

**AFTER HOURS AVAILABILITY AND THE RIGHT TO DISCONNECT:  
An exploratory study into the effect of after-hours availability and  
the significance of protective legislation for the right to disconnect**



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## Abstract

### Objectives:

The purpose of this study is to examine the effect of after-hours availability and 'always on' cultures and to investigate protective legislation of the right to disconnect to improve work-life balance for workers. Significant research has been undertaken in the area of work-life balance and the right to disconnect but there was a lack of research in an Irish context. The effect of remote working and boundary control was also examined in the study. Remote working and after-hours availability became particularly relevant as the Covid-19 crisis occurred in the course of the research.

### Method:

This study was mixed method using quantitative and qualitative research methods. The quantitative research included a 35-question survey was issued to 111 participants examining four areas: after hours availability as an organisational norm, the effect of availability, remote working, and the right to disconnect. Data collected was analysed using SPSS software. The qualitative research involved interviews with four participants with different perspectives on the right to disconnect. Thematic analysis was carried out on the transcribed interviews.

### Results:

Variables related to the four areas examined in the questionnaires were tested for normality. The results showed that the four variables were positively skewed. Four themes were identified from the qualitative research. These themes were the obligation of workers, the role of employers, the blanket approach, and the impact of technology.

### Conclusion:

The quantitative analysis supported that after-hours availability is an organisational norm and has a negative effect on workers. It also indicated that there is support among workers for protective legislation for the right to disconnect. The qualitative research indicated that protective legislation should be introduced to protect vulnerable workers but should allow for companies to create policies alongside workers. Further research is recommended into the effect of the abrupt introduction of remote working because of Covid-19.

**Keywords:** After-hours availability, right to disconnect, working hours, 'always-on' culture, protective legislation, remote working, work-life balance

## Submission of Thesis and Dissertation

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## **List of Abbreviations**

CIPD – Chartered Institute for Personnel Development

CSO – Central Statistics Office

FSU – Financial Services Union

## **Chapter 1: Introduction**

The impact of technology and in particular the introduction of the smartphone has changed how we work in the modern world. Workers are now accessible to employers in any location, at any time of the day or night. According a to CIPD report from July 2020 on workplace technology, 29% of employees feel that portable devices like smartphones have blurred the boundaries between work and home life while 30% of employees feel that these devices have made it more difficult to switch off from work (CIPD, 2020). To address the issue of technology and working hours, some countries, including France, has introduced protective legislation for the right to disconnect. In 2020, in response to research conducted by the University of Limerick and FSU, the Irish government will bring forward proposals on the right to disconnect as part of the programme for government (FSU, 2020).

The aim of this study is to add to the research undertaken by the FSU on the right to disconnect. This study will examine after-hours availability and the right to disconnect in an Irish context. There has been research into the right to disconnect across different countries including Wisenburg's study from 2018 (Wisenburg, 2018). This study examined working hours protections and the right to disconnect across many countries including Ireland. The present study will examine the Irish context in more detail in light of the government's recent announcement on the right to disconnect. The topic of work-life balance and boundaries has been an area of significant research in recent years. One such study was carried out by Von Bergan et al. (2019). This study looked at the factors that affect shifting boundaries between work-life balance (Von Bergen et. al, 2019). Some of the factors were examined in the research of the current study including connectivity, employer expectations and globalisation.

The aims of the study are to examine worker's perceptions on after-hours availability, remote working, and the right to disconnect. The research question was to establish if protective legislation is the appropriate approach to protect the right to disconnect in Ireland. The current study used a combination of qualitative and quantitative research methods. A questionnaire was used to achieve the research aims. Semi-structured interviews were undertaken to examine the right to disconnect and protective legislation in an Irish context.

## **Chapter 2: Literature Review**

### **2.1 Introduction**

In the 21<sup>st</sup> century, it seems that there has been a shift towards a 24-hour workday and an 'always on' culture in the modern workplace. With the rise of globalisation and advances in technology, employers can now work from anywhere at any time (Grant et al, 2013). Although these advancements can be beneficial to the employee from the perspective of flexibility and work autonomy, it can lead to the employer expectations that employees should be accessible by phone or email outside of the normal working day (Cukier and Middleton, 2006). This can lead to employees having work-related stress and difficulties with detaching from work during their time outside of the workplace (Mellner, 2013). Stress from extended working hours can lead to issues with depression, anxiety, high turnover, burnout, absenteeism and presenteeism (Crawford and Jamal, 1981, Kreiner, Hollensber, and Sheep, 2006). This has led to increased calls for the protection of the right to disconnect for workers.

### **2.2 Boundary Theory and the culture of 'Always On'**

Boundary theory states that there is a variance between the extent to which individuals' segment and integrate their work and home lives. Segmenters are those who prefer to separate their work thoughts and behaviours from their home lives while integrators prefer to blur the lines between work and home and transition between the two domains intermittently (Piszczek, 2016). Kreiner et al (2006) suggests there are differing degrees to which an individual can prefer segmentation, and this can affect how they perceive out of hours work. For some, they may find it preferable to bring a project to completion even if they are working outside of normal work hours and these people may view remote working as beneficial to completing their work (Gadeyne et al. 2018). Difficulties with the separation of boundaries can lead to conflict within employee's home lives even in their leisure time when they are not engaging with work (Becker et al, 2016).

There are external influences that effect the level to which individuals can set boundaries and segment their work and home lives. Von Bergen et al (2019) identified five factors that can affect the boundaries between work and home:

1. Globalisation: Global multinational companies can now operate 24/7 across time zones. As a result, employees may need to communicate with teammates that are in a different time zone.

2. Cultural expectations: Some countries have expectations within their culture that employees work longer hours. For example, Japan and the USA both are countries with reputations for long working hours.
3. Changing Demographics: More families now have two working parents. This means that many workers must balance work with parenting and potentially caring for aging relatives.
4. Ideal Employee Expectations: Many employees feel that the ideal employee is one that is always available, productive and works the longest hours. Therefore, in order to advance employees can feel that they must always be connected to the organisation.
5. Increased Connectivity: With advancements in ICT, organisations can communicate with their employees at any time and in any geographic location. This can lead to an expectation that the employee be is always available to the employer.

(Von Bergen et. al, 2019)

These influences can result in an 'always on' culture for employees. 'Always on' technology in an organisation can affect employee's sleep, concentration, productivity, stress, and anxiety (Klotz, 2017). The 'always on' culture can lead to employees feeling that they are in a constant state of readiness to engage with their organisation and makes it difficult to disengage from work (Von Bergen et al., 2019). There can also be negative implications for the employer in an 'always on' culture. Studies show that organisations with high levels of email interaction can lead to a decrease in productivity as employees are distracted by a constant influx (Dawson et al., 2003). There is also a health and safety risk as over-worked employees are more likely to become ill, injured or take prolonged absences (Becker et al., 2016). An 'always on' culture can also lead to burnout in employees.

### **2.3 Absenteeism, Presenteeism and Employee Burnout**

Absenteeism is a pattern of an employee's habitual absence from work. The reason for absenteeism can be illness or personal problems but it can also be related to low job satisfaction (Goyal and Bora, 2018). Work hour congruence is the mismatch between desired working hours and actual working hours which can be related to negative employee attitudes and behaviours including absenteeism (Lee at al., 2015). If workers do not have sufficient time to recover from work, their performance can be negatively affected and absenteeism can follow (Pencavel, 2016).

Presenteeism is the act of employees attending work while sick, injured, fatigued, or unable to work at full productivity for any other reason (Hemp, 2004). Presenteeism can arise from a perceived lack of job security, financial stress, job stress, company absence policy or organisational culture/perceptions of absence (Nahar, 2018). These factors and presenteeism generally can be linked back to long working hours for employees (Simpson, 1998). Presenteeism can negatively affect productivity, team morale and work quality (Toyashima et al., 2020). A culture of presenteeism may also be a serious risk in the context of Covid-19 (Hughes, 2020).

Longer work hours have a greater psychological demand which can then lead to psychological distress (Fagan et al., 2012). This psychological distress can manifest as employee burnout. According to Maslach & Jackson (1981), there are three components to employee burnout – depersonalisation, emotional exhaustion, and perceived reduction in personal accomplishment (Maslach & Jackson, 1981). Depersonalisation is a process wherein the employee begins to detach from their work and stop caring about the job and their own performance. Emotional exhaustion describes when an employee feels that they do not have the emotional resources to complete their work and therefore cannot give anymore to their job. Perceived reduction in personal accomplishment involves a decrease in the self-confidence of employees and less willingness to put themselves forward in the workplace (Knoll et al, 2019). Employee burnout can have detrimental effects on employee well-being.

In a 2019 study, Park et al (2020) found that there was a link between extended work-related use of smartphones outside of work hours and job burnout. It is stated that ‘workers perceive smartphone use after work as an extension of their job, which signifies that it can lead to job burnout owing to physical and mental effects’ (Park et al, 2020). Employee burnout is often viewed as a problem of the individual or a personal weakness but Garton (2017) views it as a failing of the company culture. For them to address employee burnout, companies should look at their organisational norms (Garton, 2017).

#### **2.4 Norms in Organisational Culture**

Norms are commonly held beliefs around normal actions and behaviours in a culture (Lundin, 2019). Norms exist within organisations and can be important in understanding the implicit expectations of the organisation. A simple example of an organisational norm would be ‘casual Friday’. It may not be

written in company policy but there is a norm that on Friday employees dress casually in some organisations. One common type of organisational norms are performance norms. These norms are set by the organisation on how employees should perform their work, how hard they should work, appropriate levels of productivity, etc (Struwig & Smith, 2009). Even with the introduction of protective legislation, employers often set the expectations around working hours and connectivity through performance norms. In the case of France, a study by Lehndorff (2014) suggested that even with the introduction of the 35-hour work week there was no significant reduction in actual working hours for French high-skilled workers (Lehndorff, 2014).

Amazon is a common example of a company that is considered to have extreme working hours as an organisational norm. It has become synonymous with its 'always on' culture. Some employees in Amazon's Seattle office confirmed that they are encouraged to work late into the night with emails coming in after midnight and accompanying texts to follow up on unanswered mails. (Kantor and Streitfield, 2015). This norm permeates throughout the organisation down to the warehouse workers whose working conditions have repeatedly been subject to controversy in recent years. During peak season, it is standard for Amazon workers to work 55-60-hour shifts per week with any absence during this time treated as in excusable and grounds for dismissal (Gracely, 2010). In response to criticism of the working conditions in Amazon, CEO Jeff Bezos has said that he is proud of the working conditions there and that his critics are wrong (Schwar, 2018). In a company with as strong a culture as Amazon and a pervasive norm of long working hours, it is hard to envision improvement to working hours without government intervention. There does not seem to be the will in Amazon to address or change damaging norms of an 'always on' culture as they pursue infinite productivity. Amazon and companies like it make a strong case for the legislation protection and implementation of the right to disconnect.

## **2.5 Remote Working and Disconnection**

Remote working is often offered as a solution to redressing the issue of work-life balance for employees. It can be beneficial to both employers and employees – employers gain a more productive and cost-effective workforce and employees gain more of a work-life balance leading to higher job satisfaction and commitment (Felstede and Henseke, 2017). Hill et al (1998) suggests that remote working may in fact have a negative effect on work life balance. Remote working can blur

the boundaries between work and home and removes the cues that exist in the office to finish work. This can lead to employees work longer hours than usual (Hill et al, 1998). The Jacukowicz and Merez-Kot (2020) study on on-line workers versus traditional workers found that those who working completely on-line reported lower job satisfaction. The study found that online workers were completing more non-work-related duties (household chores) during the workday leading to extended work hours outside of office hours. (Jacukowicz and Merez-Hot, 2020). Remote working can also cause risk for employers as it is more difficult to monitor employees working hours and breaks outside of the office which leaves them at risk of breaching the Organisation of Working Time Act.

Due to the Covid-19 pandemic, more Irish people are working from home and working remotely. According to a survey conducted by IrishJobs.ie, 90% of respondents are now working remotely and of those 44% say that they are now working longer hours than they were before. Of the percentage that are working long hours, 21% of respondents felt that they cannot switch off from work when working from home (Ardill, 2020). The shift to remote working due this crisis represents an abrupt shift in culture for many organisations that were previously averse to working from home. Many employees are working from home for the first time which can be a challenging adjustment as they attempt to find balance between work and home boundaries (Rajala, 2020). The abrupt push towards remote working may illustrate the need to protect the right to disconnect.

## **2.6 Legislative Approach to the Right to Disconnect**

A 'Right to Disconnect' law was introduced into France in January 2017, the first law of its kind in the world. Since then similar laws have been debated in countries around the world with laws being introduced in Italy, Belgium, and the Philippines (Vadkerti, 2018). The French law recognises the right to disconnect but it does not define it. The object of the law is to allow this right to be used in collective bargaining. Under the law, any employer in France with over 50 employees must negotiate with the employee's union to come to an agreement on a policy for engagement/disengagement with work technology outside of work hours. If an agreement cannot be reached with the union, the company is required to create a policy on the right to disconnect in the organisation (Wisenburg Brin, 2019). The law has already been affected in France. In July 2018, the former employer of a British company was awarded €60,000.00 because the company was in breach of the right to disconnect. The employee had sufficient evidence that he was expected to take calls outside of working hours if



any issues arose and the company did not have any policies in place on the right to disconnect (Samuel, 2018).

