



Disconnecting From Work Policy, New Policy: Revised

To: Governance and Policy Committee

Date: 27 April, 2022

Report No.: 04-22-4313

Strategic Directions

- Create a Culture for Student and Staff Well-Being

Recommendation

It is recommended that the Disconnecting from Work Policy, as presented in this report, be approved.

Context

The Disconnecting from Work Policy was developed in accordance with the directions as set out in the Employment Standards Act, Part VII, 0.1 – Written Policy on Disconnecting from Work and the Working for Workers Act, 2021, which is required to be in place no later than June 2, 2022.

On March 23, 2022, a draft Disconnecting from Work Policy was presented at the Governance and Policy Committee and subsequently referred back to staff for further consultation and review.

Staff revised the draft Policy based on the input received at the Governance and Policy Committee meeting, as well as feedback from union and federation partners. The draft Policy was considered and reviewed by Executive Council on April 12, 2022.

The draft Disconnecting from Work Policy (see Appendices A) is being presented for the Committee's consideration and approval.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's approval, the Policy will be presented to the Board of Trustees on May 25, 2022 for final approval. Following

approval of the Policy, staff will establish working group to develop corresponding operational procedure(s) outlining specific directions for employees, including school staff, and incorporating feedback from unions and federation partners. The procedure(s) will be provided to the Committee for information.

Resource Implications

Not applicable

Communications Considerations

Following Board approval, the Policy will be communicated to the system and posted on the Board's public website.

All employees will be provided with a copy of the Policy and accompanying operational procedure(s) within 30 calendar days of approval (e.g., TDSB Connects, System Leaders' Bulletin and other communication methods as appropriate). New employees will be provided with a copy of the Policy within 30 days of commencing employment, in accordance with the legislative requirements.

Board Policy and Procedure Reference(s)

- Records and Information Management Policy (P097)
- Email Usage (PR572)

Appendices

- Appendix A: Disconnecting from Work Policy – revised clean
- Appendix B: Disconnecting from Work Policy – track changes

From

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Toronto District School Board

Policy P0xx

Title: **DISCONNECTING FROM WORK**

Adopted: [date of approval of the policy]

Effected: [date when the policy came into effect]

Revised: N/A

Reviewed: N/A

Authorization: Board of Trustees

1.0 RATIONALE

The Disconnecting from Work Policy (the “Policy”) was developed in accordance with the *Employment Standards Act*, Part VII.0.1 – Written Policy on Disconnecting from Work.

2.0 OBJECTIVE

- To establish healthy and professional boundaries between work and personal time as an investment in positive mental health, well-being and overall employee productivity;
- To develop a positive workplace culture; and
- To support a culture of service excellence

3.0 DEFINITIONS

After-Hours means any time between the hours of 7:00 p.m. to 7:00 a.m., Monday to Thursday, and after 6:00 p.m. Friday, all day Saturday, Sunday, statutory holidays, and (if applicable) any other Board-designated non-working days. After-Hours differs from definition of Working Hours provided below.

Board means the Toronto District School Board, which is also referred to as the “TDSB”.

Disconnect from Work means not engaging in work-related communications, including emails, telephone calls, video calls, messaging/texting or the sending or reviewing of other messages, so as to be free from the performance of work.

Emergency means a time-sensitive situation due to legislative, Government, or regulatory requirements, or an unforeseen situation, or the threat of a situation, adversely affecting health, safety, security, and/or well-being, or resulting in significant legal risk or financial damage or loss, including operational

requirements and crises, which by its nature and seriousness requires an immediate response.

Employee means an individual employed by TDSB to perform services in exchange for a salary or an hourly wage on a casual, temporary or permanent basis. For clarity, independent and dependent contractors and their staff and subcontractors are not considered Employees.

TDSB means the Toronto District School Board, which is also referred to as the “Board”.

Working Hours means an Employee’s working hours as set out in their employment agreement/collective agreement or as determined by their manager/supervisor. Employees’ working hours vary by department or work unit depending on specific agreements or arrangements with Employees (e.g., night, weekend, overtime), employment and collective agreements, and the Employee’s duties, responsibilities, and professional obligations, which may require the Employee to be available for Emergencies, urgent or time-sensitive matters, or to be on-call.

4.0 RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy.

Within the Director’s Office, the responsibility for the coordination and day-to-day management of the Policy is assigned to the Associate Director, Business Operations and Service Excellence.

5.0 APPLICATION AND SCOPE

This Policy applies to all Employees including managerial staff.

