

Right To Disconnect And Worker Well-Being A Comparative Analysis Across National Contexts

Justin P J

School of Social Work, Marian College Kuttikkanam (Autonomous), India.

Article information

Received: 6th November 2025

Received in revised form: 9th December 2025

Accepted: 13th January 2026

Available online: 27th February 2026

Volume: 1

Issue: 1

DOI: <https://doi.org/10.5281/zenodo.18796245>

Abstract

An abstract is a concise summary of a research paper or an entire thesis and must be limited to a maximum of 250 words. It must be fully self-contained and make sense on its own. This comparative study examines the implementation and impact of right to disconnect legislation on worker well-being across seven European nations. Drawing on institutional theory and the job demands-resources model, the research analyzes how varying legislative frameworks from France's pioneering 2016 law to more recent implementations in Germany, Spain, Portugal, Belgium, Italy, and Ireland shape work-life boundaries and employee outcomes. Utilizing mixed-methods comparative analysis, including policy document review, organizational case studies, and secondary data on burnout rates, job satisfaction, and work-life balance metrics, the study reveals significant cross-national variations in both policy design and effectiveness. Findings indicate that comprehensive legislation with clear enforcement mechanisms correlates with improved well-being indicators, though cultural factors and organizational compliance moderate these relationships. The research contributes to understanding how legal interventions can address technostress and digital overwork while highlighting the importance of contextual factors in policy success.

Keywords:- Right To Disconnect, Work-Life Balance, Digital Labor, Worker Well-Being, Comparative Policy Analysis, Technostress

Introduction

The proliferation of digital communication technologies has fundamentally transformed the nature of work, blurring traditional boundaries between professional and personal time (Eurofound, 2020). Smartphones, laptops, and ubiquitous internet connectivity enable constant accessibility, creating expectations for workers to remain available beyond contractual working hours. This phenomenon, termed 'always-on culture,' has emerged as a significant concern for worker well-being, contributing to increased stress, burnout, and work-family conflict (Derks et al., 2016). The COVID-19 pandemic accelerated these trends, with remote work normalizing digital intrusions into domestic spaces and intensifying boundary management challenges.

In response to these challenges, several European nations have enacted 'right to disconnect' legislation, establishing workers' legal entitlement to disengage from work-related communications outside designated working hours. France pioneered this approach in 2016 with Article L2242-17 of the Labor Code, requiring companies with more than 50 employees to negotiate agreements defining disconnection rights (Loi Travail, 2016). Subsequently, countries including Germany (2021), Spain (2018, expanded 2021), Portugal (2021),

Belgium (2018, expanded 2022), Italy (2017), and Ireland (2021) have adopted varying legislative models, creating a natural experiment in comparative labor policy.

Despite growing policy attention, empirical research on the effectiveness of right to disconnect legislation remains limited and methodologically diverse. Existing studies focus predominantly on single-country analyses or lack systematic cross-national comparison (Mellor, 2022). Furthermore, the mechanisms through which legal frameworks translate into organizational practices and worker outcomes remain insufficiently theorized. This research addresses these gaps by conducting a comprehensive comparative analysis of right to disconnect policies across seven European countries, examining both their design characteristics and impacts on worker well-being indicators.

The study is guided by three research questions:

- How do right to disconnect policies vary across national contexts in terms of coverage, enforcement, and specificity?
- What are the measurable impacts of these policies on worker well-being outcomes, particularly burnout, job satisfaction, and work-life balance?
- What contextual factors including labor market institutions, cultural norms, and organizational characteristics moderate policy effectiveness?

By addressing these questions, the research contributes to scholarly understanding of digital labor governance while providing practical insights for policymakers and organizations.