There has been some criticism of the French law however that it is too vague or does not go far enough. The law may exclude certain groups of employees as it only applies to companies with 50 employees. It may also disadvantage companies without union representative as then the employer must set the policy or 'charter' for the company which may not be as fair on employees than one negotiated on with a union (Morel, 2017). Another criticism is that as the right to disconnect is not defined in the legislation, therefore policies will be different across companies which may lead to certain employees feeling disadvantaged (Universite de Strasbourg, 2016). The law also does not penalise employers who do not engage with it, therefore there is little cost to employers (Walt, 2017).

In Spain, a slightly different approach to protecting the right to disconnect was taken as it was examined through the lens of the right to privacy of an employee. In December 2018, as part of data protection legislation, a protection of citizen's digital rights was introduced. This law calls on companies to enact policies that allow workers to disconnect from work outside of work hours (Cervantes, 2019). Unlike the French law, the Spanish legislation defines the right to disconnect and puts emphasis on the rights of remote workers (Wisenburg Brin, 2019). The insurance company AXA was one of the first company in Spain to regulate the right to disconnect as part of company policy following the legislation (Baylos Grau, 2019). The company signed a collective agreement with its employee's union to promote the right to disconnect. It was agreed that "except in cases of force majeure or exceptional circumstances, AXA recognizes the right of workers not to respond to professional emails or messages outside of their working hours." (AXA Espana, 2017). The Spanish law has been similarly critiqued to the French law in that with criticisms of not going far enough to protect workers (Baylos Grau, 2019). The legislative approach is not the only one to the protection of the right to disconnect, some countries have opted for a self-regulatory or 'best policy' approach.

## **2.7 Self-Regulatory Approach to the Right to Disconnect**

In contrast to legislative approach, some countries have taken a self-regulatory approach to protecting the right to disconnect. In Germany, the right to disconnect is not protected in legislation but efforts have been made to protect the dysconnectivity of employees through company policy. The iconic German company Volkswagen was one of the first companies to introduce policies on dysconnectivity

which limit the time in which managers can email their employees. Volkswagen's server is set so that emails are not sent to employee accounts between 18.15 to 07.00 (Eurofound, 2019). The German Labour Ministry goes further to protect employees by banning outright communication to employees out of hours except in emergencies and protecting employees from being disciplined if they switch their phones off outside of work (Vasagar, 2013). It has been suggested that the German self-regulated approach may be more suitable for Germans because of their culture of work. Generally, German society recognises the importance of a work-life balance and values the efficient and productive use of time (Secunda, 2019).

There has been criticism that the self-regulation approach does not go far enough to protect employee's right to disconnect. Some have raised that there is no requirement for German companies to introduce the right to disconnect for their employees. Although some high-profile employers have engaged there is no indication that there has been a widespread push to introduce the right to disconnect among German companies (Secunda, 2019). Also, as it is up to the employer to draft policies on disconnectivity, policies can be skewed in the favour of employers over employees (Lagace, 2007). There is some indication that the German government may be considering a move towards the legislative approach. German Employment Minister Andrea Nahles has stated that she is considering the introduction 'anti-stress' legislation to regulate how employers can contact their employees outside of working hours (Stuart, 2014). The landscape in Ireland is slightly different with some protections around working time but nothing that specifically addresses the right to disconnect.

## **2.8 Irish legislation of the Regulation of Working Time**

The Organisation of Working Time Act (1997) regulates working time in the Republic of Ireland. This act does not apply to the Gardai, Defence Forces, family employees and those who control their own hours. The act states that the average work hours should not exceed 48 hours per week. There are some exceptions to the act including Gardai, the Defence Forces and those who control their own working hours (The Organisation of Working Time Act, 1997). This act has been challenged in a landmark case that shed light on the issue of working remotely outside of work hours and the right to disconnect. The case of *Kepak Convenience Foods Unlimited Company V Grainne O'Hara* (2018) went in the favour of the employee who pled that her role required almost 60 hours per week to

complete her work. This work was completed outside of the normal working hours and using external email and phone access. The case reiterated that the onus is on the employer to ensure that the employee is working within the statutory working hours as set out by the Organisation of Working Time and makes the case for the introduction for the right to disconnect in Ireland (O'Neill, 2018).

The case also underlies the importance of the employer's communication with workers on working time. Ruubel and Hazak (2018) proposes that for workers there is are 'considerable disparities between their actual, contractually agreed, and desired amounts of working time.' This study found that a majority of workers studied felt that their contractual beginning and end times for work were different to what the times that they actually begin and finished work and these workers often found that they were working more hours than they desired or than that was contractually set out (Ruubel and Hazak, 2018). This could pose a risk to employees as long working hours can be associated with conditions including depression, anxiety, sleep conditions and heart conditions (Bannai and Tamakoshi, 2010). As discussed, these discrepancies also have risks for employers as they could be taken to the Labour Relations Commission. There are some critiques that the Organisation of Working Time Act (1997) does not fully protect workers and that protective legislation for the right to disconnect would bridge the gaps. FSU has proposed that the legislation be introduced in Ireland to protect the right to disconnect (FSU, 2019).

## **2.9 Conclusion**

Improved technology, globalisation and employee expectations have led to an informal extending of the workday and an 'always on' culture within organisations. Many workers are expected to work outside of the normal working hours. This can lead to a struggle with managing work/life balance and a blur of the boundaries between the work region and life region. Longer working hours can affect the mental health of workers and can lead to stress, depression, and burnout. Burnout can have negative affect on an organisation as employees disengage from work and to stop caring about their own performance. Remote working may be contributing to this problem as the boundaries between work and home blur even more when home becomes the office. To address these issues in Ireland, there have been calls for the introduction of protective legislation for the right to disconnect. There are two fields of thinking in relation to disconnection – the legislative approach and the self-regulatory approach. In France, the right to disconnect is protected in legislation since 2017. This law has been

critiqued for a lack of penalisation and little incentive for companies to implement policies. The German government have taken a self-regulatory approach by encouraging companies to introduce policies around the right to disconnect. This approach is also criticised for a lack of incentive and uptake from German companies. In Ireland, working time is protected by the Organisation of Working Time Act 1997. Some have called for further protection of workers in Ireland through the introduction of protective legislation for the right to disconnect.

### **Chapter 3: Research Question**

The aim of this study is to further the research of FSU from their 2019 report 'Technology, Work & Skills: The Impact of Technology on Employees'. (Financial Services Union, 2019). The report recommended that employers ensure that preventative measures be put in place to prevent the overuse of technology outside of working hours. The current study will look at the right to disconnect as a measure to address availability and technology.

Based on the literature review and FSU report, the research aims of the current study are as follows:

1. To examine is a common organisational norm to take work-related calls/monitor emails outside of normal work hours.
2. To examine if after-hours availability has a negative effect on employee well-being.
3. To examine if remote working leading to an increase if after-hours availability
4. To examine if protecting the right to disconnect is important to workers.

The research question of the study will focus on the approach to the protect the right to disconnect.

**Research Question:** Would a protective legislation approach to protecting the right to disconnect in Ireland be more effective than a best practise approach?

### **Chapter 4: Methodology**

#### **4.1 Research Philosophy**

Saunders et al. (2009) defines research philosophy as 'an over-arching term relating to the development of knowledge and the nature of that knowledge'. It is essentially the beliefs held by the

researcher on how information should be gathered analysed and used. There are two aspects of research philosophy:

1. Ontology: the study of existence or of what exists i.e. the rationale for research
2. Epistemology: the study of knowing and knowledge i.e. how research is conducted

(Henderson,1991)

These aspects can be broken down further philosophies. In this study, the epistemological considerations of positivism and interpretivism will be utilised. Positivism is a philosophy that knowledge is only valid if it is observable by the senses (Carson, 2001). This philosophy emphasises objectivity and reliability. This philosophy is suited to questionnaires and will be used when addressing the research aims of the current study. Interpretivism is a philosophy that acknowledges the subjective meaning created by individuals (Carson, 2001). This philosophy emphasises the subjectivity and validity. This approach is suited to semi-structured interviews and will be used to address the research question.

#### **4.2 Research Approach**

In designing research, it is important to decide on a research approach. There are two main approaches to research:

1. Deductive: The deductive approach is a scientific approach to research wherein the researcher is testing a hypothesis or theory (Ormeorod, 2010). Deduction requires a highly structured approach, the collection of quantitative research, and larger samples for generalisation (Saunders et. al, 2009).
2. Inductive: The inductive approach is a scientific approach to research wherein the researcher gathers data and information to form a theory. This approach favours a more flexible approach, the collection of qualitative research and little need for generalisation (Saunders et. al, 2009)

The author chose a combined approach to research. A deductive approach was taken to research the worker's perspective to working hours and the right to disconnect while an inductive approach was taken to investigate the best approach to protecting the right to disconnect.

### **4.3 Research Design**

There are two methods to data collection – quantitative and qualitative research. Quantitative research is the systematic gathering of quantifiable data that can be usually be analysed using statistics. Quantitative research should be used when clear and unambiguous questions are posed. According to Bryman (2008), qualitative research is a ‘research strategy that usually emphasizes words rather than quantification in the collection and analysis of data’ (Bryman, 2008). Qualitative research gathers non-structured and non-numerical information.

The author took a mixed-method approach to research. To examine the research aims, the author chose to take a deductive, positivist approach. This type of approach is more suited to quantitative research methods. Therefore, the author chose to issue a questionnaire. Questionnaires allow for structured and standardised collection of data. Data tends to be reliable and valid. Questionnaires can also be easily administered.

To address the research question, the author chose to pursue an inductive, pragmatic approach. This approach is more suited to qualitative research methods. Therefore, the author chose to conduct semi-structured interviews to gain different expert perspectives on the right to disconnect. Semi-structured interviews allow for a richer perspective and are better suited for research that cannot be easily quantified. The research question for the current study requires the author to take a stance once both approaches have been examined so the author chose to speak to experts with different perspectives.

### **4.4 Questionnaire Design**

The questions were developed by the author based on the findings of the literature review. To begin, a cover page outlined the purpose of the study and instructions. The participant had to complete a declaration that they were willing to participate before proceeding with the questionnaire. This declaration outlined the time required, how the data would be stored, and emphasised the confidentiality and anonymity of the questionnaire. All questionnaires were close ended with one only answer required. The questionnaire was split into four sections. The first section looked at participant demographics including gender, age range, employment status and industry. The second section looked at attitudes of individuals and organisations to working out of hours. The third section was

examined remote working. The final section examined the participant's attitude to the right to disconnect. The questionnaire uses the Likert scale. The Likert scale is a 5-point scale that ranges from one extreme attitude to another. In this case the scale range was – Strongly Agree, Agree, Neither Agree nor Disagree, Disagree, Strongly Disagree. The questionnaire was made using the software 'Survey Monkey'. The author chose to distribute the questionnaire online and not physically due to Covid-19 restrictions and limited access to printers. The questionnaire was shared on the author's LinkedIn profile. The author set a time limit of two weeks to collect answers. After two weeks, 111 participants were recorded. The data was exported to excel for analysis. In the interest of data protection, the file was password protected and the author will destroy the file after one year.

#### **4.5 Interview Design**

The author decided to conduct interviews to gain four perspectives on the right to disconnect: a trade union perspective, an academic perspective and two political perspectives. The participants are discussed in the preceding section. The author used two questions in all interviews:

1. Do you feel there is a prevalence of 'always-on' cultures in Irish workplaces that warrants the examination of the right to disconnect?
2. Why do you support a legislative approach/best practise approach to the right to disconnect?

Based on the answers to the above questions, the author asked some follow-up questions. All interviews were conducted via video call on Microsoft teams. The video calls were recorded using the record function on Microsoft teams. All interviews were transcribed and coded to identify themes.

#### **4.6 Sample**

A sample is a selection of a population that is analysed for the purpose of a study. For the purpose of the quantitative section of this study, the population was employed workers in Ireland. This population is large. According to the CSO, the number of employed workers aged 15-64 in Ireland in Q1 2020 was 2,353,500 (CSO, 2020). For convenience and efficiency of time, the author chose to use non-probability sampling. Non-probability sampling is based on the availability of the participants in the sample or on the judgement of the researcher. The sample for the questionnaire was a snowball sample where participants asked to recruit more participants. The questionnaire was shared out to the author's 747 connections on the social media platform for professionals on LinkedIn and the author

encouraged those connections to share the questionnaire to their own connections. The aim of the author was to reach at least 100 participants in the questionnaire. There were 110 participants in the questionnaire.

