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# One third of people check their work emails over Christmas

In between opening presents and tucking into the festive feast will you have a surreptitious glance at your inbox?

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Many people can't switch off their work life over Christmas *Getty Images*

Will you be able to resist temptation? Can you survive a few days without reaching for your mobile and checking your work emails? In between opening presents and tucking into the Christmas feast will you have a surreptitious glance at your inbox? What about a sneaky peak after chatting with the in-laws and before watching telly?

According to research by Lee Hecht Harrison Penna many of us will continue to check work emails over the Christmas break; 36 per cent of us in fact. The study of 2,000 full-time workers in the UK also showed that those aged between 18 and 34 will be the worst offenders with almost half (49 per cent) admitting to check in online during the holiday season.

In our working world with technology as it is, it's all too easy to be constantly on. Whether it's during the evenings, at weekends or on vacation time, we are only a simple click away from working. And even if you don't respond to emails, just looking at them means you're not switching off.

Then there is social media, which blurs the distinction between work and recreation. How easy is it to flick between social media accounts, such as Twitter and LinkedIn, which may well have been set up for work?

So what laws do we have to prevent digital burn out? We have hardly any. We do have laws against excessive working. Under the Working Time Regulations workers mustn't work more than 48 hours each week, averaged over 17 weeks. Workers can opt out provided that they provide a minimum of 7 days notice.

They may have to give more notice up to a maximum of 3 months if there is an agreement with the employer. There are also some general exceptions to the 48 hour week including for those workers whose working time is not measured and are in control of their work.

But would responding to emails during the Christmas break be included within the working time? Responding probably wouldn't be covered. Working time is defined as working at your employer's disposal and carrying out your duties; periods when the employee is receiving relevant training; and other periods specified in an agreement. Time working at home as part of a flexible working arrangement instead of being in the office would be covered. However, responding to emails on holiday wouldn't be included because you wouldn't be at your employer's disposal at that time.

### **Is intervention really necessary though?**

The French thought so. Earlier in the year France passed laws giving employees the right to disconnect. This right to disconnect must though be negotiated between the employer and trade-union representatives and there is no prescribed form for any agreement and the measures to be adopted.

While it's unlikely that any specific right to disconnect will be introduced in the UK in the near future, employers anyway do generally allow employees to manage their work and choose when to connect. Some employees may, for example, prefer to answer emails in their own time so that the return to the office is more manageable, and employees should be given this flexibility. With autonomy though comes responsibility and employees do need take care of their well being.

Before heading out of the office for the Christmas holiday, it might be wise to check what the company's rules are on connectivity and staying in touch. Subject to any obligations to an employer, do try and switch off (completely) for at least some of the festive period. This will give you a proper rest and prepare you for whatever hits your desk in 2017.

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