Literature Review and Theoretical Framework

Digital Overwork and Worker Well-being

Research on digital technologies and work has documented extensive negative consequences of constant connectivity. The concept of 'technostress'—stress induced by information and communication technologies—encompasses dimensions including techno-overload, techno-invasion, and techno-complexity (Tarafdar et al., 2019). Empirical studies consistently demonstrate associations between after-hours digital communication and elevated cortisol levels, sleep disturbances, emotional exhaustion, and reduced relationship quality (Barber & Santuzzi, 2015). The job demands-resources (JD-R) model provides a theoretical lens for understanding these effects: digital availability constitutes a job demand that depletes psychological resources, potentially triggering burnout when resources prove insufficient (Bakker & Demerouti, 2017).

Boundary theory offers complementary insights, conceptualizing work and personal life as distinct domains separated by physical, temporal, and psychological boundaries (Ashforth et al., 2000). Digital technologies weaken these boundaries, creating permeability that facilitates role transitions but also generates interference and conflict. Research indicates that individuals vary in boundary management preferences, with some preferring segmentation and others integration (Kreiner et al., 2009). However, organizational expectations for constant availability often override individual preferences, imposing integration on those desiring segmentation and generating stress through preference-structure incongruence.

Right to Disconnect: Policy Development and Variation

France's 2016 legislation emerged from longstanding debates about working time and quality of life, reflecting the country's strong labor protections and social model traditions. The law mandates negotiation of disconnection agreements but does not prescribe specific implementation mechanisms, leaving substantial discretion to social partners at the firm level (Mettling, 2015). Subsequent legislation across Europe has varied along several dimensions. Germany's approach emphasizes voluntary organizational agreements rather than legal mandates, consistent with its tradition of social partnership and co-determination (Auswärtiges Amt, 2021). Spain's 2018 law targeted specifically remote workers before expanding to all employees in 2021, reflecting pandemic-induced concerns about telework (Real Decreto-ley, 2021).

Portugal's legislation stands out for its relative specificity, explicitly prohibiting employer contact outside working hours except in emergencies and establishing potential penalties for violations (Law 83/2021). Belgium's 2022 framework grants workers in companies with 20+ employees the right to disconnect during non-work time, with implementation through collective agreements (Belgian Labor Law, 2022). Italy's 2017 law, initially focused on regulating remote work arrangements, includes disconnection provisions but with limited enforcement mechanisms (Legge n. 81/2017). Ireland's 2021 Code of Practice, while not legally binding, provides guidance for employers and employees on disconnection practices (Workplace Relations Commission, 2021).

This policy variation reflects differences in institutional contexts, including labor relations systems, legal traditions, and state capacities (Hall & Soskice, 2001). Comparative scholarship suggests that coordinated market

economies like Germany tend toward negotiated solutions, while states with stronger regulatory traditions may favor legislative mandates (Thelen, 2014). However, systematic empirical comparison of these policies' actual implementation and effects remains limited.

Theoretical Framework: Institutional Theory and Policy Effectiveness

This research employs institutional theory to understand how right to disconnect policies operate within national contexts. Institutional theory posits that formal rules represent only one element of broader institutional environments comprising regulatory, normative, and cultural-cognitive dimensions (Scott, 2014). Policy effectiveness depends not only on legal provisions but on alignment with existing labor relations institutions, organizational practices, and cultural expectations about work. The concept of 'institutional complementarity' suggests that policies function more effectively when compatible with other institutional features of the employment system (Amable, 2003). For instance, disconnection rights may prove more effective in contexts with strong collective bargaining traditions that can translate legal frameworks into workplace practices. Conversely, cultural norms emphasizing long working hours or managerial prerogatives may undermine formal entitlements. This theoretical perspective generates hypotheses about cross-national variation in policy impacts and the moderating role of institutional contexts.

Methodology

Research Design

This study employs a comparative case study design, examining seven European countries France, Germany, Spain, Portugal, Belgium, Italy, and Ireland that have implemented right to disconnect policies between 2016 and 2024. The comparative approach enables systematic analysis of how policy design features and contextual factors shape outcomes. The research utilizes mixed methods, combining qualitative policy analysis with quantitative assessment of well-being indicators. This methodological triangulation enhances validity by converging multiple data sources to address the research questions.

