

Right to Disconnect

What is the Right to Disconnect?

The "*Right to Disconnect*" allows employees to disconnect from work physically and mentally outside of their normal or agreed working hours, promoting a healthy work-life balance.

What it Means

This means an employee is not expected to monitor, read, or respond to contact, or attempted contact from the University, outside their working hours, unless doing so is unreasonable or there are reasonable exceptions or circumstances requiring the University to make this contact.

This right also extends to contact from the public or a third party, where the contact relates to work.

What are Reasonable Exceptions or Circumstances to Contact

There are reasonable exceptions and circumstances where it may be necessary to contact an employee outside of their working hours, and it would be unreasonable for the employee not to respond.

Whether the contact was reasonable, and it was unreasonable for the employee not to monitor or respond to contact would need to have regard to the following factors:

- The reason for the contact or attempted contact (including where contact, or attempted contact is required by law).
- How the contact is made and the level of disruption the contact caused the employee.
- The extent to which the employee is compensated (including non-monetary compensation):
 - To remain available to perform work during the period in which contact or attempted contact is made; or
 - For working additional hours outside of their ordinary hours of work.
- The nature of the employee's role and level of responsibility.
- The employee's personal circumstances, including family or caring responsibilities.
- Any other relevant factor may also be considered.

As there are many factors and particular circumstances to consider it may not be possible for the University to determine in advance whether refusing to monitor, read or respond to contact is reasonable.

What is Reasonable Contact

There may be circumstances when contact is reasonable and may be required outside of an employee's working hours. These may include:

- In an emergency, such as
 - a serious immediate risk to an employee or student, or
 - major disruption to University property or services, or
 - required by law.
- during authorised overtime or weekend work

- notification of an unplanned absence
- a call back to work
- notification of rostering or shift changes
- where an employee is:
 - in receipt of an availability type allowance or on-call allowance; or
 - required as part of their employment to be available in an emergency.
- The nature of the employee's role and extent of remuneration to compensate such contact.

The key consideration in determining whether the contact is reasonable may come down to the particular circumstance and whether it would be unreasonable for the employee to refuse to monitor, read or respond to the contact.

Contact from Students

Schools are to remind students about the University's approach to the right to disconnect and clarify when they can expect a response from employees. Typically, teaching staff respond within 48-72 hours or 2-3 business days.

If there is a serious immediate risk to a student's wellbeing, contact will be considered reasonable, and a response from an employee is required.

Supporting the Right to Disconnect

Practical steps may include:

- Clarifying when an employee may be expected to monitor, read or respond to contact.
- Making the employee aware if their pay and conditions may relate to or compensate out of hours contact.
- An employee using their email signature to clarify their normal or agreed hours of work, or to clarify when sending an email there is no expectation for a response outside of the receiver's normal or agreed hours of work.
- If working outside of usual business hours delaying the delivery of emails to within usual business hours.
- Communication within the team into contact during normal or agreed working hours, or exceptions and arrangements for out-of-hours contact.
- Managers and Supervisors clarifying when out-of-hours contact may be necessary.
- Making reasonable contact arrangements where personal circumstances exist.
- Communicating with students into the availability of employees and expectations into typical response times to their queries or contact within usual business hours.
- Raising timely concerns into unreasonable contact with a manager or supervisor in the first instance.

Managers and Supervisors

Managers and Supervisors are to respect employees' right to disconnect and not to expect responses outside of working hours unless pre-agreed and clarify with employees when out-of-hours contact may be necessary.

More Information

Please contact [People and Culture](#) or email people@ecu.edu.au.