

Telework and Right to Disconnect

Findings of Eurofound Research

European sectoral social dialogue in Education

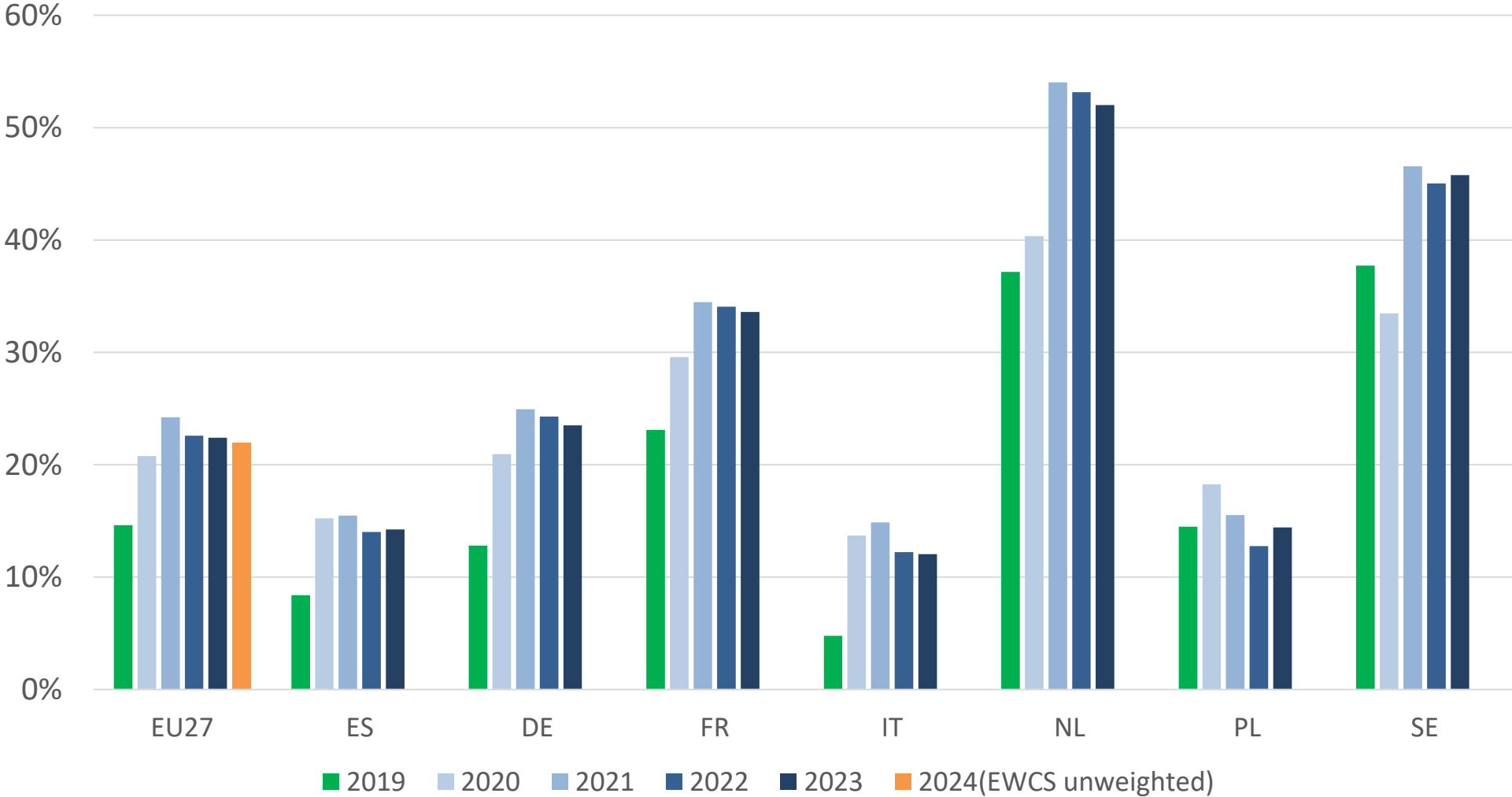
Oscar Llave and Tina Weber, Research Managers, Working Life Unit



