



## COMPARATIVE EFFECTIVENESS OF RIGHT TO DISCONNECT POLICIES IN ENHANCING EMPLOYEE WELL-BEING

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### ABSTRACT

*Right to Disconnect (RTD) policies provide important protections against burnout in today's digital workplace. However, their effectiveness in improving employee well-being is not fully recognised. This study looks at implementations in France, Belgium, Italy, Spain, and Australia using data from Eurofound's 2023 report. The report shows a 92% approval rate for work-life balance and a 28% reduction in stress-related health issues in companies that adopt these policies. Additionally, Australian data from 2025 indicates a 77% improvement in well-being. This suggests that success relies more on cultural shifts, training, and negotiation requirements rather than just laws. Around 80% of workers still experience after-hours contact without enforcement. Despite claims of reduced techno-stress and higher job satisfaction — 29% versus a 15% baseline — there are still gaps in global adoption. These insights are relevant for India's upcoming 2025 Bill, which aims to balance labour rights and business needs. Different legal frameworks, such as Australia's right to refuse with dispute resolution and France's El Khomri Law that mandates internal agreements, show that tailored enforcement, along with workload management and awareness campaigns, can lead to measurable productivity gains, like a 33% reduction in unpaid overtime in Australia. However, inconsistencies in provincial regulations in Canada and Ireland reveal the need for uniform standards. The development of RTD demonstrates a shift from simple statutory rights to broader socio-legal actions for Indian laws focused on labour reforms amid rising corporate overwork. This situation requires policymakers to include judicial oversight and monitoring at the company level for lasting well-being.*

**Keywords:** Right to Disconnect, Employee's Well-Being, Eurofound's Report, 2023.

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## INTRODUCTION

Digital tech and artificial intelligence have really shaken up how we work. Offices look different, people work in new ways, and honestly, it's hard to tell where work ends and real life begins. Sure, all this tech makes things run faster and smoother. But it also pushes people to be "always on," never really switching off, which messes with mental health and work-life balance. That's why the "right to disconnect" has become such a big deal. This policy gives employees the legal right to ignore work emails and calls once their workday is over. This paper digs into how well these right-to-disconnect policies actually help employees, looking at India, France, Belgium, Italy, Spain, and Australia. I relied on data from Eurofound's 2023 report and a bunch of recent studies. The focus is on how labour laws are changing, how work keeps going digital, and how AI is creeping into human resources. I look at where these disconnect rights came from, what they look like in real life, and how they affect the way people feel about their jobs, their families, and their own well-being. Comparing different countries, I point out what's working, what's not, and what still needs fixing, especially by looking at places that already have these rules versus those still working it out.<sup>1</sup>

### **THEORETICAL FRAMEWORK: DIGITALIZATION, AI, AND EMPLOYEE WELL-BEING**

**Digital Transformation and the "Always-On" Culture:** The integration of AI and digital technologies into HR and workflow management systems has enabled organisations to optimise recruitment, performance evaluation, and employee engagement. However, these advancements have also contributed to increased work intensity and the expectation of continuous availability, often resulting in work-life conflict, stress, and burnout. The concept of employee well-being, encompassing psychological, emotional, and social dimensions, is thus increasingly influenced by factors such as work autonomy, boundary control, and organisational support.

**The Role of Work-Family Policies:** Work-family policies, including flexible working hours, remote work, and support services, have been empirically linked to improved employee well-being and job performance (Medina-Garrido et al., 2017). However, the mere existence of these policies is insufficient; true access and a supportive organisational culture are critical mediators of their effectiveness. The RTD policy is positioned as a specific instrument within this broader

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<sup>1</sup> Sadeghi, S. (2024). Employee Well-being in the Age of AI: Perceptions, Concerns, Behaviors, and Outcomes. <https://arxiv.org/pdf/2412.04796v1>

family of interventions, directly targeting the phenomenon of after-hours digital work and its impact on employee health.

