Introduction
Despite EU legislation regulating working time, occupational health and safety, and work-life balance, data from national and European surveys show that a high proportion of workers who are able to work remotely and flexibly using digital tools work long hours and are subject to health issues linked to work-related stress and burnout. The rise in remote and flexible working during the pandemic and the increasing use of mobile digital tools, making workers more contactable, have accelerated the discussion around whether existing legislation remains fit for purpose to address the risks posed by the ‘always on’ culture in the workplace.

Previous Eurofound research has highlighted the scarcity of information on the implementation and impact of the right to disconnect at company level. Based on a survey of employees and a questionnaire completed by HR managers in four countries (Belgium, France, Italy and Spain), this report sheds light on how the right to disconnect is implemented at company level. Analysing responses from workers in companies with and without a right to disconnect policy, it assesses their experiences of receiving and responding to work-related communications outside contractual working hours; how many additional hours they work and why; and their work-life balance, health and well-being, and overall workplace satisfaction.

Policy context
As of spring 2023, there was no specific legislation at EU level on the right to disconnect. However, a range of existing EU directives contain relevant provisions, most significantly the Working Time Directive (Directive 2003/88/EC). This directive sets limits on working hours and regulates rest periods for all workers. The European Parliament’s resolution of January 2021 (2019/2181 (INL)) called on the European Commission to bring forward legislation specifically on the right to disconnect, which were ongoing at the time of writing (June 2023).

Key findings
- Around 45% of respondents to a survey of employees in sectors targeted for their high share of teleworkable jobs and in countries where right to disconnect legislation is implemented through social dialogue responded that a right to disconnect policy is in place in their company. Of these, 80% consider that the policy applies to them. However, only half of respondents in companies with a right to disconnect policy are aware of actions having been taken to implement it.
- Employees observed that the most common actions taken to support disconnection from work-related digital tools are automatic deletion of emails received during holidays and measures to prevent the delivery of work emails during certain times. Such measures, such as training and awareness raising, were considered to be less prevalent by employees, whereas employers considered the latter to be among the most crucial actions implemented.
- Over 80% of workers surveyed reported receiving work-related communications outside their contractual working hours during a typical working week. Almost three-quarters reported being contacted by colleagues out of hours every day or on some days; 67% are contacted by line managers. The vast majority (almost 9 out of 10) of respondents responded to such communications, with one in four replying to all calls and messages received out of hours.
- The following are the most cited reasons for responding to out-of-hours work-related communications: feeling responsible for one’s assignments (82%), wishing to stay ‘on top of things’ (75%), because it is expected (75%), fear of a negative impact if no response is provided (61%) and the expectation of better career progression (50%).
Almost half of the respondents regularly work more hours than they are contracted for, most frequently to complete tasks that they were unable to finish during contractual working hours (37%). Over one-third of workers work additional hours at the explicit request of managers, and fewer than one-fifth (17%) do so mainly because they are contacted out of hours. Additional hours worked because employees are contacted by managers, colleagues or clients out of hours is the type of overtime for which workers are least likely to be compensated financially.

Having a right to disconnect does not appear to reduce the likelihood of workers being contacted out of hours or responding to such communication. However, a larger share of respondents from companies without a right to disconnect policy report working additional hours because they are contacted out of hours than respondents from companies with such a policy (19% compared with 14%). In the latter companies, additional hours are worked mainly based on agreed overtime and workers are more likely to be compensated for working additional hours through pay or time off. This is particularly true with regard to additional hours worked due to being contacted out of hours.

A larger share of workers in companies with a right to disconnect policy that they perceive as applying to them report having a high level of autonomy to determine their working hours, thus providing an indication that having a right to disconnect does not limit desired working time flexibility.

Satisfaction with work–life balance was generally high among all those surveyed, with 85% of workers indicating that their working hours fitted in with family and other commitments very well (25%) or fairly well (60%). However, workers in companies with a right to disconnect policy reported having a better work–life balance than workers in companies with no such policy (92% compared with 80%).

Around 45% of respondents felt that being contacted out of hours was detrimental to their work–life balance and their health and well-being, with more women than men reporting this. A larger share of 25- to 39-year-olds are negatively affected, probably because many in this group have young children. Remote workers are also more affected than those working entirely from their employer’s premises. The most commonly reported health issues are headaches (41%), followed by backache (35%), overall fatigue (34%) and anxiety/stress (33%). Health issues tend to be more common amongst workers who are required to work additional hours. A smaller share of workers in companies implementing the right to disconnect report health issues. For example, while 38% of workers in companies without a right to disconnect report having suffered from stress or anxiety in the 12 months before the survey, the figure was 28% among workers in companies with a right to disconnect.

Around 8 out of 10 respondents were highly satisfied with their working conditions. More workers with a right to disconnect were very highly satisfied than those without this right (29% compared with 15%).

Over 70% of workers in companies with a right to disconnect policy consider that its impact has been very or somewhat positive; 26% considered that there has been no impact.

**Policy pointers**

- The ‘always on’ culture and working additional hours, which often lead to insufficient rest periods, have been shown to be detrimental to work–life balance, health and well-being, and workplace satisfaction. The existing legal acquis and its enforcement appear to be insufficient to address these issues.
- Where right to disconnect policies have been put in place, data show that they have a positive effect on work–life balance, health and well-being, and overall job satisfaction.
- Company-level evidence shows that the implementation of a right to disconnect policy on its own is insufficient to bring about cultural change in the workplace; the policy must be accompanied by awareness raising, training and effective measures to limit out-of-hours connection in ways that are tailored to specific work environments.
- In addition, there should be an assessment of – and measures to address – other reasons for over-connection (such as high workloads, lack of training and inefficient work processes), and this should be bolstered by effective monitoring systems.

**Further information**

The report Right to disconnect: Implementation and impact at company level is available at https://eurofound.link/ef23002

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