



SECTION: Human Resources

POLICY: HR 23

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Disconnecting from Work Policy

Preamble

Contact Brant is committed to taking every reasonable precaution to protect workers' health and safety, as required by the *Occupational Health and Safety Act*.

Contact Brant is also committed to providing a supportive workplace that promotes stress reduction and well-being and to ensuring that its employees are able to maintain an appropriate work/life balance and fulfill their family responsibilities.

Mental Health in the Workplace

Contact Brant is vitally concerned with the physical, mental health and well-being of our employees. The organization strongly encourages our employees, especially those who participate in remote work arrangements, to adapt and maintain a good work/life balance. Contact Brant encourages employees to come forward if they are experiencing any health issues, especially issues related to mental well-being. If an employee feels comfortable doing so, they should talk to their manager or a member of the management team and/or take steps to seek professional help.

Definitions

As defined in the *Working for Workers Act*, “Disconnecting from Work” means not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, to be free from the performance of work.

The *Employment Standards Act, 2000*, (ESA) specifies employees are not to perform work during the following times:

- Outside of their hours of work, including eating period
- During paid vacation time.
- During public holidays (unless the employee has agreed to work on the day of a public holiday in accordance with the ESA).
- Any Ontario Regulation 285/01 rule that establishes when work is “deemed” to be performed.

As an organization with more than 25 employees, Contact Brant has a Disconnecting from Work Policy regarding an employee’s right to disconnect from work. The Policy applies to all employees, including management, as they are deemed employees under the ESA. However, employers have the right to have different expectations for managers.

Policy

Contact Brant will follow legislative requirements and will expect employees to be free from the performance of work outside of their planned workday, and to not engage in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages.

Procedures

1. *Emails*: Employees are expected to respond to emails only during their designated working hours. Contact Brant does not expect employees to respond to emails during their off-work time. Employees are expected to respond to emails received during the workday on the same day, whenever possible and at the most within one business day unless the employee is not working, in which case they may be replied to on their next working day. (For example, Emails received after hours on Friday, Saturday, or Sunday are expected to be replied to on the Monday following, unless the employee is not working, in which case they may be replied to on the next working day.)
2. *Phone (Personal and Business)*: Employees are expected to only respond to phone calls or text messages during their designated working hours. Contact Brant does not have an expectation that employees will respond to phone calls or text messages during their off-work time.
3. *Out of Office*: Employees are expected to update their out-of-office automatic reply in emails when they are not scheduled to work to inform that they will not be responding until the next scheduled workday or directing people to the person covering. Similar, voice mail should be updated accordingly.
4. *Response Time for Phone Calls, Voicemails, and Text Messages*: Employees are expected to respond to phone calls, voicemails, and text messages received during the workday, on the same day whenever possible and at the most within one business day unless the employee is not working, in which case they may be replied to on their next working day. If an employee is unable to reply within these guidelines, they are expected to speak with their supervisor to discuss their workload and set updated expectations.

5. **Employee Responsibilities**

Employees are responsible for working during the times established with their supervisor and as posted in their calendar.

Employees are also responsible for taking breaks as outlined in their employment contract and agency policies. They should not pressure fellow employees for taking the downtime afforded to them by law.

Employees should speak to their supervisor if they have any concerns about their mental health and their right to disconnect from work.

6. **Additional Expectations for Management**

Managers are expected to follow the policy summarized above. They are also expected to ensure management coverage is clearly identified if they are not working, so that a manager is available to employees if needed.

Additionally, as employees work flexible hours in response to client and agency needs, managers need to be prepared to respond to emergency calls or texts during their off-duty time or ensure coverage by another manager.

To ensure that these guidelines are not compromised, managers must clearly identify in their calendar when they are on work time and when they are not and who to contact if they are not available.

Managers are expected to:

- Respect an employee's off-duty time and will not expect an employee to respond to a request during their off-duty hours.
- Recognize that per the ESA's rules on when work is deemed to be performed, if an employee, for example, engages in reviewing or drafting emails, the time the employee spends doing those activities is generally considered to be "working time" under the ESA. This is the case even if the employee does so after the employee's scheduled workday is over, and there is a disconnecting from work policy in place.
- Provide support as needed to employees who come forward with concerns regarding their mental health and right to disconnect.

7. Complaints

Employees who have concerns about disconnecting during their time away from work should first speak with their supervisor to resolve the issue. If the issue is not able to be resolved at this level, employees should bring the issue forward to the CEO.