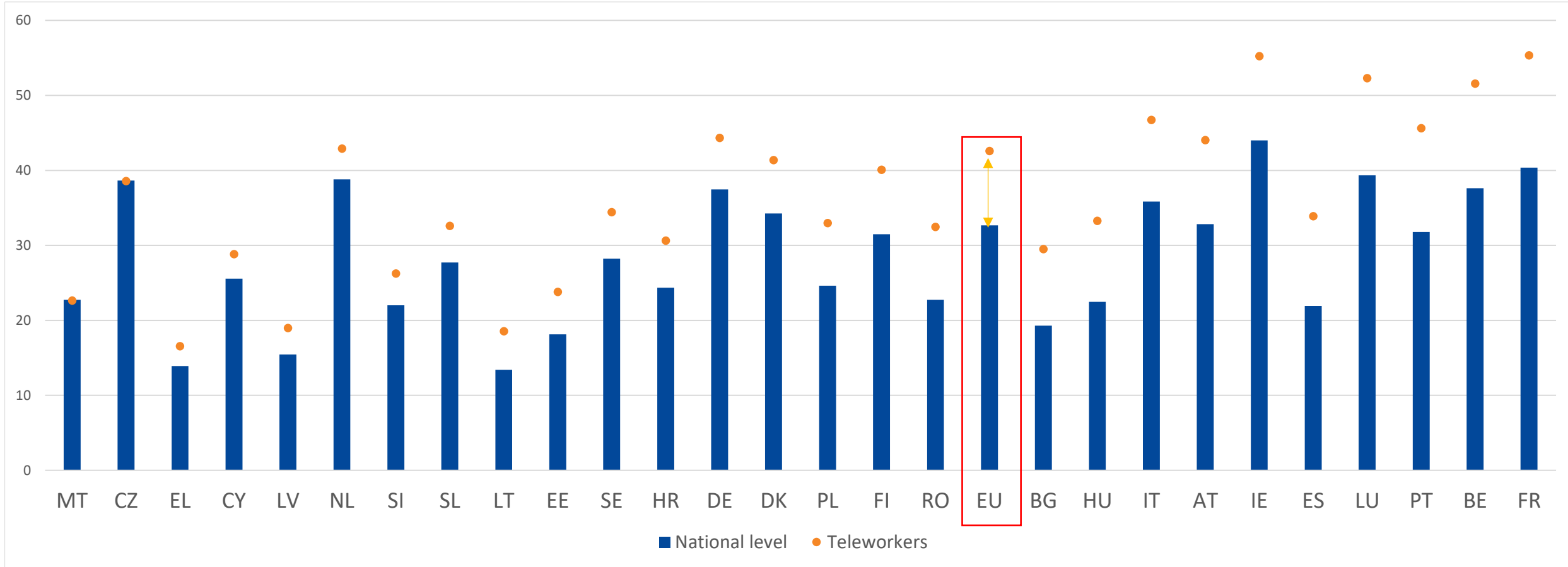
Telework

Scale, impact and regulation

Working from home usually or sometimes (% LFS) - Trend