The author chose a small sample for the qualitative section of the research. The author hoped to hear from four different perspectives on the right to disconnect – a trade union perspective, an academic perspective and two political perspectives. All participants were contacted by email to negotiate access for an interview. The author reached out the FSU for the trade union perspective as this trade union had lobbied to introduce the right to disconnect. Gareth Murphy, the Head of Industrial Relations and Campaigns of FSU, agreed to participate in a video interview. Gareth advised that of the political parties in Ireland; Fine Gael and Fianna Fail had signed on to a best practise approach to the right to disconnect while Sinn Fein, Labour, the Green Party, and Social Democrats support protective legislation for the right to disconnect. The author emailed the business, trade, and enterprise spokespersons from each of the political parties. The Green Party TD for Wicklow, Steven Matthews and the former Fine Gael Minister for Business, Trade and Enterprise, Heather Humphreys agreed to participate in the research. Gareth also advised that Doctor Caroline Murphy of the University of Limerick worked on the research for the 2019 FSU report into the impact of technology. The author contacted Doctor Murphy and negotiated an interview.

#### **4.7 Pilot Study**

The author conducted a pilot study. The purpose of a pilot study is to test the questionnaire and discover any issues or improvements that can be made. The author distributed the questionnaire to 10 participants before sharing the questionnaire widely. The author reached out to 10 colleagues and asked them to complete the questionnaire and revert with feedback. These initial participants were made up of 5 male and 5 females. They came from different departments in the company and were a mixture in terms of seniority ranging from graduate to director. These 10 colleagues completed the questionnaire and provided the following feedback:

- The survey took 5-7 minutes to complete
- Suggestions were made to rearrange some questions to improve flow
- Spelling and grammar corrections were suggested



The author updated the questionnaire accordingly.

#### **4.8 Data Analysis Methods**

The author used the software SPSS to analyse the questionnaire data. The data was exported to excel from Survey Monkey and uploaded to SPSS. Janowicz (2005) recommends that the questionnaire be reviewed before analysis for unusable responses wherein the respondent did not answer all questions (Janowicz, 2005). The author reviewed the questionnaire and found all responses usable. The data was prepared and formatted, and Cronbach's alpha was used to test validity. Data was tested for normality and based on the results inferential and descriptive statistical tests were carried out on the data.

The interviews were analysed using the Braun and Clarke thematic approach. Braun and Clarke (2006) define thematic analysis as 'a method for identifying, analysing and reporting patterns within data' (Braun and Clarke, 2006). The author chose the approach as it is the most common, straightforward, and flexible in analysing qualitative data (Javadi and Zarea, 2016). The author transcribed all of the interviews. Once transcribed, the author coded the transcriptions to identify key themes. Key words and phrases were copied into one column and corresponding themes into another column in a Microsoft excel sheet. Initially, 10 themes were identified. These themes were reviewed and were narrowed down to four key themes. These four themes became headings in the excel sheets and the coded phrases were entered under each heading.

#### **4.9 Ethical Considerations**

Wellington (2015) defines ethics as 'moral principle and guiding conduct, which are held by a group or even a profession' (Wellington, 2015). There were some ethical considerations in conducting this research. Some of the questions included in the questionnaire are sensitive as participants indicate if work has affected their mental health. To address this, the participants were asked to complete a consent form before beginning the questionnaire. This consent form provided the purpose of the study, time required, and contact details for the author. The consent form also stressed the anonymity and confidentiality of the questionnaire and provided details of how data would be stored. No identifiable information was collected as part of the questionnaire. Data was exported to an excel file which was password protected and will be deleted after one year.

Prior to the interviews, the author discussed the purpose of the study, asked for permission to record the interviews, and gave the participant a copy of the questions. All interviews were recorded using the Microsoft Teams record function, saved to Microsoft Stream, and transcribed by the author. Once the author was satisfied that the interview was accurately transcribed, the recordings were deleted, and the transcriptions were password protected. The transcriptions will be deleted after one year.

The author also took into consideration the representation of the data from an ethical perspective. The author accurately represented the data received and analysed in a fair and accurate manner as outline above.

#### **4.10 Research Limitations**

As with most research, the current study had limitations to the research. The author identified the following limitations to their research:

- **Time Constraints:** As the author had a relatively short time frame to complete the study, the qualitative research was limited to four interviews. The time constraints also meant that the questionnaire was limited to 111 participants which is a small sample considering the population.
- **Word Count Constraints:** Due to the word count set out for this study, some aspects of the research had to be simplified. The word count limited how in detail the research could go.
- **Sample size:** Although the questionnaire provides insight into worker's perceptions, a much greater sample size would be required to provide full validity to the research.
- **Access:** The author could only successfully negotiate access to four participants for the interviews.
- **Research interpretation:** The data collected from the interviews is qualitative and are subject to interpretation. Although every effort was made by the author to avoid bias, bias could be identified as a potential limitation.

## **Chapter 5. Findings and Results**

### **5.1 Introduction**

This aim of this chapter is to present the findings and results of the quantitative research and the qualitative that was undertaken for this study. The analysis of the questionnaire is broken down into two parts – descriptive statistics and inferential statistics. The descriptive statistics will summarise the data relating to the sample. The inferential statistics will examine the data in relation to the four research aims. The qualitative data will be examined in relation to the themes that emerged from the interviews.

### **5.2 Quantitative Research**

#### **5.2.1 Introduction**

The questionnaire was created on the online platform Survey Monkey. The survey was made available to participants from 4-18 June. There were 111 participants in the survey with a 100% completion rate. The questionnaire contained 34 questions. The first question outlined the purpose of the questionnaire and confirmed their consent to participate. Questions 2-9 related to participant demographics. Questions 10-17 focused on the organisational norms of the participant's workplace. Questions 18-24 focused on the effect of working outside of normal hours on the participant. Questions 25-29 focused on the effect of Covid-19 and remote working on the participant. Questions 30-34 focused the participants views on the right to disconnect.

#### **5.2.2 Participant Demographics**

There are 111 respondents to the questionnaire within a two-week period. Of the respondents, there was an almost even split among gender with 51.4% of respondents identifying as male (n=57) and 48.6% identifying as female (n=54). All respondents were employed and worked in Ireland therefore were valid for the research. The breakdown of age is detailed below. The majority of participants are within the 25-34 age (n=42) and are working in office-based roles (n=102).

<b>Gender</b>					
		<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>	<b>Cumulative Percent</b>
<b>Valid</b>	Female	54	48.6	48.6	48.6

	Male	57	51.4	51.4	100.0
	Total	111	100.0	100.0	

**Table 1: Frequency of Gender**

Age					
		Frequency	Percent	Valid Percent	Cumulative Percent
<b>Valid</b>	18-24	31	27.9	27.9	27.9
	25-34	42	37.8	37.8	65.8
	35-44	20	18.0	18.0	83.8
	45-54	12	10.8	10.8	94.6
	55-64	4	3.6	3.6	98.2
	65+	2	1.8	1.8	100.0
	<b>Total</b>	111	100.0	100.0	

**Table 2: Frequency of Age**

The respondents work in a variety of industries. The majority of respondents (27%) work in the Aviation/Airline industry (n=30). 91.9% of respondents have pursued higher education (n=102) with the majority having a Honours Bachelor's Degree (n=62). There was a range of seniority in terms of work position with most respondents identifying as a team member/specialist. For the benefit of analysis, the respondent's roles were grouped into the senior management (C-Suite, director, senior management), middle management (middle management, team member/specialist, other), junior (graduate, intern, entry level).

Industry					
		Frequency	Percent	Valid Percent	Cumulative Percent
<b>Valid</b>	Academic	3	2.7	2.7	2.7
	Accounting/Finance	12	10.8	10.8	13.5
	Aviation/Airlines	30	27.0	27.0	40.5
	Banking/Insurance	1	.9	.9	41.4
	Big Data/Business Analysis	3	2.7	2.7	44.1
	Call Centre/Customer Service	3	2.7	2.7	46.8
	Construction/Engineering	3	2.7	2.7	49.5
	Education/Training	5	4.5	4.5	54.1
	Financial Services	13	11.7	11.7	65.8
	Fitness and Leisure	1	.9	.9	66.7
	Hair and Beauty	1	.9	.9	67.6
	Healthcare/Medical/Nursing	1	.9	.9	68.5
	HR/Recruitment	2	1.8	1.8	70.3
	IT	5	4.5	4.5	74.8
	Legal	2	1.8	1.8	76.6
	Marketing/Market Research	3	2.7	2.7	79.3
	Other	11	9.9	9.9	89.2
	Property/Facilities Management	6	5.4	5.4	94.6
	Restaurants/Pubs	1	.9	.9	95.5
	Retail	2	1.8	1.8	97.3

	Travel/Tourism	3	2.7	2.7	100.0
	<b>Total</b>	111	100.0	100.0	

**Table 3: Frequency of Industry**

Level of Education					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Higher Certificate (NFQ Level 6)	3	2.7	2.7	2.7
	Higher Doctorate (NFQ Level 10)	3	2.7	2.7	5.4
	Honours Bachelor's degree (NFQ Level 8)	62	55.9	55.9	61.3
	Junior Certificate	1	.9	.9	62.2
	Leaving Certificate	8	7.2	7.2	69.4
	Ordinary Bachelor's degree (NFQ Level 7)	3	2.7	2.7	72.1
	Postgraduate Diploma (NFQ Level 9)	31	27.9	27.9	100.0
	<b>Total</b>	111	100.0	100.0	

**Table 4: Frequency of Education**

Current Position					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	C-Suite	2	1.8	1.8	1.8
	Director	3	2.7	2.7	4.5
	Entry Level	12	10.8	10.8	15.3
	Graduate	16	14.4	14.4	29.7
	Intern	1	.9	.9	30.6
	Middle Management	24	21.6	21.6	52.3
	Other	2	1.8	1.8	54.1
	Senior Management	16	14.4	14.4	68.5
	Team Member/Specialist	35	31.5	31.5	100.0
	<b>Total</b>	111	100.0	100.0	

**Table 5: Frequency of Current Position**

### 5.2.3 Consistency and Reliability

In this section, the statistical test Cronbach's Alpha was used to test the internal reliability between items in each section of the questionnaire; organisational norms, the effect of out of hours work, remote working and worker's perception on the right to disconnect. The tests on all sections achieved a score of more than 0.7 which is generally accepted to be sufficient to infer that there is an internal reliability and consistency between the items in each group. The results of the tests are shown below in table 6-9.

Reliability Statistics	
Cronbach's Alpha	N. of Items
.802	6

**Table 6: Organisational Norms Cronbach's Alpha test**

Reliability Statistics	
Cronbach's Alpha	N. of Items
.875	7

**Table 7: Effect of After-Hours Cronbach's Alpha Test**

Reliability Statistics	
Cronbach's Alpha	N. of Items
.800	4

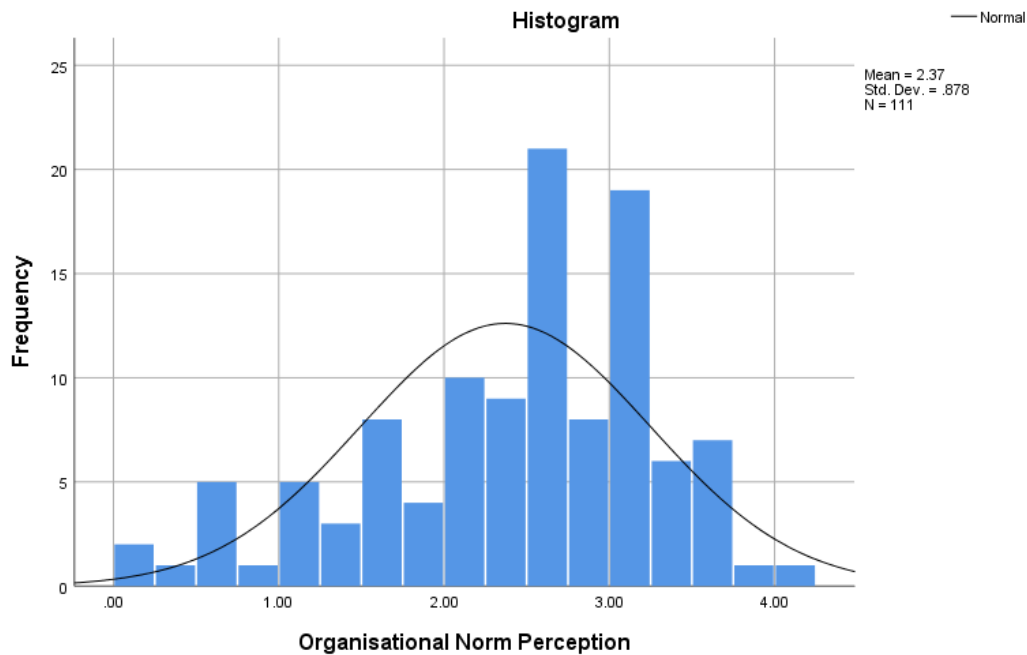
**Table 8: Remote Working Cronbach's Alpha test**

Reliability Statistics	
Cronbach's Alpha	N. of Items
.847	4

**Table 9: Right to Disconnect Cronbach's Alpha test**

### 5.2.4 Organisational Norms

This section will examine after-hours availability as an organisational norm. Figure 1 depicts the results of the Organisational Norm perception variable on a histogram. The results are plotted against the normal distribution. The mean, standard deviation and count are shown on the right-hand side of the chart.



