



## STAFF REPORT

### REPORT OF THE HUMAN RESOURCES COORDINATOR RE: RIGHT TO DISCONNECT POLICY

#### OBJECTIVE

To bring forward a new policy in response to legislation that was announced by the Provincial Government in November 2021.

#### RECOMMENDATION

**THAT** the report of the Human Resources Coordinator re: Right to Disconnect Policy; be received;  
**AND THAT** Council adopt the attached "Right to Disconnect Policy".

## BACKGROUND

On November 30, 2021, the Provincial Government announced a new piece of legislation was passed named the *Working for Workers Act, 2021*.

Through the passage of this legislation, Ontario is ensuring our labour laws keep pace with the acceleration of new technology, automation, and remote work. The intent is to protect workers' rights, while positioning Ontario as the top destination for global talent and investment.

One of the requirements of this legislation is that an employer must have a written policy in place for all employees with respect to disconnecting from work. The term "disconnecting from work" is defined in the Employment Standards Act, 2000 (ESA) to mean "not engaging in work-related communications, including emails, telephone calls, video calls or sending or reviewing other messages, to be free from the performance of work"

Employers that employ 25 or more employees are required to have a written policy on disconnecting from work in place for all employees. These requirements were added to the ESA on December 2, 2021. Employers have until June 2, 2022 to have a written policy on disconnecting from work in place.

## ANALYSIS

The policy references the importance of mental health and the added pressures that excessive work can bring forward.

Some notable points in the policy include the following:

- Where necessary, communications in off-hours will still exist for emergency purposes or unforeseen circumstances;
- Protective measures for employees so they are not obligated to respond during off-work hours;
- Setting clear expectations with staff as it related to communications during working hours;
- Ensuring that work plans are created in such a way that there is minimal work performed during off-hours.

Copies of this policy shall be made available to each employee within 30 days of adoption, as well as when any changes are made. This policy will also be reviewed as part of onboarding new staff.

## SUMMARY

It is recommended that Council approve the Right to Disconnect policy in accordance with the provincial mandate.