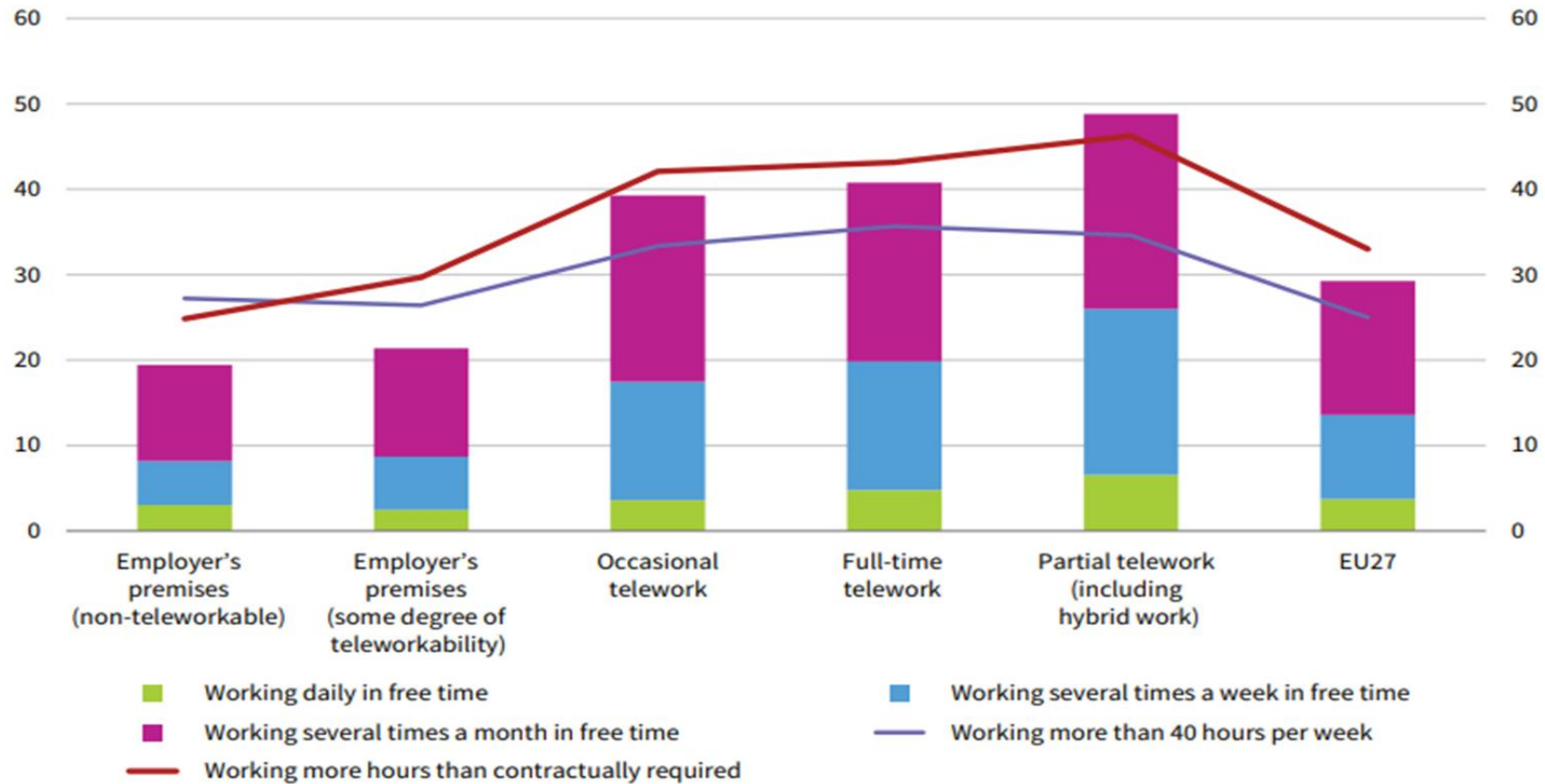


Employees working overtime: Teleworkers vs. national average (%)



