

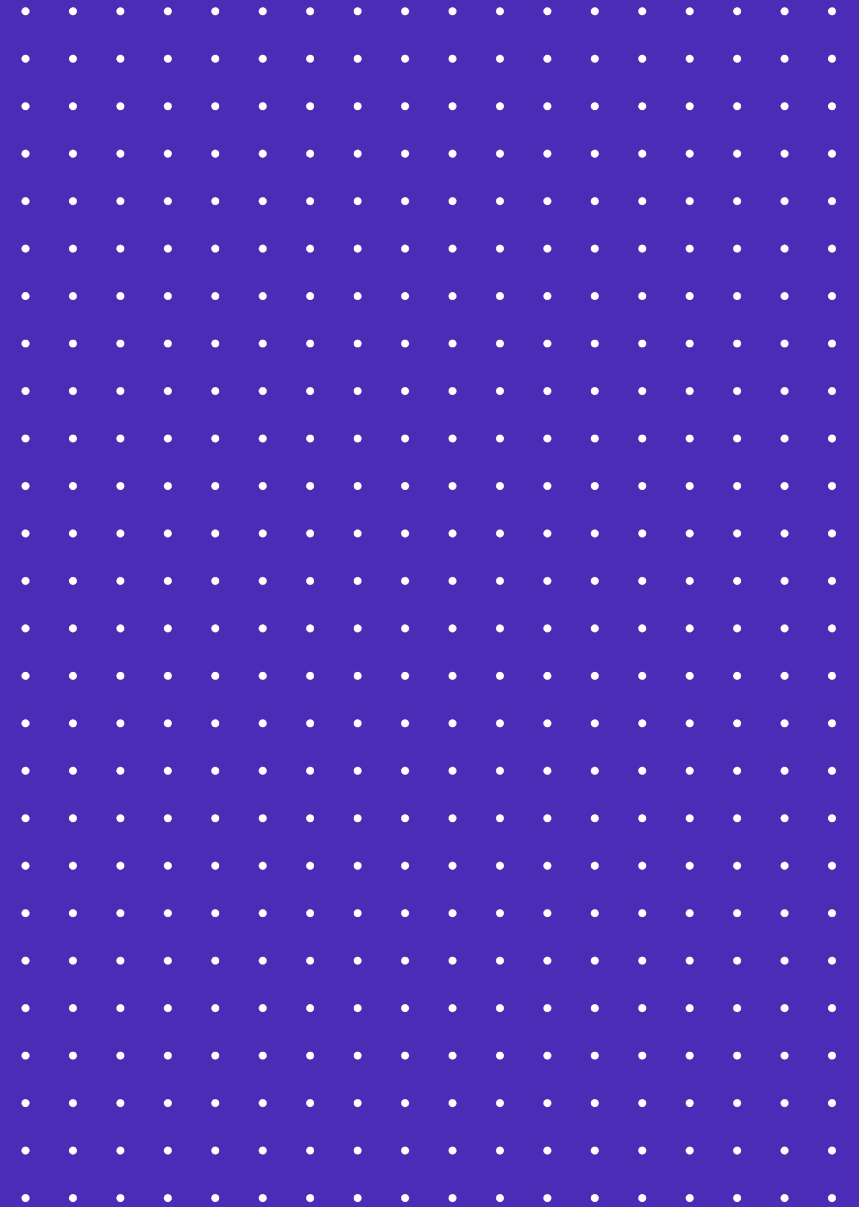
Disconnecting from work: quagmires & complexities

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Presentation to Ontario Municipal Administrators' Association

