# DISCONNECTING FROM WORK POLICY (Ontario)

Purpose

To support our employees in balancing their working and personal lives, whether working traditional hours in the workplace, remotely or flexibly, Kelly Services (“Kelly”) has implemented this Disconnecting-from-Work Policy (the “Policy”) to encourage employees to disconnect from work outside of their normal working hours in accordance with and subject to this Policy.

Disconnecting from work is important for an individual’s wellbeing, and helps employees achieve a healthy and sustainable work-life balance. Disconnecting form work ***means to not engage 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.***

This Policy should be read alongside Kelly’s associated policies on Sick/Mental Health/Well-Being Days, Vacation, Personal Leave, and Health and Safety, any relevant and applicable legislation, and any other policy that may become applicable and/or relevant.

Application

* 1. This Policy applies exclusively to employees in Ontario, whether working remotely, in the workplace, flexibly or mobile. Employees working outside Ontario are not contemplated herein.
  2. In the ordinary course of business there will be situations when it is necessary to contact colleagues/clients/customers outside of an employee’s normal working hours, including but not limited to:

1. checking availability for scheduling;
2. to fill in on short notice for a colleague who has called in sick or is unavailable for work;
3. where unforeseeable circumstances may arise;
4. where an emergency may arise;
5. where an employee has requested or agreed to work certain hours or have flexible working hours;
6. where employees voluntarily wish to communicate with one another for work-related purposes outside of their normal working hours; or
7. other business or operational reasons that require contact outside of an employee’s normal working hours.
   1. Nothing in this policy precludes Kelly, its clients/customer, or other employees of the company from contacting colleagues, clients/customers, or other employees outside their normal working hours for circumstances as outlined above, or as otherwise required to meet business needs, subject to any rights or other entitlements the receiving colleague or employee may have under the Ontario Employment Standards Act, 2000 (the “ESA”).

Kelly’s Responsibilities

* 1. As part of its responsibilities under the Policy, Kelly will undertake:

1. To provide new employees with a copy of this Policy within 30 days of the employee’s start date
2. To review and amend this Policy as often as may be required
3. To provide existing employees with a copy of any amended versions of the Policy within 30 days of the amendment
4. To provide employees with information regarding their normal hours of work given the nature of their work and any other information required to assist employees with complying with this Policy
5. To take all reasonable steps to ensure that management and employees are able to disconnect from the workplace at appropriate times as detailed in this Policy; and
6. To refrain from penalising or taking any other reprisal action against employees who have questions regarding this Policy or request compliance with it. Legitimate employer direction and/or corrective action towards employees is not considered “reprisal action”.

Employee’s Responsibilities

* 1. Kelly expects all employees to comply with the following in the course of their work. Employees must:

1. ensure that they manage their own working time and consider their obligation as an employee, while working, to take reasonable care to protect their health and safety and that of their colleagues
2. co-operate fully with any appropriate and/or reasonable mechanism utilised by the company to record working time or update their working status (e.g., out-of-office messages), including when working remotely, flexibly or when mobile
3. be mindful of colleagues’, customers/clients’ working hours (e.g., by not routinely emailing or calling outside of normal working hours or expecting answers or responses outside of normal working hours)
4. notify their supervisor or manager in writing of any meal, rest, break or hours-free-from-work period which they are entitled to but were unable to use due to performing work for the company on a particular occasion, and why this occurred
5. speak with their supervisor or manager if they feel their workload is preventing them from being able to take meal, rest, break or hours-free-from-work periods that they are entitled to.

Working Hours

* 1. An employee’s normal working hours are as set out in their employment contract.
  2. Normal working hours for employees may vary. It is important to remember that all employees’ ability to disconnect from work is within the context of their own individual work schedules.
  3. Despite the establishment of normal working hours, all employees of the company recognize that there may be busier periods or other circumstances where work must be completed outside of normal working hours.

Communications

* 1. Where possible, work-related communications should be checked or sent during normal working hours. Due to differing/non-standard work schedules within the company, some employees may send communications at times which are inopportune for other employees, such as evenings or weekends. The sender should consider the timing of their communication and potential for disturbance, and the recipient should understand that they will not be expected to respond until their working time recommences (or unless otherwise required and stipulated within the communication per the circumstances as outlined at section 1.10).
  2. If a manager/supervisor sends communications outside applicable normal working hours and it requires immediate or prompt response, the response expectation should be set out in the communication.
  3. If an employee is not online or available during their normal working hours, it is expected that they will update their Outlook and Microsoft Teams statuses, or any other applicable communication platform.

Meetings

* 1. Where possible, meetings should be scheduled during regular business hours, or normal working hours if the attendees have work schedules outside of regular business hours.
  2. Those organizing meetings should be mindful of the time of those whom they are inviting to attend, and ensure that those invited will play an active role and have something to contribute to the matters being discussed.

Vacation

* 1. All employees are encouraged to take their allotted vacation entitlements as set out in their employment contract and to make use of other time available to them through Kelly’s Sick/Mental Health/Well-Being Days and Personal Leave policies.
  2. Employees taking vacation are expected to use all applicable tools to update their status and to ensure that impacted colleagues/customers/clients are informed of their status as off on vacation, including but not limited to:

1. Outlook Calendars;
2. Outlook Automatic email replies;
3. Microsoft Teams Statuses; and,
4. Any other applicable communication platform.

Reporting Concerns

* 1. All employees are expected and required to report any concerns or issues they may have which they feel is impacting their ability to disconnect-from-work.
  2. Employees should report such concerns or issues, in writing, to their immediate supervisor. If that is not appropriate or the matter cannot be resolved by doing so, employees should direct their concerns or issues to Human Resources.
  3. Employees will not be subject to reprisal for reporting such concerns as outlined above.

Posting, Notice and Retention

* 1. The company shall provide a copy of this Policy to each employee of the company within 30 calendar days of implementation. Should any changes be made to the Policy after its implementation, the company shall provide each employee of the company a copy of the revised Policy within 30 days of the changes being made.
  2. The company 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 company.
  3. The company shall retain a copy of this Policy for three years after it ceases to be in effect.

**Policy Prepared and Implemented on June 2, 2022.**