REAL LIVING OPTIONS
ASSOCIATION INC.
"Supporting a lifestyle for people with a disability"

Employee Right to Disconnect

POLICY NUMBER: NDIS STAFF 18

INTENT

Real Living Options Association Inc. (also referred to throughout this policy as the Employer) recognises the importance of all employees being able to switch off and disconnect from work to obtain adequate rest. Rest and recovery are important to support employees' mental health and wellbeing and their productivity during working hours. The Employer is also committed to all employees achieving work-life balance, including by reducing the risks of stress and burnout and ensuring the health and safety of all employees in the workplace.

The intent of this policy is to address all employees' right to disconnect as set out in the Fair Work Act in accordance with the Employer's business needs and statutory obligations, and to provide rules and guidance to ensure:

- a culture where all employees feel that they can switch-off and disconnect from work outside of their usual working hours, and
- clear expectations about acceptable ways of communicating with Participants, colleagues, employees, and managers at various times.

DEFINITION

The right to disconnect *is defined as an employee's right to refuse to monitor, read, or respond to contact or attempted contact from their employer, or a third party in relation to their work, outside of their ordinary working hours, unless it is unreasonable to do so.*

Examples of unreasonable refusal of contact could include but are not limited to where:

- *There is an emergency.*
- *A manager is contacting an employee about their welfare or fitness to work.*
- *An employee has agreed to be on-call.*
- *The nature of the employee's role and responsibilities include reasonable expectations that they be contactable outside of their ordinary working hours.*

Contact *can include but is not limited to:*

- *emails*
- *telephone calls*
- *text messages, or*
- *social media or instant messaging chat (Facebook, Google, Viva Engage, Teams, and the like).*

POLICY STATEMENTS

- Real Living Options Association Inc.'s normal business hours are from 9am to 4.30pm Monday to Friday. Employees ordinary working hours are set out in their Terms of Employment contract and/or in any applicable roster. As employees within

the Service may work different patterns of hours, the right to disconnect applies to individual employees' ordinary working hours.

- Where possible, e-mails should only be sent during normal working hours. However, due to differing patterns of work in the Service, some employees may send communications at times which are inappropriate for other employees, e.g. weekends or outside of working hours. The sender should give due consideration to the timing of their communication and potential for disturbance, and the recipient should understand that they will not be expected to respond until they next start their working hours unless otherwise agreed between the parties.

- The Employer may contact employees outside of agreed working hours where circumstances require it, and it is reasonable to do so. Unless business and operational needs dictate that an immediate response is required, employees are not expected to read or respond to this contact until they next start their working hours.

PROCEDURES

EMPLOYER AND EMPLOYEE RESPONSIBILITIES

- Both employees and the Employer have a part to play in ensuring that the Employer meets its operational needs and complies with its obligations, and employees are able to enjoy their right to disconnect.

Employer Responsibilities

- Real Living Options Association Inc. will always take steps to ensure as far as practicable that all employees, regardless of their place of work, are:
    - Informed of what their normal working hours are reasonably expected to be.
    - Able to take relevant rest breaks and rest periods.
    - Able to take annual leave, personal/carer's leave, other leave, or other authorised absences and not be asked to conduct work during these times.
- Steps the Service may take include, but are not limited to, ensuring that:
    - Employees are contacted, so far as possible, within their working hours and that other employees of the Service, including Management, do not make a habit of contacting employees outside of their working hours, unless circumstances require it.
    - Employees required to monitor, read, or respond to contact or attempted contact outside of their ordinary working hours are directed to do so reasonably having regard to the reasons for the contact, method of contact, their pay, nature of their role, level of responsibilities, personal circumstances, and expected level of disruption or additional hours to be worked.
    - Excessive communication or logging in excessively outside of working hours is raised with employees to discuss any barriers to switching off.
    - Meetings are scheduled during employees' ordinary working hours (except for rest and meal breaks), except where this is not reasonably practicable, for matters directly relevant to an employee's work.

- All employees are respectful of each other's schedules and working hours to allow others to disconnect from work matters when they are not at work.
- Issues concerning excessive workloads or difficulties switching off from work are discussed between employees and their supervisors/managers.
- Managers and supervisors take note of, approach, and discuss with employees engaging in regular communication or work outside of their usual working hours.
- Less favourable treatment or other adverse action towards employees who exercise their right to disconnect is not tolerated.

Employee Responsibilities

- Real Living Options Association Inc. expects its employees to:
  - Manage their own working time efficiently to ensure that tasks, duties, and projects are completed within reasonable timeframes and ordinary working hours.
  - Take reasonable care to ensure their own health and safety and the health and safety of others in the workplace.
  - Be mindful of co-workers, Participants', Representatives/Nominees, and any other person's working hours when contacting or attempting to contact them and when setting deadlines.
  - Follow all lawful and reasonable directions about working hours, whether working onsite, remotely, or from home, including a direction to log off or to record working time.
  - Avoid scheduling meetings, calling, chatting, sending emails or messages to colleagues outside of their ordinary working hours, especially about work matters.
  - Turn off company-issued devices such as laptops, mobile phones, or any other device used for communicating or accessing work matters remotely, outside of your ordinary working hours, as applicable and unless directed otherwise by your manager.
  - Discuss with the Support Manager or General Manager any excessive workloads, inability to complete work within requested deadlines, inability to take or difficulty with taking rest or meal breaks, or difficulties with disconnecting from work.
  - Report any concerns with your right to disconnect to the Support Manager or General Manager. Any disputes an employee has about their right to disconnect should first be discussed and attempted to be resolved at the workplace level.

DELEGATIONS

Management Committee

- Ensure as far as practicable that all relevant legislative relating to employment is adhered to.

General Manager

- Ensure as far as practicable that all relevant legislative relating to employment is adhered to.
- Ensure as far as practicable that this policy is adhered to.
- Meet with any employee who reports any excessive workloads, inability to complete work within requested deadlines, inability to take or difficulty with taking rest or meal breaks, or difficulties with disconnecting from work.
- Meet with any employee who has a dispute about their right to disconnect and attempt to resolve any issues at the workplace level.

Support Manager

- Ensure as far as practicable that this policy is adhered to.
- Meet with any employee who reports any excessive workloads, inability to complete work within requested deadlines, inability to take or difficulty with taking rest or meal breaks, or difficulties with disconnecting from work.
- Meet with any employee who has a dispute about their right to disconnect and attempt to resolve any issues at the workplace level.
- Report back to the General Manager with any concerns about an employee who has reported an excessive workload or inability to disconnect from work.

HR & WHS Officer

- Provide assistance to the General Manager and Support Manager as requested.

Support Team

- Ensure as far as practicable that this policy is adhered to.

All Employees

- Ensure as far as practicable that this policy is adhered to.

RELATED DOCUMENTATION

Individual Employee Terms of Employment Contracts
Employee Handbook

REFERENCES

Social, Community, Home Care and Disability Services Industry Award 2010

AMENDMENTS/REVIEWS