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SISKINDS | The law firm

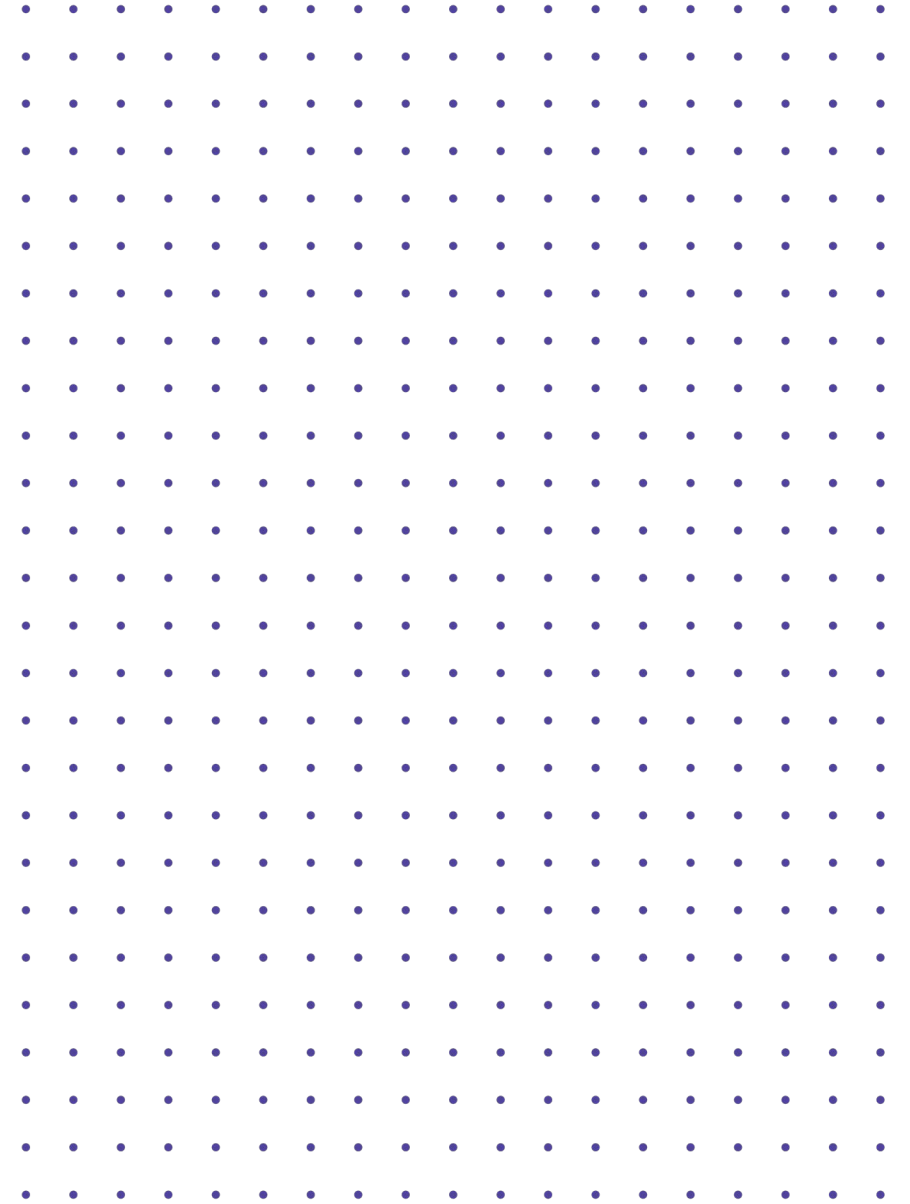


Agenda

- **What?** The purpose and intention of the legislation
- **Who?** All employees? Councillors? Senior leaders?
- **Where?** Office? Home? Travel? Internal? External?
- **Why?** Boring but necessary legislative requirements

What?

The Purpose of the Legislation



Purpose:

Bill 27 – *Working for Workers Act, 2021*

“disconnecting from work” means **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.**

A definition is not a purpose.

Purpose:

Result: Every employer is figuring out their own purpose.

Critical: Be thoughtful about your organization's purpose.

Definition of “urgent”

CRITICAL !!!

Example:

There may be times when it is necessary, due to operational needs which cannot wait until the next working day, for employees to contact coworkers outside of their normal working hours.

