

ADCORP HOLDINGS AUSTRALIA – RIGHT TO DISCONNECT POLICY

Process Area	Health and Safety	Policy Owner:	Head: AHA People and Culture
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This policy is applicable to the Adcorp Group of companies, its affiliates and subsidiaries in Australia in which it operates hereinafter referred to as "Adcorp".

This revised version reflects the current Fair Work Act right to disconnect framework, the commencement of the right for small business employers from 26 August 2025, modern award right to disconnect terms, and the Victorian psychological health regulatory changes that commenced on 1 December 2025.

Policy Summary:

The Right to Disconnect Policy establishes a framework for Adcorp employees to manage work-related communications outside of their ordinary working hours. It supports work-life balance, protects personal time, and assists Adcorp to manage psychosocial risks associated with excessive work demands and constant connectivity.

This policy recognises that the statutory right to disconnect is an employee workplace right under the Fair Work Act 2009 (Cth). Contractors, candidates, consultants and other representatives are expected to observe the communication standards in this policy where relevant, but they are not covered by the statutory right unless separately provided by contract or law.

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1. POLICY STATEMENT

Adcorp is committed to fostering a healthy work-life balance for its employees and recognises the importance of protecting their personal time. This policy outlines the right to disconnect and establishes expectations for work-related communications outside ordinary working hours, in accordance with the Fair Work Act 2009 (Cth), applicable modern awards, enterprise agreements, and relevant work health and safety laws.

As a person conducting a business or undertaking (PCBU), Adcorp is responsible for ensuring, so far as is reasonably practicable, the health and safety of its workers. This includes managing risks to psychological health that may arise from excessive work demands, constant connectivity, poor recovery time, unclear availability expectations, or unreasonable out-of-hours contact.

This policy forms part of Adcorp's psychosocial hazard control framework and must be read with the Psychosocial Hazard Management Policy, relevant psychosocial risk assessments, fatigue management arrangements, leave procedures, flexible work arrangements, performance management procedures, and applicable technology-use standards.

This policy aims to:

- Promote employee well-being and reduce stress associated with constant connectivity.
- Clearly define expectations around out-of-hours communication.
- Ensure compliance with national and state/territory industrial laws.
- Foster a culture of respect for personal time and boundaries.
- Establishes a mechanism for resolving disputes at the workplace level regarding the Right to Disconnect.

2. SCOPE

The statutory right to disconnect applies to Adcorp employees who are national system employees under the Fair Work Act 2009 (Cth), including full-time, part-time and casual employees where applicable.

Contractors, candidates, consultants, labour hire workers, visitors and other representatives are not covered by the statutory right to disconnect unless a contract, industrial instrument or law provides otherwise. However, Adcorp expects all workers and representatives to comply with the communication standards in this policy as part of its broader WHS and psychosocial risk management approach.

This policy covers all work-related communication, including but not limited to email, phone calls, text messages, voicemail, Microsoft Teams, social media, messaging applications, rostering platforms, client systems, and other digital tools used for work-related purposes.

Where an employee performs work across time zones or under flexible work arrangements, ordinary working hours must be assessed by reference to the employee's agreed working pattern, contract, roster, award, enterprise agreement, role requirements and any documented on-call or standby arrangement.

Where an applicable modern award, enterprise agreement, employment contract or other industrial instrument provides a more favourable right to disconnect term or more specific out-of-hours contact arrangement, that term will prevail to the extent of any inconsistency with this policy.

3. THE RIGHT TO DISCONNECT

Employees have the right to refuse to monitor, read, or respond to contact, or attempted contact, from Adcorp (as their employer/PCBU) or a third party (where the contact relates to their work) outside of their ordinary working hours, unless such refusal is unreasonable.

Where a third party (e.g., a client, customer, or supply chain partner) expects out-of-hours contact with an Adcorp employee, Adcorp will not require the employee to respond unless: (a) Adcorp has negotiated a specific service-level agreement that requires such availability, (b) the employee is compensated for the standby or response obligation, and (c) the requirement is documented in the employee's role description or contract of employment. Adcorp will manage third-party expectations about reasonable availability during ordinary working hours.

