



# Right to Disconnect Policy

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## Purpose

Central Darling Shire Council is committed to supporting the health and wellbeing of our employees. We recognise that maintaining a healthy work/life balance is important for employee wellbeing and are committed to supporting our employees in prioritising their wellbeing by taking steps to reduce work-related stress, fatigue, prevent burnout, and foster a psychologically safe workplace.

In line with this commitment, we have established this Right to Disconnect Policy to facilitate employees who wish to utilise their right to disconnect from work-related tasks and communications during non-working hours.

We recognise that every employee has the right to, and should, disconnect from work outside of their working hours unless there is an emergency or agreement to do so (for example while “on-call”).

## Application

This policy applies to all employees of Central Darling Shire Council, irrespective of their work location.

## Definitions

**Right to Disconnect:** clause 21F of the *Local Government (State) Award 2023* provides that employees have a right to disconnect from work during non-working time. Disconnecting from work is defined as not engaging in work-related tasks or communications, including but not limited to emails, telephone calls, video calls or sending or reviewing messages.

**Working hours:** The hours of work detailed in an employee’s letter of appointment and/or position description. For 35 hour/week employees, these are typically between 8.30am until 5.00pm. For 38 hour/week employees, these are typically between 7.30am until 4.30pm.

**Non-working time:** The hours outside of the employee’s working hours outlined above. This includes periods of leave, rostered days off, sick leave, weekends and public holidays.

**On-call:** Employees who are required to be available for duty outside of ordinary working hours. These employees are allocated these shifts per a roster and are paid an allowance for the periods they are required to be available.

## Provisions

Central Darling Shire Council has an obligation to provide a safe work environment, eliminate unsafe work practices and promote the safety and welfare of employees.

However, to encourage a culture where employees feel that they can disconnect from work, the obligations to facilitate this are shared between both employees and managers/supervisors. It is important that all our employees recognise their role in facilitating a culture where employees can disconnect from work.

## Management Obligations

- Supervisors and managers are required to respect employees' working hours, periods of leave and rest days and their right to disconnect from work during non-working time.
- Supervisors and managers are required to be mindful of times that emails are sent and ensure that it is understood that employees (other than on-call employees) are not required to read or respond to work emails outside of their working hours.
- Supervisors and managers are required to refrain from contacting employees (other than on-call employees) by phone outside of working hours.
- Supervisors and managers are required to monitor and follow up with any employees that regularly communicate and conduct work outside of working hours.
- Provide clear guidelines to employees, including on-call employees, around when matters might need to be escalated to out-of-hours contact of an employee not rostered on-call.
- Foster a safe workplace by facilitating conversations with employees about workload and resourcing, to ensure employees are adequately resourced to carry out their duties and functions over the course of their ordinary working hours.
- Ensure no preferential treatment is given to employees who may voluntarily engage in work activities outside of their working hours.

## Employee Obligations

- Adhere to Council's policies about core and ordinary working hours, whether working onsite at a place of work, or working remotely.
- Respect other employees' working hours and their right to disconnect, and refrain from scheduling meetings, calling or emailing employees about work matters outside of their working hours or on periods of leave.
- Take reasonable steps to ensure that your colleagues and managers/supervisor understand your ordinary working hours, and clearly communicate any scheduled leave periods or changes to your working hours.
- Monitor workload and raise any concerns regarding workload or resourcing with your manager/supervisor.
- Take proactive steps to manage your work pattern and be aware of your overall wellbeing as it pertains to work.
- Monitor any out-of-hours contact received and raise any concerns or issues with the impact on your right to disconnect with your manager/supervisor.

## Communication

It is important that all employees' personal time is respected, and employees are able to utilise their right to disconnect from work outside of working hours. Therefore, where possible, e-mails and other communication is required to only be sent during working hours. Where work patterns differ, some employees may send communications at a time which is inconvenient to another i.e. where one employee works over the weekend and another does not, or where an employee utilises flexible work arrangements. Where this is the case, the sender is required to consider the timing of their communication, utilise any available technology to delay delivery of correspondence to the employees' working hours and understand that the recipient will not be expected to respond until their return to work.

Some employees, depending on their role, may be provided with handheld devices such as a mobile phone, laptop or tablet. It is important to be aware that the provision of these devices to an employee does not mean the employee is expected to be available outside of their working hours.

## **Raising Concerns**

Where an employee experiences any difficulty with exercising their right to disconnect, they are required raise this with their immediate supervisor/manager immediately.

Where the issue is unresolved, or an agreement cannot be reached, the matter is to be dealt with in accordance with **Workplace Incident and/or Grievance Procedure**.

## **Review**

This policy will be reviewed within 12 months of implementation.

## **Legislation**

*Local Government (State) Award 2023*

*Model Code of Conduct for Employees*

*Work Health and Safety Act 2011 (NSW)*

*Work Health and Safety Regulation 2021 (NSW)* and associated codes of practice.

## **Related Documents**

Respectful Workplace Behaviour Policy

Flexible Working Arrangements Policy

Employee Assistance Program Procedure

Induction Procedure

Workplace Incident and/or Grievance Procedure

## **Monitoring and Review**

This policy will be monitored and reviewed by the Human Resource Officer to ensure compliance. Once adopted, it remains in force until it is reviewed by the General Manager. It is to be reviewed approximately every two (2) years to ensure that it meets requirements, or sooner if the General Manager determines appropriate.