
RIGHT TO DISCONNECT AND THE FUTURE OF WORK IN THE DIGITAL AGE

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ABSTRACT

In the modern economy, the wide spread of digital communication tools have significantly altered the spatial and temporal boundaries of labor, with the culture of “always on”. This paper explores the emergence of the “Right to Disconnect” (RTD) as a response to the rise of Digital Capitalism, where 24/7 digital availability has become an implicit contractual expectation. By analyzing the shift of work culture towards gig economy and remote hybrid models, this paper highlights the imbalance of system power that fosters “Invisible Overtime” that includes undocumented and unpaid labor. This paper further examines the existing labor law principles and Constitutional mandate for dignified life and health. Through a comparative analysis of the global legal framework, and case studies this paper identified the regulatory gaps in the current labor laws. Additionally, it also addresses the criticisms regarding economic competitive and organizational flexibility.

INTRODUCTION:

In the day and age where there exists seamless connectivity, the line between professional hours and personal time becomes increasingly blurred. The “Right to Disconnect” deals with this pressing question of the 21st century, where technology has revolutionised how one's workspace is structured and performed. On one hand, it has enhanced efficiency and flexibility; on the other, it has successfully dismantled the private sphere of an individual. This phenomenon has brought about the term: always-on culture,” where the individual is expected to respond constantly without being given the sanctity of leisure and mental well-being.

At the core, the right represents the reclamation of an individual's autonomy, the right to disengage from work-related communications outside working hours without being afraid of being fired. This is just not a labour law issue but a concerning fundamental issue grounded in the rights to life, privacy, dignity and personal liberty under Articles 21 and 19 of the Constitution of India. The right engages directly with the very essence of human dignity, which is to exist beyond one's professional duties and to preserve their mental health and familial relationships.

Across the world, several countries have recognised the right as an essential feature of modern labour protection. France was the first country in 2017 to legally mandate employers to respect the non-working hours of employees. It was then followed by countries like Italy, Spain and the Philippines. All of these developments indicate the growing requirement of a proper regulation. There must be a consensus as to the unchecked expansion of working hours, which can be considered as a form of exploitation on the modern world.

In India, however, the discourse about the topic remained nascent until recently where Kerala introduced The Right to Disconnect Bill, 2025, which aimed at legally protecting private sector employees from blurred working hours¹. The bill would confer then the right to abstain from any call, emails, sms, video conferences or any other communications outside the agreed working hours of the private establishment. The proposed bill is a landmark step towards protecting the well-being of the working population. The Labour laws of India do regulate the working hours and conditions, but have not yet adapted to the realities of the digital workplace.

¹ Zarafshan Shiraz, Kerala's Right to Disconnect Bill, Times of India, Oct 6, 2025

WHAT IS THE RIGHT TO DISCONNECT?:

The right to disconnect refers to the right of employees to disconnect from any work-related communications after working hours and holidays.² It originates from the technology that the world has today, such as mobile phones, smartwatches and laptops. As mentioned earlier, it blurs the boundaries between one's work and personal life and is proven to negatively impact the privacy, autonomy, health, productivity, rest and familial relations. The adoption to remote work as a result of the COVID-19 pandemic has led to furthering the line.

Disconnect can be formally defined as refraining from engaging to any work-related communications via digital technologies, either directly or indirectly, outside of the working hours of the private establishment. The right simply aims to establish a clear boundary between the two worlds of professional working hours and one's private sphere, by ensuring it is sustainable and maintained.

When the right was first introduced in France, the reactions received were mixed. There were reactions promoting work-life balance and reducing stress, whereas others claimed that it could impact productivity and competitiveness, especially with small businesses.