4. WHAT CONSTITUTES "UNREASONABLE REFUSAL"

When determining whether an employee's refusal to respond to out-of-hours contact is unreasonable, the following factors will be taken into account:

- **Reason for the Contact:** Is the contact genuinely urgent or critical to Adcorp's business operations (e.g., an emergency, a critical outage, or a health and safety risk)? Non-urgent matters should generally be addressed during ordinary working hours.
- **How the Contact is Made and its Disruption:** How intrusive or disruptive is the method of contact (e.g., a phone call at 10 PM vs. an email that can be addressed the next day)?
- **Compensation for Availability/Additional Hours:** Is the employee compensated (financially or otherwise) by Adcorp for being available or for working additional hours outside their ordinary rostered time? This includes "on-call" arrangements where an employee is specifically remunerated for being contactable.
- **Employee's Role and Level of Responsibility:** The nature of the employee's role and their level of responsibility within Adcorp may influence the reasonableness of a refusal (e.g., a senior manager might have different expectations than an entry-level employee in some specific, pre-agreed circumstances).
- **Employee's Personal Circumstances:** This includes individual circumstances such as family or caring responsibilities, health, or other personal commitments.
- **Legal Requirements:** If the contact or attempted contact is required under a law of the Commonwealth, State, or Territory, then refusal to monitor, read, or respond will be unreasonable.
- **Operational impacts:** may be considered where relevant, but they do not automatically make an employee's refusal unreasonable. Adcorp will consider operational factors in the

context of the statutory factors, the employee's role, agreed availability arrangements, compensation, urgency, level of disruption, available alternatives and whether the work could reasonably be performed during ordinary working hours or by another available worker.

Ordinary commercial inconvenience, customer preference, habit, poor planning or a desire for immediate response will not, by itself, make a refusal unreasonable.

Examples of contact that may be reasonable include:

- a genuine emergency involving health, safety, security or business continuity;
- a critical incident requiring immediate action by the employee because no suitable alternative is available;
- a lawful or regulatory obligation requiring prompt action;
- contact under a documented and compensated on-call or standby arrangement; or
- contact necessary to prevent serious loss, harm, breach or service failure that cannot reasonably wait.

Examples of contact that will generally not require an immediate response include:

routine administrative requests;

- non-urgent emails or Teams messages;
- requests arising from poor planning where there is no genuine urgency;
- general performance, reporting or scheduling queries that can wait until the employee's next working period; or
- contact during approved leave, sick leave or medical appointments unless the circumstances are extreme and critical.

5. EXPECTATIONS FOR OUT-OF-HOURS COMMUNICATION

To support the Right to Disconnect, Adcorp establishes the following expectations:

- **Minimising Non-Urgent Contact:** Managers and colleagues at Adcorp should minimise contact with employees outside of their ordinary working hours. Non-urgent communications should be scheduled or sent during working hours where possible, or clearly indicate that no immediate response is required (e.g., by scheduling emails to send during business hours or stating "no urgent reply needed" in the subject line/body).
- **Defining "Ordinary Working Hours":** Employees' ordinary working hours are as defined in their employment contract, award, or enterprise agreement with Adcorp. This includes any agreed and remunerated working hours, which may encompass overtime or on-call arrangements where applicable and compensated.
- **Urgent and Emergency Situations:** In genuine emergencies or critical operational needs (e.g., immediate safety concerns, critical system failures impacting essential services), out-of-hours contact may be reasonable. Employees in roles that may genuinely require such contact will

have these expectations clearly communicated by Adcorp and, where appropriate, compensated.