Source: EWCTS 2021

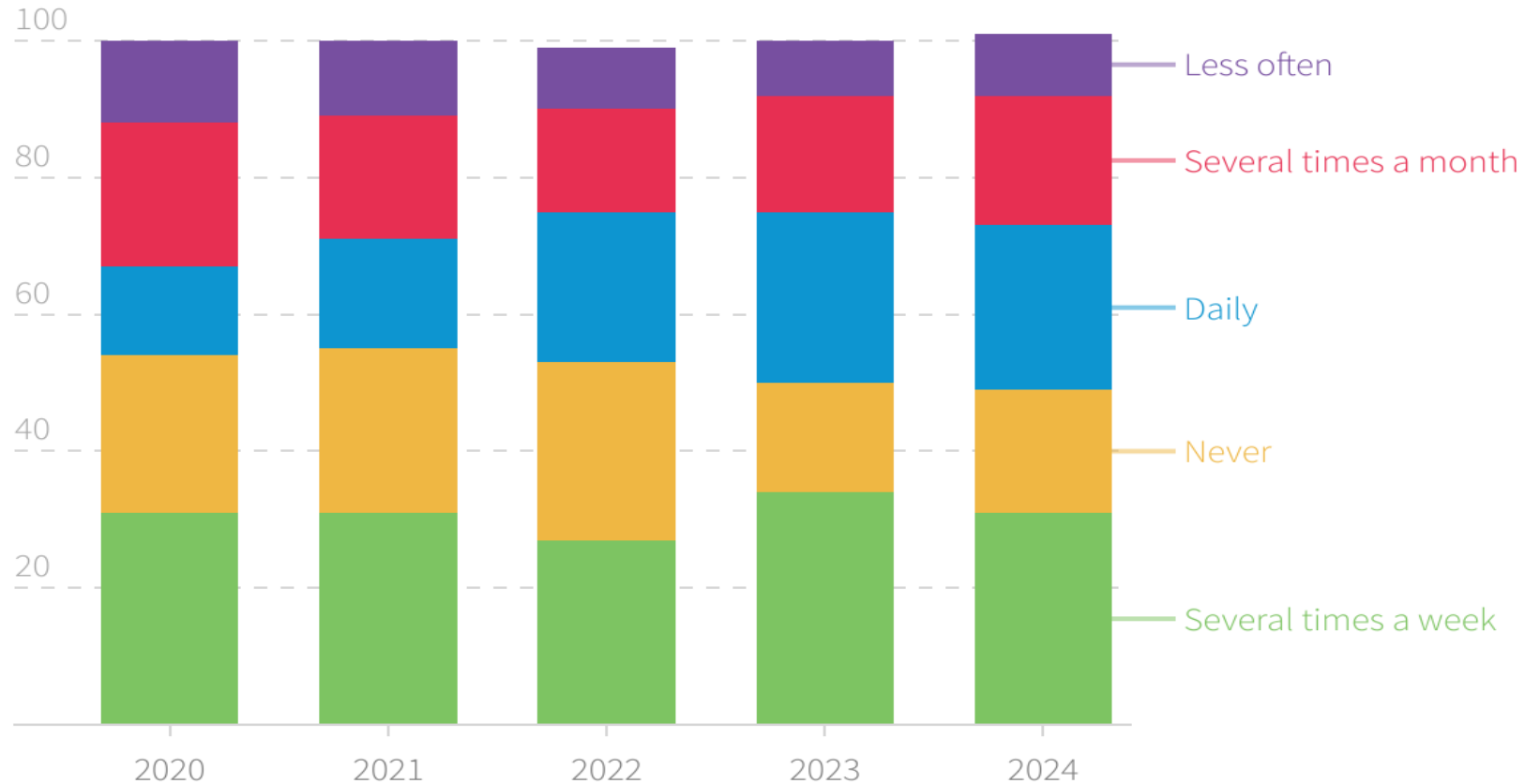
Impact of telework and hybrid work on working in free time



Source: EWCTS 2021

Work from home preferences

Work from home preferences, 2020–2024, EU (%)



Source: Living and Working in the EU e-survey 2024 and Living, working and COVID-19 e-survey series

Telework regime: access and request

- In most of the countries voluntary principle of telework is acknowledged
 - There are not objective conditions to be eligible for telework (teleworkability, professional categories, etc.).
- Right to request: approach has only been formalised in few countries (France, Lithuania and Portugal) and it is being developed in Germany and Ireland. Interestingly, in some countries the right to reject telework by the employee is provided (Bulgaria, Malta and Romania).

Working time

- No clear regulation/guidance of working time for teleworkers in most EU countries (general legislation; higher autonomy)
- Some member states regulate flexible working time in telework settings (for example, ES), whereas most of the countries apply the general working time legislation (for example, DE)
- Few countries set up limits to employers' capacity to record, measure and monitoring working time (Austria, Malta, France, etc.)
- **Work Life Balance:** in some countries telework has been promoted as a way to support the reconciliation between work and family or personal life, (Spain, Italy, France, Belgium, Lithuania, Malta, Poland, Portugal and Romania).

Occupational Safety and Health

- Risk assessment: only in a few countries is a pre-condition for being allowed to telework (Belgium, Croatia -only for regular telework-, Germany, Greece, the Netherlands, Portugal and Spain).
- Psychosocial risks: OSH legislation in several countries is aiming at avoiding isolation and its implications for psychosocial well-being . More comprehensive approach in the Netherlands and Spain
- Challenges enforcement/implementation OSH standards: Only in a few countries legislation provides labour inspectorates, employers (or safety and health experts) and/or workers' representatives with right to access to teleworkers' places of work

