

# Employee Right to Disconnect Policy



## 1. POLICY STATEMENT

In recognition of how the capacity to separate work from personal life plays a vital role in fostering mental wellbeing and a healthy and sustainable work-life balance, ABC Company has adopted this Policy to give employees the right to disconnect and switch off work outside of their normal working hours so they can enjoy their free time away from work without being disturbed.

## 2. PURPOSE

The purpose of this Policy is to establish fair, clear and reasonable rules for the exercise of employees' right to disconnect, in accordance with the Company's business needs, best practices [add if you're in Ontario] and the requirements of the Ontario *Employment Standards Act* and its applicable regulations.

## 3. DEFINITIONS

*For purposes of this Policy:*

*"Disconnect" means an employee's right to disengage from work without having to engage in work-related activities or communications, such as emails, telephone calls or other messages, outside of their normal working hours, including but not limited to the right to literally disconnect any Company-provided tablets, phones and other handheld devices; and*

*"Normal working hours" means the working hours set out in the employee's employment contract and work schedule. Normal working hours will naturally vary and all employees will have the right to disconnect in the context of their own normal working pattern, regardless of whether an employee is working in a traditional office setting, remote location or under a hybrid or flexible arrangement.*

## 4. RIGHTS & RESPONSIBILITIES

- 01 ABC Company Duties

*ABC Company will comply with its duties under [province] employment standards laws and applicable employment contracts, including by ensuring that all employees are:*

*Informed of what their normal working hours are reasonably expected to be;*

*Allowed to take all rest breaks and rest periods to which they're entitled; and*

*Allowed to take all forms of leave to which they're entitled and not asked to conduct work during this time.*

- **Managers' Duties**

**Managers must:**

*Ensure that the employees they manage are able to disconnect from work outside of normal working hours;*

*Immediately notify HR if an employee expresses concerns about his/her working hours or is unable to disconnect from work, unless the matter can be resolved directly with the employee without need for intervention;*

*Be mindful of and ensure that other employees they manage are also mindful of their employees' working hours and right to disconnect and refrain from calling or emailing those employees on work matters outside their normal working hours; and*

*Speak to any team members that send emails at odd hours or log in excessively, as this may be a sign that those employees are finding it difficult to manage their workload and disconnect from work.*

- **03 Employees' Duties**

**Employees must:**

*Fully cooperate with any time recording methods the Company uses to record working time including when working remotely*

*Be mindful of other employees' working hours and right to disconnect and refrain from calling or emailing them on work matters outside the normal working hours of those employees;*

*Notify their manager in writing of any rest period or break to which they're entitled but couldn't take, and the reason why;*

*Talk to their manager if they feel their workload is preventing them taking the rest breaks/periods to which they're entitled; and*

*Notify their managers if they receive work communications or experience any difficulties in asserting or enjoying their right to disconnect.*

## **5. WORK COMMUNICATIONS**

Where possible, work-related emails, calls and other communications should be made only during normal working hours. Employees who receive any communications from colleagues, managers or clients outside normal hours, whether work- or non-work related, will not be expected or required to respond until their right to disconnect time ends and their work time recommences. That includes responses to invitations for meetings and calls to be held while the employee is still entitled to be disconnected. Unless business and operational needs dictate that an immediate response is required, a statement will be attached to out of hours emails making it

clear that an immediate response is not expected.

## **6. AUTOMATIC REPLIES**

Before taking vacation or annual leave, employees must activate an automatic response covering the full period notifying the sender:

That they're on vacation or leave;

Of the expected start and end date of the vacation or leave;

They will respond to the email, call or communication upon returning from vacation or leave; and

Of any other alternative contact details.

In addition to the above, managers will notify employees that they're required to activate an automatic response at the end of their normal working day, that simply advises the sender of their normal working hours and that they will respond to the communication upon returning to work.

If any employee is found to have excessive flows of emails coming from their email address outside business hours, manager must also provide an automated email to those employees asking them to explain the reasons for having such an excessive volume of out-of-hours email correspondence.

## **7. NON-RETALIATION**

ABC Company will ensure that no employee is subject to discipline or any other penalty or adverse employment action from their manager, supervisor or other ABC Company representative in reprisal for asking about or exercising their right to disconnect under this Policy. To ensure that employees don't feel pressure to remain engaged voluntarily, ABC Company will ensure that employees receive no favorable treatment or rewards because they engage in work-related activities outside normal working hours.

## **8. MONITORING**

ABC Company will monitor the implementation of this Policy to ensure employees' right to disconnect rights are being respected, using both performance indicators and employee surveys, and take steps to correct any problems identified during the monitoring process.