



**comhairle chontae na mí**  
*meath county council*

## **Meath County Council**

# **Right to Disconnect Policy**

**Informed by the Code of Practice for Employers and Employees on the Right to Disconnect  
prepared by the Workplace Relations Commission (WRC)**

**June 2022**

## Document Information

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<b>Prepared By</b>	Robert Collins Senior Executive Officer	<b>Approved By</b>	Martin Murray Director Services
<b>Signed By</b>	Jackie Maguire Chief Executive	<b>Date</b>	03/06/2022
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## 1. Introduction

The health and wellbeing of our employees is of the utmost importance and Meath County Council encourages and supports our employees to prioritise their own wellbeing.

Disconnecting from work is vital for wellbeing and in helping to achieve a healthy and sustainable work-life balance.

The Council recognises that every employee is entitled to switch off outside of their normal working hours and enjoy their free time away from work without being disturbed, unless there is an emergency or agreement to do so, for example while 'on call'.

To encourage and support our employees in balancing their working and personal lives whether they work traditional hours in the workplace, work remotely in a blended arrangement or flexibly the Council has adopted this 'Right to Disconnect' policy, which includes best practice guidance around wellbeing, working hours, the use of technology and more.

The **Right to Disconnect** has three main elements:

- (1) The right of an employee to not routinely perform work outside normal working hours.
- (2) The right to not be penalised for refusing to attend to work matters outside of normal working hours.
- (3) The duty to respect another person's right to disconnect (e.g., by not routinely emailing or calling outside normal working hours).

This policy has been informed by the Code of Practice for Employers and Employees on the Right to Disconnect prepared by the Workplace Relations Commission (WRC). The Council will bring this policy to the attention of union representatives and employees.

## 2. Wellbeing

Staff, including those engaging in flexible working arrangements or remote working are reminded to switch off from work, to monitor their working hours and to take breaks in accordance with the Organisation of Working Time Act 1997, away from work devices. Staff must take reasonable care of their health and safety in accordance with section 13 of the Safety, Health and Welfare at Work Act 2005.

Employees working from home are encouraged to schedule post-work leisure activity, in order to create some separation from the end of their workday and the beginning of their personal time.

## 3. Employer and Employee Obligations

In order to encourage a culture where employees feel they can disconnect from work, a joint approach from the Council (as employer) and employees is required and that there is recognition of the respective obligations to achieve this.

### **Employer's Obligation**

- Provide employees with detailed information on their working time, in accordance with the Terms of Employment Information Act, 1994 – 2014;
- Provide employees with details of what their normal working hours are reasonably expected to be under the Employment (Miscellaneous Provisions) Act 2018;
- Ensure employees take rest periods, in accordance with the Organisation of Working Time Act 1997;
- Ensure a safe workplace, including reviewing their risk assessment and, where necessary, the safety statement, in line with the Safety, Health and Welfare at Work Act 2005 and take account of our obligations under section 8(2)(b) of the Act which extends to 'managing and conducting work activities in such a way as to prevent, so far as is reasonably practicable, any improper conduct or behaviour likely to put the safety, health and welfare at work of his or her employees at risk';
- To not penalise an employee for acting in compliance with this policy and any relevant provision or performing any duty or exercising any right under section 27 of the 2005 Act.

The Council is satisfied that it complies with the obligations outlined above.

### **Employee's Obligations**

- Ensure you manage your own working time, section 12(1)(a) of the Act places an obligation on you while at work to take reasonable care to protect your safety, health and welfare and the health and safety of co-workers;
- To fully cooperate with any time recording methods which the company use in order to record working time including when working remotely;
- To be mindful of fellow colleagues', customers'/clients', and all others, right to disconnect (e.g., by not routinely emailing or calling outside normal working hours);
- To notify your line manager, in writing, of any statutory rest period or break you were unable to receive on a particular occasion and the reason for not receiving such rest period or break;
- Be conscious of your work pattern and aware of your work-related wellbeing and taking remedial action if necessary.

### **Role of the Line Manager**

As line managers have most interaction with their employees, it is important they ensure the employees within their team are able to disconnect from work outside of normal working hours. Should an employee have concerns surrounding their working time or is unable to disconnect from work, it is important that this is brought to the attention of the line manager in order to try to resolve any concerns.

Line managers should be mindful of times emails are sent and should they notice that a member of their team is sending emails at odd hours or are logging in excessively, they should speak to the employee as soon as possible, as this may indicate they are finding it difficult to manage their workload during normal working hours.

