

County of Essex Policy Manual

Administrative Policy – Right to Disconnect

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| Policy Type: | Administrative Policy |
| Approval Authority: | Essex County Council |
| Office of Responsibility: | Human Resources |
| Issuance Date: | 2022-03-01 |
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| Scheduled Review Date: | 2027-01-01 |
| Replaces Policy: | N/A |

1.0 Purpose

The County of Essex prioritizes the health and well-being of employees, including their mental health. This Policy provides the framework for disconnecting from work, understanding that it is vital for a person’s well-being to maintain a balance between their work and personal lives.

2.0 Scope

This Policy applies to all County of Essex employees and excludes members of County Council.

3.0 Right to Disconnect Policy

- 3.1 Disconnecting from work is defined as not engaging in work-related communications, including emails, telephone calls, video calls/conferencing or the sending or reviewing of other messages, so as to be free from the performance of work.
- 3.2 While technology allows the flexibility to work anywhere and at any time, the County recognizes that an always-connected work culture has the potential for psychosocial risks, such as anxiety, depression and burnout.

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- 3.3 The County recognizes that employees have a right to disconnect from work and are under no obligation to answer emails, telephone calls, video conferencing or the sending and reviewing of messages outside normal working hours, unless there is an emergency, emerging crisis or agreement within a Job Description, such as having to be "on-call" for a set schedule or to be available for "call in."

For some County staff, it is a requirement of their role to be a contact in emergency situations. These employees are aware of this requirement and will be contacted by phone call in such situations when it is warranted and immediate attention is required.

- 3.4 While the right to disconnect is vital, it is also important to be mindful that situations can arise where it is not possible to deal with matters during normal working hours. There may, on occasion, be unavoidable situations when it is necessary to contact employees outside of normal working hours, including but not limited to:
- Fill in at short notice for an unscheduled absence of a team member;
 - Attend to urgent unforeseeable circumstances which may arise;
 - Attend to an emergency which may arise;
 - Attend to urgent operational matters requiring contact out of normal working hours; and
 - HR Wellness team contact regarding facilitation of attendance wellness program/safe return to work/workplace accommodation.

3.5 Role of the County

- Ensure employees are aware of their required working hours and the terms and conditions of their employment, including what their normal working hours and schedules are reasonably expected to be.
- Support and encourage employees in taking their rest periods and vacation time/time off.
- Ensure all employees receive a copy of this Policy within thirty (30) days of being in effect and all new hires are provided with a copy during orientation.

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- Communicate to all employees any updates/revisions to the Policy within thirty (30) days of the revised policy taking effect.

3.6 Role of the Employee

- Manage their working time while at work.
- Take reasonable care to protect their safety, health and welfare, and the health and safety of co-workers.
- Be mindful of co-workers, and all others, right to disconnect (e.g., by not routinely emailing or calling outside normal working hours).
- Be conscious of their work pattern and aware of their work-related well-being, and remedy if necessary.
- If unable to disconnect, discuss with their Manager/Supervisor.

3.7 Role of Management

Managers/Supervisors have the most interaction with their employees. It is important they:

- Ensure the employees within their team are able to disconnect from work outside of normal working hours.
- Should an employee have concerns surrounding their working time, or be unable to disconnect from work, it is important that this is brought to the attention of their immediate supervisor in order to try to resolve any concerns.
- Be mindful of times emails are sent and should they notice that a member of their team is sending emails at odd hours or are logging in excessively, they should speak to the employee as soon as possible, as this may indicate they are finding it difficult to manage their workload during normal working hours.

3.8 Working Hours

Employee's working hours will naturally vary within the County and each individual's working hours are set out in their terms and conditions of employment. All employees have the right to disconnect from work outside of their normal working pattern.

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3.9 Communications

It is important all employees' personal time is respected, and everyone has the right to disconnect from work outside normal working hours. Therefore, where possible, emails and other communications should be checked and/or sent only during normal working hours, whilst also appreciating that where work patterns differ, some employees may send communications at a time which is inconvenient to others (i.e., where one employee works during the weekend and another does not). Where this is the case, the sender should consider the timing of their communication and understand that the recipient will not be expected to respond until their return to work.

Where a Manager/Supervisor/colleague/subordinate sends communications outside normal working hours, unless business and operational needs dictate that an immediate response is required, email recipients should not feel the need to respond immediately to communications received outside normal working hours.

3.10 Automatic Replies

All employees are required to activate an automatic response when taking vacation or time off. The response should advise the sender that the employee is off, including the start and end date and that the employee will respond to their email upon their return and/or provide alternative contact.

3.11 Meetings

It is important that virtual and face-to-face communication is also respected and, in this regard, all employees should be mindful of the time of those whom they are inviting to attend a meeting.

Be respectful of normal working hours and do not set meetings outside of typical core hours (i.e. 9 a.m. to 4:30 p.m. Monday to Friday) or during the typical lunch period (i.e. 12 p.m. to 1 p.m.). Core hours and lunch may vary based on the individual departmental operations within the County.

3.12 Use of Technology

Some employees, depending on their role, may be provided with technological devices such as cellular phones, laptops, etc.... It is important to be aware that these are provided to employees to allow

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flexibility in how such employees complete their work. This does not imply that the employee should make themselves available for work at all times.

3.13 Employee Well-being

Healthy and well employees are crucial for the County to deliver its mission and to support the community in which we work and live. Having a work life balance reduces stress, improves mental health and reduces the risk of burnout. For these reasons, all employees are encouraged, including when working from home or when flexing their hours, to be proactive and book time with family/friends or engage in an activity after their normal working day in order to allow themselves to disengage.

In addition, it is important when working from home or working a flexible schedule to monitor working hours and take breaks.

4.0 Contact

Should an employee be experiencing any challenges in disconnecting, they should raise questions and discuss with their Manager/Supervisor immediately in order to find a resolution or reach out to a member of the Human Resources Team.

5.0 Amendments and Compliance with Applicable Law

This Policy may be amended from time to time by the County of Essex as it deems necessary or appropriate, as relevant circumstances change, and at all times will be applied in accordance with [Working for Workers Act, 2021](#), all other applicable law, and collective agreements.

6.0 References

1. Working for Workers Act, 2021
2. Collective Agreements (Unionized Employees)
3. 2023-001 Work-Life Integration Policy (Non-Union Employees)
4. 94-012 Non-Union Overtime Policy

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7.0 Amendments

This Policy may be amended from time to time at the Corporation's sole discretion. In the event the Corporation amends the Policy, it will provide an amended copy of the Policy to employees as soon as possible, and in any event within any timelines provided for by the provisions of the legislation.

8.0 Summary of Amendments

| Date | Amendment(s) |
|-------------|-------------------------------|
| 2023-03-15 | Approved by Council (Pending) |

Appendices

None