

NORTHERN CASSET (1976) LIMITED (the “Employer”)

Department:	Human Resources/Employee Relations	Issued: October 6, 2022
Subject:	DISCONNECTING FROM WORK POLICY (this “Policy”)	Effective: June 2, 2022
Issue to:	All Employees	
Issued by:	Caley Ferguson, President	Pages: 3

1. Purpose and Objective of this Policy:

- 1.01 The Employer understands that due to work-related pressures, the current landscape of work, or the working environment, employees may feel obligated to perform their job duties outside their normal working hours. Work-related pressure and feeling an inability to disconnect from the workplace can lead to stress and deterioration of mental and physical health. This Policy has been established to support employee wellness, minimize excessive sources of stress, and ensure that employees feel they can disconnect from their work outside their regular working hours.
- 1.02 The purpose of this policy is to affirm the expectations of the Employer of its employees to receive and respond to work-related communications both during, and outside of, “*regular work hours*” as defined herein.

2. Definitions:

- 2.01 ***Disconnecting from work:*** Not engaging in work-related communications, including e-mails, telephone calls, video calls, or the sending or reviewing of other messages, so as to be free from the performance of work.
- 2.02 ***Regular work hours:*** The time agreed to by the Employer and an employee when they are meant to provide services to the Employer.

3. Application of this Policy:

- 3.01 This Policy applies to all employees of the Employer, save and except for management employees for which there is an expectation that availability will be maintained outside of regular business hours.
- 3.02 The Employer make all reasonable efforts to require the performance of work, including work related meetings, calls and or any other job-related requirement, to be completed during regular work hours.

4. **Disconnecting from Work:**

4.01 Employees should make reasonable efforts to book meetings and calls during regular work hours. Similarly, employees should review and send work-related communications during regular work hours.

4.02 Outside of regular work hours and when disconnecting from work, employees:

- (a) should stop performing their job duties and work-related tasks;
- (b) are not expected or required to respond to work-related communication (this includes communication by email, telephone, video calls, texts, or the sending or reviewing of messages from other sources);
- (c) will not face repercussion or punishment for not communicating or for ceasing work;
- (d) are encouraged to turn on out-of-office notifications when they are not working so that it is clear to others that they will not be responsive to messages at this time; and
- (e) should respect co-workers' time and should not expect them to respond, communicate, or complete work.

5. **Exceptions to this Policy:**

5.01 Although all employees should be mindful of the right to disconnect, it is important that employees are equally mindful that situations can arise where it is not possible to deal with matters during regular work hours.

5.02 Employees may want or need to work outside their regular work hours to complete or catch up on work, to meet a time-sensitive deadline or to attend to an urgent matter or emergency.

5.03 Employees may also be expected to respond to work-related communications outside of their regular work hours in the event of unforeseen circumstances, in the case of an emergency or when business/operational issues require them to do so.

5.04 Possible exceptions to this policy may include, but is not limited to, contact and/or the performance of work during:

- (a) approved overtime of an employee;
- (b) when an employee is away from work but "on-call";
- (c) in emergency, urgent or time-sensitive circumstances; and
- (d) contacting an employee for work scheduling reasons when a request is being made to replace another employee who is unable to attend work due to illness or another reasonable excuse.

7. **(Deemed) Compliance with Applicable Legislation:**

7.01 Notwithstanding this Policy, or any provision(s) or part(s) of this Policy, if:

- (a) any provision or requirement of this Policy violates, or potentially violates; and/or
- (b) for any employee(s), a greater, or superior, right, benefit or entitlement is granted, conferred or required by,
 - (i) the *Working for Workers Act*, 2021;
 - (ii) the *Employment Standards Act, 2000*, SO 2000, c. 41, as amended;
 - (iii) the (Ontario) *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, as amended;
 - (iv) the (Ontario) *Human Rights Code*, R.S.O. 1990, c. H. 19, as amended;
 - (v) the (Ontario) *Workplace Safety and Insurance Act, 1997*, S.O. 1997, c. 16, Sch. A, as amended; and
 - (vi) every other applicable municipal, provincial or federal legislation in effect currently, or in future, as amended, including any regulations thereto (collectively, the “Legislation”),

the Legislation, as may apply, shall always govern and prevail over this Policy and be strictly adhered to by the Employer and, for greater certainty, every employee of the Employer shall always be entitled to every protection, right, benefit and entitlement required by the Legislation, as may apply, regardless of this Policy and any of its provisions. Under no circumstances shall any employee of the Employer ever be deprived of, denied or otherwise not be provided by the Employer, any right, benefit and entitlement required by the Legislation, as may apply, notwithstanding any provision(s) of this Policy and, for even greater certainty, any such right, benefit and entitlement required by the Legislation, as may apply, shall be deemed to be incorporated into this Policy by reference, and be substituted for any offending, violative or non-compliant provision(s) of this Policy.