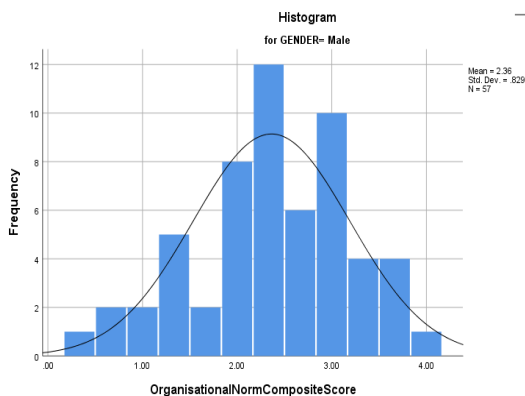
**Figure 1: Organisational Norm Perception Histogram**

The above suggests a positively skewed distribution but a further test was carried to confirm. The organisational norm variable was tested for normality. The Shapiro-Wilk test was used as it is considered the most reliable test for normality. The variable is deemed normally distributed if  $p < 0.05$ . In this case  $p = 0.000$  therefore the variable is not normally distributed.

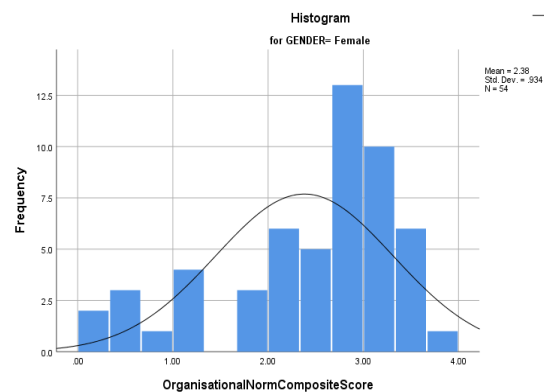
Tests of Normality						
	Kolmogorov-Smirnov			Shapiro-Wilk		
	Statistic	Df	Sig.	Statistic	Df	Sig.
Organisational Norm Variable	.131	111	.000	.948	111	.000

**Table 10: Organisational Norm Variable Normality Test**

The organisational norm variable was tested against three demographic variables; age, gender, and position to establish if these variables have a significant effect. The below shows the gender distribution for the organizational norm variable. From the below, it can be suggested that the male results are normally distributed, and the female results are positively distributed.



**Figure 2: Male Organisational Norm Variable Histogram**



**Figure 3: Female Organisational Norm Variable Histogram**

The Shapiro-Wilk test was performed to test normality. For males,  $p = 0.399$  and for females,  $p = 0.000$  therefore it is established that males are normally distribution while females are not.

Tests of Normality							
	GENDER	Kolmogorov-Smirnov			Shapiro-Wilk		
		Statistic	Df	Sig.	Statistic	Df	Sig.
Organisational Norm Variable	Male	.082	57	.200*	.978	57	.399
	Female	.183	54	.000	.897	54	.000

**Table 11: Organisational Norm Variable Normality Test (Gender)**

The Mann-U Whitney test was used to test for significant differences in mean rank. The results are displayed below. There is little significant difference between the mean ranks for males and females

(M=54.11, F=58.00). The Mann-Whitney U test show that U=1431 and p=0.523. As p<0.005, there is not sufficient evidence that gender has a significant effect on perception of organisational norms.

Ranks				
	GENDER	N	Mean Rank	Sum of Ranks
Organisational Norm Variable	Male	57	54.11	3084.00
	Female	54	58.00	3132.00
	Total	111		

**Table 12: Organisation Norm Variable Rank (Gender)**

	Organisational Norm Variable
Mann-Whitney U	1431.000
Wilcoxon W	3084.000
Z	-.639

**Table 13: Organisational Norm Mann-Whitney U Test (Gender)**

The organisational norm variable was then tested against the age of participants. The results for normality are displayed below. All age categories show results of p<0.05 so it can be inferred that all categories are normally distributed. Because of this, the ANOVA test was used to test for significance.

Tests of Normality							
	AGE	Kolmogorov-Smirnov <sup>a</sup>			Shapiro-Wilk		
		Statistic	df	Sig.	Statistic	df	Sig.
Organisational Norm Variable	18-24	.169	31	.025	.935	31	.059
	25-34	.124	42	.102	.955	42	.098
	35-44	.184	20	.073	.949	20	.351
	45-54	.127	12	.200*	.936	12	.443
	55-64	.283	4	.	.863	4	.272
	65+	.260	2	.			

**Table 14: Organisational Norm Variable Normality Test (Age)**

The results of the Anova test are showed below. The results yielded are not significant with p=.623.

Therefore, it can be suggested that age is does not have a significant effect on perceptions of after-hours availability as an organisational norm.

ANOVA					
Organisational Norm Variable					
	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	10.568	5	2.114	2.991	.015
Within Groups	74.192	105	.707		
Total	84.760	110			

**Table 15: Organisational Norm Variable Anova Test (Age)**

The final demographic variable to be tested against the organisational norm variable was position.

The results of the Shapiro-Wilk test for normality is shown below. The results for junior and senior positions show normal distributions while abnormal distributions are shown for middle management.



Tests of Normality							
	POSITION	Kolmogorov-Smirnov <sup>a</sup>			Shapiro-Wilk		
		Statistic	df	Sig.	Statistic	df	Sig.
Organisational Norm Variable	Junior Position	.151	29	.091	.945	29	.138
	Middle Management	.159	61	.001	.937	61	.004
	Senior Position	.160	21	.171	.927	21	.121

**Table 16: Organisational Norm Variable Normality (Position)**

As a result of the abnormality of the middle management distribution, the Kruskal-Wallis H test was used for inferential testing. The results of this test are shown below. There appears to be no significant difference between the mean ranks and  $p=0.11$  therefore there is not sufficient evidence that position affects the perception of organisational norms.

Ranks			
	POSITION	N	Mean Rank
Organisational Norm Variable	Junior Position	29	42.66
	Middle Management	61	57.59
	Senior Position	21	69.81
	Total	111	

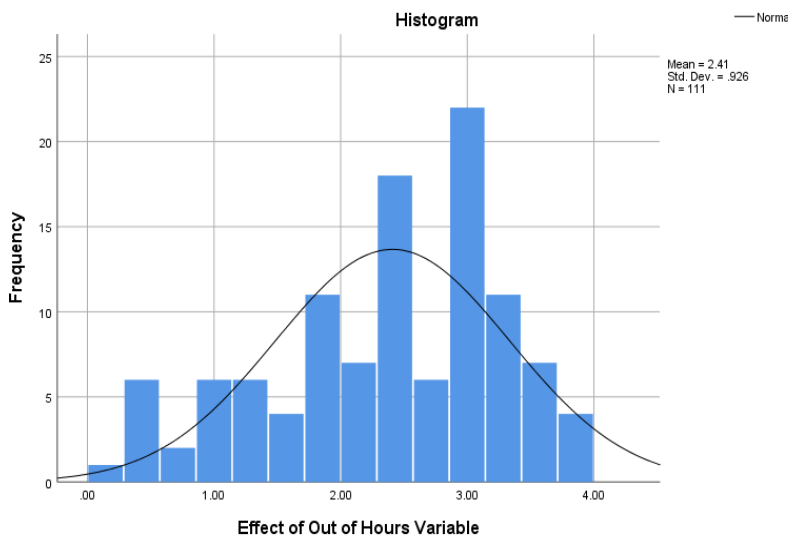
**Table 17: Organisational Norm Variable Ranks (Position)**

Test Statistics	
	Organisational Norm Variable
Kruskal-Wallis H	9.049
df	2
Asymp. Sig.	.011

**Table 18: Organisational Norm Mann-Whitney U Test (Gender)**

### 5.2.5 Effect of After-Hours Availability

This section will examine the effect of after-hours availability on participants. The results of the effect of after-hours availability variable are depicted in the below histogram. The mean ( $m=2.41$ ), standard deviation ( $SD=0.926$ ) and count ( $N=111$ ) are shown on the right-hand side. From the below, a positively skewed distribution can be suggested but a further normality test was completed.



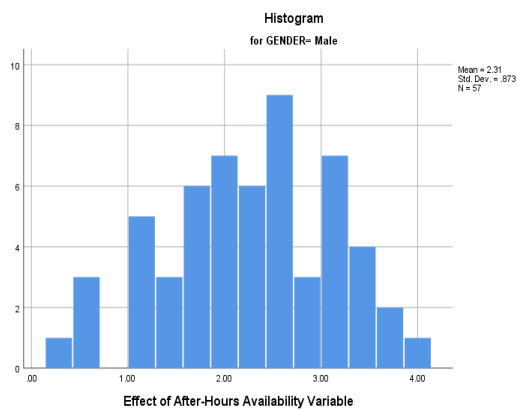
**Figure 4: After-Hours Availability Variable Histogram**

The Shapiro-Wilk test was used to test normality. For this variable,  $p=0.002$  therefore the variable is not normally distributed.

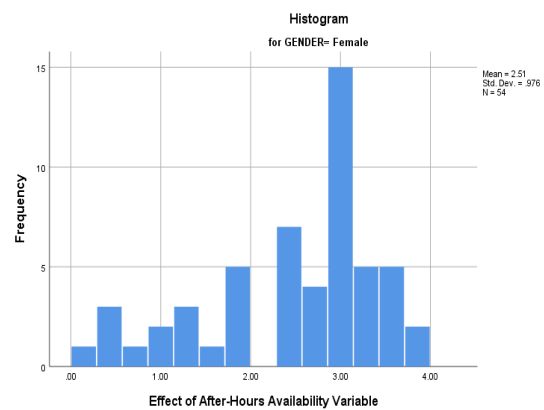
Tests of Normality						
	Kolmogorov-Smirnov <sup>a</sup>			Shapiro-Wilk		
	Statistic	df	Sig.	Statistic	df	Sig.
After-Hours Availability Variable	.128	111	.000	.960	111	.002

**Table 19: After-Hours Availability Variable Normality Test**

The effect of working hours was then tested against the three demographic variables: gender, age, and position. The results of the gender distribution are shown below. From the below, it can be suggested that the female distribution is skewed while males appear to be normally distributed.



**Figure 5: Male After-Hours Availability Variable Histogram**



**Figure 6: Female After-Hours Availability Variable Histogram**

A Shapiro-Wilk test was performed on the data to test for normality more accurately. The results are displayed below. As  $p=0.538$  for males, it can be deemed normally distributed.  $P=0.001$  for females therefore it can be deemed abnormally distributed.

Tests of Normality							
	GENDER	Kolmogorov-Smirnov <sup>a</sup>			Shapiro-Wilk		
		Statistic	Df	Sig.	Statistic	df	Sig.
Effect of working outside of hours	Male	.079	57	.200*	.982	57	.538
	Female	.192	54	.000	.915	54	.001

**Table 20: After-Hours Availability Variable Normality Test (Gender)**

Based on these results, a non-parametric inferential test was used. The results of the Mann Whitney U-test are displayed below. There is little significant difference between the mean ranks of both categories (M=51.22, F=61.05). The results of the Mann-Whitney U test are U=1266.500 and p=0.107. These results do not provide sufficient evidence to suggest that there is a link between gender and the effect of after-hours availability.

Ranks				
	GENDER	N	Mean Rank	Sum of Ranks
Effect of After-Hours Availability Variable	Male	57	51.22	2919.50
	Female	54	61.05	3296.50
	Total	111		

**Table 21: After-Hours Availability Variable Ranks (Gender)**

Test Statistics	
	Effect Variable
Mann-Whitney U	1266.500
Wilcoxon W	2919.500
Z	-1.610
Asymp. Sig. (2-tailed)	.107

**Table 22: After-Hours Availability Variable Mann-Whitney U (Gender)**

The demographic variable of age was tested against the effect of out of hours working variable. The results of the Shapiro-Wilk test are shown for each category. As all results have p<0.05, all categories are deemed as normally distributed. Because of this, the ANOVA test was used to test the relation between the two variables.

Tests of Normality							
	AGE	Kolmogorov-Smirnov <sup>a</sup>			Shapiro-Wilk		
		Statistic	df	Sig.	Statistic	df	Sig.
Effect of After-Hours Availability Variable	18-24	.148	31	.082	.957	31	.237
	25-34	.096	42	.200*	.962	42	.173
	35-44	.184	20	.073	.936	20	.198
	45-54	.213	12	.138	.927	12	.349
	55-64	.301	4	.	.897	4	.414
	65+	.260	2	.			

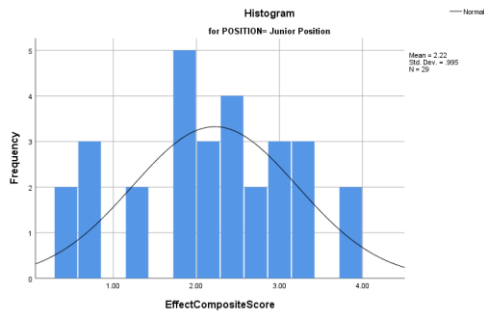
**Table 23: After-Hours Availability Variable Normality Test (Age)**

The results of the ANOVA test are shown below. As p=0.047, there is not sufficient evidence to support that age has a significant effect on the perception of the effect of after-hours availability.