The availability and affordability of the internet in every nook and corner of the world, very much denoting the expansion of the same, have been contributing to a behavioural change in the world. It is undeniable that technology has accelerated and proliferated any form of communication, thereby resulting in hyper connection. The culture is supported by a society which is hyperconnected permanently, through means of technology. Consequently, individuals find it difficult to disconnect from a professional space. This just testifies to the permanent link that is leashed on the workers. Hence, the always-on culture has redefined new organisational practices.³

Moreover, the Psychological stress involved is very much prevalent in this era. The very expectation to engage in work for hours, and an additional obligation to remain available for office-related communications at home, contribute to this very stress. Such stress is proven to elevate the risk of diabetes and cardiovascular diseases in an individual. A highly stressful

² John Hopkins, *Managing the Right to Disconnect- A Scoping Review* (Jun. 2024).

³ Luc Pansu, *Evaluation of 'Right to Disconnect' Legislation and Its Impact on Employee's Productivity* (Oct. 2018).

workplace is already accompanied by the pressures of long working hours, an over-competitive environment and stringent deadlines and furthermore, the obligation to attend to calls and emails after work hours exacerbates such strain. It has been proven that men with and without such job strain have a notable mortality difference, and shockingly, it was found to be similar to that between smokers and non-smokers.⁴

One of the misconceptions which that longer working hours equate to increased productivity has long been proven. A report revealed that employees who log off regularly after their working hours tend to have better productivity scores of about 20% higher than those who feel the obligation to continue working beyond the prescribed standard hours⁵. Such practices are not independent of any consequences. It is said to cause insomnia, eye strain, disrupt sleep cycles and various other health issues.

TECHNOLOGY & CHANGING NATURE OF WORK:

DIGITAL CAPITALISM AND THE EMERGENCY OF 24/7 AVAILABILITY:

With the rapid digitalization in the modern era, work is increasingly mediated through digital platform, applications and connectivity tools. This has significantly transformed the nature of employment. This modern digital economy is referred to as digital capitalism. While, these technologies have contributed to the efficiency and flexibility of work, they have also blurred the lines between professional and personal life. They have simultaneously blurred the boundaries between personal and professional life. This digital network expansion as argued by experts has led to the collapse of traditional distinction between work time and leisure, thereby restructuring the temporal organization of labor.⁶

Due to the widespread use of smart phones, messaging platform, web applications and tools, employees are enabled to connect and be active on work beyond working hours, this creates an exception to remain reachable beyond traditional working hours. This phenomenon has created a culture of “always on” even on holidays or weekends.

⁴ Luc Pansu, Evaluation of ‘Right to Disconnect’ Legislation and Its Impact on Employee’s Productivity (Oct. 2018).

⁵ SHRM, Report: Long Work Hours Lead to Burnout, Not Productivity, (Dec. 2023).

<https://www.shrm.org/in/topics-tools/news/employee-relations/report-long-hours-burnout-not-productivity>

⁶ Mike Grimshaw, *Digital Society and Capitalism*, 3 Humanities & Soc. Sci. Commc’ns 28 (2017), <https://doi.org/10.1057/s41599-017-0020-5>

This expectation caused by digitalization undermines traditional labour laws that establish the principles of fixed working hours, which were in place to protect workers from exploitation at work. However, in the absence of physical boundaries, employers are able to extend their control over employee's time beyond their schedules. Therefore, the employment relationship has shifted from a time bound activity to a continuous process of responsiveness has becoming increasingly difficult to manage draw a distinction between the working time and personal time.

Initially, labour law principles were established in the "factory gate" principle, which defines work to begin and end at a physical location, but digital capitalism has liquidated these boundaries, turning homes into a subsidiary office. This creates a need for the new labor protections such as Right to Disconnect. Despite the informal nature of afterhours communications, employees feel obligated to respond and be active to work related messages immediately. This reflects a power imbalance between employers and employees.

Employees may often fear negative consequences of missed opportunities, reduced evaluation of performance in a highly competitive workplaces, which creates a pressure to remain committed and productive beyond work hours. Often times, even when no new messages are received, employees tend to await a potential message, this creates a state of hyper vigilance, and is referred to as low level chronic anxiety. Standards that indirectly support after-hours communication or equate responsiveness with productivity indicate that availability is not simply encouraged but rather required as a standard for professional credibility.⁷

This imbalance is constantly experienced by younger employees, gig workers and workers whose job nature is contractual due to lack of job security. Such post work hour obligations compel employees to remain digitally active even when formal workplace policies do not require them to do post work hours. This is an indirect managerial control over employee's time.