## **4. Working Hours**

Meath County Council recognises that 'normal working hours' differ across the organisation, depending on the nature of the role being carried out and this policy acknowledges that there are situations in which flexibility will continue to be required to meet the needs of the Council and as agreed in the employee's terms of employment. Such flexibility may be beneficial also to employees.

In accordance with the WRC Code of Practice, this policy recognises that there will be occasional legitimate reasons when it may be necessary to contact employees outside of normal working hours.

It is recognised that employees may request to work in a more flexible manner given their work life balance needs which results in employees proactively requesting to work outside normal working hours. This policy recognises that such flexibility may be beneficial to employees, but the priority will be to ensure that the business needs of the Council are supported. However, even in circumstances where an employee is working flexibly the right to be able to maintain clear boundaries between work and leisure should not be compromised.

Where blended or flexible working is in place, the Council will put in place a suitable system to record working hours and notes the codes advice recommending the use of a time management system to record working and attendance.

## **5. Communications**

It is important that all employees' personal time is respected, and everyone has the right to disconnect from work outside normal working hours. Where possible, e-mails should be checked or sent only during working hours.

Due to differing/non-standard patterns of work in the organisation, some employees may send communications at times which are inopportune for other employees, such as at weekends or evenings.

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 their working time recommences.

Where an employee sends communications outside normal working hours, unless business and operational needs dictate that an immediate response is required, employees should not feel the need to respond to communications received outside normal working hours and should not be penalised for refusing to respond outside of their normal working hours.

Where a manager sends communications outside agreed working hours, unless business and operational needs dictate that an immediate response is required, a statement will be attached to

an out of hours email tempering the expectation of an immediate response, see below (Automatic Replies).

Managers should speak to a team member if they notice that they are sending emails at odd hours or logging in excessively – this may be a sign that they are finding it difficult to manage their workload or ‘switch-off’.

### **Electronic & Phone communications**

Some employees, depending on their role, may be provided with handheld devices, including but not limited to a mobile phone, laptop or tablet. It is important to be aware that these are provided to employees to allow flexibility in how employees complete their work. This does not imply that the employee makes themselves available for work at all times.

### **Automatic Replies**

All employees are required to activate an automatic response when taking annual leave to cover the full period of annual leave being taken. The response should advise the sender that you are on annual leave, including the start and end date of the period of annual leave and that you will respond to their email on your return or/and alternative contact details should be provided in the automatic response.

At other times, it is recommended that other automatic replies are used, where appropriate, for example: *“My normal working hours are from X to Y. I will respond to you when I am back at work”* or *“I am currently working flexibly so while it suits me to send this email now, I do not expect a response or action outside your own working hours”*.

### **Delay Delivery or ‘Not Urgent’**

Employees may also use the delay delivery feature in Outlook for emails outside of normal working hours. Teams should also set expectations on response time to email, outside of normal hours. Alternatively use ‘not urgent’ in the subject line of emails sent to colleagues outside of normal hours.

## **6. Meetings**

Meath County Council respects its employee’s time and work life balance by scheduling meetings at appropriate times, and issuing invitations to meetings to colleagues where they can play an active role at the meeting and contribute and/or where they will receive information required for their role. It is recognised that due to the nature of Council work that there are meetings/engagements which take place outside of normal working hours. Employees must be mindful of and manage how much virtual communication they have each day.

## **7. Raising Concerns - Getting Further Help**

When occasional contact outside normal working hours becomes the norm, this needs to be addressed. Situations may arise where an employee may feel that their Right to Disconnect is not

being respected or that their workload is such that they are not able to disconnect at the end of their normal working day. Examples of such situations might include:

- Being contacted regularly outside of normal work hours
- Being expected to regularly work through lunch or other breaks
- Being penalised for not being available out of normal working hours or favourable treatment for employees who stay connected out of hours

Any employee in such a situation should attempt to resolve the problem with the person(s) informally in the first instance. In circumstances where an employee feels that it would be too difficult to do this on their own, an alternative approach would be to seek support from or for an initial approach to be made by their line manager, a member of Human Resources staff, a trusted colleague or designated person or trade union representative.

## **8. Complaints**

Any employee who wishes to raise a complaint relating to the Right to Disconnect Policy may do so in accordance with the Council's Grievance Policy and Procedure.

The HR Department will ensure that this policy will be monitored and kept under review.