714 Disconnecting from Work Policy

Effective: June 2, 2022

The University of Guelph (the “University”) encourages and supports its employees in prioritizing their wellbeing and ability to disconnect from work.

Ability to Disconnect from Work

Disconnecting from work is important for an individual’s wellbeing, and helps employees achieve a healthy and sustainable work-life balance. Disconnecting from work *means to not engage in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work* outside of working hours.

The University’s Disconnecting from Work Policy (the “Policy”) is intended to support employees’ balance in their work responsibilities - whether they are working in the workplace, remotely or flexibly - and ability to disconnect from work outside of their working hours, in accordance with and subject to this Policy.

An employee’s ability to disconnect from work depends on the University’s business and/or operational needs and the duties and obligations of the employee’s position, subject to an employee’s employment contract, applicable collective agreement and/or their minimum statutory entitlements under the *Employment Standards Act, 2000* (“ESA”).

Nothing in the Policy precludes the University or other employees of the University from contacting colleagues, vendors/other third parties or other employees outside of what may be considered working hours or standard business hours, subject to any rights or entitlements the receiving colleague or employee may have under their employment contract, applicable collective agreement and/or their minimum statutory entitlements under the ESA.

This Policy does not afford employees a “right to disconnect” beyond what is within their individual employment contract, applicable collective agreement and/or their minimum statutory entitlements under the ESA, which may include rights or entitlements speaking to: hours of work and hours free from work, overtime pay, meal and/or rest periods, public holidays and public holiday pay, and vacation.

This Policy should be read alongside the University’s associated policies, including but not limited to: Hours of Work, Flexible Work Arrangements, Vacation Leave, Sick Leave, Paid Holidays, Environmental Health & Safety, etc., the employee’s employment contract and applicable collective agreement or compact, any relevant and applicable legislation, and any other policy that may become applicable and/or relevant.

Nothing in this Policy is intended to amend or supersede any grievance procedure or other aspect of any applicable collective agreement.

Application

This Policy applies to all employees, as defined by the Ontario *Employment Standards Act, 2000* (the "ESA"), whether they are working remotely, in the workplace or flexibly. For clarity, "employee" under this Policy means only those employees (faculty; academic/non-academic staff) of the University which are considered employees under the ESA.

University Obligations

9. The University will take steps to ensure that all employees, regardless of their place of work, are:
    a. informed of what their working hours and/or expectations of work are reasonably expected to be and are informed of the circumstances, if any, in which they will be expected to engage in work-related communications outside their working hours;
    b. able to take applicable meal, rest periods and hours free from work as required by law, contract, or applicable collective agreement language; and
    c. able to take vacation or other leave entitlements as required by law, contract, or applicable collective agreement language.

Supervisor Obligations

Supervisors will:

a. facilitate implementation of the University's obligations under this Policy for those employees they supervise, including efforts to inform employees of what their working hours are reasonably expected to be and of the circumstances, if any, in which they will be expected to engage in work-related communications outside their working hours;
b. develop practices with respect to disconnecting from work for employees they supervise;
c. be mindful of employees' working hours by scheduling meetings, phone calls, or sending emails within the employee's normal working hours and avoiding routinely emailing, calling, or expecting answers or responses outside of those working hours; and
d. respond to questions or concerns regarding disconnecting from work from those employees they supervise.

Employee Obligations

11. The University expects all employees to comply with the following in the course of their work. Employees must:
    a. continue to comply with the terms and conditions of their respective employment contract, collective agreement or compact (as applicable), including but not limited to hours of work, overtime, vacation, etc.
    b. understand their normal working hours, conduct their work within such hours to the extent feasible and co-operate fully with any applicable mechanism utilised by the University to record working time or update their working status (e.g. out-of-office messages) as applicable, including when working remotely or flexibly;
    c. be mindful of colleagues', vendors' and other third parties' working hours by scheduling meetings, phone calls, or sending emails within the employee's normal working hours and avoiding routinely emailing, calling, or expecting answers or responses outside of those working hours; and
    d. speak with their supervisor or manager if they feel their workload is preventing them from being able to take meal, rest, break or periods free from work that they are entitled to, or otherwise disconnect from work.

Reporting Concerns

All employees are expected and required to report any concerns or issues they may have which they feel are impacting their ability to disconnect from work.
Employees are encouraged to report such concerns or issues, in writing, to their immediate supervisor. If that is not appropriate or the matter cannot be resolved by doing so, employees should direct their concerns or issues to **their respective consultant in Staff Relations or Faculty**

and Academic Staff Relations.
Of course, all employees are also strongly encouraged to seek professional and/or medical assistance as they see fit if such concerns relate to their health and wellbeing, and the University has resources and supports available to employees which can be found on the HR Website [1] and on the Wellness @ Work website [2].
Employees will not be subject to reprisal for reporting such concerns as outlined above or for inquiring about, exercising or attempting to exercise any rights as provided under the ESA.

Posting, Notice and Retention

The University shall provide a copy of this Policy to each employee within 30 calendar days of implementation. Should any changes be made to the Policy after its implementation, the University shall provide each employee a copy of the revised Policy within 30 days of the changes being made.
The University shall provide a copy of this Policy to all new employees upon onboarding and within 30 calendar days of the employee commencing employment with the University.
The University shall retain a copy of this Policy and any revised version of this Policy for a period of three years after it ceases to be in effect.

The University reserves the right to review, change, or modify this Policy, in accordance with its legislative obligations.

Please refer to the FAQ page [3] for answers to common questions regarding this policy.

Page category: Policy [4]

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Links
[1] https://www.uoguelph.ca/hr/node/4141/ [2] https://www.uoguelph.ca/wellnessatwork/ [3] https://www.uoguelph.ca/hr/714-disconnecting-work-policy-faqs [4] https://www.uoguelph.ca/hr/page-category/policy