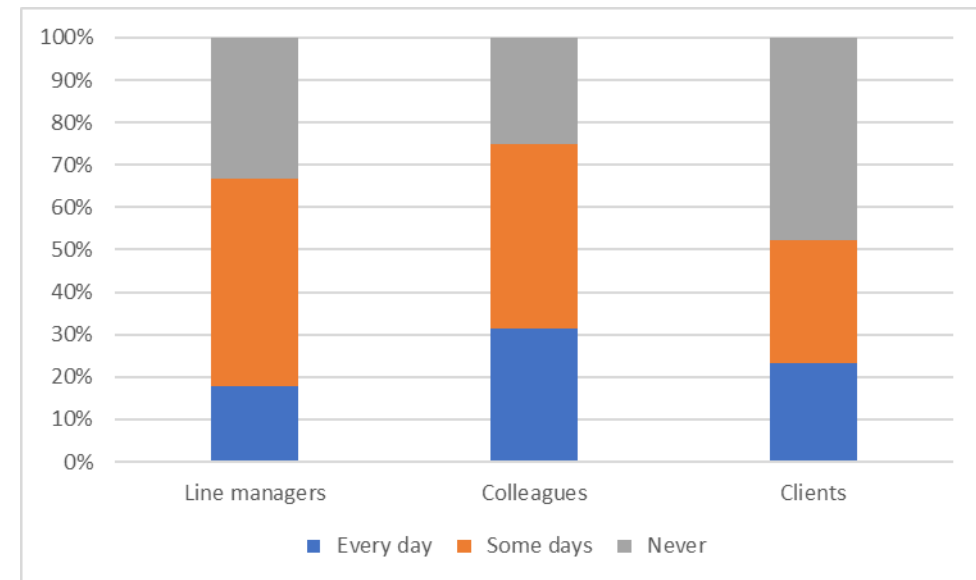


Right to disconnect

Scale of out of hours contact, legislation, implementation and impact at company level

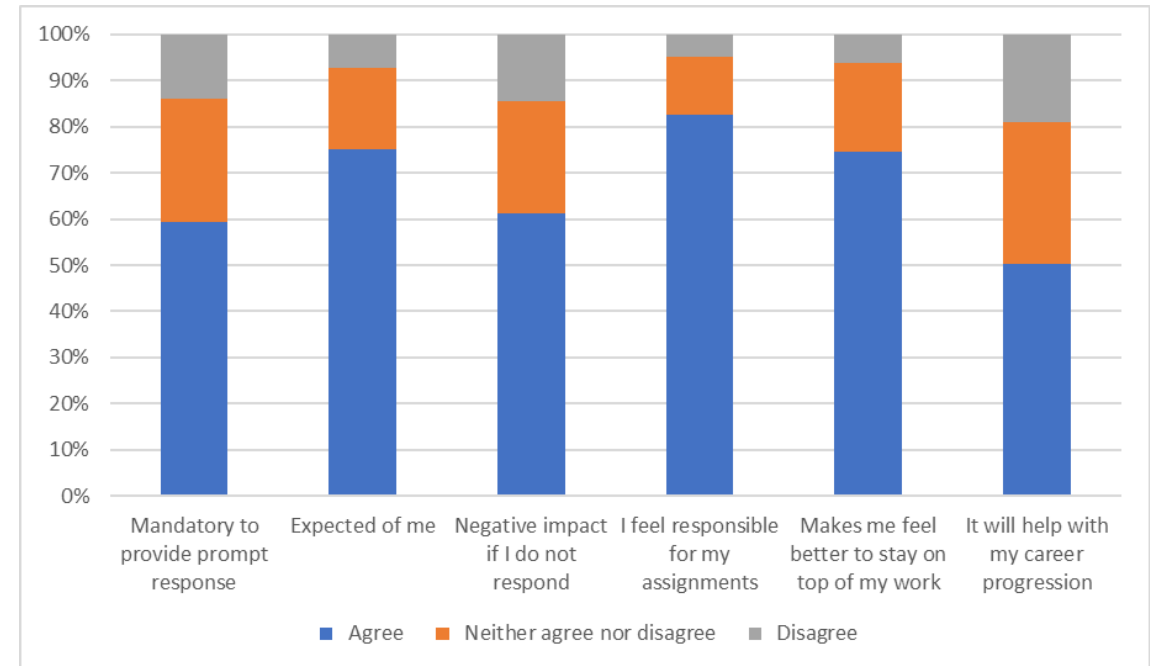
An 'always on' culture? - Frequency and patterns of out of hours contact

- Over 80% of respondents are contacted on work related issues outside working hours
- Most frequent contact by colleagues followed by line managers and clients
- Contact mainly by email (58%, work phone 44%, private phone 33%, video call (22%)



