

## FUTURE OF WORK

# Tired of late messages from your boss? A new bill aims to make it illegal.

A California lawmaker wants to give workers the ‘right to disconnect,’ but his proposal faces opposition



By [Danielle Abril](#)

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Your boss shoots you an instant message at 9 p.m. on a weekday, well after your quitting time, about something that can wait until the next day. Worried that your supervisor will get upset if you don’t answer, you reopen your laptop and get back to work.

A California lawmaker wants to make it illegal for your boss to regularly contact you after hours, unless it’s an emergency or to address work schedule issues. If the bill becomes law, any employer that violates it could face a fine of at least \$100 per offense.

The proposed law, which would give California workers the legal “right to disconnect,” comes as the norms around work have vastly changed because of the [coronavirus](#) pandemic. Technologies that were adopted to help employees connect to their managers and colleagues remain in place regardless of whether people are working remotely or from the office. As a result, workers are more connected than ever and often feel pressured to respond at all hours.

“Everyone is stressed out and works too much,” said Thressa Pine-Smith, who lives in Oakland, Calif., and works for the Yuniverse, a corporate wellness program provider. Pine-Smith left a corporate job that was expected to be 40 hours a week yet turned out to be 60 hours, which burned her out. “We need tangible solutions to correct this.”

More than half of workers respond to work messages outside of their normal hours, according to a [2023 survey](#) from Pew Research Center. To mitigate burnout and improve productivity, worker advocates and lawmakers have been [mulling policies](#) such as [four-day workweeks](#).

If passed, the California bill would require employers to establish a companywide policy on what their working hours are and how they will respect employees' "right to disconnect." The law would not supersede any collective bargaining contracts and applies only to salaried workers, as hourly and gig workers are protected by other laws. It's needed to keep laws up to date with the modern realities of work, said Matt Haney, a State Assembly member representing San Francisco who introduced the bill this week. Thirteen other countries, including France, Australia, Portugal and Canada, already have laws like this, he added.

"The villain here, if there had to be one, is not the bosses but really the technology," said Haney (D). "Everybody has a smartphone, so they're available 24/7, and that has led a lot of people to feel they can never turn off. Our laws are not updated to reflect that reality."

The bill has several steps and approvals to go through before landing in front of the governor, who would have until September to sign it into law. If it passes, it would go into effect in January. But the measure faces opposition from employers and other business advocates including the California Chamber of Commerce, which called the bill a "blanket rule" that's a "step backward for workplace flexibility" in a letter to Haney.

Ashley Hoffman, a policy advocate specializing in labor and employment and workers' compensation issues at the chamber, said the bill doesn't take into account the current state laws that protect workers, is too restrictive for employers, could become a legal nightmare and could infringe on how employees work.

"My concern is if employers have to keep tabs on employee schedules, employees may lose flexibility to do work when they want to," she said.

The chamber added the bill to its annual "job killer" list of proposed state regulations and plans to testify in opposition if the bill gets a hearing.

Natalie Pierce, chair of Silicon Valley-based law firm Gunderson Dettmer's employment and labor practice, said some of the issues with the bill cited by the chamber make it unlikely that it will become state law in its current form.

"Less than half of all bills introduced in California become law," she said. "If it does become law, I suspect it will be watered down with expanded exceptions and given greater clarity regarding its applicability."

She also said the aftermath of similar laws in other countries suggests that it may have limited practical effect on people's work habits.

Still, some workers say the law is needed at a time when many are burning out, which can lead to "quiet quitting," or doing the bare minimum. Others are reinforcing their limits.

"If anyone is contacting me outside hours, it has to be an emergency," said Rikeshia Davidson, a freelance recruiter in Mississippi. "I make those boundaries clear."

She sees the legislation as a potential way to protect employees' psychological health and lure workers, especially younger ones. She hopes states like hers could use such measures to keep talent from leaving the area.

But some leaders in start-up communities worry this law could be too broad and hurt industries that often have to address issues at odd hours or put in extra work before a product push.

**Mike Solana**    
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california, in its ongoing effort to destroy itself, is once again trying to ban startups

**The San Francisco Standard**  @sfstandard

Late-night messages from work are never fun. But a new law proposed by Assemblymember Matt Haney would make off-the-clock emails illegal if they aren't emergencies. [sfstandard.com/2024/04/01/han...](https://sfstandard.com/2024/04/01/han...)

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California, “in its ongoing effort to destroy itself, is once again trying to ban startups,” Michael Solana, chief marketing officer at San Francisco-based venture capital firm Founders Fund, said on X.

Haney thinks the bill is already being misconstrued and said that it would only require that companies be transparent about their expectations for working hours. Employers would still have the freedom to dictate their policy, which could include that employees be available around-the-clock, he said.

For workers like Pine-Smith of Oakland, the law could be a turning point in work culture.

“We have to work to live,” she said. “But there are things we can do ... that can improve the experience for employees and can reduce stress, anxiety.”

## Tips for disconnecting from work

- [Work reset: 13 tips to make your job less stressful](#)
- [Microsoft Outlook can be a pain. 8 ways to make email work for you.](#)
- [How to make Slack less chaotic and easier to manage](#)