

ADMINISTRATIVE REPORT

Subject: Disconnecting from Work Policy
Date: 2022-05-09
To: Mayor and Council
From: Alysha Hansma, Human Resources Manager



ISSUE

Under the *Employment Standards Act, 2000*, the Town of Fort Frances has a requirement to implement a written policy with respect to disconnecting from work.

ADMINISTRATIVE RECOMMENDATION

It is the recommendation of Administration:

THAT Council agree with the recommendation of Administration to implement the Disconnecting from Work policy as drafted.

STRATEGIC IMPACT

N/A

OPTIONS & ALTERNATIVES

N/A

HISTORY

On December 2, 2021, Bill 27, Working for Workers Act, 2021 received Royal Assent. The schedule amends the *Employment Standards Act, 2000*. New Part VII.0.1 of the Act imposes a requirement on employers that employ 25 or more employees to have a written policy with respect to disconnecting from work. The term “disconnecting from work” is defined to mean not engaging in work-related communications, including emails, telephone calls, video calls, or the sending or reviewing of other messages, so as to be free from the performance of work.

The Ontario Ministry of Labour, Training and Skills Development (the “MOL”) has released guidance related to the changes under the Act including, but not limited to:

- An employer determines the content of its disconnecting from work policy.
- Employers are not required to create a new right for employees to disconnect.

DISCONNECTING FROM WORK POLICY

- The ESA does not specify the information an employer must include in its disconnecting from work policy, so long as the policy is about disconnecting from work.

ANALYSIS

A policy was drafted considering the requirements under the *Employment Standards Act, 2020*, the guidance from the MOL, and webinars hosted by the Ontario Municipal Human Resources Association, with presentations by Hick Morley.

This policy will commence on a date no later than June 2, 2022 and the Town will provide the policy to all employees within 30 days of the policy's implementation.

CONSULTATION

- Senior Management
- OMHRA
- Administration & Finance Executive Committee

SUPPORTING DOCUMENTS

- 1) Disconnecting from Work Policy