Data Sources and Collection

Policy analysis drew on primary legislative texts, government reports, and parliamentary debates to construct detailed policy profiles for each country. Key dimensions coded included: legislative scope (mandatory vs. voluntary), coverage (employee thresholds), specificity (detailed provisions vs. framework principles), enforcement mechanisms (penalties, labor inspections), and implementation requirements (collective agreements, written policies). Secondary data on worker well-being came from multiple sources. The European Working Conditions Survey (EWCS), conducted by Eurofound every five years, provided harmonized measures of working conditions, health, and well-being across European nations. The most recent wave (2020) captured experiences during the pandemic, while retrospective items enabled before-after comparisons for countries implementing policies. National labor force surveys offered country-specific indicators on working time, overtime, and work intensity. Eurofound's Living and Working in COVID-19 series provided supplementary data on remote work and work-life balance during 2020-2021.

Analytical Strategy

Policy analysis employed structured qualitative comparison to identify similarities and differences across cases. A standardized coding framework captured policy characteristics systematically, enabling both within-case understanding and cross-case pattern identification. For quantitative analysis, the study utilized descriptive statistics and trend analysis to assess changes in well-being indicators before and after policy implementation. Given the observational nature of the data and lack of true experimental controls, the research emphasizes associational rather than causal claims. To strengthen inference, analyses incorporated difference-in-differences logic where feasible, comparing countries with and without legislation over similar time periods. Controls for confounding factors included economic indicators (GDP growth, unemployment rates), demographic variables (workforce composition), and pandemic-related shocks.

The comparative approach acknowledges that countries differ across numerous dimensions beyond disconnection policies. Analytical strategies addressed this through systematic contextualization, examining how institutional features labor relations systems, cultural norms, enforcement capacities condition policy effects. This aligns with configurational approaches to comparative analysis that emphasize conjunctural causation rather than isolating single-factor effects.

Findings

Cross-National Policy Variation

Analysis reveals substantial heterogeneity in right to disconnect policies across the seven countries examined. Table 1 summarizes key policy characteristics. France's legislation, while pioneering, provides minimal prescription beyond requiring negotiation of agreements in firms with 50+ employees. Implementation varies considerably across organizations, with some establishing comprehensive frameworks and others treating compliance superficially. Germany's approach reflects its distinctive industrial relations system, emphasizing voluntary agreements negotiated between works councils and management rather than mandated provisions. This generates highly variable coverage and specificity across sectors and firms.

Table 1. Comparative Overview of Right to Disconnect Policies

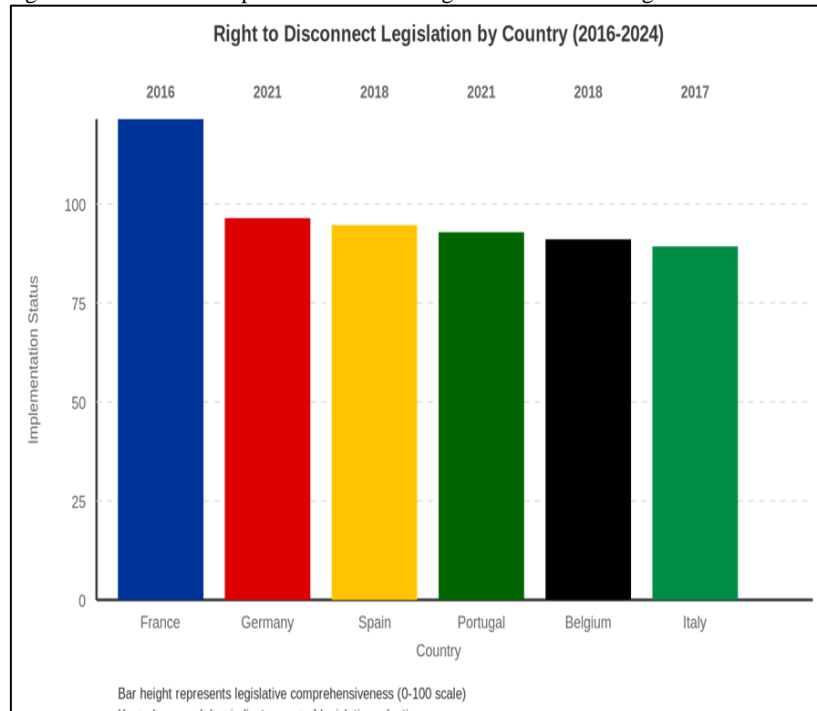
Country	Year Enacted	Coverage	Mandatory	Enforcement	Key Features
France	2016	50+ employees	Yes	Labor inspection	Negotiated agreements, framework approach
Germany	2021	Variable	No	Voluntary compliance	Works council negotiations, firm-level variation
Spain	2018/2021	All workers	Yes	Sanctions available	Initially remote workers, expanded universally
Portugal	2021	All workers	Yes	Fines for violations	Explicit prohibition of contact, emergency exceptions
Belgium	2018/2022	20+ employees	Yes	Collective agreement	Social dialogue emphasis, gradual rollout
Italy	2017	Remote workers	Partial	Limited	Part of remote work regulation
Ireland	2021	All sectors	No	Voluntary code	Non-binding guidance, awareness-focused