6.0 POLICY

General Principles

- 6.1. The Board is committed to creating healthy and professional boundaries between work and personal time that support Employees’ mental health, well-being, and work-life balance.
- 6.2. Employees are expected to Disconnect from Work outside of their Working Hours and After-Hours and will respect other Employees’ desire to Disconnect from Work.

- 6.3. Employees will not circulate group or mass emails to staff, engage other Employees in business meetings, or make work-related phone calls to Employees outside their Working Hours or After-Hours.
- 6.4. Public and Trustee inquiries will be responded to during the recipient Employee Working Hours.
- 6.5. Employees are not required to respond to work-related emails, phone calls or engage in meetings outside their Working Hours subject to Exceptions and Conditions outlined in sections 6.8 - 6.11.
- 6.6. Employees will not be reprimanded, subjected to discipline, or denied the rights and privileges provided to them under their employment contacts and collective agreements for Disconnecting from Work. Conversely, the Board will not afford Employees' beneficial treatment for choosing to stay connected.
- 6.7. Each department or work unit leader will discuss these expectations with their teams and tailor the requirements in this Policy to suit the unique work arrangements, if any, of the department/work unit and its members.

Exceptions and Conditions

- 6.8. Notwithstanding the provisions above, Employees are expected and permitted to engage in business activities outside their Working Hours or After-Hours in response to an Emergency, as defined in section 3.0.
- 6.9. Employees are expected to respond and engage in business activities outside their Working Hours or After-Hours once they become aware of an Emergency situation and if they are available.
- 6.10. Employees who are on-call or otherwise required to be available due to the nature of their role in accordance with their collective agreements/terms and conditions of employment, will be required to attend to work activities outside their Working Hours or After-Hours as required. These situations include, but are not limited to, Board and Committee meetings, community meetings, off-site meetings, interactions with clients and stakeholders in different time zones, unexpected disruptions or requirements in operations, business functions (e.g., Smartfind Express callout), and services that require timely attention (e.g., snowstorms, water main breaks, electrical blackouts, IT-related service disruptions, opening and closing buildings, safety, and security), and any other situation as determined by the manager/supervisor as critical and time-sensitive that cannot be conducted during the Employees' Working Hours.

- 6.11. This Policy is subject to conditions and requirements of applicable employment contracts, collective agreements, and employment statutory rights under the Ontario *Employment Standards Act, 2000* (“ESA”). In the event of a conflict between this Policy and the above documents, the latter will prevail. Nothing in this Policy takes away from or provides Employees with any additional rights or compensation beyond what is set out in their collective agreement/terms and conditions of employment.

Communications

- 6.12. Employees will not contact other Employees who are on vacation or an approved leave of absence on work-related matters unless communication is warranted under Exceptions and Conditions outlined in sections 6.8 - 6.11. The sender will consider the timing of their communication and potential for disturbance, and the recipient should understand that they will not be expected to respond until they recommence work and during their Working Hours.
- 6.13. If an Employee is not online or available during their Working Hours, they will update their status on communication platforms, such as Outlook or voice mail, to indicate as such.
- 6.14. Employees who anticipate being absent for an extended period of time will communicate this in advance to their supervisor/manager, colleagues, and/or contacts. The supervisor/manager will make arrangements where possible to provide coverage during the absence or take proactive steps to address matters before the absence.

Reporting Concerns

- 6.15. Employees will report concerns or issues related to Disconnect from Work, in writing, to their immediate manager/supervisor. If the Employee does not feel comfortable reporting concerns to their immediate manager/supervisor, the Employee may direct their concerns to Employee Services, and or seek assistance of union/employee association.
- 6.16. Employees will not be subject to reprisal for reporting concerns in good faith.
- 6.17. An Employee who retaliates against someone who has reported a concern regarding Disconnect from Work in good faith may be subject to discipline.
- 6.18. Harassment, bullying, or discrimination of any type against Employees for implementing and adhering to this Policy will not be tolerated as per the Board Code of Conduct (PR585).

Distribution to Employees

- 6.19. Employees will be provided with a copy of this Policy and accompanying procedure within 30 days of approval or revision.
- 6.20. New Employees will be provided with a copy of the Policy within 30 days of starting employment with TDSB.
- 6.21. TDSB will retain copies of the Policy after the Policy ceases to be in effect in accordance with the Records and Information Management Policy (P097) and TDSB records retention schedule.

7.0 SPECIFIC DIRECTIVES

The Director of Education is authorized to issue operational procedures to implement this Policy.