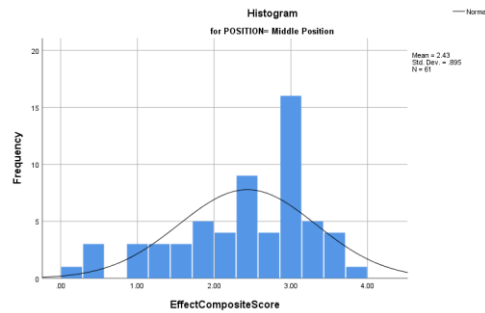
ANOVA					
Effect of After-Hours Availability Variable					
	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	9.442	5	1.888	2.338	.047
Within Groups	84.823	105	.808		
Total	94.265	110			

**Table 24: After-Hours Availability Variable ANOVA test (Age)**

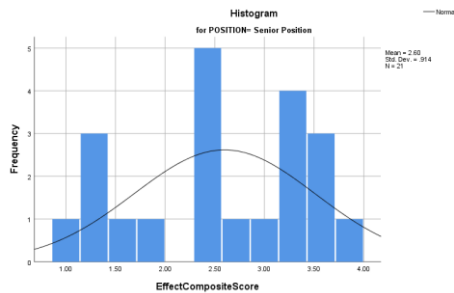
The final demographic to be tested is the participant's position with the organisation. The distributions for each category, plotted against the normal curve, are shown below. The mean, standard deviation and count for each category are shown on the right-hand side of each histogram.



**Figure 7: Junior Position After-Hours Availability Variable Histogram**



**Figure 8: Middle Position After-Hours Availability Variable Histogram**



**Figure 9: Senior Position After-Hours Availability Histogram**

Each category was tested for normality with the Shapiro-Wilk statistical test. The results show that junior and senior positions are normally distributed ( $p=0.275$ ,  $p=0.49$ ). The results for middle positions show an abnormal distribution. Because of this abnormal distribution, the non-parametric Kruskal-Wallis H test was used for inferential testing.

Tests of Normality							
	POSITION	Kolmogorov-Smirnov <sup>a</sup>			Shapiro-Wilk		
		Statistic	df	Sig.	Statistic	df	Sig.
Effect of Availability	Junior Position	.120	29	.200*	.957	29	.275
	Middle Position	.137	61	.006	.946	61	.009
	Senior Position	.155	21	.200*	.908	21	.049

**Table 25: After-Hours Availability Variable Normality Test (Position)**

Figure 26 shows the mean ranks for each variable. The results show little difference between the mean ranks (J=49.43, M=56.77, S=62.83). The result of the Kruskal-Wallis-H test show  $p=0.333$ , therefore there is insufficient evidence to support that the perception of the effect of working out of hours is affected by position within an organisation.

Ranks			
	POSITION	N	Mean Rank
Effect of Availability	Junior Position	29	49.43
	Middle Position	61	56.77
	Senior Position	21	62.83
	Total	111	

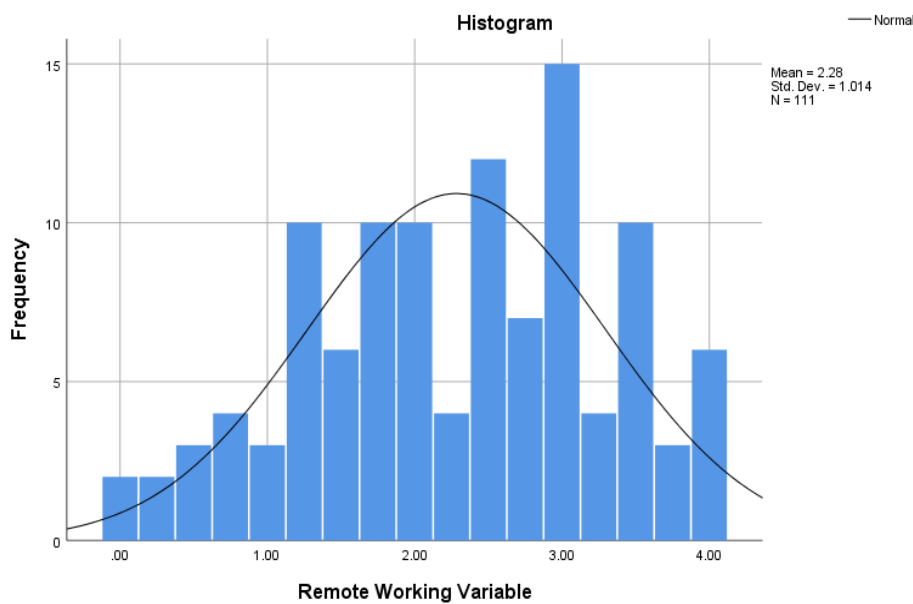
**Table 26: After-Hours Availability Ranks (Position)**

Test Statistics	
	Effect of Availability
Kruskal-Wallis H	2.197
df	2
Asymp. Sig.	.333

**Table 27: After-Hours Availability Kruskal-Wallis H Test (Position)**

### 5.2.6 Remote Working

This section will examine the remote working perception of participants. Figure 3 depicts the results of the remote working variable. The mean ( $m=2.28$ ), standard deviation ( $SD=1.014$ ) and count ( $n=111$ ) are shown on the right-hand side.



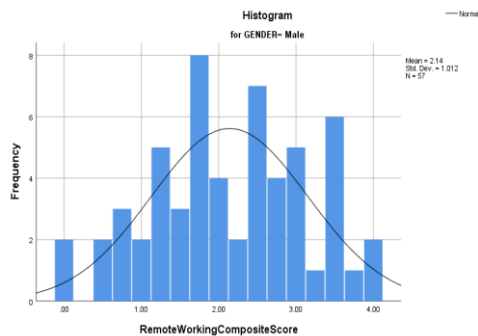
**Figure 10: Remote Working Variable Histogram**

The Shapiro-Wilk test was carried out on the variable. In this case,  $p=0.15$  therefore the variable is normally distributed.

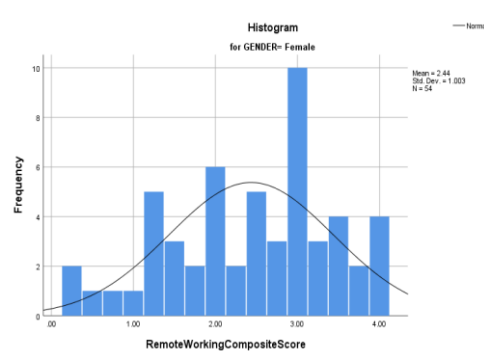
Tests of Normality						
	Kolmogorov-Smirnov <sup>a</sup>			Shapiro-Wilk		
	Statistic	Df	Sig.	Statistic	Df	Sig.
Remote Working Variable	.102	111	.006	.971	111	.015

**Table 28: Remote Working Variable Normality Test**

The remote working variable was then tested against three demographic variables: gender, age, and position. Gender was the first variable to be tested. The distributions for both categories are shown below in histograms plotted against the normal curve. From the below, it can be suggested that both categories are normally distributed.



**Figure 11: Male Remote Working Variable Histogram**



**Figure 12: Female Remote Working Variable Histogram**

The Shapiro-Wilk test was performed on both gender categories. The results are displayed in table 29. As both categories have  $p < 0.005$ , both are normally distributed. Because of this, the ANOVA test was performed on the variables.

Tests of Normality							
	GENDER	Kolmogoro-Smirnov			Shapiro-Wilk		
		Statistic	df	Sig.	Statistic	df	Sig.
Remote Working	Male	.095	57	.200 <sup>*</sup>	.976	57	.304
	Female	.139	54	.011	.959	54	.063

**Table 29: Remote Working Variable Normality Test (Gender)**

The results of the ANOVA test are displayed in the below table. As  $p=0.126$ , there is not sufficient evidence to support that gender affects the perception remote working.

ANOVA					
Remote Working Variable					
	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	2.410	1	2.410	2.375	.126
Within Groups	110.650	109	1.015		
Total	113.061	110			

**Table 30: Remote Working Variable ANOVA test (Gender)**

Age is the next variable to be tested against the remote working variable. The results of the Shapiro-Wilk normality test are displayed below. From the below, it can be inferred that all of the categories are normally distributed. Because of this, the ANOVA test was used to as an inferential test.

Tests of Normality							
	AGE	Kolmogorov-Smirnov <sup>a</sup>			Shapiro-Wilk		
		Statistic	df	Sig.	Statistic	df	Sig.
Remote Working Variable	18-24	.103	31	.200*	.959	31	0.270
	25-34	.104	42	.200*	.963	42	0.190
	35-44	.176	20	.106	.947	20	0.324
	45-54	.149	12	.200*	.937	12	0.458
	55-64	.185	4	.	.981	4	0.906
	65+	.260	2	.			

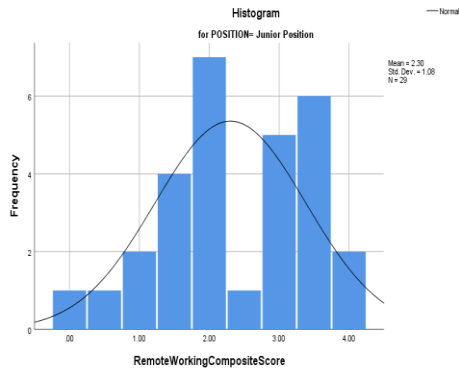
**Table 31: Remote Working Variable Normality Test (Age)**

The results of the ANOVA test are displayed below. As  $p=.200$ , there is insufficient evidence to suggest that age affect perceptions of remote working.

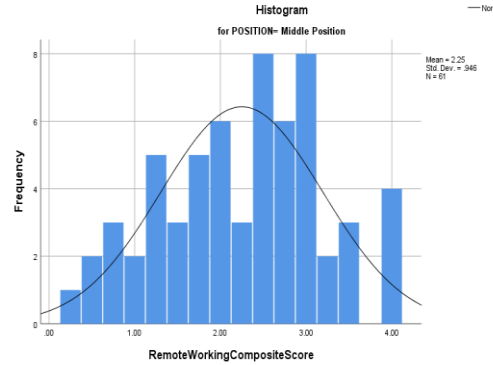
ANOVA					
Remote Working Variable					
	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	7.476	5	1.495	1.487	.200
Within Groups	105.585	105	1.006		
Total	113.061	110			

**Table 32: Remote Working Variable ANOVA test (Age)**

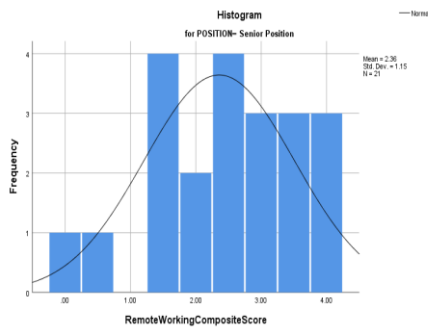
The final variable to be tested is position. The results of the distributions for each category are displayed below. From the below, it can be suggested that all categories are normally distributed.



**Figure 13: Junior Position Remote Working Variable Histogram**



**Figure 14: Middle Position Remote Working Variable Histogram**



**Figure 15: Senior Position Remote Working Variable Histogram**

The Shapiro-Wilk test has performed to test normality. The results of the tests are displayed below.

For all categories,  $p > 0.005$ , therefore it can be inferred all categories are normally distributed.

Because of this, the ANOVA test was performed on the variables as an inferential test.

Tests of Normality							
		Kolmogorov-Smirnov			Shapiro-Wilk		
	POSITION	Statistic	Df	Sig.	Statistic	Df	Sig.
Remote Working Variable	Junior Position	.155	29	.074	.951	29	.192
	Middle Position	.112	61	.054	.974	61	.224
	Senior Position	.141	21	.200	.946	21	.292

**Table 33: Remote Working Variable Normality Test (Position)**



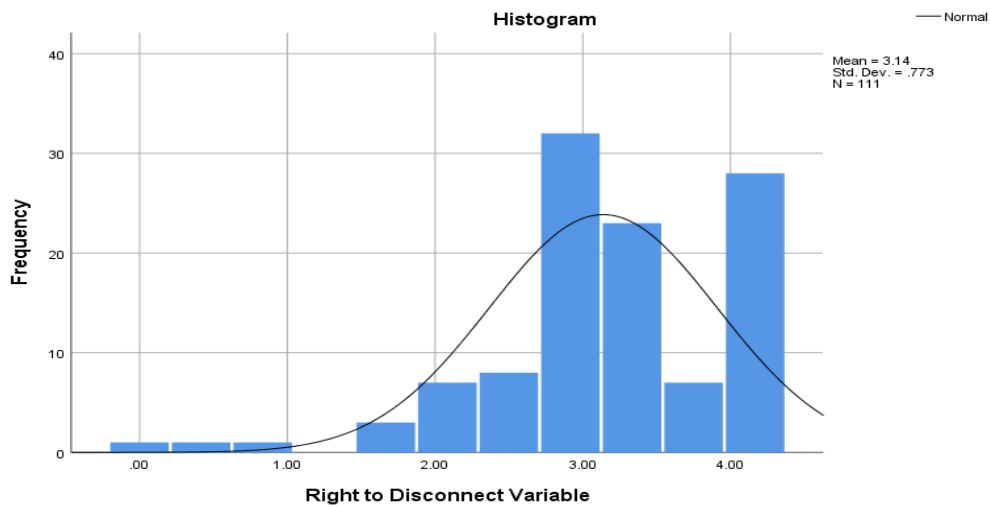
The results of the ANOVA test are displayed below. The significance result shows  $p=0.912$ , therefore is not significant evidence to support that position within an organisation has an effect on perceptions of remote working.

