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Mental Health, Employee Well-Being and Digital Workspaces

DR. DEBADRITA BASU*

ABSTRACT

The rapid transformation of workplaces through digital technologies has redefined the relationship between employment, well-being, and mental health. Digital workspaces, characterised by remote collaboration, flexible schedules, and virtual communication platforms, offer significant opportunities for inclusivity and efficiency, yet they also present complex challenges, including the erosion of work-life balance, digital fatigue, cyberbullying, and intrusive surveillance practices. These developments underscore the urgent need to situate employee mental health within the broader discourse of labour rights, organisational governance, and constitutional protections. This paper critically examines the intersection of employee well-being, mental health, and digital workspaces through a multidisciplinary lens, integrating perspectives from law, psychology, and organisational studies. It explores the conceptual foundations of workplace well-being, highlighting its role as a determinant of productivity and human dignity. It analyses judicial trends across India, the United Kingdom, the United States, and Europe, demonstrating how courts have progressively recognised psychiatric injury, stress, and harassment as legitimate workplace concerns. Landmark cases such as Walker v. Northumberland County Council (United Kingdom), Barber v. Guardian Royal Exchange Assurance Group (United Kingdom), Faragher v. City of Boca Raton (United States), Copland v. United Kingdom (European Court of Human Rights), and Justice K.S. Puttaswamy v. Union of India (India) illustrate the evolving jurisprudence that situates mental health within constitutional and human rights frameworks. The paper further examines organisational policies, including Employee Assistance Programmes and wellness initiatives, as mechanisms for fostering resilience and psychological safety in digital environments.

Keywords: Employee well-being, Mental health, Digital workspaces, Workplace surveillance, Judicial trends.

I. INTRODUCTION

"The one whom they call mad is the one who walks a path of freedom, beyond the chains of ordinary thought." ¹ The twenty-first century workplace has witnessed a dramatic shift, as

* Author is an Assistant Professor at Swami Vivekananda University, Kolkata, West Bengal, India.

¹ Rabindranath Tagore, as adapted for thematic framing; quotation attributed to the author's collected works.

globalisation, technological innovation, and the ubiquitous integration of digital platforms have profoundly shaped the nature of work. The traditional office environment, once a place of physical presence and strict hierarchies, has increasingly become a digital workspace in which collaboration takes place remotely, with flexible working hours and through virtual communication tools. While this transformation has enabled greater efficiency, inclusivity, and global connectivity, it has also given rise to complex challenges for employee well-being and mental health.

The digital environment is one in which professional and personal life merge, sometimes causing increased stress, social isolation, and the "techno-stress" of being always connected. From this perspective, the legal and ethical obligation of employers to protect mental health is an urgent issue that must be addressed by both organisations and courts. Employee well-being is no longer regarded as a peripheral concern but as a key factor in productivity, organisational sustainability, and human dignity. Judicial decisions across various jurisdictions have begun to recognise that the workplace must be made psychologically as well as physically safe. A landmark decision of the English courts in *Walker v. Northumberland County Council* (1995)² found that psychiatric injury resulting from workplace stress was a foreseeable workplace risk for which employers could be held liable. Likewise, in India, the Supreme Court, in interpreting the right to life under Article 21 of the Constitution,³ has placed significant emphasis on the right to live with dignity, of which mental well-being forms a part. These developments highlight that digital workspaces, increasingly viewed as a means of increasing flexibility, must not infringe upon employees' basic rights.

II. REVIEW OF LITERATURE

Workplace well-being has been a consistent focus of scholarly research as a factor influencing organisational success. Stress has been identified as a common occupational risk,⁴ and scholarship has noted how many contemporary management practices compromise employee health for the sake of productivity.⁵ The economic burden of mental health has been highlighted by the International Labour Organization⁶ and the World Health Organization,⁷ which have estimated losses in excess of US\$1 trillion per year arising from depression and anxiety. Legal scholarship, too, has evolved to acknowledge mental health problems as a workplace issue.

² *Walker v. Northumberland County Council* [1995] 1 All ER 737 (QBD).

³ INDIA CONST. art. 21.

⁴ CARY L. COOPER & PHILIP DEWE, *STRESS: A BRIEF HISTORY* (Blackwell Publishing 2004).

⁵ Jeffrey Pfeffer, *Workplace Health and Productivity in the Digital Age*, 55 J. MGMT. STUD. 412 (2018).

⁶ INT'L LABOUR ORG., *MENTAL HEALTH IN THE WORKPLACE* (2021).

⁷ WORLD HEALTH ORG., *MENTAL HEALTH AND WORK: POLICY BRIEF* (2022).

