



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF CORPORATE SERVICES

**MISSION STATEMENT:** *Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.*

<b>Author's Name:</b> Donna King	<b>Report Date:</b> July 14, 2022
<b>Author's Phone:</b> 519 736 0012 ext. 2242	<b>Date to Council:</b> July 25, 2022
<b>Author's E-mail:</b> dking@amherstburg.ca	<b>Resolution #:</b>

**To:** Mayor and Members of Town Council

**Subject:** New Policy – Disconnecting from Work

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#### 1. **RECOMMENDATION:**

It is recommended that:

1. The Disconnecting from Work Policy **BE APPROVED** as recommended in the report from the Manager of Human Resources dated July 14, 2022.

#### 2. **BACKGROUND:**

This policy is established to ensure the Town's compliance with Bill 27, *Working for Workers Act* which resulted in significant amendments to the *Employment Standards Act (2000)*, specifically the addition of disconnecting from work provisions which required employers with more than 25 employees as of January 1, 2022 to have a written policy in place regarding disconnecting from work effective June 2, 2022. The establishment of this policy will secure the Town's obligation to put in place appropriate measures to address and enable its employees to disconnect from their work outside of regularly scheduled hours.

The policy explicitly confirms the Town's commitment to support employee overall health but reinforces a clear delineation and separation from work by ensuring employees understand available supports and mechanisms in place to facilitate their disconnecting from work, within reasonable exceptions that may arise.

#### 3. **DISCUSSION:**

The need for legislative direction regarding separation from work arose out of a need to reinforce for employees that an employee's time outside of normal working hours is intended for employees to recharge and step away from work responsibilities in a

general workplace landscape that has become increasingly blurred and poses challenges for employees to disconnect from their work. There exists a common understanding that habitually using personal time to complete work activities has the potential for an adverse health effect on employees and a negative impact for workplaces.

Disconnecting from Work is defined as not engaging in a range of work-related activities and communications including meetings, e-mails, telephone calls, video calls or sending or reviewing messages such that employees are free from the performance of work outside of their normal working hours in accordance with the Employment Standards Act, 2000 (ESA) and this Policy, subject to any exceptions outlined within the Policy.

The Disconnecting from Work Policy provides the Town with a framework for addressing expectations related to disconnecting from work and also includes enough breadth of circumstantial application to allow for good judgement to be applied as individual or role specific circumstances arise. This policy also ensures that all parties understand their respective responsibilities to act consistently with policy expectations and model behaviours that support work-life separation, as well to have active discussions about how the work is handled as situations arise that challenge this separation. The framework follows a comprehensive approach to clearly identify what is meant by disconnecting from work, what is expected in terms of workload and productivity, working hours and lays out examples of potential exemptions to the explicit separation of work and personal time.

Town employees are provided with potential solutions regarding how to handle work-related communications that may come in outside of regularly scheduled work hours and provides reinforcement regarding what mechanisms are in place to ensure employees have the opportunity to step away from their responsibilities.

This policy is not intended to address every foreseeable or yet to be imagined scenarios.

The Disconnecting from Work policy is attached in DRAFT form for Council's review and approval.

#### **4. RISK ANALYSIS:**

Approval of the policy will bring the Town into alignment with legislative requirements, will confirm the commitment of the Town to its employees' overall health and well being, and will reinforce positive and proactive discussions that have been in place to bring this policy to its realization.

The policy addresses the complex nature of work-life separation and work-life balance and also outlines supports for employees to address any concerns they may have regarding how the policy is applied. Employee overall health is a top of mind topic in the modern workforce and putting in place parameters to address this common and evolving issue will assist leaders and contributors alike in navigating the disconnecting from work landscape.

Furthermore, the Disconnecting from Work policy supports active discussions regarding the real nature of the work and brings to light the potential risk of undocumented overtime and the liability associated with that practice, should it be found to exist.

The Town will further be in a place to facilitate improved understanding of the Town's policies for Town employees and ensure that the authority, roles and responsibilities under those policies are clearly defined.

**5. FINANCIAL MATTERS:**

Failure to implement this policy could cause corresponding financial impacts such as lost productivity due to increased health claims, absenteeism, presenteeism, as well as the liability associated with undocumented overtime.

**6. CONSULTATIONS:**

Tracy Prince, Director Corporate Services and Chief Financial Officer  
Valerie Critchley, Chief Administrative Officer  
Senior Management Team  
Kevin Fox, Policy and Committee Coordinator

**7. CONCLUSION:**

The policy amendments outlined in this report will bring the Town into alignment with current legislative expectations, are consistent with policy/practices in other local municipalities and the province which have been tailored to the Town's workforce and culture and are thereby recommended for approval.

  
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Donna King  
**Manager, Human Resources**

## Report Approval Details

Document Title:	Disconnecting from Work.docx
Attachments:	- Disconnecting from Work Policy.docx
Final Approval Date:	Jul 18, 2022

This report and all of its attachments were approved and signed as outlined below:



Tracy Prince



Valerie Critchley

**No Signature - Task assigned to Tammy Fowkes was completed by assistant Kevin Fox**

Tammy Fowkes