ANOVA					
Remote Working Variable					
	Sum of Squares	Df	Mean Square	F	Sig.
Between Groups	.192	2	.096	.092	.912
Within Groups	112.869	108	1.045		
Total	113.061	110			

**Table 34: Remote Working Variable ANOVA test (position)**

### 5.2.7 The Right to Disconnect

This section will examine the participant's perception on the right to disconnect. Figure 16 illustrates the results of the right to disconnect variable. The mean, standard deviation and value are shown on the right-hand side of the histogram. The histogram is plotted against the normal curve and from the below it can be suggested that the variable is positively skewed.



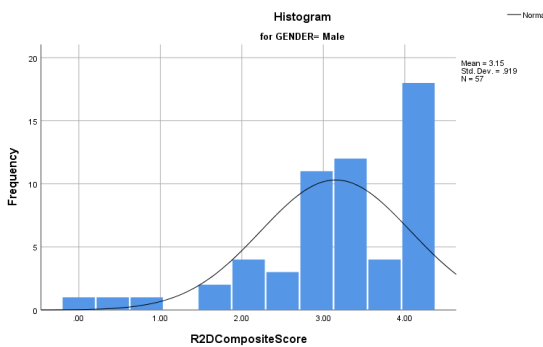
**Figure 16: Right to Disconnect Variable Histogram**

The Shapiro-Wilk test was performed on the variable. For this variable,  $p=.000$  therefore it can be stated the variable is not normally distributed.

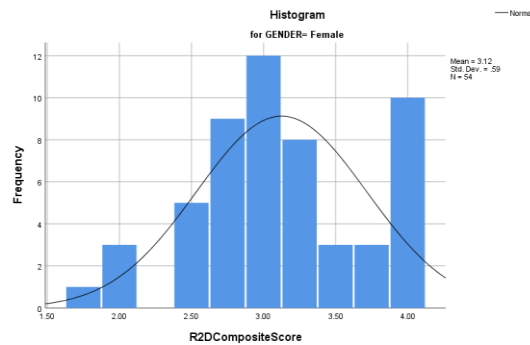
Tests of Normality						
	Kolmogorov-Smirnov			Shapiro-Wilk		
	Statistic	Df	Sig.	Statistic	Df	Sig.
Right to Disconnect	.133	111	.000	.885	111	.000

**Table 35: Right to Disconnect Variable Normality Test**

The perception of the right to disconnect was testing against the three demographic variables: gender, age, and position. The distributions of gender are displayed in the below histograms plotted against the normal curve. From the below, it can be suggested that the female distribution is normal while the male distribution may be skewed.



**Figure 17: Male Right to Disconnect Variable Histogram**



**Figure 18: Female Right to Disconnect Variable Histogram**

The Shapiro-Wilk test was performed on the variables to test normality more accurately. The results are displayed below. As the p-value is equal to 0, it can be inferred that the male distribution is abnormal while the female distribution is normal ( $p=0.005$ ). Because of the abnormal result, the Mann-Whitney U test was used as a non-parametric inferential test.

Tests of Normality							
		Kolmogorov-Smirnov			Shapiro-Wilk		
	GENDER	Statistic	Df	Sig.	Statistic	Df	Sig.
Right to Disconnect Variable	Male	.178	57	.000	.843	57	.000
	Female	.139	54	.011	.934	54	.005

**Table 36: Right to Disconnect Variable Normality Test (Gender)**

Figure 38 displays the results of the Mann-Whitney U test. There is no significant difference between the mean ranks of categories and  $p=0.314$ . Therefore, it can be inferred that is not evidence to suggest that gender affect views on the right to disconnect.

Ranks				
	GENDER	N	Mean Rank	Sum of Ranks
Right to Disconnect Variable	Male	57	58.96	3360.50
	Female	54	52.88	2855.50
	Total	111		

**Table 37: Right to Disconnect Ranks (Gender)**

Test Statistics	
	Right to Disconnect Variable
Mann-Whitney U	1370.500
Wilcoxon W	2855.500
Z	-1.007
Asymp. Sig. (2-tailed)	.314

**Table 38: Right to Disconnect Mann-Whitney U Test (Gender)**

Age was then tested against the right to disconnect variable. The Shapiro-Wilk test was used to test normality. The results are displayed below. The categories 18-24 and 25-34 can be deemed abnormally distributed while all other categories are normally distributed. Because of the abnormal distributions, the Kruskal-Wallis H test was used an inferential test for these variables.

Tests of Normality							
	AGE	Kolmogorov-Smirnov			Shapiro-Wilk		
		Statistic	Df	Sig.	Statistic	Df	Sig.
Right to Disconnect Variable	18-24	.186	31	.008	.902	31	.008
	25-34	.182	42	.001	.841	42	.000
	35-44	.145	20	.200	.950	20	.372
	45-54	.182	12	.200	.921	12	.294
	55-64	.214	4	.	.963	4	.798
	65+	.260	2				

**Table 39: Right to Disconnect Normality Test (Age)**

Figure shows the results of the Kruskal-Wallice H test. The mean ranks are not significantly different and  $p=0.150$ . As a result, there is not sufficient evidence to suggest that age affect perceptions on the right to disconnect.

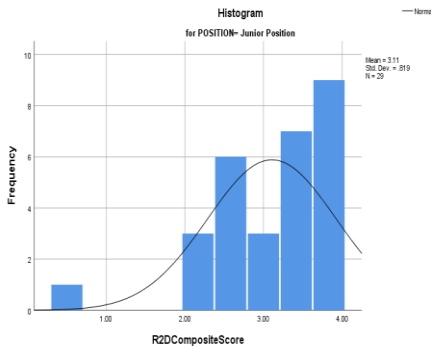
Ranks			
	AGE	N	Mean Rank
Right to Disconnect Variable	18-24	31	60.71
	25-34	42	61.13
	35-44	20	44.80
	45-54	12	49.50
	55-64	4	61.38
	65+	2	15.50
	<b>Total</b>	<b>111</b>	

**Table 40: Right to Disconnect Variable Ranks (Age)**

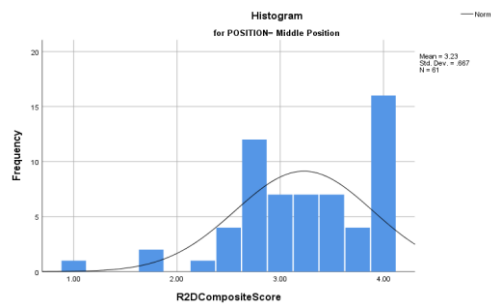
Test Statistics	
	Right to Disconnect Variable
Kruskal-Wallis H	8.124
Df	5
Asymp. Sig.	.150

**Table 41: Right to Disconnect Kruskal-Wallis H test (Age)**

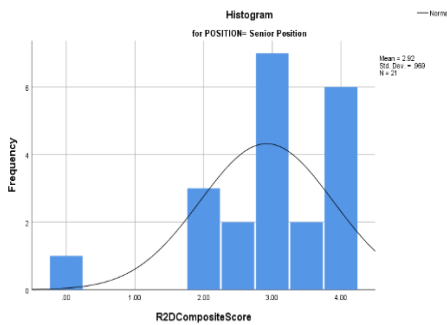
Position is the final demographic variable to be tested against the right to disconnect variable. The distributions of each category are displayed below. From the below, it can be suggested that the senior positions are normally distributed while the junior and the middle positions are abnormally distributed.



**Figure 19: Junior Position Right to Disconnect Variable Histogram**



**Figure 20: Middle Position Right to Disconnect Variable Histogram**



**Figure 21: Senior Position Right to Disconnect Variable Histogram**

The variables were tested for normality using the Shapiro-Wilk test. The results are displayed below. From the below, it can be inferred that the senior position category is normally distributed ( $p=0.016$ ). The junior and middle positions are abnormally distributed ( $p=0.004$ ,  $p=0.000$ ). Because of the abnormal distributions, the Kruskal-Wallis H test was used.

Tests of Normality							
	POSITION	Kolmogorov-Smirnov			Shapiro-Wilk		
		Statistic	df	Sig.	Statistic	df	Sig.
Right to Disconnect Variable	Junior Position	.138	29	.166	.882	29	.004
	Middle Position	.138	61	.005	.900	61	.000
	Senior Position	.153	21	.200*	.882	21	.016

**Table 42: Right to Disconnect Variable Normality Test (Position)**

Figure displays the results of the Kruskal-Wallis H test on the position and right to disconnect variables. The mean differences are not significantly different ( $J=55.31$ ,  $M=58.77$ ,  $S=48.90$ ) and  $p=0.467$ . These results do not provide sufficient evidence that the perception of the right to disconnect is affected by seniority of position.

Ranks			
	POSITION	N	Mean Rank
Right to Disconnect Variable	Junior Position	29	55.31
	Middle Position	61	58.77
	Senior Position	21	48.90
	Total	111	

**Table 43: Right to Disconnect Ranks (Position)**

Test Statistics	
	Right to Disconnect Variable
Kruskal-Wallis H	1.524
Df	2
Asymp. Sig.	.467

**Table 44: Right to Disconnect Variable Kruskal-Wallis H Test (Position)**

## **5.3 Qualitative Research**

### **5.3.1 Introduction**

Four experts were interviewed as part of this study to gain four perspectives on the right to disconnect. Gareth Murphy (GM) of the Financial Services Union provided a trade union perspective. Doctor Caroline Murphy (CM) of the University of Limerick provided an academic perspective. Deputy Heather Humphreys (HH) of Fine Gael provided a political perspective on the policy side of the right to disconnect. Deputy Steven Murphy (SM) of the Green Party provided a political perspective on the legislative side of the right to disconnect. The transcripts of these interviews are available on request. The data collected from these interviews were analysed and themes and sub-themes were identified. The four themes identified were the impact of technology, employee obligation, the employer versus employee perspective and a blanket approach to the right to disconnect.

### 5.3.2 Theme 1: The Impact of Technology

The first theme that emerged from the interviews was the impact of technology on disconnection from work. All interviewees identified that technology has intensified this issue and the need for the right to disconnect. In particular, the introduction of smartphones to the workplace was identified as significant.

‘When you have a smartphone, people can get you by phone and by email 24 hours a day’ HH

‘Your email is now in reach which has serious drawbacks from a work-life balance perspective’ SM

The difference of physicality of laptop use compared the smartphone was identified as an issue.

Before the introduction of the smartphone, if an employee wanted to monitor emails outside of hours, there was a physical act of taking out and opening the laptop. In contrast, the smartphone is accessible for use at all times in all locations.

‘The smartphone is a lot more invasive. You can be sitting watching Netflix and still be working, still be answering emails.’ GM

‘On the side-lines of GAA pitches on a Saturday and Sunday mornings, it struck me the amount of parents standing on the side-lines on their phones, working while their kids are played. I asked a lot of them about it and it was all work-related stuff, this wasn’t Facebook or Twitter.’ GM

The interviewees all identified that technology can have a negative impact on employees, particularly in terms of work/life balance. One interviewee underlined the psychological effect of the constant effect of the constant monitoring of emails even if not necessarily engaging with them.

‘Some studies have looked at the psychological response to the number going up in your inbox and even if you don’t actively open your email and that itself is causing stress, anxiety and worry.’ GM

Technology may have accelerated the issue of disconnection from work, but it is important to examine the employee perspective on out of hours working. All employees in an organisation may have access to the technology to work outside of hours but not all employees feel obliged to monitor emails or take calls. The employees who do feel obliged will be discussed in the next theme.

### 5.3.3 Theme 2: Obligations of employees

The second theme identified from analysis was the feeling of obligation that some employees may have in relation to after-hours availability. All interviewees identified this as an issue that is exacerbating the need for the right to disconnect. Although an employer or line manager may not explicitly express that an employee should work out of hours, an employee may still feel obliged to. It was suggested that this may be a larger issue among new employees in an organisation.

'There is an issue with people regularly getting emails after hours and, even if the mail is not urgent, they feel obliged to reply.' HH

'People who are new to a business in particular might feel obligated to answer emails at all hours' SM

The reasons for this feeling of obligation were examined. Some interviewees felt that it came as a result of the competitiveness of the job market. In order to progress in their career, employees may feel that they have to work outside of normal hours. An employee may feel that the best way to impress their employer and display commitment to an organisation is to be accessible to the employer at all time.