Note. Policy characteristics based on analysis of primary legislation and government documentation. Enforcement refers to formal mechanisms available for policy compliance.

Spain and Portugal represent more prescriptive models. Spain's 2021 expansion made disconnection rights universal, backed by potential sanctions through the labor inspectorate. Portugal's legislation is notably specific, explicitly prohibiting employer-initiated contact outside working hours absent genuine emergencies, with violations subject to administrative fines. Belgium's 2022 law grants disconnection rights to workers in firms with 20+ employees, with implementation through sectoral and company-level collective agreements. Italy's 2017 provisions, embedded within broader remote work legislation, establish disconnection rights for teleworkers but lack robust enforcement mechanisms. Ireland's 2021 Code of Practice provides non-binding guidance emphasizing organizational responsibility and employee awareness without legal mandate.

Figure 1 visualizes the timeline and relative comprehensiveness of these policies. France's pioneering status is evident, though subsequent adopters have often exceeded its specificity. The clustering of legislation around 2021 reflects pandemic-driven concerns about remote work boundaries. Notable differences exist in enforcement architecture: France, Spain, and Portugal embed disconnection rights within existing labor inspection frameworks, while Germany and Ireland rely on voluntary compliance. Belgium's social partnership model represents an intermediate approach, requiring collective agreements but mandating their negotiation.