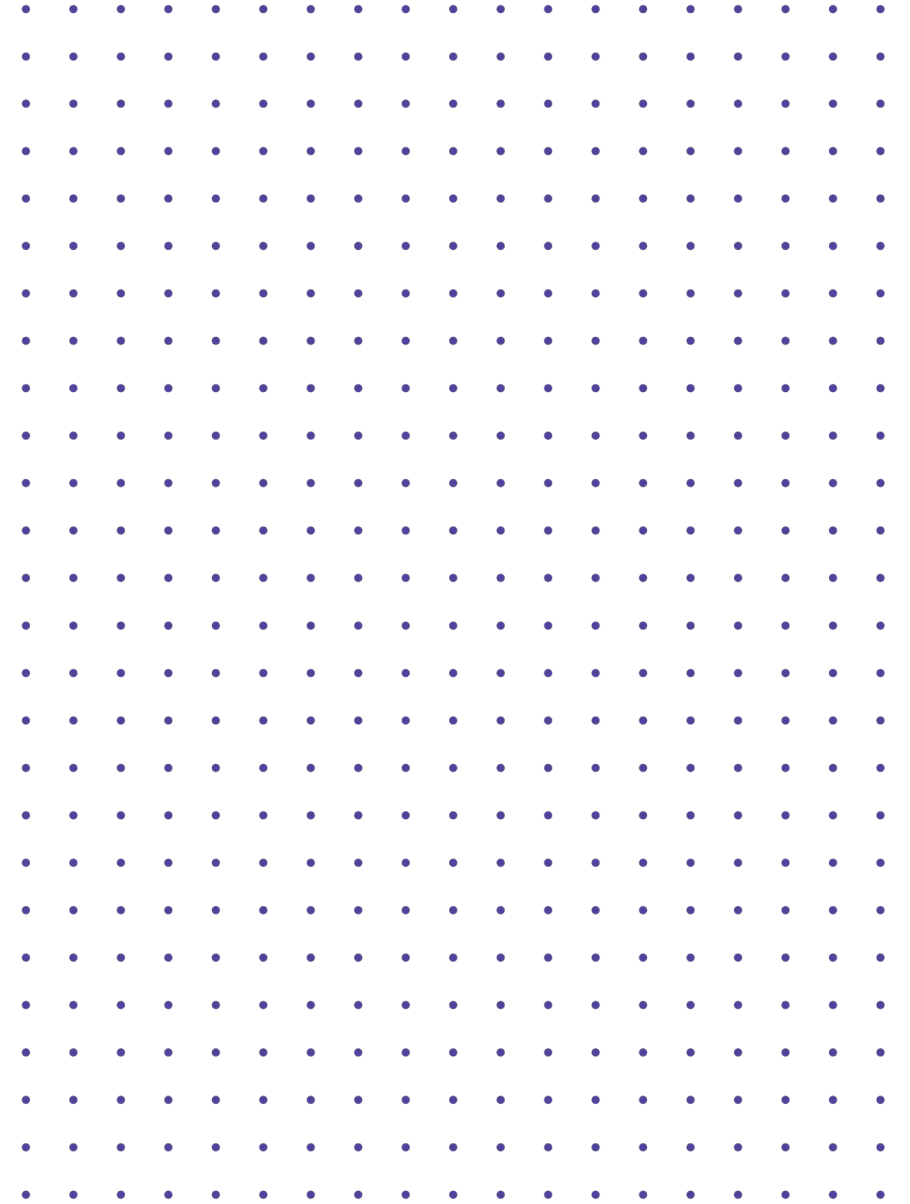
If a matter is genuinely urgent, employees are expected to respond to the communication.

If a matter is urgent, the word URGENT should be included at the beginning of the subject line of the email or at the beginning of a text. The sender should also call or text the recipient to alert them about the urgent nature of the matter.

Urgent communications must be the exception rather than the rule.

Who?

Who will be affected?



Who is affected?