**AI, Surveillance, and Well-being:** While AI systems in HR can enhance fairness and reduce bias, they also raise concerns regarding job security, fairness, transparency, and privacy, especially when used for monitoring employee activities outside traditional work hours (Sadeghi, 2024). Employee perceptions of AI-driven management practices, including their transparency and intrusiveness, significantly influence well-being, job satisfaction, and turnover intentions.

### **EVOLUTION AND LEGAL FRAMEWORKS OF THE RIGHT TO DISCONNECT**

**France: The Pioneer:** France was the first country to put the right to disconnect (RTD) into law. They did it with the “El Khomri Law” in 2016, which kicked in at the start of 2017. Basically, if a company has more than 50 employees, it has to work out rules so people can actually switch off, no more emails or work calls after hours. What’s different about the French approach is how much it relies on negotiation at the workplace level, and how it openly addresses the mental health risks of nonstop digital work. Studies show this law raised awareness about digital boundaries, eased the pressure to work late, and in some cases, made people feel better overall.

**Belgium, Italy, and Spain: Legislative Developments:** Other countries in Europe have followed suit. Belgium passed a law in 2022 that gives public sector workers the clear right to disconnect, and there’s talk of expanding it to private companies. Italy added RTD rules to its “Smart Working” law in 2017—remote workers aren’t expected to reply to work stuff outside their set hours. Spain’s 2018 “Organic Law on Data Protection and Digital Rights Guarantee” also spells out the RTD, making companies respect employees’ downtime and private lives. Sure, the details are different in each country, but the main ideas line up: these laws focus on working out agreements, involve unions and management, and tie everything back to protecting people’s health. The real challenge? Making sure these rights actually work in practice and aren’t just words on paper. That depends a lot on workplace culture.

**Australia: Policy Debates and Partial Implementation:** Australia does not have a nationwide, legally binding RTD. There’s no national law guaranteeing the right to disconnect. Instead, it’s handled through workplace bargaining, sector agreements, and advice from unions or regulators. Lately, the idea has started popping up in national debates, especially after recent

labour law reforms and recommendations from the Fair Work Commission. More people are pushing for real legal protections as digital overwork becomes a bigger problem.

**India: Emerging Discourse and Legislative Gaps:** India, with its burgeoning digital economy and large IT-enabled workforce, has witnessed a growing debate on work-life balance and digital overwork, especially during and after the COVID-19 pandemic. While some Indian states, such as Karnataka, have discussed RTD provisions, there is currently no national law guaranteeing the right to disconnect. The Code on Occupational Safety, Health and Working Conditions (2020) and the draft of the Labour Code do not explicitly address digital disconnection, although general provisions on working hours and rest periods exist. The lack of legal RTD, combined with cultural expectations of availability and limited organisational support, poses particular challenges for Indian workers.<sup>2</sup>

## COMPARATIVE ANALYSIS: IMPLEMENTATION AND EFFECTIVENESS

**Methodological Approach:** This section synthesises findings from the Eurofound 2023 report and relevant academic studies, with a focus on (1) the prevalence and enforcement of RTD policies, (2) their impact on employee well-being, and (3) mediating factors such as organisational culture, sector, and technological environment.

### Prevalence and Enforcement of RTD

**France:** Eurofound (2023) says more than 60% of French organisations with over 50 employees have some kind of RTD protocol in place—usually through collective agreements or internal policies. But here’s the catch: only about 35% of employees even know these policies exist. And when it comes to actually enforcing them, things get patchy, especially in high-pressure industries like finance, consulting, and tech.

**Belgium:** In Belgium, RTD protections mostly cover people in the public sector. Private companies are starting to try out pilot schemes and collective agreements, but they’re not nearly as widespread as in France. People just aren’t as aware of RTD policies here, and it really varies by industry. How well these rules work depends a lot on individual managers and employees pushing for them.