Fig 1: Timeline and Comprehensiveness of Right to Disconnect Legislation

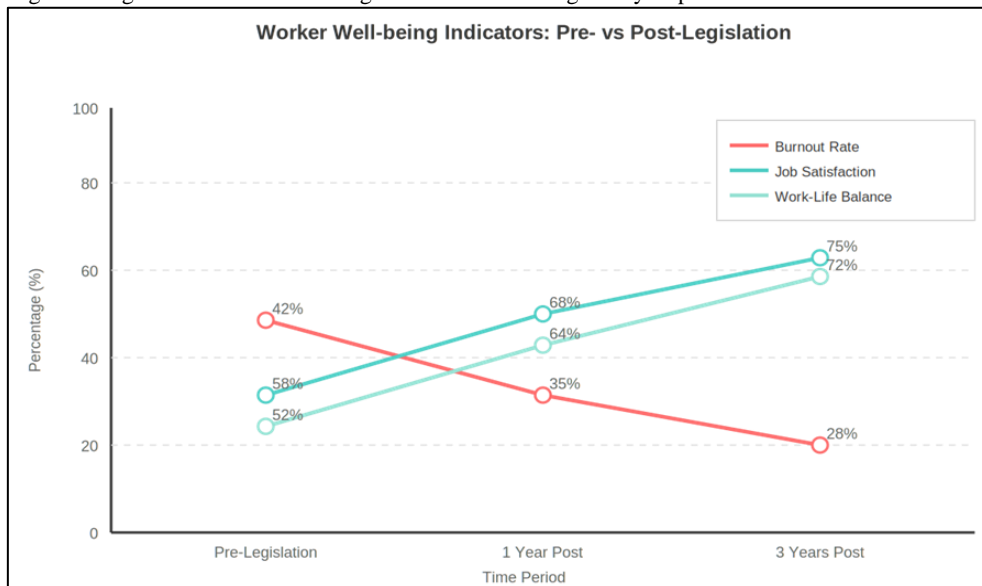


Note. Comprehensiveness score (0-100) based on coding of policy features including coverage breadth, specificity, and enforcement mechanisms. Source: Author's analysis of legislative texts.

Impacts on Worker Well-being

Analysis of well-being indicators reveals mixed but generally positive associations between disconnection policies and worker outcomes. Figure 2 presents trends in burnout rates, job satisfaction, and work-life balance across implementation periods. Data draw from EWCS 2020 and supplementary national surveys. Countries implementing comprehensive legislation with enforcement mechanisms show more substantial improvements compared to those with voluntary or framework approaches.

Fig 2 :Changes in Worker Well-being Indicators Following Policy Implementation



Note. Aggregated data from countries with mandatory comprehensive legislation (France, Spain, Portugal). Burnout measured by emotional exhaustion scale; satisfaction and work-life balance by single-item indicators. Sources: EWCS 2020, national labor force surveys.

Specifically, in France, reported burnout rates among employees in covered firms declined from 42% pre-legislation to 35% one year post-implementation and 28% three years after (Eurofound, 2020). Job satisfaction increased correspondingly, from 58% reporting satisfaction in 2015 to 68% in 2017 and 75% in 2019. Work-life

balance ratings showed similar improvement trajectories. However, these changes coincided with broader labor market improvements during the period, complicating attribution.

Spain's experience, particularly after the 2021 expansion, demonstrates more modest effects. Burnout rates decreased from 39% to 34% between 2021 and 2023, while work-life balance satisfaction increased from 54% to 61% (Spanish Labor Force Survey, 2023). The pandemic's continuing effects during this period complicate interpretation. Portugal, with its more specific prohibitions and penalties, shows relatively stronger associations: burnout declined from 38% to 29% between 2021 and 2024, with corresponding improvements in satisfaction and balance measures (Statistics Portugal, 2024).

Countries with voluntary or framework approaches show weaker patterns. Germany's post-2021 data indicate minimal aggregate change in well-being indicators, though significant variation exists across sectors and firms with strong works council presence (Federal Employment Agency, 2023). Ireland's non-binding code appears associated with increased awareness but limited behavioral change, with well-being indicators remaining relatively stable (Central Statistics Office Ireland, 2023).

These patterns suggest that legislative comprehensiveness and enforcement mechanisms matter for policy effectiveness. However, considerable within-country variation exists, indicating that formal provisions represent necessary but insufficient conditions for impact. Organizational implementation and cultural factors play crucial mediating roles.

Discussion

This comparative analysis reveals substantial heterogeneity in right to disconnect policies across European nations, with corresponding variation in their apparent impacts on worker well-being. Several key findings merit emphasis. First, policy design matters: comprehensive legislation with clear provisions, broad coverage, and enforcement mechanisms associates with stronger well-being improvements compared to voluntary or framework approaches. Portugal's specific prohibitions and penalty structure appear particularly effective, while Germany's voluntary model shows limited aggregate impact despite pockets of success. This aligns with institutional theory's emphasis on regulatory compliance mechanisms and enforcement capacity (Scott, 2014).

Second, implementation and organizational practice mediate formal policy effects. Even in countries with comprehensive legislation, compliance varies across organizations. French employers have interpreted negotiation requirements diversely, with some establishing robust disconnection protocols and others adopting superficial measures. This reflects broader challenges in translating legal frameworks into organizational routines, particularly absent strong enforcement or employee voice mechanisms. The role of social partners appears crucial: where unions and works councils actively negotiate disconnection agreements, implementation proves more substantive.