8.0 EVALUATION

This Policy will be reviewed within the first year after the effective date, and subsequently, as required but at a minimum every four (4) years.

9.0 APPENDICES

- N/A

10.0 REFERENCE DOCUMENTS**Policies and Operational Procedures:**

- Records and Information Management Policy (P097)
- Board Code of Conduct (PR585)
- E-mail Usage (PR572)

Legislative Acts and Regulations:

- Employment Standards Act, Part VII.0.1 – Written Policy on Disconnecting from Work

Toronto District School Board

Policy P0xx

Title: **DISCONNECTING FROM WORK**

Adopted: [date of approval of the policy]

Effected: [date when the policy came into effect]

Revised: N/A

Reviewed: N/A

Authorization: Board of Trustees

1.0 RATIONALE

The Disconnecting from Work Policy (the “Policy”) was developed in accordance with the *Employment Standards Act*, Part VII.0.1 – Written Policy on Disconnecting from Work.

2.0 OBJECTIVE

- To support TDSB employees’ establish healthy and professional boundaries between work-life balance, including and personal time as an investment in positive mental health and, well-being and overall employee productivity;
- To develop a positive workplace culture; and
- To support a culture of service excellence

3.0 DEFINITIONS

After-Hours ~~refers to~~means any time between the hours of 7:00 p.m. to 7:00 a.m., Monday to Thursday, and after 6:00 p.m. Friday, all day Saturday, Sunday, statutory holidays, and (if applicable) any other Board-designated non-working days, ~~based on the Board’s standard business hours.~~ After-Hours differs from definition of Working Hours provided below.

Board means the Toronto District School Board, which is also referred to as the “TDSB”.

Disconnect from Work means not engaging in work-related communications, including emails, telephone calls, video calls, messaging/texting or the sending or reviewing of other messages, so as to be free from the performance of work.

Emergency means a time-sensitive situation due to legislative, Government, or regulatory requirements, or an unforeseen situation, or the threat of a situation, adversely affecting health, safety, security, and/or well-being, or resulting in significant legal risk or financial damage or loss, including operational

requirements and crises, which by its nature and seriousness requires an immediate response.

Employee is means an individual employed by TDSB to perform services in exchange for a salary or an hourly wage on a casual, temporary or permanent basis. For clarity, independent and dependent contractors and their staff and subcontractors are not considered ~~employees~~Employees.

~~Information Technology Resources include but are not limited to computers, phones, tablets, cellular/mobile technology, computer applications, email, servers, networks, internet services, internet access including access to external websites, data and any other electronic or communication technology provided by the TDSB that exist today or may be developed in the future regardless of whether or not it may be used as a stand-alone device.~~

TDSB means the Toronto District School Board, which is also referred to as the "Board".

Working Hours means an ~~employee's~~Employee's working hours as set out in their employment agreement/collective agreement or as ~~mutually agreed upon between the employee and~~determined by their manager/supervisor. Employees' working hours vary by department or work unit depending on specific agreements or arrangements with ~~employees~~Employees (e.g., ~~night and weekend shifts~~), overtime), employment and collective agreements, and the ~~employee's~~Employee's duties, responsibilities, and professional obligations, which may require the Employee to be available for Emergencies, urgent or time-sensitive matters, or to be on-call.

4.0 RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy.

Within the Director's Office, the responsibility for the coordination and day-to-day management of the Policy is assigned to the Associate Director, Business Operations and Service Excellence.

5.0 APPLICATION AND SCOPE

This Policy applies to all ~~employees~~Employees including managerial staff.

6.0 POLICY

General Principles

6.1. ~~TDSB and its Employees are~~ The Board is committed to supporting employees' creating healthy and professional boundaries between work

and personal time that support Employees' mental health, well-being, and work-life balance.

- 6.2. Employees are ~~encouraged~~expected to ~~disconnect~~Disconnect from ~~work~~Work outside of ~~their~~ Working Hours and After-Hours and ~~to~~will respect other Employees' desire to Disconnect from Work.
- 6.3. ~~Employees~~ will not circulate group or mass emails to staff, engage other Employees in business meetings, or make work-related phone calls to Employees outside their Working Hours or After-Hours.
- 6.4. Public and Trustee inquiries will be responded to during the recipient Employee Working Hours.
- 6.5. Employees are not required to respond to work-related emails, phone calls or engage in meetings outside their Working Hours subject to Exceptions and Conditions outlined in sections 6.8 - 6.11.
- 6.6. Employees will not be reprimanded, subjected to discipline, or denied the rights and privileges provided to them under their employment contacts and collective agreements for Disconnecting from Work. Conversely, the Board will not afford Employees' beneficial treatment for choosing to stay connected.
- 6.7. ~~Each department or work unit leader~~ However, will discuss these expectations with their teams and tailor the requirements in this Policy to suit the unique work arrangements, if any, of the department/work unit and its members.

