

In the event of a Municipal Emergency and the enactment of the Town's Emergency Plan as mandated under the Emergency Management and Civil Protection Plan (EMCPA), specific corporate and statutory positions/designates must be available to monitor communications to respond in the event of a potential emergency in the community. The declared emergency will determine the amount of time that these positions will be temporarily exempt from the provisions of this policy.

Types of emergencies and/or urgent situations will be covered in the Town of Cobourg Emergency Management Plan.

Urgent situations that may require after hours communications could include:

- Emergency Council Meetings
- Environmental events
- Workplace incidents and/or accidents
- Public safety concerns
- Urgent media requirements
- Cyber threats/incidents

Should an emergency and/or urgent situation arise the applicable staff members shall be contacted by phone call, text and/or email.

Working Hours

- Hours of work for Town employees are defined in offers of employment, employment contracts, the collective bargaining agreement and/or by agreement with their Manager.
- If employees have any questions regarding their normal hours of work, they should consult with their Manager.

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- It is generally expected that all employees can complete their work, including reviewing and responding to any work-related communications, during their normal hours of work. The Town has no expectation that employees engage in work or work-related communications outside of their normal hours of work, subject to the exceptions detailed below.
- If employees are regularly unable to complete work or attend to work-related communications within normal hours of work, employees should speak with their Manager regarding their workload.
- Despite the establishment of normal working hours, all employees should recognize that there may be busier periods or other circumstances where work must be completed outside of normal working hours.

Exceptions

There are situations when it is necessary for employees to perform work or communicate with colleagues outside of their normal hours of work. This would include but is not limited to the following:

- Where emergency circumstances arise, with or without notice;
- To assist or fill in with short notice for another employee;
- Unforeseeable business or operational reasons; and
- An employee's request or agreement to work certain hours or have flexible working hours.

Meetings, Calls, and Work-Related Communications

Employees should make all reasonable efforts to book meetings and calls during the normal hours of work, subject to the exceptions detailed above.

Similarly, employees should only review and send work-related communications during their normal working hours, subject to the exceptions detailed above.

Work related communications should not be sent to or from employees' personal mobile phones, personal e-mail addresses, personal telephone numbers or other personal devices, subject to the exceptions detailed above or an agreement to communicate in this manner.

Some employees' hours of work may differ within the Town. As a result, certain employees may attend to work-related communications outside of other employees'

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normal hours of work. Where this is the case, they should consider the timing of their communications and understand that the recipient will not be expected to respond until their return to work. The sender should also consider all appropriate safeguards on other employees' normal hours of work, including but not limited to the following:

- Using the "Delay Deliver" function for e-mail messages in Microsoft Outlook so that their message is sent during regular working hours; and
- Including a line in their e-mail signature addressing response timelines and hours of work.

Automatic Replies

Employees are required to activate an automatic voicemail and e-mail response whenever taking vacation or a leave from work beyond their normal hours of work. The automatic response should be sent automatically in response to all e-mail communications and advise the sender that the recipient is absent from work. The response should include the start and end date of the recipient's absence and provide an alternative contact's information. The automatic response should be active for at least the duration of the employee's absence from work.

Employees may also be required to activate an automatic e-mail response at the end of their normal working day. If applicable, this automatic response should advise the sender of the recipient's normal hours of work and any other relevant information.

Handheld and Remote Work Devices

The Town has provided some employees with handheld devices, such as a mobile phone, laptop, tablet or other devices to assist with working remotely. These devices are provided to employees to encourage flexibility in completing their work.

Possession of these devices does not mean that an employee is expected to make themselves available for work or work-related communications outside of their normal working hours.

Scope

This Policy shall apply to all employees of the Town of Cobourg.

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Administration

The Chief Administrative Officer shall implement and administer the terms of this policy and shall establish related operating procedures as required.

Cross Reference

- Town of Cobourg Health and Safety Policy (Policy #2-20 HR-AP-HS1)

Resolution # 176-22	Revision Description:	Signature/Municipal Clerk: 	Council Approval Date: June 6, 2022
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