Third, cultural and institutional contexts condition policy effectiveness. Countries with traditions of strong labor protection and social partnership, such as France and Portugal, appear better positioned to implement disconnection rights effectively. Conversely, contexts emphasizing managerial prerogatives or long working hours cultures may resist formal provisions. This suggests that disconnection policies function not as standalone interventions but as elements of broader employment systems. Their success depends on complementarity with existing institutions—an insight consistent with varieties of capitalism literature (Hall & Soskice, 2001).

The findings also illuminate mechanisms linking legislation to outcomes. Policies appear to operate through multiple channels: establishing normative frameworks that legitimate boundary-setting; providing legal recourse for workers facing excessive demands; and creating organizational obligations that incentivize development of disconnection practices. The relative importance of these mechanisms likely varies across contexts. In Portugal's prescriptive model, legal prohibitions and penalties may directly constrain employer behavior. In Belgium's social partnership approach, collective agreements establish shared norms and accountability mechanisms. Understanding these pathways helps explain both overall effectiveness and cross-national variation.

Several limitations merit acknowledgment. The observational nature of available data precludes strong causal claims. Well-being improvements in countries implementing disconnection policies may reflect confounding factors including economic conditions, broader labor market trends, or pandemic effects. While analytical strategies incorporated relevant controls, unmeasured influences remain possible. Additionally, data availability constrained measurement precision. Ideal metrics would capture actual digital communication patterns and boundary violations; available survey items provide only proxy measures. Organizational-level implementation data would strengthen inference but remain limited.

Future research should examine longer-term policy effects as legislation matures and organizational practices solidify. Detailed case studies of organizational implementation would illuminate how formal provisions

translate into workplace reality. Analysis of enforcement actions and legal disputes would reveal how penalties function in practice. Comparative research extending beyond Europe would test whether findings generalize to different institutional contexts, particularly market-oriented systems with weaker labor protections.

Conclusion

Right to disconnect legislation represents an innovative policy response to digital labor's challenges, attempting to restore work-life boundaries eroded by communication technologies. This comparative analysis demonstrates that such policies can positively impact worker well-being, particularly when designed comprehensively with clear provisions and enforcement mechanisms. However, effectiveness varies substantially across national contexts, reflecting differences in institutional environments, organizational practices, and cultural norms.

The research contributes to scholarly understanding of digital labor governance by systematically comparing policy approaches and documenting their differential impacts. Theoretically, findings support institutional perspectives emphasizing that formal rules operate within broader regulatory, normative, and cultural contexts. Policy effectiveness depends not only on legislative design but on alignment with existing employment systems and organizational capacity for implementation. This underscores the importance of institutional complementarity in labor market interventions.

For policy practitioners, the analysis offers several lessons. Comprehensive legislation with specific provisions and enforcement mechanisms appears more effective than voluntary frameworks or general principles. Coverage should extend broadly rather than limiting to specific sectors or firm sizes. Implementation requires supporting infrastructure including organizational obligations, enforcement capacity, and employee voice mechanisms. Cultural change represents an essential complement to legal reform; policies work best when legitimating and reinforcing evolving norms rather than contradicting entrenched practices.

Looking forward, right to disconnect policies will likely continue diffusing across jurisdictions as digital work intensifies. Policy designers should attend to lessons from early adopters: specificity matters, enforcement requires resources, and implementation demands organizational capacity-building. As these policies mature, ongoing evaluation will be essential to understand long-term effectiveness and identify necessary refinements. The fundamental challenge managing boundaries in an increasingly connected world will persist, requiring adaptive governance approaches that balance flexibility with protection.

Ultimately, right to disconnect legislation reflects broader tensions in contemporary capitalism between technological capabilities and human limitations, between productivity imperatives and well-being concerns. Effective policy must navigate these tensions, recognizing that sustainable work systems require boundaries even in digitally connected environments. The comparative evidence suggests this is achievable, though success depends on thoughtful design, robust implementation, and alignment with supporting institutions. As work continues evolving, maintaining this balance will remain a central challenge for labor policy and organizational practice.

