

Toronto District School Board

Policy P102

Title: **DISCONNECTING FROM WORK**

Adopted: May 25, 2022
 Effected: May 25, 2022
 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, 2000* 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 “quiet time” for the entire TDSB system, which includes 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 indicate time when the majority of TDSB business activities and related communications are reduced/concluded and the majority of Employees disconnect After-Hours are distinguishable from and do not directly relate to the Working Hours, which pertain to individual Employees’ formal hours of work. (See also Working 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 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. Working Hours are distinguishable from TDSB After-Hours. (See also After-Hours).

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, Organizational Transformation and Accountability ~~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~~ TDSB 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 contracts 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., Smart Find 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)~~ five (5) 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, 2000*, Part VII.0.1 – Written Policy on Disconnecting from Work