

Right to disconnect: implement the EU social partners agreement in Central Government Administrations



(Wednesday, January 31, 2024) **Speaking at an event on the Right to Disconnect hosted by the S&D Group in the European Parliament, EPSU General Secretary Jan Willem Goudriaan reiterated the urgent need to make the right to disconnect a reality.**

Goudriaan called for [the EU central government social partner agreement on digitalisation](#) to be implemented through a directive as requested by the social partners almost a year and a half ago. Cross-sectoral negotiations have failed – and now the Commission must act. “Just because some do not want to take action does not give a veto for others. Workers have waited too long for this right to be introduced into European legislation, so it's time to act. The Commission can start straight away by implementing our sectoral agreement on digitalisation in central governments by a directive.”

The current lack of action is all the more disappointing given that the sectoral agreement reached in 2022 between the unions and the European Public Administration Employers (EUPAE) has been waiting for the Commission’s decision on implementation for well over a year. Initially, the Commission indicated its intention to consider the central government agreement alongside the intersectoral agreement on teleworking and digitalisation. The [breakdown](#) of negotiations at cross-sectoral level caused by Business Europe and SMEs United will now lead to delays as a process of consultations will start.

EPSU welcomed the initiative of the S&D group and the support of the European Parliament for the right to disconnect. MEPs have repeatedly reiterated strong calls for urgent legislation to ensure the right to disconnect, indicating that the breakdown of cross-sectoral negotiations should not prevent the European institutions from swiftly initiating legislative proposals. With the ETUC – represented by Esther Lynch in the debate – we expect this forthcoming directive to prevent employers from contacting their employees outside working hours, and to ensure the right of employees not to be obliged to respond. This directive should detail the modalities of telework, ensuring that employees who make use of it are not discriminated against for doing so. Telework must not replace sick leave, and any telework equipment must be provided by the employer.

Overall, the debate presented the right to disconnect as a question of worker empowerment. It's about giving them the power to say no and refuse disproportionate pressures at work. Union representatives from Spain and Belgium, who have recently enshrined this right in legislation, demonstrated the continuing importance of social dialogue within and between sectors. Employers must be obliged to adopt procedures for implementing the right to disconnect, in line with social partners through collective agreements.

With this in mind, Goudriaan recalled: "The social partner agreement on digitalisation for central government will protect over nine million workers. It covers telework, health and safety, domestic violence, AI and more, and it needs to be implemented now. It is a good starting point for an extension across the board."

Also present, European Commissioner on Jobs and Social Rights Nicolas Schmit replied, "If we ignore the social partner agreement in central government, we are actively undermining and weakening European social dialogue."

Schmit assured that the legislative procedure of the right to disconnect would begin in the coming weeks with the opening of consultations. However, this implies a reinitiation of the consultation process without any consideration of the extensive negotiations and agreements already carried out between cross-sectoral social partners - and a lengthy legislative process.

EPSU urges the European Commission to put forward the EUPAE-TUNED social partner agreement on digitalisation as a directive as soon as possible. Read more about the agreement [here](#).

The agenda, presentations and video of the debate can be found [here](#).

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