



THE RIGHT TO DISCONNECT

A policy on the right to disconnect is imperative for all schools, writes EÓIN Ó hAODHA, Chairperson of the ASTI Safety, Health and Welfare Committee.

The right to disconnect is an ancient concept. Its earliest documentation is perhaps the six-day work week in the Book of Genesis! It is acknowledgement of the requirement for rest and recuperation in order for humans to work effectively. Constant work leads to physical and mental stress; it poses a hazard in the workplace that needs to be identified and managed.

Before the dawn of the Industrial Age, the six-day week was considered optimal. As the 1800s progressed, the right to a five-day week and eight-hour workday was hard fought.¹ In 1914, Henry Ford famously introduced the “\$5, eight-hour workday” for his employees in Detroit, Michigan. Of course, this was to incentivise workers to stay with Ford after they became intensely bored with the monotony and repetition of the production line.² This eight-hour workday schedule was instituted as one of nine international labour conventions upon the establishment of the International Labour Organisation (ILO) in 1919,³ and became the standard for most of the 20th century. Alas, advances in technology have complicated matters for the 21st century. The digital age brought about the phenomenon of telework, and blurred boundaries between “labour”, “recreation” and “rest”.⁴

Work in the digital era

At an ILO conference in Lisbon, Portugal, in 2022, entitled ‘Reflections on the dignity of work in the digital era’, Naj Ghosheh, a legal and policy researcher for the ILO, outlined an ILO definition of telework as “... the use of Information and Communication Technology (ICT) – such as smartphones, tablets, laptops and desktop computers – for the purposes of work outside the employer’s premises (either from the worker’s home or from another location)”. He added that “the use of telework during the Covid-19 period raised several issues, making it important to distinguish between mandatory telework v. worker/employer agreed telework”. The latter point is important, as it highlights the difference between formal telework that makes use of professional software packages and more casual telework, such as some email or communications through social media, where one’s private and professional spaces can be hard to separate.⁴

Pioneering disconnection

France pioneered the right to be disconnected or *le droit à la déconnexion*. In a revision of the French labour code that was implemented in 2017, Article L2242-17, Code du travail 2020 includes an obligation for employers and employees in every company with 50 employees or more to negotiate “the use of ICTs”, with a view to ensuring respect for the rest and holiday periods of workers, and their personal and family lives.⁴

Some years before this, there was a focus in the French media on labour relations at the company France Télécom (since renamed Orange S.A.). In 2019, the ex-CEO of France Télécom and two former executives were jailed over a restructuring policy linked to suicides among employees in the 2000s.^{5,6}

Although not directly connected, this story had a bearing on the 2016 labour law known as the Loi travail or El Khomri law, which in turn fed into the Code du travail (labour code) 2020. These labour reforms weren’t altogether popular because of enshrined flexibilities that were of benefit to employers, but the right to disconnect was recognised as being of significant benefit to employees.

Some countries have chosen to use a code of practice, rather than an explicit legal act, to address the right to disconnect. At present in Ireland we make use of the ‘lite’ code of practice instead of a ‘full strength’ legal act. A code of practice is less robust, as it amounts to a recommendation rather than legal direction. That said, its contents can be referenced in legal disputes to support arguments. The Irish code of practice is known as the Workplace Relations Commission (WRC) Code of Practice for Employers and Employees on the Right to Disconnect (April 1, 2021). This provides “practical guidance and best practice to employers, employees and their representatives in relation to the Right to Disconnect”.⁷

Teachers’ right to disconnect

While teachers may not adhere to a traditional, rigid nine-to-five workday schedule, the workload that is supplementary to the strict core contact hours could be managed separately (for the most part!) in a flexible manner, at

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one's own discretion. But research is showing that the countless opportunities for connection that the digital era presents are bringing about an 'always on' culture that is impacting teachers' health negatively.

A 2025 Dublin City University (DCU) study on teacher burnout was first-of-its-kind research in Ireland undertaken by Dr Sabrina Fitzsimons, Dr Pia O'Farrell and Prof. Catherine Furlong at DCU's Centre for Collaborative Research Across Teacher Education (DCU CREATE). With over 1,000 teachers participating, it was the largest in-depth academic study of this topic in Ireland, and the shocking results concluded that 85% of respondents experienced moderate to high work-related burnout.⁸ A deeper dive into the research reveals unrealistic parent expectations as a contributing factor to teacher burnout: "Parents want 24-hour access to teachers now. Lots of issues caused by online social media and bullying happen at home, but the fallout is felt in school. Teachers now seem to have to do a lot of roles which would traditionally have been done by parents". Further: "We are working within broken systems, and burnout comes from being the point of contact for parents and bearing the brunt of those frustrations".⁸ How can work environments like this positively impact students?

Pressure to be switched on

Prior to the DCU CREATE research, the ASTI in association with RED C conducted a survey to examine "the multiple impacts of digital technology on teachers' working lives – inside and outside the classroom" in February 2024. Similar findings came to light. It found that: "Three in five teachers receive messages from school management outside working hours and of these, almost one in five teachers do so on a daily basis". Most teachers described the impact of this practice on their work–life balance as negative, including feeling "constantly on", "under pressure to reply", and feeling that they "cannot switch off". One teacher included the following observation as part of their survey response: "I feel constant pressure from parents and can never switch off from my work as I am constantly receiving emails. I also feel students receive too many emails and equally feel huge pressure to keep up with all their subjects".⁹ Only 21% of respondents were aware of a right to disconnect policy in their school, while 93% of teachers wanted their school to introduce a right to disconnect policy. ASTI-commissioned research from 2022 was also cited, which found that "the most important measure to improve teachers' well-being was identified as the right to disconnect from communications outside the school day".⁹

This research makes clear that disregard for the right to disconnect in a workplace presents a hazard to the mental health of employees. Mental health workplace hazards are categorised as 'psychosocial hazards'. A psychosocial hazard is defined by the ILO as: "Anything in the design or management of work that increases the risk of work-related stress". Furthermore: "While stress itself does not constitute a physical or

psychological injury, a stress response includes the physical, mental and emotional reactions that occur when a worker perceives that the demands of work exceed their ability or resources to cope. If prolonged and/or severe, work-related stress can cause both psychological and physical injuries. While pressure is normal in many workplaces, stress may result when 'pressure becomes excessive or otherwise unmanageable'.¹⁰

Some of the best known images of work life in the 20th century are those of Charlie Chaplin being physically sucked into machine cogs at his workplace in the film *Modern Times*.¹¹ But, at least Charlie clocked off at some point in the day. In the 21st century, machine cogs in a factory have been replaced by electronic devices that follow the employee home. An agreed policy on the right to disconnect is imperative for any workplace or school.

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