Exceptions and Conditions

- 6.8. Notwithstanding the provisions above, Employees are expected and permitted to engage in business activities outside their Working Hours or After-Hours in response to ~~an Employee's ability to disconnect from work will depend on the TDSB's business and/or operational needs and the duties/obligations of the Employee's position,~~ subject to ~~Emergency,~~ as defined in section 3.0.
- 6.9. Employees are expected to respond and engage in business activities outside their Working Hours or After-Hours once they become aware of ~~an Emergency situation and if they are available.~~
- 6.10. Employees who are on-call or otherwise required to be available due to the nature of their role in accordance with their collective agreements/terms and conditions of employment, will be required to attend to work activities outside their Working Hours or After-Hours as required. These situations include, but are not limited to, Board and

Committee meetings, community meetings, off-site meetings, interactions with clients and stakeholders in different time zones, unexpected disruptions or requirements in operations, business functions (e.g., Smartfind Express callout), and services that require timely attention (e.g., snowstorms, water main breaks, electrical blackouts, IT-related service disruptions, opening and closing buildings, safety, and security), and any other situation as determined by the manager/supervisor as critical and time-sensitive that cannot be conducted during the Employees' Working Hours.

~~6.2. This Policy Employee's contract~~ is subject to conditions and requirements of applicable employment contracts, collective agreements, and/or their minimum employment statutory rights under the Ontario *Employment Standards Act, 2000* ("ESA").

~~6.3. While some work outside of Working Hours and After Hours may be necessary and unavoidable, this policy serves to support all employees in adopting Disconnection from Work as a guiding approach to achieving the objectives outlined above.~~

~~6.4.6.11.~~ In the event of a conflict between this policy ~~Policy~~ and the ~~collective agreement/terms and conditions of employment~~ above documents, the latter ~~shall~~ will prevail. Nothing in this ~~policy~~ Policy ~~takes away from or~~ provides employees ~~Employees~~ with any additional rights or compensation beyond what is set out in their collective agreement/terms and conditions of employment.

~~6.5. This Policy applies to all Employees including managerial staff, all of whom are expected to collectively model the expectations set out in this Policy.~~

~~6.6. Each department or work unit leader is encouraged to discuss these expectations with their teams and to tailor the guidance in this Policy to suit the unique work arrangements, if any, of the department/work unit and its members.~~

Communications

~~6.7. Subject to the exceptions set out below, where possible, work-related communications should be checked or sent during Working Hours only. Employees are not expected to respond or initiate communication outside of their Working Hours and workdays, but will do their best to follow up on their next working day.~~

~~6.8. Some Employees' duties and responsibilities require communicating with contacts from different time zones or from different provinces or countries, which may, as a result, require that the Employee work After Hours or~~

~~beyond their workday. Employees are encouraged to discuss any concerns with their manager where this becomes a frequent occurrence.~~

not

~~6.9.6.12. Employees are strongly encouraged not to~~ contact other Employees who are on vacation or an approved leave of absence on work-related matters. unless communication is warranted under Exceptions and Conditions outlined in sections 6.8 - 6.11. The sender ~~should~~will consider the timing of their communication and potential for disturbance, and the recipient should understand that they will not be expected to respond until they recommence work and during their Working Hours.

~~6.10.6.13.~~ If an Employee is not online or available during their Working Hours, ~~it is expected that~~ they will update their status on communication platforms, such as Outlook or voice mail, to indicate as such.

~~6.11.6.14.~~ Employees who anticipate being absent for an extended period of time ~~are advised to~~will communicate this in advance to their supervisor/manager, colleagues, and/or contacts, ~~and.~~ The supervisor/manager will make arrangements where possible to provide coverage during the absence or take proactive steps to address matters before the absence.

