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 s*tate 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, *especially under remote working arrangements.*
Spain – 2018	The law is enacted as a part of the Data Protection and Digital Rights Law, 2018 and it mandates *employers to develop policies* on right to disconnect.
Ireland – 2021	Introduced a Code of Practice in 2021, which *protects employees from penalization* 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 inventive 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

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