



SUBJECT: Right to Disconnect from Work Policy

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: Human Resources Department

Report Number: HR-05-22

Wards Affected: NA

File Numbers: 300-11

Date to Committee: May 4, 2022

Date to Council: May 17, 2022

Recommendation:

Receive and file the City of Burlington's Right to Disconnect from Work policy attached as appendix A to human resources department report HR-05-22.

PURPOSE:

Vision to Focus Alignment:

- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

The COVID-19 pandemic has highlighted challenges in Ontario's workplaces, especially for workers who now operate in a virtual environment. The lines between work and home have become significantly blurred. In response, and on December 2, 2021, the Ontario Government passed Bill 27 the Working for Workers Act which included the obligation for employers with 25 or more employees to develop and implement a Disconnect from Work policy by June 1, 2022.

While the guidelines from the Province do not contain a lot of detail, we know that the policy needs to include:

- A definition of disconnecting from work. The Employment Standards Act (ESA) defines “disconnecting from work” to mean “not engaging 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.”.
- The City’s expectations, of employees of when it is appropriate to read or reply to.
- How it applies to all staff across the organization.
- The date the policy was prepared and the date any changes were made to the policy.

The City’s policy is attached as Appendix A. This policy has been discussed with members of the Burlington Leadership team (BLT) and once the policy wording is finalized, a copy must be provided to every employee by June 1st and will be included as part of a new employee package for future employees. In addition, a Toolkit (Appendix B) has been developed for People Leaders to assist them in understanding the new policy and how to apply it to each of their individual workplaces.

Strategy/process

The City currently has several policies, collective agreement articles and practices it uses to manage the hours of work for our diversified workplaces. This new requirement does not override these policies but instead works alongside it.

When developing the policy, the different work arrangements across the City were identified and considered. For example, we have workplaces that use shifts, apply varying hours based on seasonal requirements and flextime and those who follow standard and straight office hours. It is apparent that the application of this policy must be specific to each workplace as one approach cannot be applied across the entire organization. The fundamental need and intent of the legislation is for each workplace to understand the standard operating hours for each role and respect the employee’s right to disconnect outside of those hours.

Options Considered

NA

Financial Matters:

NA

Total Financial Impact

NA

Source of Funding

NA

Other Resource Impacts

NA

Engagement Matters:

The Burlington Leadership Team (BLT) was consulted and presented with a draft policy for consideration. Further discussion will occur with BLT to finalize the policy and its circulation to all employees.

Conclusion:

It is important for all employees to understand the policy and how it applies to their workplace. The City's Right to Disconnect from Work policy will be finalized and shared with all employees by the June 2nd deadline and people leaders will be provided with support to understand and implement the policy.

Respectfully submitted,

Laura Boyd

Executive Director of Human Resources

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Appendices:

- A. Right to Disconnect from Work Policy
- B. Right to Disconnect from Work Toolkit

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.