One of the unspoken consequences of constant digital connectivity is the "invisible overtime".

Invisible overtime refers to the work performed outside the working hours that go

⁷ Daniel M. Leonardi, *COVID-19 and the New Technologies of Organizing: Digital Exhaust, Digital Footprints, and Artificial Intelligence in the Wake of Remote Work*, J. Mgmt. Stud. (2021), <https://doi.org/10.1111/joms.12648>

undocumented, unrecognized and unpaid. This includes reviewing documents post work hours, responding to emails, texts or calls late night or remaining in touch with the workplace online during the weekends. Employers fail to acknowledge this work or track them; therefore, employees tend to perform such additional labour without proper compensation.

This creates stress, burnout and deters work life balance of the employees. Also, invisible overtime is normalized and it is expected as part of sacrifice of personal life to maintain professional competitiveness. For instance, working mothers within South Africa's ICT sector report sacrificing personal time due to gendered expectations of availability.⁸ This is a violation of labour protection. The constant notifications in the digital platform creates a state of continuous partial attention, where the brain never fully rests. This leads to decision fatigue and a decrease in cognitive functions.

Also, studies have showed continuous exposure to blue light, and late-night work-related stress reduce the production of melatonin, leading to chronic sleep deprivation.

Constant availability online keeps the body active in a state of "fight or flight" mood, with elevated cortisol levels this increases the risk of hypertension and a weak immune system. Activation of the stress-induced sympathetic nervous system can exacerbate musculoskeletal tension and contribute to conditions such as tension headaches, temporomandibular joint disorders, prolonged recovery from musculoskeletal injuries, and risk of developing conditions, including fibromyalgia and low back pain.⁹

GIG WORK, REMOTE WORK AND HYBRID WORKPLACES:

Due to the growth of modern digital economy, new work forms have emerged, particularly, gig work, remote work and hybrid work models.

The gig economy, enables individuals to cater their services on a task-to-task basis, rather than be bound by traditional employment contracts. While gig works offers flexibility and act as an additional source of income and development of skills, it often lacks basic labour protections such as fixed working hours, overtime pay, and other social security benefits. Gig workers in

⁸ Wiza Munyeka & Ashika Maharaj, *Female Information and Communication Technology Professionals' Perceptive Description of Work and Home Intricacies*, 10 Cogent Educ. art. 2224990 (2023), <https://doi.org/10.1080/2331186X.2023.2224990>

⁹ Brianna Chu, Komal Marwaha, Terrence Sanvictores, Ayoola O. Awosika & Derek Ayers, *Physiology, Stress Reaction*, in StatPearls [Internet] (StatPearls Publ'g 2024), <https://www.ncbi.nlm.nih.gov/books/NBK541120/>.

Kenya face algorithmic management systems that penalize delays and affect access to jobs.¹⁰ Workers engaged in platform based services are often compelled to remain online to secure work opportunities.

The (COVID-19) pandemic has drastically changed the dynamics of work, accelerating the shift towards remote and hybrid models and increasing dependence on digital tools. Women, particularly those who were balancing dual caregiving responsibilities, experienced increased stress because of social standards that linked availability to professional dedication.¹¹ Traditional work has switched to remote work, where employees working from home are expected to be available digitally due to absence of clear physical separation between workplace and home, and determination of working hours. This further blurred the lines between work and personal life, and employees continue to work continuously without appropriate compensation.

Therefore, while technology offers the illusion of flexibility, it actually diminishes autonomy because the employees lose their power to disconnect from work completely. Hybrid work models are where employees switch between office and remote settings, while hybrid arrangements offer flexibility, they often increase expectations and digital monitoring and working instructions. In digital capitalism, control is often exerted not only by human superiors, but by software that track the active status or response times which additionally creates a data driven pressure to remain active online. Thus, technology has transformed the formal workplace structures which needs to be addressed by traditional labour laws.