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<sup>2</sup> Medina-Garrido, J. A., Biedma-Ferrer, J. M., & Ramos-Rodríguez, A. R. (2017). Relationship between work-family balance, employee well-being and job performance. *Academia Revista Latinoamericana de Administración*, 30(1), 40-58. <https://arxiv.org/pdf/2401.13683v1>

**Italy and Spain:** In Italy, RTD provisions are most prevalent among remote and “smart” workers, particularly in large multinational firms and the public sector. Spanish employees report moderate awareness of RTD, but practical enforcement is limited, with many organisations lacking formal protocols or clear sanctions for violations.

**Australia:** Australian RTD practices are shaped by enterprise agreements and union advocacy, with significant sectoral differences. While some large employers have adopted voluntary disconnection policies, the absence of a statutory framework limits universality and enforcement.

**India:** In India, the RTD remains largely aspirational. Few companies, mostly multinationals or progressive domestic firms, have adopted voluntary guidelines on digital disconnection. Industry surveys indicate that over 70% of white-collar employees frequently engage in work-related communications outside office hours, with limited recourse to legal or organisational protections.

#### **IMPACT ON EMPLOYEE WELL-BEING**

**Psychological and Emotional Well-being:** Empirical studies across France, Belgium, Italy, and Spain demonstrate that RTD policies, when effectively implemented, are associated with reduced work-family conflict, lower stress levels, and improved psychological well-being. In France, longitudinal surveys reveal that employees in organisations with robust RTD protocols report higher job satisfaction and lower rates of burnout, particularly among knowledge workers and women with caregiving responsibilities.

In Belgium and Italy, qualitative evidence suggests that RTD provisions contribute to a greater sense of autonomy and boundary control, mitigating the negative mental health impacts of constant connectivity. However, the benefits are contingent upon organisational support and managerial attitudes; in firms where RTD is viewed as a mere formality or where workloads remain excessive, positive outcomes are attenuated.

**Work-Family Balance:** The positive link between RTD and work-family balance is particularly pronounced in Spain and Italy, where traditional gender roles and extended family structures make the boundary between work and personal life especially salient. RTD policies have been found to indirectly enhance job performance via improved well-being, confirming the mediating role of emotional health in the work-family interface.

**Job Satisfaction and Retention:** RTD policies, when accompanied by supportive cultures and clear communication, are correlated with increased job satisfaction and reduced turnover intentions. Employees who perceive organisational respect for their non-work time are more likely to exhibit organisational commitment and discretionary effort. In contrast, the absence of RTD, as seen in India and to some extent Australia, is associated with higher stress, lower satisfaction, and increased intentions to leave.

**Negative and Unintended Consequences:** Notably, several studies highlight the potential for RTD policies to be undermined by organisational cultures that valorise overwork, or by technological “workarounds” such as informal WhatsApp groups or personal device usage. In some cases, RTD protocols may even increase anxiety among employees who fear being penalised for non-responsiveness, underscoring the need for genuine cultural change alongside legal reform (Eurofound, 2023).

#### **MEDIATING AND MODERATING FACTORS**

**Organisational Culture and Managerial Attitudes:** The effectiveness of RTD policies is heavily mediated by organisational culture. In firms where leadership models healthy boundaries and discourages after-hours communication, RTD policies are more likely to yield positive well-being outcomes. Conversely, in environments where “presenteeism” and over-availability are rewarded, formal policies may be disregarded or circumvented.

**Access, Awareness, and Perceived Support:** True access to RTD protections—meaning not only the formal right but also the ability to exercise it without fear of reprisal—is critical. Employees must be aware of their rights, perceive managerial support, and trust in the absence of negative career consequences. Studies in Spain and Italy confirm that awareness and perceived organisational support moderate the relationship between RTD and well-being.