Consider:

Public works – seasonal

Volunteer firefighters

Senior Leaders

Councillors

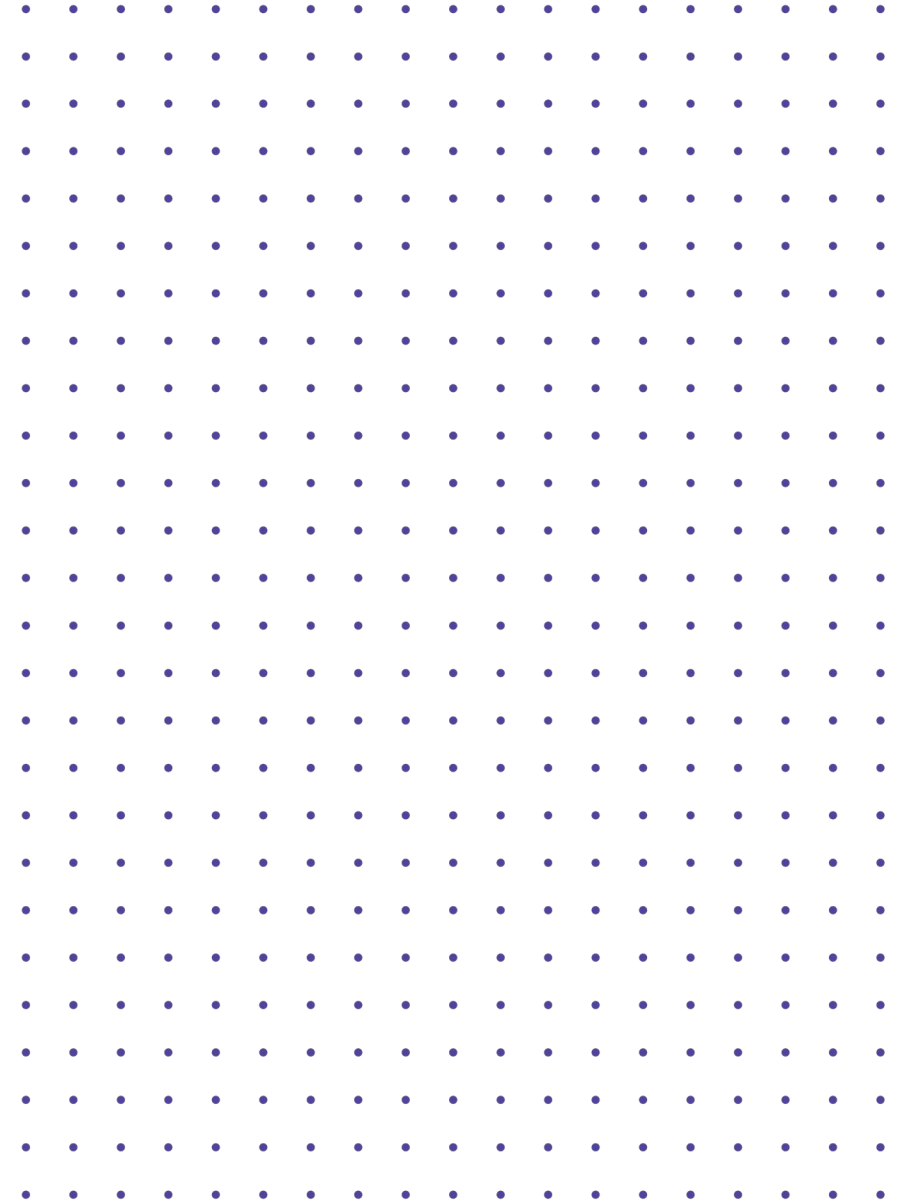
Emergency Response Plan

Managers attending Council meetings

Where?

Where are your employees?

Where do urgent matters come from?



Where are your employees?

Consider:

Home offices

Travelling for work

On vacation

On medical leave

Where do urgent matters come from?