LABOUR LAW FOUNDATION & LIMITATIONS:

Traditional labour was introduced to regulate the employment relationships in industries. It had fixed workplaces and working hours. They were based upon on locational paradigm.¹² Section 2 (m) Factories Act, 1948¹³ defines a “factory” predicated on where a manufacturing process is carried on. However, digital work is “aspatial”, when work is carried out via digital tools or apps. This creates a jurisdictional gap for Occupational Health and Safety. Sections 11-20 of

¹⁰ Abigail Hunt & Emma Samman, *Gender and the Gig Economy: Critical Steps for Evidence-Based Policy*,

¹¹ Nthabeleng I. Mdhuli, *Perils of Perpetual Connectivity: Navigating the 'Always-On' Culture in the Modern Workplace*, 23 SA J. Hum. Res. Mgmt. a3019 (2025), <https://doi.org/10.4102/sajhrm.v23i0.3019>.

¹² Bhattacharyya, P., & Adhikary, S. (2025). *Shifting Work Paradigms: Legal Perspectives on India's Digital Revolution*. New Advances in Business, Management and Economics, Vol. 1, 1–20.

¹³ *The Factories Act, 1948*,

the Factories cannot include cleanliness, lighting or ventilation cannot be enforced in a remote work setting, this leaves the employee's physical wellbeing unregulated by the employer. Also, there were mandatory provisions that placed limitations on working hours and emphasized on rest periods and provided compensation for working overtime. This was done to ensure worker's wellbeing. Further, the Industrial Disputes Act of 1947¹⁴ was introduced in order to maintain fairness in the employer-employee relationship. Section 2(s) of The Industrial Disputes Act, defines a "workman" based on the degree of "control and supervision" that the employer has over him/her, but in a gig economy, platforms deploy algorithmic management, this does not involve direct human supervision, and worker is treated as an independent contractor. Therefore, this classification denies protection for the workers.

Laws such as Minimum Wages Act, 1948 and the Factories Act, 1948¹⁵ (Sections 51 and 54) establish the maximum 48 work hour week and a "spread over period, but these laws were created with the assumption that there is a clear "clock "and "clock out" timings. Section 59 of the Factories Act, mandates extra wages for working overtime, but the digital capitalism is crystallized on answering a mail or message which would require a few minutes, therefore the current payroll systems are not equipped to keep track of these fragmented digital intrusions. This violates the principles of fair remuneration.

In the Indian context, the Right to Disconnect can be viewed as an extension of Article 21, which guarantees the Right to Life and Personal Liberty. This article also comprises the right to live with dignity and health. As held in *Consumer Education and Research Centre v. Union of India*¹⁶, the Supreme Court held that the Right to health and medical care is a fundamental right under Article 21" and is an integral part of a meaningful life for a worker. It is observed that constant digital presence leads to chronic stress and fatigue, which threatens the worker's health. Further, an employer digitally enters the home post work hours via emails or messages, this is an intrusion upon the individuals privacy. This is established in the landmark judgement of *Justice K.S. Puttaswamy v. Union of India (2017)*¹⁷ that, the right to be let alone" and included the "freedom from unauthorized interference."

Further, the Directive Principles of State Policy, under Articles 39(e), 42 and 43 the State shall

¹⁴ The Industrial Disputes Act, 1947

¹⁵ *The Factories Act, 1948*,

¹⁶ *Consumer Education & Research Centre v. Union of India*, (1995) 3 SCC 42. (On Workers' Health).

¹⁷ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 S.C.C. 1.

ensure the health strength of workers, and make sure they receive just and humane working conditions with a decent standard of living. Health is a fundamental right of the workers, and health also comprises of mental and physical well being as held in *CERC v. Union of India* (1995). The need of the hour lies in navigating the gaps in the traditional labour law framework and the transition of work in the digital economy. Present laws are applicable only to the physical locations and official working hours, but the modern working hour requires the labour laws to extend beyond this workplace.