Employer liability for psychiatric injury was first established by the United Kingdom decisions in *Walker v. Northumberland County Council* (1995)⁸ and *Barber v. Guardian Royal Exchange Assurance Group* (1999).⁹ In India, the right to life under Article 21 has been expanded to include dignity and health in *Consumer Education and Research Centre v. Union of India* (1995).¹⁰ Comparative analysis further shows that the European courts, in decisions such as *Copland v. United Kingdom* (2007)¹¹ and *Bărbulescu v. Romania* (2017),¹² have associated privacy with psychological well-being, thereby emphasising the need for balanced surveillance measures.

III. METHODOLOGY

Employing a doctrinal and non-empirical approach, this paper examines primary and secondary sources in order to better understand the intersection of employee well-being, mental health, and digital workspaces. The primary sources comprise provisions of the Constitution, legislation, and significant rulings of courts in India, the United Kingdom, the United States, and Europe. The secondary sources include scholarly articles, organisational studies, and reports from international institutions such as the International Labour Organization and the World Health Organization. Comparative analysis is used to identify points of convergence and divergence in the legal recognition of mental health in the workplace, and to introduce interdisciplinary dimensions drawn from psychology and organisational studies.

IV. CONCEPTUAL FOUNDATIONS OF EMPLOYEE WELL-BEING

Employee well-being is a multifaceted issue involving physical, psychological, social, and professional dimensions. In organisational psychology, well-being is characterised by positive emotions, engagement, and accomplishment.¹³ It is not merely the absence of disease but the presence of conditions that enable human flourishing. The International Labour Organization has consistently emphasised that both economic and mental health protections must form part of a holistic approach to decent work.¹⁴ The World Health Organization estimates that workplace mental health costs the global economy over US\$1 trillion annually as a result of lost productivity from depression and anxiety disorders.¹⁵

⁸ *Walker v. Northumberland County Council* [1995] 1 All ER 737 (QBD).

⁹ *Barber v. Guardian Royal Exchange Assurance Group* [1999] 1 WLR 1089 (HL).

¹⁰ *Consumer Education and Research Centre v. Union of India*, (1995) 3 SCC 42 (India).

¹¹ *Copland v. United Kingdom*, App. No. 62617/00, Eur. Ct. H.R. (2007).

¹² *Bărbulescu v. Romania*, App. No. 61496/08, Eur. Ct. H.R. (2017).

¹³ MARTIN E.P. SELIGMAN, *FLOURISH: A VISIONARY NEW UNDERSTANDING OF HAPPINESS AND WELL-BEING* (Free Press 2011).

¹⁴ INT'L LABOUR ORG., *DECENT WORK AND MENTAL HEALTH* (2021).

¹⁵ WORLD HEALTH ORG., *MENTAL HEALTH AND WORK: POLICY BRIEF* (2022).

Legal frameworks increasingly acknowledge well-being as part of human dignity. In India, the Supreme Court has broadened Article 21 of the Constitution to encompass the right to health.¹⁶ In the United Kingdom, stress-related claims such as *Barber v. Guardian Royal Exchange Assurance Group* (1999)¹⁷ have recognised employers' duty of care to protect employees from foreseeable psychiatric harm. The digital era has further enriched conceptualisations of well-being. Digital workspaces provide flexibility and autonomy but also pose risks such as social isolation, blurred boundaries between work and personal life, and constant exposure to digital stimuli. The term "techno-stress"¹⁸ highlights the psychological impact of overreliance on digital tools, underlining the need to rethink well-being in the face of technological change. Ultimately, employee well-being should be regarded as a dynamic process influenced by legal protections, organisational culture, and technological environments. It is both an ethical duty and a strategic imperative for employers, requiring policies that embed mental health within workplace governance.

V. DIGITAL WORKSPACES AND CHANGING WORK CULTURE

The emergence of digital workspaces has fundamentally altered the nature of employment, reshaping organisational structures, communication patterns, and employee expectations. Remote work, hybrid models, and virtual collaboration platforms have become defining features of contemporary professional life. These innovations offer significant benefits, including enhanced flexibility, reduced commuting time, and opportunities for global collaboration. Employees can now engage with colleagues across continents in real time, fostering inclusivity and diversity in workplace interactions. Yet these advantages are accompanied by profound challenges that demand critical examination. One of the most pressing concerns is the erosion of boundaries between professional and personal life. Digital workspaces often extend the working day beyond traditional office hours, creating a culture of constant availability. This phenomenon has been linked to increased stress, sleep disturbance, and diminished family interaction.¹⁹ In France, the legal recognition of the right to disconnect under the Labour Code²⁰ reflects an attempt to safeguard employee well-being in the digital era. Such legislative measures highlight the growing awareness that technological convenience must not come at the cost of mental health.

¹⁶ *Consumer Education and Research Centre v. Union of India*, (1995) 3 SCC 42 (India).