'The jobs market is so competitive and the eagerness to move up within companies means that the employee feels obligated to reply. I don't blame the employee for replying, it's human nature to want to impress your boss by showing dedication but they shouldn't be put in that situation' SM

The feeling of obligation can be affected by workload. Workers may struggle to complete their work within the normal working hours and therefore feel that they have to work outside of hours. One interviewee suggested that it may feel that it be a way to alleviate stress and anxiety associated with a heavy workload. This stress relief may only be temporary as an increase in working hours may lead to burnout.

'There is a psyche of 'I just clear my emails before I go to sleep then I'll have a clean slate when I wake up and I'll be less stressed'. One of things we do to relieve stress, is to extend our working day. Individuals may find that will affect their productivity in the long-term whether that is the case or not.'

CM

It was suggested that the Covid-19 crisis could be affecting this feeling of obligation among workers. As employment has now become precarious, some workers may feel lucky to be employed at all and therefore are more obliged to work longer hours. This may lead to an increase in productivity which may become expected from the employer but over time it may not be sustainable for employees if the crisis extends.

'I think there is a sense out there that I should be grateful that I have a job and to show that gratitude I am working longer days and I am engaging with calls at different times. I know in some organisations there is a covert threat from employers that they are happy for remote working to continue provided productivity remains as it has been for the last few weeks. A lot of employees have made that productivity happen from working 18 hours from the moment they wake up to the moment they go to bed with no switch off period. The problem is this will become very normalized if this pandemic response goes beyond 3 months, 6 months to a year. Then it will become people's normal pattern and organisations will expect for those levels of productivity to be normal.' CM

The sense of obligation to work out of hours may be an employee issue, but it arose from the interviews that the employers were key to managing employee expectations of how they work. This will be examined in the next section.

### **5.3.4 Theme 3: The role of employers**

All interviewees contrasted the perspectives of the employee and employer in relation to the right to disconnect. For some, the difference in perspective was a key reason why protective legislation for the right to disconnect is necessary to protect workers. This difference could be manifested in a dissonance between company policy and communication and the employee's own sense of obligation to work outside of hours. If there is ambiguity around company policy on the right to disconnect and whether such policy exists, an employee may not disconnect out of fear that they will be penalised.

'Employees are not sure if there is a policy that outlines the expectations around out of office hours working, expectations that you will take a phone call outside of working hours. Even though we think everyone in the organization is aware of these things. There is a lot of ambiguity for employees around how technology is to be used in the workplace and particularly how that impacts working time.'

CM



Another point that arose from the interviews was the employers may not realise the effect that after-hours availability has on employees.

'Some businesses may be engaging in this behaviour, but they might not realise the stress that it is causing some workers' HH

Employers who may not have realised that this was an issue may be coming to terms with it now as a result of the Covid-19 pandemic. One interviewee remarked that Covid-19 may cause many employers to engage with this issue in a new way as they themselves are now working from home for the first time and may be finding it hard to disconnect and create boundaries.

'The element of remote working during Covid-19 has strengthened the argument around the right to disconnect and the employer's conscience around work related stress as an issue because they themselves have been in this situation more than before.' GM

Those on the side of protective legislation identified it as necessary to protect workers from 'bad' employers. These are the employers who do not acknowledge employee work-life balance and who contact workers outside of hours.

'Some companies/managers see no issue in contacting their staff out of hours. Many employers are conscious of giving their employees a work-life balance but, for those who aren't, I believe it is important it is legislated for'. SM

Gareth Murphy identified a 'bad employer' as one that does not identify trade unions. From the trade union perspective, if an employer is not willing to engage with trade unions, they will be less likely to put in place fair code of practise on dysconnectivity. Because of this, FSU believes that collective bargaining should be included in any protected legislation introduced in order to gain the best outcome for employer and workers.

'I would describe them as the 'bad' employers because they don't recognise trade unions. We favour legislation because we feel it will deliver more for the neediest in terms of the situation that they are in, those with the least protection will be benefit from legislation. The legislation that we're calling for is for employers to agree appropriate procedures and policies preferably through collective bargaining with a trade union.' GM

Deputy Humphreys emphasised listening to the employer perspective as well as workers when the government examines the issue of the right to disconnect. The government intends to create guidelines from engaging with employer and workers representatives i.e. a policy approach.

'We are now consulting the employer and worker representative bodies, like IBEC and ICTU, to get their views on this. Through consulting and hearing the different views, we should hopefully be able to come up with some sensible guidelines which will help everybody.' HH

The role of the employer is important to be considered when examining the right to disconnect. It is important to understand that employers are not the same and organisations operate in different ways. Therefore, one approach to protecting the right to disconnect will work not for all organisations. This will be examined in the next section.

#### **5.3.5 Theme 4: 'Blanket Approach' to Legislation**

When discussing the legislative approach to the right to disconnect, all interviewees were weary of a 'blanket approach' to legislating for this issue. There was consensus that companies are different and operate differently. Many companies are global and therefore may be operating across time zones 24 hours a day. Policies suitable for a small company will more than likely not work in a large corporation. As a result, all interviewees agreed that legislation should not include strict policies that become requirements for all companies. A 'one size fits all' approach to legislation would not be beneficial to workers or employers.

'We have to remember one size won't fit all. For example, companies that have offices in different time zones, they will inevitably have to contact people after hours. That is just a reality of doing business, we can't stop that' HH

'We're a small open economy heavily dependent on foreign multinationals who operate within international working environments where hours are 24/7 in a sense, where you've got people connected to people in Washington to Shanghai to Sydney. So, I do think local solutions are better in that context rather than anything mandated.' GM

The resistance to a 'blanket' approach made the case for collective bargaining for some interviewees. With collective bargaining, a consensus can be arrived at that is suitable for the context of an individual company and its workers. For example, some companies have introduced the banning of

servers allowing emails coming in and out. This may be suitable for some organisations but not others.

'The state legislating for everything is not always a good thing but the state should legislate to encourage collective bargaining. Collective bargaining involves the employer and worker agreeing what is practical and deliverable in their context. So, you get an outcome that is fairer and more reflective of the sector and ultimately has greater buy-in from both sides because they have negotiated the thing. I am in favour of legislative solutions that encourage collective bargaining and that encourage solutions at a local level between workers and employers rather than saying, here, we're going to legislate the solution and here it is.' GM

'The right to disconnect legislation puts an onus of the employer to negotiate with them to on the impact that technology is going to have on the working hours and the working day. For that to work in reality you need to have the industrial relations environment that France and to a certain extent Italy have, that is stronger than what Ireland has, which means that you have unions, a stronger approach around collective bargaining and a greater acceptance of the right of questioning of managerial authority and to try and negotiate better terms and conditions and to have those conditions vary across sectors rather than a blanket piece of legislation that applies to all sectors.' CM

The blanket approach was also used in the context of legislation as a 'save all' option to protect right to disconnect. If there is a simple protection of the right to disconnect, it may not be beneficial to all workers. Interviewees recognised that the legislation cannot be effective unless monitored, regulated, and reviewed. Legally, a worker may be protected from penalisation for not working out of hours, but it may affect their career trajectory if there are other workers that are participating in out of hours work.

'If we put a legislation in place, we will have to do surveys for the next 5 years to monitor where is this working and where is it not working and how is it transpiring on the ground. And then we use political lobbying to try and pressure that as well to improve.' GM

'It will depend on the extent to which the legislation is properly implemented, regulated and inspected. For example, if I say to employees within an organization that new legislation has come and now, I can't force you to answer emails after 6pm in the evening or before 8am anymore. If you don't get back to the customers, there is nothing that I can do about it to penalize or punish you. The problem is that the legislation is not going to account for the fact that one employee does decide to answer

emails and to answer phone calls and another employee doesn't. The employee that does is likely to have better outcomes and performances in terms of sales, in terms of turnover, whatever is and that may have an unintended negative effect on that other employee who is protected under legislation. They are only protected from negative consequences of dismissal or penalization. It is not going to protect from being seen by their employer as having a less committed or poorer performance.' CM

This theme examines more closely the legislative approach to the right to disconnect and identifies that a 'one size fits all' approach will not be suitable for Ireland.

### **5.3.6 Summary**

From the analysis and evaluation of the findings, four themes were identified from the interviewees. The impact of technology was the subject of the FSU 2019 study and also arose as a theme in the current study (FSU, 2019). In particular, the impact of the smartphone in affecting work/life boundaries was emphasised. The feeling of obligation of employees to work outside of normal hours was also identified as significant when examining the right to disconnect. Interviewees felt that many workers are unsure of the expectations and feel obliged to take calls and monitor emails even when they are not explicitly told that they have to.

In addition, the role of employers was identified as significant to the right to disconnect. Some felt that employers may not realise the effect of out of hours of working but the Covid-19 crisis may change this. Employers also have a role in communicating the company policy on disconnection as many employees may not be aware. The existence of 'bad' employers was identified, and this supported the inclusion of collective bargaining in proposed legislation.

The final theme identified of the 'blanket approach' to legislation. Strict and narrow regulations should not be implemented as all companies operate differently. The importance of implementation, regulation, and monitoring proposed legislation was also identified.

## **Chapter 6: Discussion**

### **6.1 Introduction**

This chapter will discuss the findings of the research and how it relates to the literature reviewed. This study examined the right to disconnect and the appropriate approach to protect this right in Ireland. The approach to research for this study was two-pronged with a quantitative and qualitative section. The study had three research aims. The quantitative research examined these research aims. The qualitative research also examined the research aims and overall research question.

### **6.2 Objective 1: The Organisational Norm of After-Hours Availability**

The first objective was to examine if there was an organisational norm of after-hours availability and what are some of the factors that affect this. Questions 10-17 were related to this. 92% of respondents can access emails and 83% answer calls on either a personal or work phone outside of the office. 54% of respondents strongly agreed or agreed with the statement 'I often take work related calls outside of normal hours' while 79% strongly agreed or agreed with the statement 'I often monitor emails outside of normal hours.' 52% of participants either strongly agreed or agreed with Questions 14-17. Therefore, there is evidence to support that after-hours availability is an organisational norm.

Further statistical tests were carried out on the data to investigate if this organisational norm is affected by demographic factors. Age, gender, and position of participants were tested and there was not sufficient evidence to support that these demographic factors affect after-hours availability as an organisational norm.

### **6.3 Objective 2: The Effect of After-Hours Availability**

The second objective was to examine the effect of after-hours availability and the differences across different demographic groups. Questions 18-24 related to the effect of working outside of hours. 57% of participants either strongly agreed or agreed with Questions 18-24. This supports that there is a negative effect to after-hours availability on workers. Age, gender, and position were tested against this variable but there was no sufficient evidence that these demographic variables have an effect on the effect of after-hours availability.

The results of Question 20 'I often find it difficult to 'switch off' from work when I come home.' shows that 92% of respondents either strongly agreed or agreed with this statement. The responses of Question 22 'I often think about work even after the working day is over.' showed 81% of participants either strongly agree or agreed with this statement. These results support the Mellner (2013) study findings that after-hours availability affects the workers ability to switch off (Mellner, 2013).

#### **6.4 Objective 3: Covid-19 and Remote Working**

The third objective was to investigate the effect of remote working on participants, particularly in the context of the Covid-19 pandemic. Questions 25-29 related to remote working. 86.5% of participants confirmed that they have been working remotely since the beginning of the crisis. The results of Questions 26-29 showed that 48.3% of respondents either strongly agreed or agreed with the all statements. This result supports that there is a negative effect to remote working on after-hours availability and ability to switch off from work.

45.9% of respondents either strongly agreed or agreed with the statement 'Since the beginning of the Covid-19 crisis and remote working, I am working longer hours than usual.' The results of RW29 'Since the beginning of the COVID-19 crisis and remote working, I have found it more difficult to switch off from work.' show 55.8% of participants either in agreement or strong agreement. This supports the Jacukowic and Merez-Kot (2020) study which found that online workers find it more difficult to manage work-life balance than traditional office workers (Jacukowic and Merez-Kot, 2020).

#### **6.5 Objective 4: Right to Disconnect**

The fourth objective was to investigate participants views on the right to disconnect and if there is a difference across demographics. Questions 30-35 related to the right to disconnect. 43.5% of participants were not aware of a policy on the right to disconnect in their workplace while 40.5% were not sure. This shows a lack of communication with employees as identified in the qualitative research. The results of Questions 32-35 showed that 81% of participants either strongly agreed or agreed with the statements related to the right to disconnect. This result supports that workers support a legislative protection of the right to disconnect in theory.

The results of Question 34 'I feel that a legislative protection of the right to disconnect in Ireland would be beneficial to Irish society.' showed that 89.1% of participants either strongly agreed or agreed with

this statement. 86.4% of participants either strongly agreed or agreed with the statement 'It would be preferable to have protective legislation of the right to disconnect rather companies setting their own policies.'