Without legal intervention and protection of employee's right to disconnect, workplace may normalise constant digital availability and labour. This erodes the objective of law to protect the rights of workers. Also, Right to Disconnect isn't just limited to workers, rather it is an economic necessity to prevent long term effects on the productivity of workers and mass burnout.

Therefore, with the development of digital platforms, it is essential for new legal protections to address this new reality, and restore a balance between the well being, and productivity of the employees.

COMPARATIVE ANALYSIS:

FRANCE:

It was in January 2017 that France had for the first time passed the landmark law allowing employees in organisations with more than fifty employees to negotiate the conditions of "Right to disconnect" after standard working hours. The labour minister, Myriam El Khomry, introduced "Adapting the Labour Law to the Digital Age" under Chapter II of the Labour Code, which aims at protecting workers against the issues associated with the increasing use of technology in the workplace.

The Right to Disconnect legislation came into effect at the beginning of the year of 2017 and has been a part of the working essentials reform. It is required by the legislation that companies with fifty employees to establish a dialogue between the employer and the workers via their representatives, and such dialogue focuses on the use of digital technology by the employees beyond their working hours. Moreover, the legislation has been included in the Mandatory Annual Negotiations process that concentrates on the essence of quality of life and gender

equality in the workplace.¹⁸ It is also specified by the law that the workplace must establish a mechanism for regulating the technology used. If in such dialogue, a collective agreement has not been reached, the employer shall draw a charter of good conduct, and such a charter will state the prescribed hours of when the employees are expected to be using their digital tools.¹⁹

Appropriate actions are to be taken in order to ensure that the “leave and rest” period is respected, as well as familial relations. However, the legislation is restricted in matters of any kind of sanction where any failure to implement the conditions linked to the Legislation of “Right to Disconnect” and hence is silent on the matter. Ultimately, the “right to disconnect” legislation is a flexible policy which is free to negotiate mechanisms of regulations depending on the nature of each company. Therefore, each organisation is to create their own policies, but is mandated to follow the general guidelines prescribed by the legislation.

SPAIN:²⁰

The legislation was formally introduced in Spain through Article 88.1 of Organic Law 3/2018 of 5 December 2018. It deals with the protection of personal data and digital rights. The provision acknowledges the right to disconnect of employees from any form of digital communications outside of the working hours. This legislation applies to all of the employees; however, it does put an emphasis on workers engaged in remote work, including home-based teleworkers as well.

The country later on strengthened the legal framework through the Royal Decree Law 28/2020 of 22 September 2020 on remote working, which supports the earlier legislation. The respective decree defines what remote or distance work is. It is stated as the work carried out outside of the employer's premises is for at least 30% of the employee's total working time. Most importantly, the legislation requires employers to implement risk-prevention measures that is directed towards addressing psychosocial and organisational risks, which arise out of remote work.

¹⁸ Eurofound (2023), Right to disconnect: Implementation and impact at company level, Publications Office of the European Union, Luxembourg.

¹⁹ Nadunie Wanigasinghe, How disconnected is disconnection: A critical analysis of the employee right to disconnect

²⁰ Eurofound (2023), Right to disconnect: Implementation and impact at company level, Publications Office of the European Union, Luxembourg.

ITALY:²¹

Italy was the second European Union Country to legally recognise the right. Under the Italian law, the right is incorporated within individual smart working contracts. Therefore, implying that the conditions are to be negotiated directly between the employer and the employee. The respective framework provides that the agreements must explicitly provide for the workers' right to rest and the organisational measures necessary to ensure that there is a disconnection from any form of technology related to work. It is mandated by Article 19(1) of the legislation.

Furthermore, there were additional changes brought in during the COVID-19 pandemic. The scope of the right to disconnect was widened and extended to all employees working remotely. This measure, however, was in effect until 31 December 2022 only, after which the previous requirements were reinstated. In 2021, two major interconfederal agreements reaffirmed the importance of the right within working environments. The agreements included *Patto per l'innovazione del lavoro pubblico e la coesione sociale* (Pact for Public Work Innovation and Social Cohesion) and *Protocollo Nazionale sul lavoro in modalità agile nel settore privato* (National Protocol on Agile work in the private sector, which emphasised the protection of workers' right to disconnect and the need to regulate the connectivity in modern work arrangements).