- **Communication Channels:** Where out-of-hours contact is genuinely necessary, the least disruptive method should be used.
- **Delegation and Handover:** Employees are encouraged to effectively delegate tasks or provide clear handovers before periods of leave or absence to minimise the need for out-of-hours contact.
- **Leave Periods:** Employees on annual leave, personal leave, long service leave, or other approved leave are generally expected to be fully disconnected from work. Contact during these periods should only occur in the most extreme, critical circumstances, and with explicit acknowledgment of the employee's right to refuse.
- **Sick Leave and Medical Appointments:** Employees on sick leave are entitled to full disconnection. Where a role is designated as requiring on-call availability (e.g., Paxus IT Support), continuity plans must be in place so that sick leave does not trigger out-of-hours contact. Employees attending medical appointments during work hours are not required to provide real-time updates on their whereabouts or availability.
- **Technology Management and Monitoring:** Adcorp will not use read receipts, presence indicators, or monitoring tools to track whether employees are checking messages outside ordinary working hours or to enforce expectations of responsiveness during their personal time. Managers are not to contact employees based on activity logs or app notifications showing an employee is online (e.g., Teams active status) unless a genuine emergency has been declared. Employees may use "do not disturb" or "away" status to signal unavailability without adverse consequences.

Updating Policies and Procedures: Reviewing and updating all relevant WHS policies and procedures, including this Psychosocial Policy, to align with the specific requirements of the new regulations and associated codes of practice in each jurisdiction where Adcorp operates.

6. IMPLEMENTATION AND BEST PRACTICE

Adcorp will implement the Right to Disconnect through:

- **Training and Awareness:** Providing training and resources to all employees and managers on the principles of the Right to Disconnect, including what constitutes reasonable and unreasonable contact.
- **Policy Communication:** Ensuring this policy is readily accessible to all employees.
- **Review of Employment Agreements and Position Descriptions:** Where applicable, reviewing and updating employment contracts and position descriptions to clearly outline any agreed requirements for out-of-hours availability and associated compensation.
- **Technology Management:** Encouraging the use of technology features (e.g., "do not disturb" settings, delayed send options for emails) to support the Right to Disconnect.

- **Promoting a Culture of Respect:** Encouraging open communication between employees and managers regarding work-life boundaries and fostering a culture that values and respects personal time.
- **Client and Third-Party Expectations:** Aligning client service-level expectations, business continuity arrangements and escalation pathways with this policy so that client preference does not become an informal expectation of unpaid or unreasonable availability.
- **Psychosocial Risk Controls:** Considering out-of-hours contact, workload, fatigue, role clarity, poor support and poor organisational justice within psychosocial hazard identification, risk assessment and control review processes.
- **Reviewing Related Procedures:** Reviewing and updating relevant HR, WHS, psychosocial risk management, flexible work, leave, performance management and technology-use procedures to ensure they align with this policy.

7. MANAGER OBLIGATIONS

Managers and supervisors are expected to support the right to disconnect by setting reasonable expectations for out-of-hours communication.

Where contact outside an employee's ordinary working hours is necessary, managers should consider the urgency of the matter, the employee's role, agreed availability arrangements, workload, fatigue and whether the matter can reasonably wait until the employee's next working period.

Managers should not create an expectation that employees are routinely available outside ordinary working hours unless this is required by the role, documented and appropriately compensated.

Employees must not be treated adversely because they do not monitor, read or respond to work-related contact outside ordinary working hours, unless the refusal has been assessed as unreasonable in the circumstances.

Managers should model respectful communication practices and seek advice from People and Culture where there is uncertainty about out-of-hours contact or the application of this policy.

8. DISPUTE RESOLUTION

In the event of a dispute regarding the application of this Right to Disconnect policy (e.g., an employee believes their refusal to respond was reasonable, or Adcorp believes an employee's refusal was unreasonable), the following steps will be taken:

- **Workplace Level Resolution:** The employee and their direct manager should first attempt to resolve the dispute through open discussion and negotiation.
- **Escalation:** If the dispute cannot be resolved at the workplace level, either party may seek assistance from Adcorp's HR Department/Senior Management.
- **Fair Work Commission:** If the dispute remains unresolved, either party may apply to the Fair Work Commission (FWC) to deal with the dispute. The FWC has the power to make orders to stop:

- An employee from unreasonably refusing to monitor, read, or respond to contact.
- Adcorp from continuing to require an employee to monitor, read, or respond to contact (where the employee's refusal is not unreasonable), or from taking disciplinary or other adverse action against an employee for exercising their Right to Disconnect.

