

Right to Disconnect Procedure

RATIONALE:

Hamilton-Wentworth District School Board (HWDSB) recognizes the importance of healthy work-life boundaries, which include the ability for all employees to disconnect from work.

The health and well-being of employees is of the utmost importance. The primary focus of the Right to Disconnect Procedure is to provide guidelines to encourage and enable employees to find balance between their work and personal lives through the elimination or significant reduction of work-related communications after hours including emails, telephone calls, video calls or the sending or reviewing of other messages.

This procedure is informed by the Employment Standards Act 2000, as amended by the Working for Workers Act 2021.

TERMINOLOGY:

After-hours: refers to any time between the hours of 6:00 p.m. – 7:00 a.m., Monday to Friday, all day Saturday, Sunday, statutory holidays, and (if applicable) any other Board-designated non-working days.

The above definition may be varied depending on specific agreements with employees, as to employee work hours or requiring an employee to be available for after-hour emergencies.

Disconnecting from Work: refers to not engaging in work-related communications, including emails, telephone calls, video calls, or sending or reviewing other messages, so as to be free from the performance of work.

Electronic communication: refers to any form of communication – including email, text or video messaging – sent by or received using electronic media such as computers, laptops, cell phones, or other devices, personal or Board-issued.

Emergency: refers to unforeseen circumstances requiring immediate action or attention as it will impact the daily operations of a school or HWDSB building site (e.g., school closure, occupational health and safety matter, tragic event, Ministry of Education announcement received after hours).

Mass e-mails: refers to electronic mail messages sent to a large number of employees.

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Telephonic communication: refers to communication using personal or Board-issued land lines or cellular phone devices.

Working hours: An employee's normal working hours are as set out in their employment contract and/or applicable collective agreement or terms and conditions of employment. As normal working hours for employees vary, all employees' ability to disconnect from work is within the context of their own individual work schedules.

PROCEDURES:

The responsibility for, and commitment to the HWDSB's Right to Disconnect Procedure, exists at all levels of the organization. All stakeholders within HWDSB contribute to the success of the Procedure. This Procedure is applicable to all full-time, part-time, temporary, casual employees of the HWDSB.

1.0 RESPONSIBILITIES:

1.1 Human Resource Division is responsible for:

- Facilitating communication with all employees and stakeholders of this Procedure;
- Providing support and assistance to supervisors and managers;
- Creating training necessary for Procedure delivery;
- Reviewing this procedure, at minimum, on an annual basis with all labour leaders and management groups;
- Providing this procedure to each employee within 30 calendar days of implementation. Further, should any changes be made to the procedure after its implementation, each employee will be provided a copy of the revised procedure within 30 days of the revisions being made.
- Providing all new employees with a copy of this Procedure upon onboarding and within 30 calendar days of commencing employment with HWDSB.

1.2 Supervisors and Managers are responsible for:

- Promoting and modeling a healthy work-life balance;
- Communicating the expectations of this Procedure with all staff at the start of each school year;
- Respecting employee non-working hours, and refrain from sending unnecessary communications or expecting staff responses after hours.

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- Ensuring all staff respect the non-working hours of their colleagues.

1.3 Employees are responsible for:

- Disconnecting from work after-hours, unless the matter can reasonably be constituted as an emergency or significant event that calls for immediate action. This applies to all employees working in the workplace, or remotely;
- Respecting the non-working hours of their colleagues.

2.0 KEY ELEMENTS OF THE RIGHT TO DISCONNECT PROCEDURE:

1. All employees are advised to communicate within the working hours of their work day. As normal working hours for employees vary, all employees' ability to disconnect from work is within the context of their own individual work schedules.
2. Mass e-mails sent to staff for the purpose of providing information pertaining to current or upcoming matters related to the Hamilton-Wentworth District School Board (HWDSB) will not be circulated after-hours to ensure that employees' non-work hours, vacation time, and personal lives are respected. There may be unique situations where critical information of an urgent nature (e.g., emergency) must be provided through mass e-mails delivered after hours.
3. Staff are advised to refrain from producing, responding to, or becoming involved in work-related electronic or telephonic communication after-hours unless the matter can reasonably be deemed an emergency or a significant event that calls for immediate action. Staff are encouraged to consider saving emails as drafts or to use the Outlook delay delivery feature to ensure communications are delivered during the Board's working hours.
4. Understanding that there are circumstances in which communication outside of working hours may be necessary – including, but not limited to, scheduling or finding a replacement on short notice due to illness or other sudden unavailability – and that some employees may wish to communicate with one another after hours about work-related matters, all HWDSB employees are expected to use their best judgement when determining whether to send a communication outside of a recipient's working hours. Similarly, all employees are expected to use their best judgment when determining whether to respond to a communication received after-hours.

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3.0 OTHER:

The Board recognizes its obligations under the Ontario Human Rights Code, the Employment Standards Act and other applicable legislation as well as its collective agreements and Terms and Conditions where applicable. The Board will apply this Right to Disconnect Procedure in a manner that fully complies with those obligations.