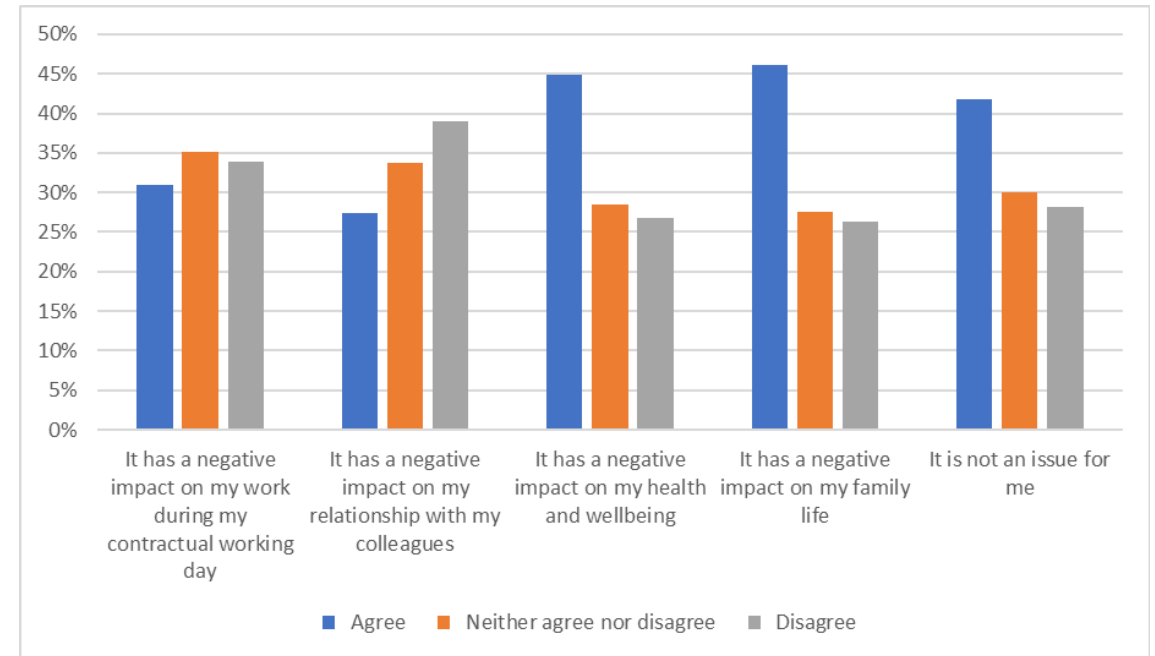
Frequency and reasons for responding

- Nine in ten take some form of action; 23% reply to all messages; 38% reply to most messages
- 82% feel responsible for assignments; 75% want to stay on top of work; 75% say it is expected for them; 61% fear negative consequences



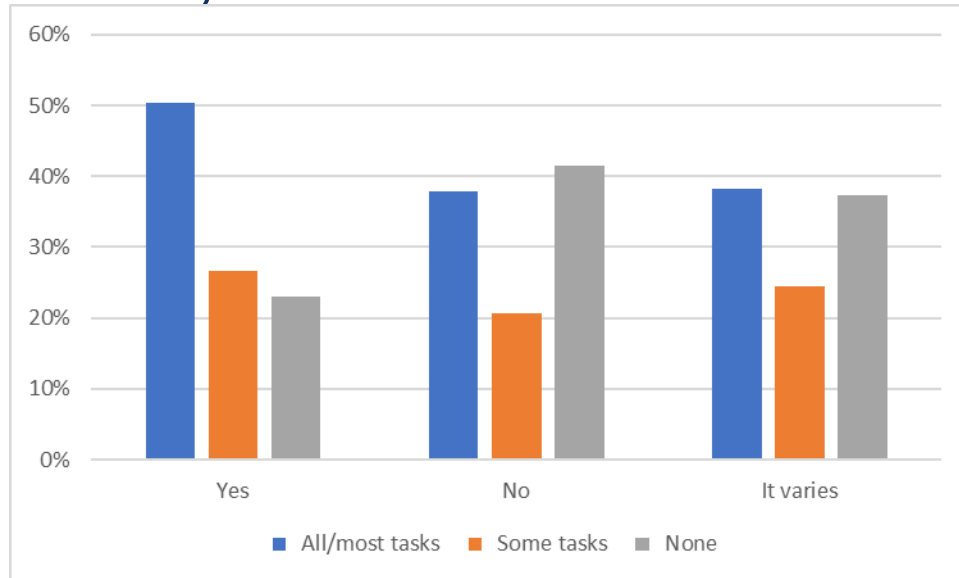
Impact of being contacted

- Out of hours connection has negative impact on family life and health and wellbeing
- 42% say 'it is not an issue for me'