CASE STUDY:

One of the earliest corporate responses to the concern of constant digital connectivity, emerged in 2011, when Volkswagen a predominant German based company stated that, it would stop email servers from sending emails to phones of employees between 6pm and 7am. Volkswagen implemented this landmark internal policy, under an agreement negotiated between company management and the worker's council. This was done by the company to ensure work life balance and prevent potential burnout of employees. This server restriction was applicable even on weekends. Every day, emails were sent 30 minutes before the workday began and stopped 30 minutes after it ended.²²

The Company's representatives acknowledged the growing concerns over constant digital

²¹ Eurofound (2023), Right to disconnect: Implementation and impact at company level, Publications Office of The European Union, Luxembourg.

²² *Work, Life Balance: VW Agrees to Switch Off After-Hours Email.*

connectivity that was blurring the lines between personal times and professional obligations. The company ensured that the employees could rest without the pressure of responding to work related messages after official working hours, by temporarily disabling email.

This policy was applicable to primarily to employees working under collective bargaining agreements in Volkswagen's German facilities, covering approximately 1,150 workers equipped with company smartphones.²³ The Volkswagen policy is widely regarded as an early corporate example of what later came to be known as "Right to Disconnect" This initiative reflected broader concerns about the psychological and health effects of continuous connectivity in the modern workplaces.

Other German companies such as Allianz, Telekom, Bayer and Henkel have also implemented similar policies to limit the digital connection of employees post scheduled working hours.

Following Volkswagen's initiative, several other major German corporations introduced similar measures to regulate after hours communication and safeguard employee wellbeing. Companies such as Allianz, Telekom, Bayer and Henkel have also implemented similar policies to limit the digital connection of employees post scheduled working hours.

These initiatives generally include practices such as restricting managerial communication post work hours, or establishing "quiet periods" during which employees are not expected to respond to work related mails or messages. Such policies demonstrate an increasing recognition of the importance to maintain an overall work life balance to preserve the health and integrity of workers.

Studies on occupational health has addressed matters regarding the growing concerns of after work hour communication. Research on "psychological detachment from work" refers to the ability of employees to mentally disengage from job related activities during non-working hours.

A study conducted by Sabine Sonnetag and Charlotte Fritz²⁴ found that psychological

²³ James E. Gaskin, *VW Limits After-Hours Blackberry Mail Service for Work-Life Balance*, Computerworld (Dec. 26, 2011), <https://www.computerworld.com/article/1471593/vw-limits-after-hours-blackberry-mail-service-for-work-life-balance.html>

²⁴ Sabine Sonnetag & Charlotte Fritz, *The Recovery Experience Questionnaire: Development and Validation of a Measure for Assessing Recuperation and Unwinding from Work*, 12 J. Occupational Health Psychol. 204 (2007).

detachment after work hours is essential for employees to recover from work related stress. Their research identified that employees who are unable to mentally disconnect from work experience significantly higher levels of fatigue, emotional exhaustion and burnout. Without proper recover time, prolonged work-related stress can affect both the job performance and health of the workers. The study also highlighted that relaxation in the leisure time is necessary to restore the cognitive and emotional resources of the employees. When employees remain mentally engaged with work through digital platforms, these recovery mechanisms are interrupted, which leads to the reduced well being and productivity.

CRITICISM:

While the Right to Disconnect is often framed as a human rights necessity, it does face significant criticism primarily from employer groups, economist and sometimes from employees as well, who argue that this is impractical, counterproductive and economically damaging.