9. GENERAL PROTECTIONS

The Right to Disconnect is an enforceable workplace right under the Fair Work Act 2009 (Cth). Adcorp will not take adverse action (e.g., dismissal, demotion, discrimination) against an employee because they have exercised, or proposed to exercise, their Right to Disconnect, where their refusal was reasonable. Employees who believe they have been subjected to adverse action for exercising their Right to Disconnect may be able to make a General Protections application to the Fair Work Commission.

Managers must not make negative assumptions about commitment, performance or availability because an employee does not monitor, read or respond to contact outside ordinary working hours, unless the refusal has been assessed as unreasonable having regard to the relevant circumstances.

10. POLICY REVIEW

This policy will be reviewed periodically, or as required by changes in legislation or organisational needs, to ensure its ongoing effectiveness and compliance.

ANNEXURE A – RELATED DOCUMENTATION AND LEGISLATION

This policy should be read in conjunction with the following legislation and other Adcorp policies and documentation:

Australia:

Legislation applicable to Australia:

1. National Legislation (Commonwealth)

Fair Work Act 2009 (Cth):

Part 2-9 - Right to Disconnect (specifically, Section 333M onwards): This is the core legislative basis for the policy. It outlines the employee's right to refuse contact outside of working hours unless unreasonable, and lists the factors to consider when determining unreasonableness.

Part 3-1 - General Protections: The Right to Disconnect is an enforceable workplace right under the general protections provisions. This part of the Act prohibits Adcorp from taking adverse action against an employee for exercising this right.

Modern Awards: While not primary legislation, modern awards are legislative instruments made under the Fair Work Act. The Fair Work Commission has varied all modern awards to include a "right to disconnect" clause, which generally mirrors the provisions in the Act. Adcorp would need to be aware of any specific terms in the modern awards applicable to its employees that might provide more favourable or specific provisions related to out-of-hours contact.

Enterprise Agreements: If Adcorp has an enterprise agreement, it may also contain specific "right to disconnect" terms. If these terms are more favourable than the general statutory right, they would apply.

Work Health and Safety Act 2011 (Cth) (and associated Regulations): While not directly about the "right to disconnect," this Act places a duty on PCBU's (like Adcorp) to ensure, so far as is reasonably practicable, the health and safety of their workers. Excessive demands and constant connectivity can lead to psychological hazards, and therefore, this legislation underpins the broader commitment to employee well-being that the Right to Disconnect aims to promote.

2. State and Territory Legislation (Work Health and Safety):

While the "Right to Disconnect" itself is primarily a federal industrial relations matter under the Fair Work Act, the broader duty of care concerning employee well-being falls under Work Health and Safety (WHS) legislation in each state and territory. Adcorp, as a PCBU, must comply with the WHS laws of the jurisdiction(s) in which it operates.

Most Australian states and territories have adopted harmonised WHS laws based on the Model Work Health and Safety (WHS) Act. However, there are some jurisdictional variations. Adcorp must comply with the specific WHS Act and Regulations in force where its employees are located.

Model Work Health and Safety Act (and associated Regulations): This forms the basis for WHS legislation in:

Australian Capital Territory: Work Health and Safety Act 2011 (ACT)

New South Wales: Work Health and Safety Act 2011 (NSW)

Northern Territory: Work Health and Safety (National Uniform Legislation) Act 2011 (NT)

Queensland: Work Health and Safety Act 2011 (Qld)

South Australia: Work Health and Safety Act 2012 (SA)

Tasmania: Work Health and Safety Act 2012 (Tas)

Western Australia: Work Health and Safety Act 2020 (WA) (implemented its own variation based on the model)

Victoria: This state has not adopted the harmonised WHS laws and operates under its own specific legislation:

Occupational Health and Safety Act 2004 (Vic) (and associated Regulations)