Consider:

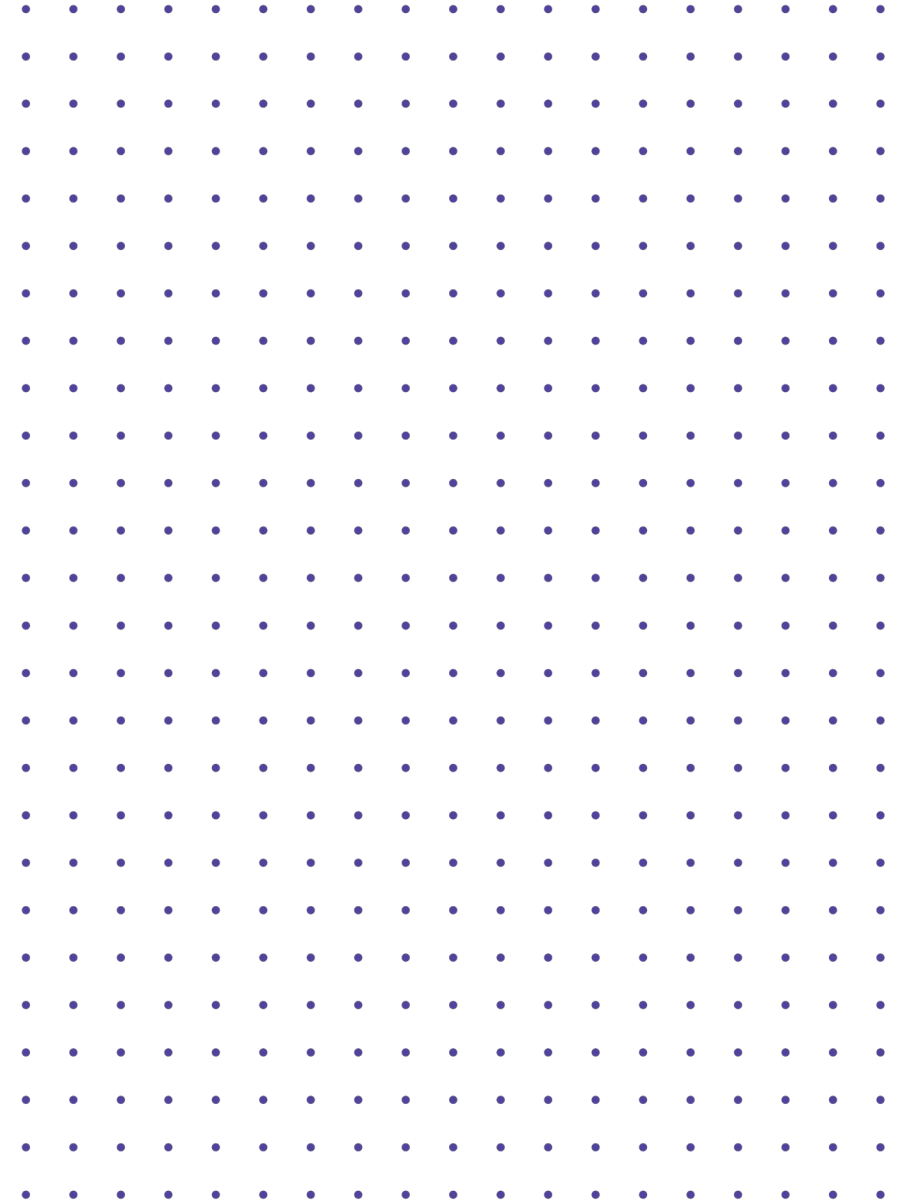
Internally?

Externally?

Methods of communication?

Why?

What does the legislation require?



What does the legislation require?

By **June 2, 2022**, an employer with >25 employees on January 1st must:

1. have a written policy.
2. include in the policy:
 - (a) the date it was prepared; and
 - (b) the date of any changes made.
3. provide a copy of the policy to employees within 30 days of its preparation and within 30 days of any changes.
4. provide a copy of the policy to new employees within 30 days of hire.
5. keep a copy of each version of the policy on file for at least three years.

What does the legislation require?

In 2023 and thereafter, employers with >25 employees on January 1st have to have a policy in place by March 1st of that year.

No need to provide a copy of the policy to employees every year.

The policy can be provided electronically only if the employee has access to a computer/printer and knows how to use them.

QUESTIONS?