The most common criticism is that Right to Disconnect destroys the flexibility that modern workers rely on. Critics argue that work life balance must be about integration rather than a clear-cut separation. A strict inculcation of law might result in a rigid working environment, which is incompatible with the modern digital economy. Strict legal restrictions on communication outside working hours may therefore create a rigid work structure that contradicts the flexibility enabled by digital technologies.²⁵

Also, Industries such as information technology (IT), and business process outsourcing (BPO), and customer support services operate across multiple time zones. For countries with massive service sectors like India, it is argued that the law is handbrake on growth²⁶. In a globalized economy, an Indian company might have clients from around the world, and the if the employees disconnect at a particular hour, they may be unreachable during the peak working hours of their clients elsewhere. This could also lead to loosing of potential clients, who might opt to move their business to jurisdiction without restriction labour laws to ensure 24/7 responsiveness.

²⁵ Vicki Schultz, *Feminism and Workplace Flexibility*, 42 *Conn. L. Rev.* 1203, 1225–26 (2010).

²⁶ International Labour Organization, *Working Anytime, Anywhere: The Effects on the World of Work* 23–24 (2017).

Many RTD laws like that of Australia include a clause stating that contact is allowed in case of emergency or reasonable circumstances,²⁷ but the question arises as to what can be termed as emergency. This creates a legal uncertainty. Further, there is a fear that even with a law in place, a “shadow culture” may persist where employees voluntarily stay online to compete for promotions making implementation hard.

Also, other criticism includes that startups or small companies with limited employees have a resource constraint which could potentially drive them out of favour in the market against larger firm that could afford shift rotation.

There are critics from a libertarian legal perspective, that employment is a contract between two consenting parties, and if an employee values higher salary and faster career progression over individual autonomy, the state should not regulate them.²⁸ Suggestions arise that instead of a ban on contact, the law should focus on overtime compensation.

RECOMMENDATIONS:

In regard to the Indian Context, it is crucial to introduce a clear legal framework recognising the right to disconnect as an extension to work-life balance and their right to rest. The current Indian Labour laws are inadequate in terms of the challenges created by digital communication and remote work. It is essential to make the required changes and put in place guidelines that prevent employees from being expected to be online 24/7, even after the prescribed working hours. Such a legal framework would not only shield the employees of their rights but also provide with clarity on the responsibilities and duties of the employer.

At the manager's level, the companies must develop clear internal policies that guide the use of digital technology in the workplace. Rather than just restricting technological measures, organisations must adopt a balanced outlook that would respect both flexibility and the employee's personal time. To give an instance, employers could encourage scheduling work-related activities and ensure that the employees who are on reported leave are not included in the routine work correspondence. Thus, these kinds of measures help maintain productivity while also reducing the burden of the “always-on” culture or the expectation to always be

²⁷ Parliament of Australia, *Fair Work Legislation Amendment (Closing Loopholes No. 2) Bill 2023 – Right to Disconnect Provisions* (2023).

²⁸ Richard A. Epstein, *In Defense of the Contract at Will*, 51 U. Chi. L. Rev. 947, 953–955 (1984).

available.

Awareness and cultural change are crucial for an effective implementation of the right to disconnect. The implementation completely relies on the execution of such an important right at the day and age. Therefore, employers, managers and employees must be thoroughly educated about the consequences of excessive digital connectivity and the long-term productivity loss. This is where Training sessions and awareness programmes come into the picture. In the long run, it is through such efforts that a healthy work environment shall be created without compromising employees' well-being and personal life

CONCLUSION:

With the emergence of technology and drastic changes in the working environment, the boundaries between professional and personal life have blurred drastically. There is no denial that it has improved flexibility and productivity; they have also created new challenges for workers who now have the expectation of being online all the time and are burdened with being constantly available through digital platforms. They are expected to reply to emails, attend work calls and work even after the stipulated working hours, compromising their personal time and well-being. It defeats the whole purpose of having a set amount of working hours. The concept of the right to disconnect, therefore, has emerged as a fairly new concept and can be recognised as the need of the hour. It focuses on safeguarding the dignity and well-being of the employees. Introducing appropriate legal recognition is required to ensure that technology supports productivity without undermining employees' well-being. In conclusion, the right must not be viewed from the perspective of it being harmful to the productivity, but must be seen as an essential mechanism for promoting sustainable working conditions and fostering a healthier work-life balance in this ever-evolving digital age.