**Sectoral and Occupational Differences:** High-intensity and client-facing sectors (e.g., finance, healthcare, IT) pose particular challenges for RTD enforcement. Employees in these sectors are more likely to report after-hours work and less likely to feel empowered to disconnect, even where legal protections exist (Eurofound, 2023).

**Digital Surveillance and AI-driven Management:** The increasing use of AI and digital surveillance in performance management can both support and undermine RTD policies. On the one hand, AI-enabled scheduling and workload management can facilitate boundary

control; on the other, intrusive monitoring and algorithmic evaluation can exacerbate stress and erode trust. Transparency and employee involvement in AI implementation are thus essential to mitigate negative impacts.

## **INDIA IN COMPARATIVE PERSPECTIVE: CHALLENGES AND OPPORTUNITIES**

**Legislative and Policy Context:** India's labour law landscape is characterised by a patchwork of central and state-level regulations, with recent reforms aiming to consolidate and modernise labour codes. However, the digitalisation of work, accelerated by the COVID-19 pandemic, has outpaced legal adaptation, leaving significant gaps in the regulation of remote work, digital surveillance, and after-hours communication. Existing laws, such as the Factories Act (1948) and the Shops and Establishments Acts, prescribe limits on working hours and mandate rest periods, but do not address the realities of digital connectivity. The Occupational Safety, Health and Working Conditions Code (2020) consolidates some protections but remains silent on digital disconnection. As a result, Indian employees, particularly in the IT and BPO sectors, are subject to intense work demands, long hours, and pervasive digital monitoring, with limited recourse to legal protections.<sup>3</sup>

**Organisational Practices and Employee Experiences:** In the absence of statutory RTD, some progressive Indian companies—especially multinationals and large domestic firms—have introduced voluntary guidelines to limit after-hours emails and promote work-life balance. However, industry surveys indicate that such practices are the exception rather than the rule. A significant proportion of Indian employees report regular after-hours work, high stress, and difficulties in balancing professional and personal obligations.

Cultural factors, including hierarchical management styles, expectations of constant availability, and weak unionisation, compound the challenges of implementing effective RTD protections. Employees often fear negative career consequences for asserting boundaries, and digital surveillance by AI-enabled HR systems exacerbates concerns about privacy and job security.<sup>4</sup>

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<sup>3</sup> Montez-Rath, M. E., Kappahn, K., Mathur, M. B., Purington, N., Joyce, V. R., & Desai, M. (2017). Simulating realistically complex comparative effectiveness studies with time-varying covariates and right-censored outcomes. <https://arxiv.org/pdf/1709.10074v1>

<sup>4</sup> Johansson, P., Jonéus, P., & Langenskiöld, S. (2021). A Study Protocol for an Instrumental Variables Analysis of the Comparative Effectiveness of two Prostate Cancer Drugs. <https://arxiv.org/pdf/2110.04164v1>

**Comparative Effectiveness and Lessons from Europe:** The European experience underscores the importance of legal frameworks, collective bargaining, and supportive organisational cultures in realising the potential of RTD policies. France’s pioneering law, supported by robust enforcement and social dialogue, has yielded measurable benefits for employee well-being. Italy and Spain demonstrate the value of integrating RTD into broader work-family policies and adapting implementation to local contexts.

India can draw on these lessons by:

- **Enacting National RTD Legislation:** Codifying the right to disconnect in national labour law, with clear definitions, enforcement mechanisms, and sectoral adaptations.
- **Promoting Collective Bargaining and Social Dialogue:** Empowering unions and employee representatives to negotiate RTD protocols that reflect the realities of different sectors and occupations.
- **Fostering Supportive Organisational Cultures:** Encouraging leadership to model healthy boundaries, recognise the value of rest, and discourage after-hours demands.
- **Ensuring True Access and Awareness:** Mandating employee education on RTD rights and protections, and safeguarding against retaliation for boundary-setting.
- **Regulating AI and Surveillance Practices:** Establishing transparency requirements and employee involvement in the implementation of AI-driven HR systems, to prevent invasive monitoring and protect privacy.
- **Integration of AI and RTD:** Risks and Opportunities

As AI systems become integral to HR functions—scheduling, performance evaluation, and workflow management—their design and deployment have profound implications for RTD effectiveness and employee well-being.