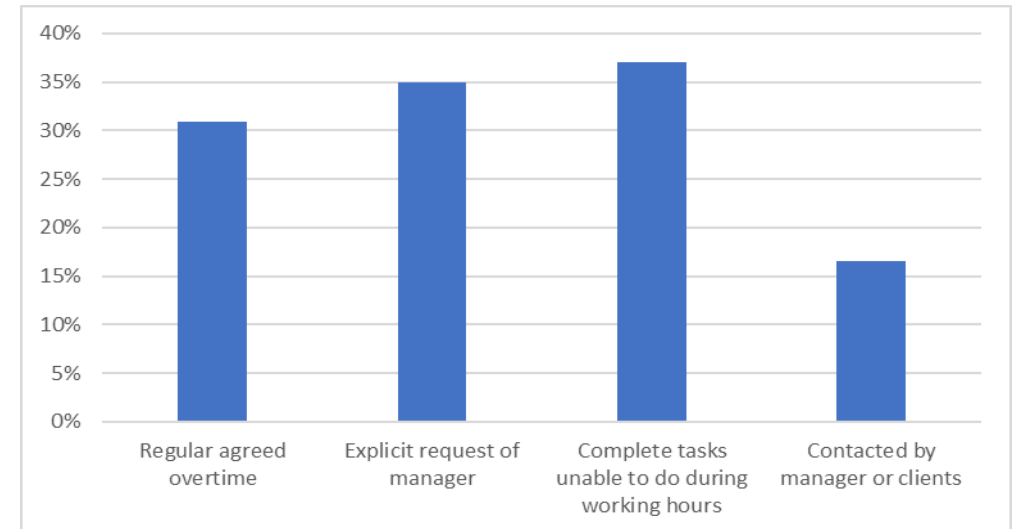


Working additional hours

- Nearly half of respondents worked additional hours on a regular basis
- More common among those able to work remotely



- Most additional hours performed to complete tasks
- Additional hours done for this reason and because contacted least likely to be paid



Right to disconnect, working additional hours and flexible working time arrangements

- A higher share of respondents in companies without a right to disconnect reported working additional hours because there are contacted out of hours (19% compared to 14% in companies with a right to disconnect policy).
- In companies with a right to disconnect policy additional hours worked are mainly likely to be on the basis of agreed overtime and are more likely to be compensated with additional pay or time off.
- Workers stating at the right to disconnect applies to them are more likely to report greater autonomy over determining their own working hours.
- The possibility to adjust working hours patterns during the pandemic is also more likely to be reported by workers in companies with a right to disconnect in place.



