

AGORA 81

HYPERCONNECTIVITY AND THE RIGHT TO DISCONNECT: THE SITUATION IN THE COUNCIL OF EUROPE

Using connected devices at work may lead to harassment. The right to disconnect: specific policies or good practices? Above all, forced labour must be avoided where there is no job security.

Sunday, 7.30 pm. Nelly is taking advantage of an official visit to Madrid to spend the evening with her daughter, who is on an Erasmus year. Suddenly, her smartphone buzzes. A quick glance shows that the interpreter they have recruited for the conference she is organising the next day has had to call off. The reunion is curtailed: Nelly and her daughter go their separate ways. Even these few precious moments together have had to be cut short.

We all love our iPhones, our tablets and our laptops. Such tools help us to manage our lives and keep in contact with others unimpeded by constraints of time and place.

But as Nelly has seen, their use can force us into making difficult choices between our professional responsibilities and the quality of our private and family lives. Such dilemmas have always existed, but technological progress has brought them into still sharper relief.

Wednesday, 1.15 am. Adam is fighting tiredness. He has just finished the speaking notes for the chair of his intergovernmental committee. He receives an email from his boss asking him to prepare a draft statement for the director general to be delivered at the end of the meeting. Back to work. That night, there will be just three brief hours of sleep.

Inevitably the emergence of new technologies is transforming how we organise our lives. But there are still red lines that mustn't be crossed. And too often in such cases, we are our own worst enemies!

In organisations like the Council of Europe, staff may feel they are working for hundreds of millions of Europeans and must therefore redouble their efforts. This notion is often matched by a sense of guilt that they enjoy more than adequate salaries. They drive themselves mercilessly, sometimes to the point of burn-out.

Even if it doesn't come to this, misuse of these modern tools of trade can harm our quality of life. To be permanently on line, in the professional as well as the private and family spheres, can lead to a form of mental overload. The necessary time to relax is no longer available to us. Chronic fatigue sets in. The new technologies are addictive.

Nearly every weekend for many months now, Sasha has been receiving a series of text messages from his section head on his personal mobile phone. They contain biting comments on the standard of the work handed in on Friday evening and instructions to provide a revised version first thing on Monday morning. All this accompanied by barely veiled threats of dire consequences.

Sadly, such ready access can lead to unacceptable behaviour. In Sasha's case, this conduct is clearly covered by Rule No. 1292 on the protection of human dignity at the Council of Europe.

Once again though, it is partly a problem of our own making. Nelly, for example, probably thought that only she could settle the interpretation problem. Adam no doubt concluded that an email from his head of department at such a late hour must signify an emergency requiring his immediate response, while Sasha spent a troubled weekend blaming himself for unsatisfactory work. But was this really the case? Couldn't they have waited to deal with these problems during their normal working hours?

These fictional examples lead us to the sensitive issue of our relationship with others. What does my chief really expect of me? And can I be sure that what I think is expected of me is what my boss really wants? Requests and instructions transmitted by means of so-called connected technologies may well serve to inhibit the sort of discussion about workloads and how to deal with them that follow on quite naturally when such requests are made by word of mouth.

The problems associated with so-called hyperconnectivity are bound up with our ability to keep control of our own destinies, to avoid threats to our healthy lifestyles and to resist unreasonable requests and orders. A further factor is our ability to adopt certain desirable attitudes. When we send emails to colleagues outside of working hours, for example, do we think to point out that we don't expect an immediate response?

This all goes to show why the problem of hyperconnectivity is so difficult to come to terms with. Members of the Council of Europe's well-being network have considerable difficulty in distinguishing between what comes within the ambit of the right to disconnect and more general problems relating to managing interpersonal relations or maintaining healthy lifestyles. The Council of Europe human resources department's regular surveys on well-being in the workplace show that staff have very ambivalent feelings on the subject.

What has emerged in the Council is a generally held view that the first step towards securing the right to disconnect is the dissemination of good practices and professional values. Our rule book already contains provisions that can be applied to resolve a wide range of situations that might be viewed as problems of hyperconnectivity. The Staff Regulations and their appendices, as well as various instructions and rules, lay down normal working hours, the arrangements governing exceptions to these hours, both one-off (overtime) and structural (part-time work), and guidance on teleworking. As such, they provide the necessary ground rules for combating harassment.

The Administration is preparing a campaign on the theme of mutual respect, which might include the "right to disconnect". However, the staff representatives believe that the latter has to be dealt with as a quite distinct subject. Over and above any consideration of good practices, there has to be a specific policy on the right to disconnect.

SACE does not think that such a policy in itself will resolve the problem. Reducing job security in the Organisation¹ has altered the age structure of its staff, with a significant influx of a younger generation that has grown up in a hyper-connected age and has a different perception of the

¹ See Agora no. 73 of March 2015: Reform of the Council of Europe's contractual policy: the SACE's concerns, by Suzette Saint-Marc

balance to be struck between private and professional life. This generational change may pose a threat to the cohesion and effectiveness of the Organisation's staff.

Equally worrying, though, this greater insecurity has created a situation in which staff feel obliged to continue the work they were previously engaged on after their contracts have expired, in the hope of securing their renewal. SACE believes that this is particularly unacceptable since it amounts to a form of forced labour, made even more regrettable by the fact that it is accepted willingly by its victims.

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