




<b>Corporate Human Resources Policy</b>	 <b>Hamilton</b>	Content Updated: 2022-06-02
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## ***Disconnecting from Work Policy***

<b>POLICY STATEMENT</b>	<p>The City of Hamilton (the City) is committed to providing excellent service to our community and to building trust and confidence in local government in alignment with our strategic plan.</p> <p>The City supports and encourages flexibility in the way employees work whenever it is possible and practical to do so without compromising the efficiency and effectiveness of the Corporation including working remotely.</p> <p>The City is committed to the protection and promotion of the mental health and wellbeing of all employees. Disconnecting from work is important for an individual's wellbeing, and helps employees achieve a healthy and sustainable work-life balance.</p>
<b>PURPOSE</b>	The purpose of this policy is to set out expectations for employees and people leaders for work communications generated outside of normal working hours and provide employees with opportunities to disconnect from after-hours work communications.
<b>SCOPE</b>	<p>This policy applies to all employees regardless of their work arrangements including those that work remotely, in a physical workplace, in a hybrid model or are mobile.</p> <p>It excludes communications that are a regular, expected part of work operations.</p>
<b>DEFINITIONS</b>	The following terms referenced in this Policy are defined as:
<b>Disconnecting from Work</b>	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.
<b>Normal Working Hours</b>	An employee's normal working hours as set out in their employment contract and/or applicable collective agreement. Normal working hours for employees may vary. The ability to disconnect from work is within the context of individual work schedules.

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<b>PRINCIPLES (if applicable)</b>	<p>The following principles apply to this Policy:</p> <ol style="list-style-type: none"> <li>1. Compliance with the requirements of the <i>Employment Standards Act</i></li> <li>2. Promotion of disconnecting from work communications as a strategy to support employee wellbeing</li> <li>3. Discouragement of after-hours communications except in emergencies, urgent situations, where agreed to by all parties beforehand or as otherwise provided for in this policy.</li> <li>4. Does not conflict with or supersede obligations or provisions under any collective agreement or in any existing policy</li> <li>5. Does not create any new right or obligation for compensation for hours worked, on-call/stand-by pay, call-in pay, overtime</li> <li>6. Does not conflict with any employee obligations to respond to communications after-hours as identified in work schedules, collective agreements or other established arrangements</li> <li>7. Encouragement of flexibility to meet the needs of employees and management</li> <li>8. Placement of responsibility for the ability to disconnect from work on both the employee and their people leader</li> <li>9. Employees should not be penalized for disconnecting during non-work hours where it is not a job expectation.</li> <li>10. Employee willingness/unwillingness to check and respond to communications outside of normal work hours and required work arrangements is not used to evaluate employee performance</li> </ol>	
<b>TERMS &amp; CONDITIONS</b>	<p>The following terms and conditions apply to this Policy:</p> <ol style="list-style-type: none"> <li>1. In the course of ordinary operations, there will be situations when it is necessary to contact employees outside of an employee’s normal working hours, including but not limited to:                     <ol style="list-style-type: none"> <li>(a) checking availability for scheduling</li> <li>(b) call in to cover employee absences</li> </ol> </li> </ol>	

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	<p>(c) emergencies</p> <p>(d) where employees freely agree to communicate with one another for work-related purposes outside of their normal working hours</p> <p>(e) other business or operational reasons that require contact outside of an employee's normal working hours</p> <p>(f) as identified in collective agreements and policies</p> <p>2. Communications sent outside of normal work hours will identify whether or not an immediate response is required.</p> <p>3. Employees are not expected to respond to communications sent outside of normal hours unless agreed to beforehand or if required under the terms of a collective agreement, job description, policy, procedure or other required work arrangement.</p> <p>4. Nothing in this policy creates any obligation to pay overtime or any other payment to employees.</p> <p>5. Where possible, work-related communications should be checked or sent during normal working hours.</p>	
<p><b>RESPONSIBILITIES (if applicable)</b></p> <p><b>Management/Supervisors</b></p>	<p>The following positions and/or departments are responsible for fulfilling the responsibilities detailed in this Policy as follows:</p> <ul style="list-style-type: none"> <li>• Identify normal work hours for each direct report.</li> <li>• Clarify expectations on responding to communications sent outside of normal working hours.</li> <li>• Avoid sending out communication to staff outside of normal work hours except in the circumstances outlined in Terms and Conditions.</li> <li>• If composing messages outside of recipient's normal working hours, use "Delay Delivery" or similar function to deliver the message the next working day.</li> <li>• Where possible, work-related communications should be checked or sent during normal working hours.</li> <li>• If communications are sent outside applicable normal working hours and requires immediate response, the response expectation should be set out in the communication if not agreed to beforehand.</li> <li>• Provide a copy of this policy to all employees within 30 days of implementation.</li> </ul>	

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<b>Employees</b>	<ul style="list-style-type: none"> <li>• Be aware of any collective agreement or policy implications of contacting employees after work (e.g., overtime/call in pay)</li> <li>• Avoid checking communications outside of normal working hours and required work arrangements</li> <li>• Avoid sending out communication to coworkers outside of normal work hours except in the circumstances outlined in Terms and Conditions</li> <li>• Respond to non-emergency and non-urgent communications during normal working hours</li> <li>• Discuss any concerns with receiving or responding to communications outside of normal working hours with their direct supervisor.</li> </ul>		
<b>Human Resources</b>	<ul style="list-style-type: none"> <li>• Provide a copy of this Policy to all new employees within 30 days of starting their employment as part of the hiring process</li> <li>• Retain a copy of this and any revised version of this Policy for three years after it ceases to be in effect</li> </ul>		
<b>COMPLIANCE</b>	Failure to comply with this Policy and its associated Procedures will result in <i>discipline up to and including termination</i> .		
<b>RELATED DOCUMENTS</b>	The following related documents are referenced in this Policy: <ol style="list-style-type: none"> <li>1. <i>Mental Health and Wellbeing Policy</i></li> <li>2. <i>Flexible Work Policy</i></li> <li>3. <i>Working from Home Policy</i></li> <li>4. <i>Appropriate use of Mobile Technology Policy</i></li> <li>5. <i>Employment Standards Act</i></li> </ol>		
<b>HISTORY</b>	The following stakeholders were consulted in the creation or revisions made to this Policy:		