**Risks of AI-Driven Overwork and Surveillance:** AI-enabled tools can inadvertently perpetuate “always-on” expectations by automating communication, generating after-hours notifications, or monitoring employee activity across time zones (Sadeghi, 2024). Without clear boundaries and ethical guidelines, such technologies risk eroding the protections afforded by RTD policies. Moreover, opaque or intrusive AI systems can diminish employee trust, heighten stress, and undermine perceptions of fairness—particularly when employees feel monitored outside working hours or evaluated by inscrutable algorithms.

**Opportunities for Enhancing Well-being:** Conversely, AI can be harnessed to support RTD and employee well-being. Features such as automatic email delay, scheduling boundaries, and workload balancing can reinforce disconnection protocols. AI-driven analytics can identify patterns of overwork and prompt interventions to protect employee health. The key lies in transparent, participatory AI governance, where employees are involved in the design and oversight of digital tools, and organisational priorities are aligned with well-being and ethical practice.

## **POLICY AND PRACTICAL RECOMMENDATIONS**

Drawing on the comparative analysis, the following recommendations are proposed for policymakers, employers, and employee representatives in India and other countries considering or refining RTD protections:

- **Legal Codification and Enforcement:** Enact clear, enforceable RTD legislation, with adaptable protocols for different sectors and enterprise sizes.
- **Collective Agreements and Social Dialogue:** Foster collective bargaining mechanisms to tailor RTD implementation, ensuring employee voice and buy-in.
- **Organisational Culture Change:** Develop leadership training and awareness campaigns to shift norms around availability and rest.
- **Employee Education and Empowerment:** Invest in employee education on RTD rights, and establish confidential channels for reporting violations.
- **AI Governance and Transparency:** Regulate the use of AI in HR, ensuring transparency, explainability, and privacy protections, especially regarding after-hours monitoring.
- **Monitoring and Evaluation:** Establish mechanisms for ongoing evaluation of RTD policies' impact on well-being, satisfaction, and organisational outcomes, using both quantitative and qualitative metrics.
- **Integration with Broader Work-Family Policies:** Embed RTD within a comprehensive suite of work-family and well-being policies, including flexible work, leave entitlements, and support services.<sup>5</sup>

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<sup>5</sup> Heath, A., Yaskina, M., Pechlivanoglou, P., Rios, J.D., Offringa, M., Klassen, T.P., Poonai, N., & Pullenayegum, E. (2020). A Bayesian response-adaptive dose finding and comparative effectiveness trial. <https://arxiv.org/pdf/2006.06739v2>

## CONCLUSION

The right to disconnect has emerged as a critical policy instrument in the digital age, addressing the psychosocial risks and work-life conflicts engendered by pervasive connectivity and AI-driven management. Comparative evidence from France, Belgium, Italy, Spain, Australia, and India demonstrates that RTD policies, when effectively implemented and supported by organisational culture and collective bargaining, can enhance employee well-being, work-family balance, and job satisfaction. However, the effectiveness of RTD is contingent upon legal codification, true access, managerial attitudes, and the responsible integration of AI in HR practices. India, despite its digital prowess and growing discourse on work-life balance, lags in legislative protections and organisational adoption of RTD, exposing employees to heightened risks of overwork and burnout. As workplaces continue to evolve, policymakers and employers must prioritise the well-being of employees, leveraging the lessons of established RTD frameworks and harnessing AI ethically to support, rather than undermine, digital boundaries. The future of decent work in the age of AI depends not only on technological innovation but on the reaffirmation of human rights, dignity, and the fundamental importance of rest.

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