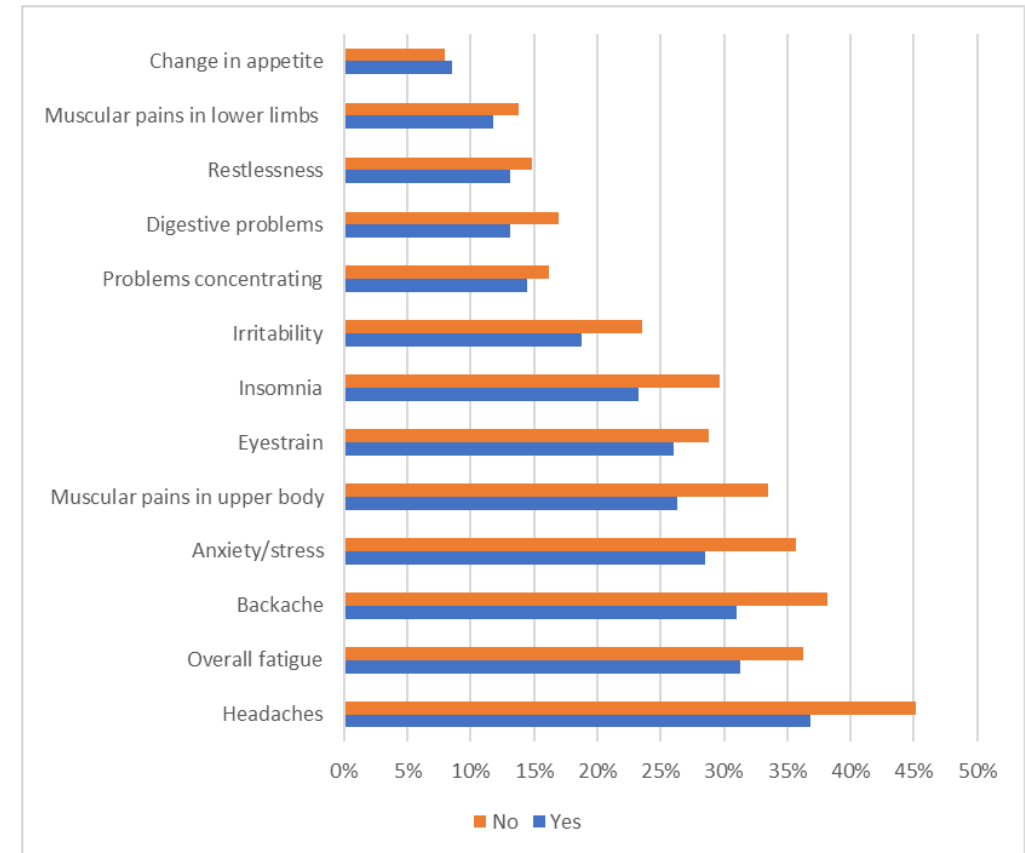
Right to disconnect and work-life balance

- 25% of respondents indicate work and private commitments fit very well; 60% fairly well
- Those being able to do fewer tasks remotely are less likely to consider that there is a good fit
- Workers in companies with a right to disconnect policy report better work-life balance (92% compared to 80%)



Health, wellbeing and the right to disconnect

- Almost all health issues less likely to be experienced by workers in companies with a right to disconnect policy



Core features of implementation of R2D at company level

Key considerations	Main elements
Context	Basis in legislation or collective agreement; context linked to gender equality, working time, work-life balance, teleworking, flexible working, data protection etc.
Type of text	Signatory parties; (company) collective agreement, policy, guidelines, etc. – impact for monitoring and enforcement
Coverage	All workers/managers; only specific groups of workers; how ‘future proof’ is coverage?
‘Hard’ or ‘soft’ implementation	Right ‘to be disconnected’ through severing link between message delivery and digital devices OR soft disconnection – impact on flexibility and employee protection
Implementing actions	Awareness raising; training; management of out of hours communication; assessment of factors contributing to over-connection; agreement of hours of availability
Approach to monitoring	Monitoring of: out of hours email traffic; working hours; complaints; impact on work-life balance and wellbeing through staff surveys etc. – Joint or unilateral

Member States with legislation on a Right to Disconnect



2022
Organisations with >20 employees must negotiate agreement on implementation of R2D. Employees to be contacted out of working hours only in urgent

2016
Companies >50 employees Can be extended by collective agreement Social partners negotiate Fallback: company policy

2021
Teleworkers Right to refrain from work related duties and not answer communications outside working hours

2017
Smart workers Agreement between employer and Smart worker Sectoral or company agreement can extend coverage

2021
All workers using ICT Employers must not contact employees outside of working hours or risk facing administrative fines

2021
Right not to use digital work tools outside of working hours

2018
All workers Sectoral or company agreement but also directly enforceable

2023
All workers using ICT Sectoral or company level collective agreements. If fewer than 150 staff representation must be informed and consulted; if more than 150 mutual agreement needed

2023
All teleworkers Employers must not contact workers outside of working hours

2023
Employer must inform workers of measures to implement R2D and must communicate the measures to the trade union or works council before they are adopted.

Conclusions

- Workers in companies with a right to disconnect policy are:
 - Less likely to work additional hours because they are contacted out of hours
 - More likely to have greater autonomy over their own working hours
 - More likely to report better work life balance
 - Less likely to report common health issues
 - More likely to express satisfaction with their overall working conditions
 - This is not necessarily linked to being less likely to be contacted and working fewer hours overall
- However, presence of right-to disconnect alone is insufficient. To be effective it must be accompanied by awareness raising, effective implementation measures, ongoing joint monitoring and review by management and employee representatives