Basic information

2019/2181(INL) INL - Legislative initiative procedure	Procedure completed Commission response to text adopted in plenary
The right to disconnect **Subject** 4.15.15 Health and safety at work, occupational medicine	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
EMPL Employment and Social Affairs	AGIUS SALIBA Alex (S&D)	11/02/2020
	Shadow rapporteur ZDECHOVSKÝ Tomáš (EPP) TOOM Jana (Renew) DE SUTTER Petra (Greens/EFA) SZYDŁO Beata (ECR) LIZZI Elena (ID)	

Key events

Date	Event	Reference	Summary
19/12/2019	Committee referral announced in Parliament		
01/12/2020	Vote in committee		
08/12/2020	Committee report tabled for plenary	A9-0246/2020	Summary
20/01/2021	Debate in Parliament		
21/01/2021	Decision by Parliament	T9-0021/2021	Summary
21/01/2021	Results of vote in Parliament		
21/01/2021	End of procedure in Parliament		

Technical information

Procedure reference	2019/2181(INL)
Procedure type	INL - Legislative initiative procedure

Procedure subtype	Request for legislative proposal
Legal basis	Rules of Procedure EP 47
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/9/01679

Documentation gateway				
European Parliament				
Document type	**Committee**	**Reference**	**Date**	**Summary**
Committee draft report		PE654.061	28/07/2020	
Amendments tabled in committee		PE655.974	15/09/2020	
Committee report tabled for plenary, single reading		A9-0246/2020	08/12/2020	Summary
Text adopted by Parliament, single reading		T9-0021/2021	21/01/2021	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Other Members

Transparency		
Name	**Date**	**Interest representatives**
VILLUMSEN Nikolaj	15/01/2021	Dansk Arbejdsgiverforening

The right to disconnect

2019/2181(INL) - 08/12/2020 - Committee report tabled for plenary, single reading

The Committee on Employment and Social Affairs adopted a draft legislative initiative report by Alex AGIUS SALIBA (S&D, MT) with recommendations to the Commission on the right to disconnect.

Protecting European workers in the digital world

Digitalisation has brought many benefits to employers and workers but also disadvantages that blur the boundaries between work and private life.

The report cites the risks associated with the growing use of digital tools for work purposes: greater workload, longer or unpredictable working hours, and an ‘always on’ culture. These can encroach on workers' fundamental rights, fair working conditions, health and safety at work, work-life balance and gender equality.

The report highlights that the greater the use of digital tools the higher the incidence of psychosocial risks, such as anxiety and burnout.

The COVID-19 health crisis has required almost a third of EU workers to telework. This compares with a figure of only 5% who worked from home before lockdown.

There is not, as yet, any specific EU legislation on the right of workers to disconnect from the digital tools they use for work purposes.

The EU Charter of Fundamental Rights and the European Pillar of Social Rights do not explicitly mention the right to disconnect. However, Members considers that this right should be a fundamental right and an important social policy objective.

Given the growth in teleworking during the coronavirus pandemic, Members stress the urgency of adopting binding legislation to enable European workers to exercise their right to disconnect.

Recommendations to the Commission

In this regard, they call on the Commission to:

- present a legislative framework with a view to establishing minimum requirements for remote work across the Union ensuring that teleworking does not affect the employment conditions of teleworkers. Such a framework should clarify working conditions, including the provision, use and liability of equipment, such as of existing and new digital tools, and should ensure that such work is carried out on a voluntary basis and that the rights, workload and performance standards of teleworkers are equivalent to comparable workers;

- propose a directive setting minimum requirements to ensure that workers have the right to disconnect from digital tools used at work outside their working time (including during rest periods and holidays) without facing adverse consequences;

- evaluate and address the risks of not protecting the right to disconnect.

Members point out that employers must provide workers with sufficient information, including a written statement, setting out the workers' right to disconnect, namely at least the practical arrangements for switching off digital tools for work purposes, including any work-related monitoring or surveillance tools, the manner in which working time is recorded, the employer's health and safety assessment, and the measures for protecting workers against adverse treatment and for implementing workers' right of redress. Workers who invoke their right to disconnect should be protected from victimisation and other negative repercussions. Mechanism should be put in place to deal with complaints or breaches of the right to disconnect.

The right to disconnect

2019/2181(INL) - 21/01/2021 - Text adopted by Parliament, single reading

The European Parliament adopted by 472 votes to 126, with 83 abstentions, a resolution containing recommendations to the Commission on the right to disconnect.

The right to disconnect should be a fundamental right

Digitalisation has brought many benefits to employers and workers but also disadvantages that blur the boundaries between work and private life.

The resolution cites the risks associated with the growing use of digital tools for work purposes: greater workload, longer or unpredictable working hours, and an 'always on' culture. These can encroach on workers' fundamental rights, fair working conditions, health and safety at work, work-life balance and gender equality.

Members stressed that excessive use of technological devices can aggravate phenomena such as isolation, anxiety, depression, burnout, techno-addiction, sleep disorders and musculoskeletal disorders. According to a Eurofound report, 27% of respondents working from home reported that they worked in their free time to meet work demands.

The COVID-19 health crisis has required almost a third of EU workers to telework. This compares with a figure of only 5% who worked from home before lockdown.

In this context, Parliament considers the right to disconnect to be a fundamental right that is an integral part of new working patterns in the new digital age. This right should be seen as an important social policy instrument at EU level to ensure the protection of workers' rights.

An EU directive on the right to disconnect

There is as yet no specific EU legislation on the right of workers to disconnect from digital tools they use for professional purposes.

Consequently, Parliament called on the Commission to present a legislative framework with a view to establishing minimum requirements for remote work across the EU ensuring that teleworking does not affect the employment conditions of teleworkers.

Such a framework should clarify working conditions, including the provision, use and liability of equipment, such as of existing and new digital tools, and should ensure that such work is carried out on a voluntary basis and that the rights, workload and performance standards of teleworkers are equivalent to comparable workers.

Therefore under the new requested directive, employers must provide workers with sufficient information, including a written statement, setting out the workers right to disconnect, namely at least the practical arrangements for switching off digital tools for work purposes, including any work-related monitoring or surveillance tools, the manner in which working time is recorded, the employers health and safety assessment, and the measures for protecting workers against adverse treatment and for implementing workers right of redress.

Workers who invoke their right to disconnect should be protected from victimisation and other negative repercussions. Mechanism should be put in place to deal with complaints or breaches of the right to disconnect.