

Right to Disconnect

Why in News?

Recently there is a discussion about recognizing the right to disconnect to increase productivity and ensure the overall growth and well-being of employees and employers.

What is right to disconnect?

- **Right to disconnect** - It refers to employee right to disconnect from work-related communications outside of official working hours.
- **Objectives** - Defining a boundary line between work and home life to:
 - Improve work-life balance
 - Reduce burnout
 - Increase employee satisfaction
- **Employee right** - Employees can decline work-related communications outside of regular hours without facing negative consequences.
- It includes not being obligated to monitor, read or respond to work emails, phone calls, text messages or other forms of communication once their workday has officially ended.
- **Exceptions** - In Situations such as critical business needs, pre-agreed arrangements and immediate risk to health, safety may require contacting employees outside regular hours.
- **Constitutional safeguards** - In India, to protect workers from overexploitation is mandated in directive principles of state policy.
- **Article 38** - Encourages the state to promote the welfare of the people, underlining the broader societal and workplace ethos.
- **Article 39(e)** - Aims at securing the health and strength of workers, directing state policy to prevent exploitation.

In India, MP Supriya Sule introduced a Private Member Bill in 2018 that included the right to disconnect from work after working hours. The bill proposed a penalty for companies that didn't comply with its provisions.

Which countries have recognized the right to disconnect as a law?

Country	Provisions
France - 2017	Companies with 50 or more employees must negotiate guidelines allowing workers to disconnect from emails and other work-related communications after working hours.

Italy - 2017	Employees have a right to disconnect during rest periods, <u>especially under remote working arrangements.</u>
Spain - 2018	The law is enacted as a part of the Data Protection and Digital Rights Law, 2018 and it mandates <u>employers to develop policies</u> on right to disconnect.
Ireland - 2021	Introduced a Code of Practice in 2021, which <u>protects employees from penalization</u> for not being available after hours.
Belgium - 2022	It promotes mental well-being and work-life balance. Initially enforced for federal civil servants, with a similar push for private-sector employees.
Australia - 2024	The law allows employees to ignore communications after hours if they choose to, without fear of being punished

Why India needs right to disconnect?

According to the report released by the World Economic Forum, the proportion of mobile workers who could work from any location is expected to rise above 70%.

- **Improved work-life balance** - Employees can devote more time to personal pursuits, family, and rest, fostering healthier relationships and personal development.
- **Reduced stress and burnout** - Disconnecting from work after hours prevents excessive stress, helping maintain mental and physical health.
- **Enhanced productivity** - Employees who enjoy downtime are more likely to return to work refreshed and motivated, enhancing overall efficiency.
 - A British multinational telecoms firm found a conclusive link between happiness and productivity.
- **Protection of privacy** - Employees retain control over their non-working hours, safeguarding their personal time from unnecessary intrusions.
- **Optimized resource use** - Better utilization in working hours could reduce unwanted expense which could lead to cost savings.
- **Healthier communities** - Working prolonged hours causes stress, coronary heart diseases and improves overall health.
- **Economic benefits** - Healthier and more satisfied workers reduce the economic burden on healthcare systems caused by stress-related illnesses.

What are the challenges of right to disconnect in India?

- **Economic challenges** - Sectors like IT, customer service, and finance require round-the-clock availability to meet global demands.
- A strict right to disconnect could hinder operations and client satisfaction.
- **Growth-oriented economy** - India is focused on rapid economic growth and development measures.
- The law will limit work output and may not align with national priorities.
- **Global competitiveness** - As Indian businesses compete on a global stage,

availability and responsiveness outside working hours are often seen as advantages.

- **Dependence on hustle culture** – Many companies rely on employees' willingness to go beyond standard hours to maintain competitiveness, particularly in startups and high-growth businesses.
 - It will hinder promotion and incentive for employees who are eager to work.
- **Large informal sector** – A significant portion of India's workforce is in the informal sector, where labor laws are not strictly enforced.
 - Extending such rights to this segment would be complex.
- **Cultural and social factors** – Many Indians view work as integral to their identity and success, making the concept of disconnecting potentially reduce their growth in a competitive job market.
- **Enforcement difficulties** – Monitoring and enforcing after-hours disconnection in diverse workplace settings could pose significant challenges.
- **Impact on small businesses** – Small and medium enterprises (SMEs) may struggle to adapt to such policies due to limited workforce and reliance on flexible work hours.
- **Younger workforce** – India's growing young population values opportunities for advancement, often requires extended engagement.

What lies ahead?

- Balance between maintaining high productivity and protecting employees' mental and physical health.
- Gradual evolution of Work-life balance policies for implementation of the Right to Disconnect may start with select industries, focusing on sectors with high digital connectivity.
- Collaborative efforts will be necessary to shape flexible, effective policies professional growth.

References

1. [The Hindu |Indians need the Right to Disconnect](#)
2. [The Indian Express |Why India Should Not Have Right to Disconnect](#)