



University of Limerick

RIGHT TO DISCONNECT POLICY AND PROCEDURES

Document Version	Version 1
Document Owner	Human Resources
Approved by	Executive Committee
Date	05 October 2022
Approved by	FHRAMC
Date	07 November 2022
Consulted with	Unite Trade Union
Date	April 2023
Approved by	Governing Authority
Date	27 February 2024
Effective Date:	27 February 2024
Scheduled Review Date:	5 years from approval date

1 Introduction

1.1 Overview and Purpose

- 1.1.1 The health, safety and wellbeing of employees is of the utmost importance to the University of Limerick and the University encourages and supports employees to prioritise their own wellbeing. Disconnecting from work and work devices is vital for employee wellbeing and helps achieve a healthy and sustainable work-life balance.
- 1.1.2 The University recognises that every employee is entitled to switch off outside of normal working hours and enjoy their free time away from work without being disturbed.
- 1.1.3 The University has developed this Right to Disconnect Policy and Procedures, which includes best practice guidance around working hours and the use of technology. This Policy and Procedure incorporates the terms of the Code of Practice on the Right to Disconnect which came into effect on 1 April 2021. It also encourages and supports our employees in balancing their working and personal lives, whether they work standard hours in the workplace, flexitime or on a blended working basis. As your employer, this Policy and Procedures outlines the University's commitment to you, and outlines the responsibilities of all staff to ensure there is a supportive environment, which enables staff to disconnect from the workplace.

1.2 Scope

1.2.1 To whom does the policy apply?

- 1.2.1.1 This Policy and Procedures apply to all employees of the University of Limerick.

1.2.2 In what situations does the policy apply?

- 1.2.2.1 This Policy and Procedures apply to employee's right to disconnect outside of their working hours (including rest days, annual leave, sick leave or any form of statutory leave).

1.2.3 Who is responsible for ensuring that the policy (and any associated procedure) is implemented and monitored?

- 1.2.3.1 The Human Resources Division has overall responsibility for the implementation of the Right to Disconnect Policy and Procedures, with the relevant Head of Department / School / Dean / Divisional Director playing a key procedural role.

1.3 Definitions

- 1.3.1 The Right to Disconnect refers to an employee's right to be able to disengage from work including work-related electronic communications, such as emails, telephone calls or other messages, outside of normal working hours.

1.3.2 The Right to Disconnect has three main elements:

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

2 Context

2.1 Context

2.1.2 This Policy and Procedures conform with the *WRC Code of Practice for Employers and Employees on the Right to Disconnect*.

2.1.3 The *WRC Code of Practice for Employers and Employees on the Right to Disconnect* acknowledges that occasionally legitimate circumstances arise when it is necessary to contact employees outside of their normal contracted working hours. This includes but is not limited to requesting employees to fill in at short notice for a sick colleague due to unforeseen circumstances or, where an emergency may arise, and/or where business and operational reasons require contact outside of the employee's normal working hours. However, this must not be a frequent occurrence and steps should be taken by the line manager to address the substantive issue if there is a frequent occurrence.

2.1.4 The Code and the University also acknowledge that business and operational needs may require some out-of-hours working by some employees depending on the service being provided, the employee's role, the needs of customers/clients/students, the unique requirement of critical services and an employee's terms of employment.

3 Policy Statements

3.1 Principles

3.1.1 *Role of the University, Managers and Employees*

All employees have an active role to play in communication management and the reduction of unnecessary business communications outside normal working hours. The University encourages the ongoing cultivation of a culture where our employees feel they can disconnect from work and work-related devices and this necessitates a collaborative approach by the University, our managers, and employees. Some of the respective obligations include:

3.1.1.1 *The role of the University:*

- To ensure that governance arrangements are in place in order that legislative and organisational obligations are met in relation to the Right to Disconnect Policy and Procedures.
- To ensure that all employees are aware of the Right to Disconnect Policy and Procedures.
- To provide detailed information to employees on their working time, in accordance with the Terms of Employment Information Act 1994 – 2014.

- To ensure that employees are informed of what their normal working hours are reasonably expected to be under the Employment (Miscellaneous Provisions) Act 2018.
- To ensure a safe workplace, in compliance with the Safety, Health and Welfare at Work Act 2005.
- Not penalising an employee for acting in compliance with any relevant provision or performing any duty or exercising any right under section 27 of the Safety, Health and Welfare at Work Act 2005.