¹⁷ *Barber v. Guardian Royal Exchange Assurance Group* [1999] 1 WLR 1089 (HL).

¹⁸ Monideepa Tarafdar, Qiang Tu & T.S. Ragu-Nathan, *The Impact of Technostress on Role Stress and Productivity*, 24 J. MGMT. INFO. SYS. 301 (2007).

¹⁹ Daantje Derks & Arnold B. Bakker, *Smartphone Use, Work-Home Interference, and Burnout: A Diary Study*, 99 J. APPLIED PSYCHOL. 111 (2014).

²⁰ French Labour Code, Law No. 2016-1088 (establishing the "right to disconnect") (France).

The transformation of work culture also raises questions of equity and inclusion. While digital platforms can democratise access to opportunities, they may simultaneously exacerbate inequalities. Employees lacking reliable internet access or digital literacy may find themselves marginalised, reinforcing socio-economic divides.²¹ Moreover, reliance on video conferencing and instant messaging can foster "Zoom fatigue", a psychological strain arising from prolonged virtual interaction.²² These challenges underscore the need for organisations to adopt inclusive digital policies that recognise diverse employee circumstances. Legal systems have begun to grapple with the implications of digital work culture. In *Shreya Singhal v. Union of India* (2015),²³ the Supreme Court of India struck down Section 66A of the Information Technology Act, affirming the importance of free expression in digital spaces. While the case primarily addressed freedom of speech, its broader significance lies in recognising the constitutional dimensions of digital environments.

Similarly, in the United States, cases addressing hostile work environments in virtual settings have extended employer liability to digital harassment,²⁴ reinforcing the principle that workplace protections must evolve alongside technological change. Organisational culture has also shifted towards performance monitoring through digital tools. Employers increasingly deploy software to track keystrokes, screen activity, and communication patterns. While such practices may enhance accountability, they risk creating climates of surveillance that undermine trust and autonomy.²⁵ The European Court of Human Rights has cautioned against excessive monitoring, emphasising the need to balance efficiency with privacy rights.²⁶ These developments illustrate the tension between managerial control and employee dignity in digital workspaces. Ultimately, the changing work culture demands a recalibration of organisational norms and legal frameworks. Digital workspaces must be designed not only for efficiency but also for sustainability, ensuring that technological innovation supports rather than undermines employee well-being.

VI. LEGAL FRAMEWORKS AND CASE LAW ON WORKPLACE MENTAL HEALTH

Over time, mental health has gradually become a workplace issue recognised in the laws of various jurisdictions. Traditionally, occupational health laws concentrated on physical safety,

²¹ Jan van Dijk, *THE DIGITAL DIVIDE* (Polity Press 2020).

²² Brenda K. Wiederhold, *Connecting Through Technology During COVID-19: Managing "Zoom Fatigue"*, 23 *CYBERPSYCHOL. BEHAV. & SOC. NETWORKING* 437 (2020).

²³ *Shreya Singhal v. Union of India*, (2015) 5 SCC 1 (India).

²⁴ U.S. EQUAL EMP. OPPORTUNITY COMM'N, *GUIDANCE ON WORKPLACE HARASSMENT IN DIGITAL ENVIRONMENTS* (2021).

²⁵ Kirstie Ball, *Workplace Surveillance: An Overview*, 51 *LAB. HIST.* 87 (2010).

²⁶ *Bărbulescu v. Romania*, App. No. 61496/08, Eur. Ct. H.R. (2017).

focusing on hazards such as machinery, toxins, and accidents. In recent years, however, the growing prevalence of stress-related illness and psychological injury has made it necessary for courts and legislatures to broaden the definition of employer liability to include mental health. This change aligns with a growing recognition that the right to work concerns not only economic security but also dignity, autonomy, and psychological safety.²⁷

In the United Kingdom, *Walker v. Northumberland County Council* (1995)²⁸ set a precedent for employer liability for psychiatric injury resulting from workplace stress. The claimant, a social worker, suffered a nervous breakdown owing to excessive workload and lack of support. The court's ruling was a watershed moment in occupational law, paving the way for future cases on stress and burnout. Likewise, in *Barber v. Guardian Royal Exchange Assurance Group* (1999),²⁹ the Court of Appeal confirmed that employers have a duty to protect employees from foreseeable psychiatric injury. These cases illustrate how the judiciary has applied negligence principles traditionally reserved for physical health to mental health.

