

UNIVERSITY OF WINDSOR POLICY

TITLE:	DISCONNECTING FROM WORK POLICY
DATE ESTABLISHED:	JUNE 2, 2022
OFFICE WITH ADMINISTRATIVE AUTHORITY:	HUMAN RESOURCES DEPARTMENT
APPROVAL:	Vice-President, EDI

PURPOSE

1. The purpose of this Policy is to affirm the University's commitment to the health and well-being of all Employees.
2. This Policy also reflects the University's commitment to encouraging its Employees to disconnect from work, in compliance with the terms of each Employee's applicable collective agreement and/or individual employee contract, and the Ontario *Employment Standards Act, 2000*.
3. This Policy is put in place in compliance with the Ontario *Working for Workers Act, 2021* and within 30 days of the date of this Policy, will be distributed to all University Employees.

DEFINITIONS

4. For the purposes of this Policy, the following definitions apply:

"Act" means the *Working for Workers Act, 2021, S.O. c.35-Bill 27*;

"ESA" means the *Employment Standards Act, 2000, S.O. c 41*;

"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 outside of working hours. This definition is adopted from the *Act*;

"work hours" and *"working hours"* mean the hours in which an employee is expected to work as set out in their individual employee contract and the *ESA*, and for unionized employees this includes such terms set out in their respective collective agreement and the *ESA*.

SCOPE

5. This Policy applies to all Employees of the University of Windsor in compliance with the *Act*.

INTERPRETATION

6. The health and well-being of all Employees -- including their rights to disconnect from work as found in their applicable collective agreements/individual employee contracts and the *ESA* -- is a matter of utmost importance to the University. Promoting a workplace-culture that encourages Employees to disconnect from work is recognized by the University as helpful in achieving a sustainable and healthy work-life balance, and is the interpretative context for this Policy.
7. **Nothing in this Policy alters the terms of any Collective Agreement or Individual Employee Contract.** Rather, this Policy in compliance with the *Act*, affirms in writing the University's commitment to all Employees' rights to 'disconnecting from work' as set out in each Employee's respective applicable collective agreements and/or individual employee contracts, and in the *ESA*. No new right or benefit is created by this Policy.
8. **In the event of any conflict between this Policy and the terms of any Collective Agreement or Individual Employee Contract, the terms of the Collective Agreement/Employee Contract will prevail in compliance with the *ESA*.**
9. The *ESA* recognizes that there is diversity in workplaces regarding the roles and responsibilities in workplaces, and this diversity can be reflected in the variation of specific work hours as set out in an Employee's individual employment contract and/or collective agreement and the *ESA*.
10. For the purposes of clarity, the Employer is referred to as the "University" in this Policy.

UNIVERSITY'S OBLIGATIONS

11. In keeping with its commitment to a healthy work-life balance respecting disconnecting from work as defined in this Policy, the University will:
 - i. Inform employees of their regular working hours where applicable;
 - ii. Encourage employees to be mindful of and respectful of the time when other Employees - including those without set working hours -- can reasonably expect to be disconnecting from work;

- iii. Encourage Employees to contact each other for work-related communications during working hours as applicable;
- iv. Request that Managers and Supervisors (as defined in the applicable Collective Agreement), or the Department of Human Resources, respond to questions or concerns regarding disconnecting from work from Employees; and
- v. Request that Deans and/or the Office of the Provost respond to questions or concerns regarding disconnecting from work, from Employees who are members of WUFA and CUPE 4580.

EMPLOYEE OBLIGATIONS

12. The University expects all Employees to comply with the following in the course of their work:
- i. Avail themselves of communications suggestions offered by the University regarding disconnecting from work (e.g. out-of-office messages, email signature line indicating when that employee is likely to respond in accordance with their collective agreement/individual employee contract);
 - ii. For those Employees working set hours such as certain CUPE, UNIFOR and Management and Professional employees:
 - o notify their supervisor or manager, in writing, if any meal, rest, break or hours-free-from-work period (or other right or entitlement) which they feel they were entitled to was not provided due to workload including work communications;
 - iii. For Employees who are members of WUFA or CUPE 4580, inform their respective Dean if they have concerns about their ability to enjoy their rights to disconnect from work as set out in their respective collective agreements, individual employee contract and the *ESA*.
13. No reprisal may be taken against any Employee who expresses concern to their Manager, Supervisor or Dean as the case may be, that they are unable to exercise their right to disconnect from work pursuant to the terms of their individual employment which include applicable collective agreements and the *ESA*.

ADDITIONAL RESOURCES

14. If an Employee continues to experience difficulties disconnecting from work after informing their Manager, Supervisor or Dean as the case may be, then Employees should direct their concerns or issues to Human Resources, the Office of the Provost, or the Office of the Vice-President, Research and Innovation, as applicable. Clause 13 above applies to this provision too.
15. Employees with concerns relating to their health and well-being, are strongly encouraged to seek professional and/or medical assistance as they see fit, and the University has resources and supports available to employees which can be found here: [Workplace Wellness](#) (staff and faculty) and [Student Mental Health and Wellness Guide](#) (students).

POSTING, NOTICE and RETENTION

16. The University shall provide a copy of this Policy to each employee, regardless of their position within 30 calendar days of adoption. Should any changes be made to the Policy after its implementation, the University shall provide each employee of the University a copy of the revised Policy within 30 days of the changes being made.
17. The University shall provide a copy of this Policy to all new employees upon onboarding and within 30 calendar days of the employee commencing employment with the University.
18. The University shall retain a copy of this Policy and any revised version of this Policy for a period of three years after it ceases to be in effect.

REVIEW AND MODIFICATION OF THE POLICY

19. This Policy will be reviewed on an annual basis. Any amendments to the Policy will be recorded and will be communicated to Employees in accordance with the Act.

RELEVANT LEGISLATION, STATEMENTS, GUIDELINES, POLICIES, AND PROCEDURES

[Employment Standards Act, 2000](#)

[Working for Workers Act, 2021](#)

Additional information about programs and policies of the University of Windsor can be found on the [website portal](#) and include related materials such as the:

- [Flexible Work Program](#) (on the Human Resources website)
- [Human Rights Policy](#) (on the Central University Policies website)
- [Harassment Prevention Policy](#) (on the Central University Policies website)

Employee Relations Policies and Information also available on the University's Human Resources [webpage](#).

The Collective Agreements of Employee Groups can be found on the University's Human Resources [webpage](#) and include the following:

- [CUPE 1393 - Skilled Trades and Technical Staff](#)
- [CUPE 1001 - Full and part-time Food Services, Housekeeping and Grounds](#)
- [Unifor 444 - Campus Community Police and Parking Services](#)
- [Unifor 2458 - FT Office & Clerical Staff](#)
- [Unifor 2458 - PT Office & Clerical Staff](#)
- [Unifor 2458 - Stationary Engineers and Refrigeration Mechanics](#)

The Collective Agreements of Academic Employee Groups can be found on the University's Human Resources [webpage](#) and include the following

- [Windsor University Faculty Association \(WUFA\)](#)
- [CUPE 4580](#)