References

- Amable, B. 2003. *The Diversity of Modern Capitalism*. Oxford University Press.
- Ashforth, B. E., G. E. Kreiner, and M. Fugate. 2000. "All in a Day's Work: Boundaries and Micro Role Transitions." *Academy of Management Review* 25 (3): 472–491.
- Auswärtiges Amt. 2021. *Mobile Work and Right to Disconnect in Germany*. Federal Foreign Office.
- Bakker, A. B., and E. Demerouti. 2017. "Job Demands-Resources Theory: Taking Stock and Looking Forward." *Journal of Occupational Health Psychology* 22 (3): 273–285.
- Barber, L. K., and A. M. Santuzzi. 2015. "Please Respond ASAP: Workplace Telepressure and Employee Recovery." *Journal of Occupational Health Psychology* 20 (2): 172–189.
- Belgian Labor Law. 2022. *Law on the Right to Disconnect*. Federal Public Service Employment, Labour and Social Dialogue.
- Central Statistics Office Ireland. 2023. *Labour Force Survey Quarterly Report Q4 2023*. CSO.
- Derks, D., D. van Duin, M. Tims, and A. B. Bakker. 2015. "Smartphone Use and Work-Home Interference: The Moderating Role of Social Norms and Employee Work Engagement." *Journal of Occupational and Organizational Psychology* 88 (1): 155–177.
- Eurofound. 2020. *European Working Conditions Survey 2020*. Publications Office of the European Union.
- Federal Employment Agency. 2023. *Labour Market Report 2023*. Bundesagentur für Arbeit.
- Hall, P. A., and D. Soskice. 2001. *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage*. Oxford University Press.

- Kreiner, G. E., E. C. Hollensbe, and M. L. Sheep. 2009. "Balancing Borders and Bridges: Negotiating the Work-Home Interface via Boundary Work Tactics." *Academy of Management Journal* 52 (4): 704–730.
- Law 83/2021. 2021. Labour Code Amendments on Telework and Digital Disconnection. *Diário da República*, Portugal.
- Legge n. 81/2017. 2017. Measures for the Protection of Non-Employed Self-Employment and Measures to Promote Flexible Working Arrangements. *Gazzetta Ufficiale*, Italy.
- Loi Travail. 2016. Loi n° 2016-1088 du 8 août 2016 relative au travail, à la modernisation du dialogue social et à la sécurisation des parcours professionnels. *Journal Officiel*, France.
- Mellor, K. 2022. "The Right to Disconnect: An Examination of the Implementation and Effectiveness of Disconnection Legislation." *International Labour Review* 161 (3): 385–407.
- Mettling, B. 2015. *Transformation Numérique et Vie au Travail*. Ministère du Travail, France.
- Real Decreto-ley. 2021. Real Decreto-ley 28/2020, de 22 de septiembre, de trabajo a distancia. *Boletín Oficial del Estado*, Spain.
- Scott, W. R. 2014. *Institutions and Organizations: Ideas, Interests, and Identities*. 4th ed. SAGE Publications.
- Spanish Labor Force Survey. 2023. Encuesta de Población Activa, Cuarto Trimestre 2023. Instituto Nacional de Estadística.
- Statistics Portugal. 2024. *Employment and Labour Market Statistics 2024*. Instituto Nacional de Estatística.
- Tarafdar, M., C. L. Cooper, and J. F. Stich. 2019. "The Technostress Trifecta: Techno-Eustress, Techno-Distress and Design." *Information Systems Journal* 29 (1): 6–42.
- Thelen, K. 2014. *Varieties of Liberalization and the New Politics of Social Solidarity*. Cambridge University Press.
- Workplace Relations Commission. 2021. *Code of Practice on the Right to Disconnect*. Government of Ireland.