~~6.12. When sending a communication outside of the recipient Employee's regular Working Hours or After-Hours that requires an urgent or immediate response, the expectation of an immediate response should be set out in the communication. For example, marking e-mails as "Urgent" or "Time Sensitive", or call or text the Employee instead.~~

Meetings

~~6.13. Where possible, meetings should be scheduled during regular business hours, or normal Working Hours if the attendees have work schedules outside of regular business hours.~~

~~6.14. Those organizing meetings should be mindful of the time of those whom they are inviting to attend and ensure that those invited will play an active role and have something to contribute to the matters being discussed.~~

Exceptions

~~6.15. Notwithstanding the provisions above, Employees may have occasional responsibilities outside their Working Hours or After-Hours (e.g., attending Board and Committee meetings, community meetings, off-site meetings, etc.) and/or may need to respond to an Emergency.~~

~~6.16. In addition, Employees may need to be on-call or otherwise available due to the nature of their role in accordance with their collective~~

~~agreements/terms and conditions of employment. These situations include, but are not limited to, unexpected disruptions or requirements in operations, business functions, and services that require timely attention (e.g., snowstorms, water main breaks, electrical blackouts, IT-related service disruptions, opening and closing buildings, safety, and security), and any other situation as determined by the manager as critical and time-sensitive that cannot be conducted during the employees' Working Hours.~~

~~6.17. Efforts should be made to reduce the circulation of individual, group, or mass emails to Employees After Hours. There will, however, be unique situations where critical information of a time-sensitive nature must be delivered After Hours, such as those described above.~~

Reporting Concerns

~~6.18.~~ 6.15. Employees ~~should~~will report concerns or issues related to Disconnect from Work, in writing, to their immediate manager/supervisor. If the Employee does not feel comfortable reporting concerns to their immediate manager/supervisor, the Employee may direct their concerns to Employee Services, and or seek assistance of union/employee association.

~~6.16.~~ Employees will not be subject to reprisal for reporting concerns in good faith concerns under.

~~6.17.~~ An Employee who retaliates against someone who has reported a concern regarding Disconnect from Work in good faith may be subject to discipline.

~~6.19.~~ 6.18. Harassment, bullying, or discrimination of any type against Employees for implementing and adhering to this policy. ~~Policy will not be tolerated as per the Board Code of Conduct (PR585).~~

Distribution to Employees

~~6.20.~~ 6.19. Employees will be provided with a copy of this ~~policy~~Policy and accompanying procedure within 30 days of approval or revision.

~~6.21.~~ 6.20. New ~~employees~~Employees will be provided with a copy of the ~~policy~~Policy within 30 days of starting employment with TDSB.

~~6.22.~~ 6.21. TDSB will retain copies of the Policy after the Policy ceases to be in effect in accordance with the Records and Information Management Policy (P097) and TDSB records retention schedule.

7.0 SPECIFIC DIRECTIVES

The Director of Education is authorized to issue operational procedures to implement this Policy.

8.0 EVALUATION

This Policy will be reviewed within the first year after the effective date, and subsequently, as required but at a minimum every four (4) years ~~after the effective date.~~

9.0 APPENDICES

- ~~• Appendix A – Helpful Resources for Staff~~
- N/A

10.0 REFERENCE DOCUMENTS

Policies and Operational Procedures:

- Records and Information Management Policy (P097)
- Board Code of Conduct (PR585)
- E-mail Usage (PR572)

Legislative Acts and Regulations:

- ~~• Employment Standards Act, Part VII.0.1 – Written Policy on Disconnecting from Work~~

~~APPENDIX A~~

~~Helpful Resources for Staff~~

~~TDSB Staff Mental Health and Well-Being Resources~~ website contains links to a large collection of well-being articles, tips, and other support (<https://www.tdsb.on.ca/School-Year-2021-22/Mental-Health-and-Well-Being/Staff-Resources>)

~~TDSB Employee and Family Assistance Program~~ contains information and resources on a wide range of topics, including services such as professional counseling, financial, legal, nutrition advice, career counseling (<https://www.workhealthlife.com/>)

~~TDSB Percipio~~ is a powerful digital learning platform that engages and inspires staff to learn a wide range of topics (e.g., time, e-mail, and meeting management), and to obtain certifications in areas such as human resources, digital marketing, and project management. Percipio is available to all TDSB staff. (<https://tdsb.percipio.com/>)

~~Microsoft Technology & Productivity tips:~~

- ~~Outlook Tips and Tricks You Should Know (<https://www.microsoft.com/en-ca/microsoft-365/business-insights-ideas/resources/outlook-tips-and-tricks-you-should-know>)~~
- ~~Tips for Leading Effective Meetings with Your Staff (<https://www.microsoft.com/en-ca/microsoft-365/business-insights-ideas/resources/tips-for-leading-effective-meetings-with-your-staff>)~~
- ~~Business Insights and Ideas (<https://www.microsoft.com/en-ca/microsoft-365/business-insights-ideas/>)~~

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