## **6.6 Research Question: Protective Legislation for the Right to Disconnect**

In the analysis of the qualitative section, four themes were identified. These themes were linked to the research aims and the overall research question. These themes were the impact of technology, the obligations of employees, the role of the employer and the 'blanket approach' to legislation.

The theme of the impact of technology, particularly the smartphone, emerged as part of the research. This finding is in line with studies discussed in the literature review, particularly the FSU 2019 report (FSU, 2019). Von Bergen et. al (2019) identified technology as one of the five factors that have affected work-home boundaries. The current study identified the significant difference in physicality of the smartphone versus the laptop. The smartphone was identified as an invasive extension of working life which aligns with the Park et. al (2020) study on effect of smartphone use on employee burnout.

The obligation of employees was also identified as significant in the study. Protective legislation may not be enough to overcome the feeling among employees that they are obliged to available outside of hours. This arose as an issue in France as discussed by Lehndorf (2014). The introduction of a 35-hour working week did not lead to a reduction of working hours for French white-collar workers (Lehndorf, 2014). The present study identified that the Covid-19 crisis may be exacerbating the feeling of obligation among workers to be available. Workers may feel lucky to being employed during this crisis or feel pressured to maintain productivity. This is an area for further research as the crisis develops.

The current study found that employers were significant in protecting the right to disconnect. Employers may not be effectively communicating their expectations on workers and therefore ambiguity exists around after-hours availability and disconnection. In some cases, the employer expectations may be that employees are always available and connected. Kantor and Streitfield (2015) identified Amazon as an employer with such expectations where employees are expected to work extreme hours (Kantor and Streitfield, 2015). The present study found that the existence of 'bad' employers like Amazon supported the need for protective legislation. Collective bargaining was

identified as significant to obtain the best outcomes for workers and employers to gain buy-in from both sides.

The French law on the right to disconnect is the most note-worthy and discussed as it was the first such law to be introduced. Collective bargaining is a tenant of the legislation which requires companies to come to collective agreements with employees on disconnection (Wisenburg Brin, 2019). The findings of the current study identified the importance of collective agreements in future legislation. No one approach will suit all sectors and companies so employers and employees should agree on policy that works for them. The French law has been criticised for a lack of incentives and consequences for employers that do not engage with the legislation (Morel, 2019). The present study identified the significance of implementing, monitoring, and regulating the legislation if it is introduced.



## **Chapter 7: Conclusion and Recommendations**

### **7.1 Conclusion**

The aim of this study was to examine the effect of being 'always on' and after-hours availability on workers and to determine if protective legislation of the right to disconnect is the right approach to improve work/life balance. The study focused on the right to disconnect in an Irish context.

Other studies had examined similar topics, but little research had been done into the right to disconnect in Ireland. The results of the questionnaire showed that after-hours availability is an organisational norm for many workers in Ireland. The questionnaire showed a negative effect of after-hours availability participants in the study. From the results, it can be concluded that after-hours availability is a problem affecting workers in Ireland. The participants in the questionnaire were supportive of the right to disconnect to address this issue. It arose from the study that vulnerable workers need protection from feeling obligated to be always available. The study also found that there was a concern around stringent legislation due to the variance across sectors and companies. It can be concluded that protections would be beneficial to workers but should include collective bargaining to be work for employers and workers.

Further research could be conducted into the topics explored in this study. The sample in this study was limited - studies with a larger sample with more diverse demographics would yield more accurate results. Although there is significant research into the effects of a lack of work life balance, there is a gap in research on the motivations of workers to work long hours. The feeling of obligation among workers to be available outside of normal working hours would be an area for further development and research. A case study on a company that has implemented a disconnection policy would be recommended to examine the effect on employee wellbeing, if any. A study on the effect of the abrupt shift from office working to remote working since the beginning of the Covid-19 crisis would also be an area for further research.

### **7.2 Recommendations**

Based on the research and findings, the author makes the following recommendations:

- 1. Protective Legislation:** The author recommends that the government introduce the protection of the right to disconnect into legislation. The legislation should guarantee workers

the right to disconnect from work. This will protect vulnerable workers from increased after-hours availability. The author recommends the inclusion of collective bargaining as part of the legislation. This will allow for individual organisations and sectors to create policies and protections that work for them.

2. **Trade Union Membership:** The current government does not currently plan to protect the right to disconnect in legislation. It is not clear when the next election will take place but realistically it may be some time before legislation will be put in place. Therefore, the author recommends that workers join a trade union if they can. Trade unions are already working with employers on collective agreements to protect the right to disconnect.
3. **Policy Creation:** The author recommends that employers create policies to protect the right to disconnect. Ideally, these policies should be agreed through collective bargaining to ensure greater buy-in from workers and employers. Policies can address the issue from a compensation perspective wherein workers are paid over-time or receive time-in-lieu for hours worked outside of normal hours. Policies can also address the availability issue through prohibiting internal calls/emails outside of agreed hours, shutting down servers so emails cannot be received and/or providing training courses on disconnection for management and workers. It is vital that any new policies are clearly communicated to workers.
4. **Communication:** The author recommends that employers and management speak to workers on after-hours availability. Employers may not realise the extent to which individual workers are affected by a lack of disconnection. It is important that workers are aware of the expectations of employers to counteract their own feelings of obligation to be available outside of hours.

### **7.3 Implications of Findings**

It is not known if protective legislation will be enacted as part of the current government and it may be a few years before the legislation is put in place. Therefore, the author will examine the policies that can be put in place at company level. The author estimates that the timeframe for implementing these policies will be c. six months. This will include organising and participating in collective bargaining, drafting and implementing the collective agreement. There will be a financial and time cost associated with the organisation of agreements and implementation of new policies. Different costs will apply depending on the policy agreed on. If a compensation approach is taken, there will be a cost related

to over-time. There may also be a financial cost if employees are now disconnected from work and are only working during normal hours. The author believes this is a moderate cost to improve well-being of employees.

## **Chapter 8: Personal Learning Statement**

The process of writing this dissertation was difficult, challenging, but ultimately rewarding for me. Working full-time while completing a master's degree was not straight-forward. The biggest challenge of this dissertation was time management. I had to develop and perfect time and deadline management. I used a Gantt chart to set out the timeline for the work. I had to use self-discipline to stick to deadlines and to complete the work in a timely manner. One of the most challenging aspects of the research was sticking to these deadlines and not slipping behind on time.

I did not have to complete a dissertation as part of my undergraduate degree, so this was my first time to approach such a piece of work. I feel that the lack of experience was a disadvantage. If I were to approach the work again with the skills and experience that I developed throughout the process, I would set more reasonable deadlines. For example, I greatly underestimated the time that it would take to transcribe the interviews for the qualitative research. I would have taken a more focused approach to the research. The combined use of qualitative and quantitative research meant that I did not have sufficient time to dedicate to both methods as I would have liked.

The development of my research skills was a major benefit of the completion of this dissertation. I now feel more confident in conducting research. The dissertation improved my ability to collect, distil and summarise information. The research has also developed my patience. The research involved reading many journals and other literature and often not finding anything relevant. I hope that these skills will be relevant to me in my professional future.

The subject of the dissertation was of great interest to me. Working in financial services, I could see first-hand a culture of constant availability and the effect of that on culture. I also have been guilty of checking emails and trying to clear my inbox at all hours of the day or night. It was coincidental that the world completely changed in the course of this writing and the subject matter became more topical. Anecdotally, colleagues and friends told me that they were finding it difficult to switch off and disengage from work. I am happy to now know a lot more about disconnection and disengagement. I feel this will be beneficial to my career going forward as it seems more important than ever that organisations examine how their employees are engaging and disengaging with work.

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## **Appendix 1: Sample of Questionnaire**

1. Your participation in this research questionnaire is voluntary. You may choose not to participate. You may withdraw participation at any time. There will be no penalisation for withdrawal of participation. This online questionnaire should take 5 to 10 minutes to complete. Responses are confidential and anonymous. No identifiable information will be collected. Data collected will be stored securely. The results of the questionnaire will be used for scholarly purposes only. Please confirm you would like to participate:
  - a. Yes
  - b. No
2. How old are you?
  - a. 18-24
  - b. 25-34
  - c. 35-44
  - d. 45-54
  - e. 55-64
  - f. 65+
3. What gender do you identify with?
  - a. Male
  - b. Female
  - c. Non-Binary
  - d. Prefer Not to Say
4. What is your level of education?
  - a. Junior Certificate
  - b. Leaving Certificate
  - c. Higher Certificate (NFQ Level 6)
  - d. Ordinary Bachelor's degree (NFQ Level 7)
  - e. Honours Bachelor's degree (NFQ Level 8)
  - f. Postgraduate Diploma (NFQ Level 9)
  - g. Higher Doctorate (NFQ Level 10)
5. Do you work in Ireland?
  - a. Yes
  - b. No
6. What is your work status?
  - a. Full Time Employed
  - b. Part Time Employed
  - c. Self-employed
  - d. Student
  - e. Unemployed
7. Which of the following categories best describes the industry that you work in?
  - a. Academic
  - b. Accounting/Finance
  - c. Aviation/Airlines
  - d. Banking/Insurance
  - e. Big Data/Business Analysis
  - f. Call Centre/Customer Service
  - g. Construction/Engineering
  - h. Education/Training
  - i. Financial Services
  - j. Fitness and Leisure
  - k. Hair and Beauty
  - l. Healthcare/Medical/Nursing
  - m. HR/Recruitment
  - n. IT
  - o. Legal
  - p. Marketing/Market Research

- q. Other
  - r. Property/Facilities Management
  - s. Restaurants/Pubs
  - t. Retail
  - u. Travel/Tourism
8. What best describes is your current role?
    - a. C-Suite
    - b. Director
    - c. Entry Level
    - d. Graduate
    - e. Intern
    - f. Middle Management
    - g. Other
    - h. Senior Management
    - i. Team Member/Specialist
  9. Is your work shift-based or office-based?
    - a. Yes
    - b. No
  10. Can you access work emails remotely?
    - a. Yes
    - b. No
  11. Do you have a work phone or take work calls/messages on a personal phone?
    - a. I have a work phone
    - b. I take work calls/messages on a personal phone
    - c. I do not take calls/messages outside of the office
  12. I often take work related calls outside of work hours.
    - a. Strongly Agree
    - b. Agree
    - c. Neither agree nor disagree
    - d. Disagree
    - e. Strongly Disagree
  13. I often check my emails outside of work hours.
    - a. Strongly Agree
    - b. Agree
    - c. Neither agree nor disagree
    - d. Disagree
    - e. Strongly Disagree
  14. It is part of my company culture to take calls and monitor emails outside of normal work hours.
    - a. Strongly Agree
    - b. Agree
    - c. Neither agree nor disagree
    - d. Disagree
    - e. Strongly Disagree
  15. I struggle to complete my workload within the normal working hours.
    - a. Strongly Agree
    - b. Agree
    - c. Neither agree nor disagree
    - d. Disagree
    - e. Strongly Disagree
  16. I often feel pressured to take calls/monitor emails outside of work hours.
    - a. Strongly Agree
    - b. Agree
    - c. Neither agree nor disagree
    - d. Disagree
    - e. Strongly Disagree

17. I often find it difficult to 'switch off' from work when I come home.
  - a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
18. I often think about work even after the working day is over.
  - a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
19. I sometimes feel anxious about not monitoring work-related emails in my leisure time.
  - a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
20. I sometimes feel anxious about ignoring work-related calls outside of work hours.
  - a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
21. I feel that there is an 'always on' culture in my current working environment.
  - a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
22. I feel that I will be viewed negatively in my team/organisation if I do not take calls and/or monitor emails outside of work hours.
  - a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
23. I feel my career will be negatively affected if I do not take calls and/or monitor emails outside of work hours.
  - a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
24. I feel that I will be disciplined if I do not answer calls and/or monitor emails outside of work hours.
  - a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
25. Have you been working remotely during the COVID-19 crisis?
  - a. Yes
  - b. No
26. I find it more difficult to work remotely than work in the office.
  - a. Strongly Agree

- b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
27. Since the beginning COVID-19 crisis, I feel my workload has increased.
- a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
28. Since the beginning of the COVID-19 crisis, I have been working longer hours than usual.
- a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
29. Since the beginning of the COVID-19 crisis, I have found it difficult to switch off from work.
- a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
30. The right to disconnect is a proposed human right regarding the ability of people to disconnect from work and primarily not to engage in work-related electronic communications such as e-mails or messages during non-work hours.
- a. I understand
  - b. I do not understand
31. I feel that a protection of the right to disconnect in Ireland would be beneficial to Irish society.
- a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
32. I feel that the protection of the right to disconnect in Irish legislation would be beneficial to me in my working life.
- a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
33. My company has a policy in place to protect employee's right to disconnect.
- a. Yes
  - b. No
  - c. Unsure
34. I feel that my employer should have a policy in place to protect the right to disconnect.
- a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree
  - e. Strongly Disagree
35. It would be preferable to have protective legislation rather companies setting their own policies.
- a. Strongly Agree
  - b. Agree
  - c. Neither agree nor disagree
  - d. Disagree

e. Strongly Disagree