



The Corporation of the Town of Tecumseh

Chief Administrative Officer - People & Culture

To: Mayor and Members of Council

From: Michelle Bonnici, Director People & Culture

Date to Council: June 28, 2022

Report Number: CAO-PC-2022-04

Subject: Right to Disconnect Policy

Recommendations

It is recommended:

That Report CAO-PC-2022-04 entitled “Right to Disconnect Policy”, **be received;**

And that Attachment 1 to Report CAO-PC-2022-04, “Right to Disconnect Policy” **be approved.**

Background

On November 30, 2021, the Ontario government passed Bill 27, Working for Workers Act, 2021. It received Royal Assent on December 2, 2021.

Bill 27 incorporates recommendations made by the Ontario Workforce Recovery Advisory Committee (OWRAC). The right to disconnect is a policy requiring employers who “employ 25 or more employees to have a written policy on disconnecting from work in place for all employees.” Employers must have a right to disconnect policy in place by June, 2022 and must provide a written policy to their employees.

According to the Employment Standards Act, 2000, Section 21.1.1, the right to disconnect is “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.” Bill 27 required an amendment to the Employment Standards Act

imposing a requirement for employers to establish a right to disconnect policy and introduces specific obligations that are required by the policy that include:

- Employees must receive a copy within 30 days of preparing the policy
- If there are any changes or updates, employees must receive the amended policy within 30 days of changes
- New employees must be provided a copy within 30 days of the first day of employment
- Each disconnecting from work policy must be retained by the company for three years after the policy ceases to be in effect.

Comments

The Town of Tecumseh recognizes that employees have a right to disconnect from work. The policy provides the framework for disconnecting from work in consideration of the requirements of Bill 27.

It should be noted that the policy does not supersede the provisions outlined in the Employment Standards Act or the individual employee contracts for all Non-Union Management and administrative staff.

While the right to disconnect is vital, the policy also outlines situations that can arise where it is not possible to deal with matters during normal working hours. There may be unavoidable situations when it is necessary to contact employees outside of normal working hours.

The policy also highlights specific roles for the Town, Management and each Employee and establishes specific protocols for correspondence, communication and meetings.

In addition, the Policy provides a recourse mechanism for employees that are experiencing challenges disconnecting.

Consultations

All Departments

Financial Implications

No financial implications at this time.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
<input type="checkbox"/>	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Michelle Bonnici, BA, LL.M
Director People & Culture

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Right to Disconnect Policy