3.1.1.2 Management Responsibilities

- Line managers are responsible for ensuring compliance with policies, procedures and processes within their work areas. Line managers are required to:
- Bring the Right to Disconnect Policy and Procedures to the attention of all employees within their area of responsibility.
- Ensure that all employees receive their entitlement to rest periods/breaks and that they do not work in excess of the maximum weekly working hours as provided for in the Organisation of Working Time Act 1997.
- Schedule meetings at appropriate times having regard to employees' rest breaks and normal working hours.
- Promote work/life balance and ensure that employees' personal time is respected.
- Maintain open channels of communication about workload and time management and encourage appropriate behaviours around disconnecting from work.
- Respond to issues raised by an employee in a timely manner.
- Speak to employees if they notice that they are regularly working and/or sending emails outside normal working hours. This may be a sign that they are finding it difficult to manage their workload or 'switch-off'.

3.1.1.3 Employee Responsibilities

- Ensure that they manage their own working time to protect their safety, health and welfare and the health and safety of co-workers, and comply with their responsibilities under the Safety, Health and Welfare at Work Act 2005 and seek support in doing so if necessary.
- Respect the working time of colleagues and other contacts (including periods of leave) and be mindful of their colleagues' right to disconnect (for example, by not routinely emailing, calling, texting or social media messaging outside normal working hours).
- Be conscious of their work pattern and aware of their work-related wellbeing and taking remedial action if necessary.
- Notify the University of any statutory rest period or break to which they are entitled to and were not able to avail of on a particular occasion and the reason for not availing of such rest period or break.

3.2 Procedure

3.2.1 Working Hours

Each employee's working hours are set out in their contract of employment. All employees should be aware of their contracted working hours, normal times of attendance and rest breaks. The employee's right to disconnect outside of their working hours should be respected.

All employees have the right to disconnect in the context of their own normal working pattern and they should speak directly with their line manager should they have any queries in this regard.

3.2.2 Communications

The University respects the personal time of all employees and expects them to disconnect from work e-mails and work communications outside of normal working hours. Therefore, where possible, e-mails, meeting invitations, and social communications from colleagues etc. should be checked and/or scheduled so that they are sent only during normal 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 their working time recommences.

Emergency communications outside of an employee's normal working hours should be the exception rather than the norm. Exceptions may be accommodated for legitimate situations, some of which are outlined above, or for occasional events notified in advance. In circumstances where a response is required a statement will be attached to the out of hours email tempering the expectation of an immediate response.

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.

If sending emails outside core working hours, the following signature disclaimer could be considered at the end of the email: "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" or alternatively the 'delay send' option could be utilised to send the email the next working morning. Always consider the tone/contents/context of texts and emails and other electronic communications (e.g. instant messaging apps).

Emergency communications should only be sent during emergency circumstances – such communications should be the exception not the norm.

The University utilises a number of social media channels and platforms for work purposes, details of which can be found in the University's Social and Online Media Use Policy.

3.2.3 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.

3.2.4 Automatic Replies

All employees are required to activate an automatic out-of-office response when out of the office on a period of leave. The response should advise the sender of the return

date (if known) and advise that a response will be provided on return as required. In addition, alternative contact details should be provided in the automatic response.

Recipients should respect out-of-office notifications when they receive them from others.

3.2.5 Meetings

- While meetings (in-person or online/virtual) are an important element of our connection between individuals and teams, individual teams and managers are encouraged to review the frequency and timing of meetings they hold to ensure optimum use of time and allow colleagues time to work outside of meetings.
- Virtual and in-person meetings must not encroach on an employee's right to disconnect. In this regard, avoid, where possible, scheduling meetings outside of University normal hours or during lunch hours unless absolutely necessary.
- Respect employees' time by only inviting them to meetings where their presence is necessary. Share and adopt meeting best practices for example ensure there is a clear agenda with relevant material shared in advance, and actions are recorded and shared post the meeting.

3.2.6 Wellbeing

Employees availing of blended working are encouraged to take steps to create boundaries between work and personal time.

Employees 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 (OWTA 1997), away from work devices. Employees must take reasonable care of their health and safety in accordance with section 13 of the Safety, Health and Welfare at Work Act 2005 (SHWWA 2005).

The University of Limerick has an Employee Support Service (ESS) in place. This is a confidential, free counselling and advice service available to all staff. Information on the ESS is available on the following link: <https://www.ul.ie/hr/current-staff/employee-relations/employee-support-service>.

3.2.7 Reporting Concerns

Should an employee have any issues in exercising their right to disconnect, they should raise this with their line manager immediately to resolve on an informal basis. Where the issue is unresolved or an agreement cannot be reached, the matter can be raised under the University of Limerick Grievance Policy. The Human Resources Division is available to support any employee in understanding or implementing the content of this Policy and Procedure.

4 Related Documents

Policy and Procedure for Blended Working
Grievance Policy
Social and Online Media Use Policy

National Agreements
Employee Support Service