In India, constitutional jurisprudence has played a central role in workplace well-being. Article 21 of the Constitution guarantees the right to life and personal liberty, broadly interpreted to include the right to health and dignity. In *Consumer Education and Research Centre v. Union of India* (1995),³⁰ the Supreme Court held that the right to health is part of the right to life, placing a duty on employers to protect employee health. More recently, the judiciary has increasingly recognised mental health as integral to human dignity, leading to renewed focus on policies addressing psychological as well as physical risks. In the United States, significant advances have also been made. In *Faragher v. City of Boca Raton* (1998),³¹ the Supreme Court held that employers could be liable where a supervisor created a hostile work environment, including psychological harm resulting from harassment. Although sexual harassment was the central issue, the broader lesson was that mental health is a valid workplace concern. Later case law expanded employer liability to include stress, discrimination, and digital harassment, reflecting the evolving risks of the digital era.³²

The European Court of Human Rights has broadened the recognition of workplace mental health at the international level. In *Copland v. United Kingdom* (2007),³³ the Court held that

²⁷ A.D. LaMontagne, T. Keegel & D. Vallance, *Protecting and Promoting Mental Health in the Workplace: Developing a Systems Approach*, 19 HEALTH PROMOTION J. AUSTL. 65 (2008).

²⁸ *Walker v. Northumberland County Council* [1995] 1 All ER 737 (QBD).

²⁹ *Barber v. Guardian Royal Exchange Assurance Group* [1999] 1 WLR 1089 (HL).

³⁰ *Consumer Education and Research Centre v. Union of India*, (1995) 3 SCC 42 (India).

³¹ *Faragher v. City of Boca Raton*, 524 U.S. 775 (1998).

³² U.S. EQUAL EMP. OPPORTUNITY COMM'N, GUIDANCE ON WORKPLACE HARASSMENT IN DIGITAL ENVIRONMENTS (2021).

³³ *Copland v. United Kingdom*, App. No. 62617/00, Eur. Ct. H.R. (2007).

excessive workplace monitoring infringed the right to privacy under Article 8 of the European Convention on Human Rights. While the case concerned surveillance, it underscored the psychological effects of intrusive practices and the importance of privacy rights in promoting mental well-being. Similarly, in *Bărbulescu v. Romania* (2017),³⁴ the Court emphasised the need to balance employers' monitoring rights against employees' dignity, reiterating the importance of psychological health in the workplace. Collectively, these legal frameworks and authorities illustrate a growing recognition that mental health is integral to labour rights. Employers are increasingly urged to adopt proactive measures to prevent psychological harm, whether through stress management programmes, anti-harassment policies, or inclusive digital practices.

VII. DIGITAL SURVEILLANCE AND PRIVACY

Digital technology has introduced unprecedented levels of monitoring and data collection into the workplace. Employers now commonly use tools to monitor time spent at the keyboard, emails, screen activity, and communication patterns. While these practices may be justified by reference to efficiency, accountability, or security, they raise significant concerns about privacy, autonomy, and mental health.³⁵ Constant monitoring can foster mistrust, reduce employee morale, and increase stress, ultimately undermining productivity, the very goal surveillance seeks to protect. Different jurisdictions have adopted varying approaches to workplace surveillance. The European Court of Human Rights has played a key role in defining permissible limits. In *Copland v. United Kingdom* (2007),³⁶ the Court held that the unprotected tracking of an employee's telephone, email, and internet communications infringed Article 8 of the European Convention on Human Rights. Similarly, in *Bărbulescu v. Romania* (2017),³⁷ the Court stressed that, while employers may have legitimate interests in monitoring communications, such monitoring must be balanced against employees' rights to private life and dignity.

In India, there is no uniform regulation of workplace surveillance, but constitutional jurisprudence provides a foundation. In *Justice K.S. Puttaswamy v. Union of India* (2017),³⁸ the Supreme Court recognised privacy as a fundamental right under Article 21 of the Constitution. Although the case concerned state surveillance, its principles extend to the workplace, suggesting that excessive monitoring may infringe upon dignity and autonomy. Research shows

³⁴ *Bărbulescu v. Romania*, App. No. 61496/08, Eur. Ct. H.R. (2017).

³⁵ Kirstie Ball, *Workplace Surveillance: An Overview*, 51 LAB. HIST. 87 (2010).

³⁶ *Copland v. United Kingdom*, App. No. 62617/00, Eur. Ct. H.R. (2007).

³⁷ *Bărbulescu v. Romania*, App. No. 61496/08, Eur. Ct. H.R. (2017).

³⁸ *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1 (India).

that surveillance has psychological effects, including increased anxiety, reduced job satisfaction, and diminished trust in management.³⁹ These outcomes negatively affect both individual well-being and organisational effectiveness, rendering surveillance potentially counterproductive. International labour standards, such as those advanced by the International Labour Organization, emphasise that surveillance should not compromise mental health and must respect human dignity.⁴⁰ Ethical principles further highlight transparency, consent, and proportionality as essential safeguards.

VIII. ORGANISATIONAL POLICIES ON MENTAL HEALTH

The importance of workplace mental health has led to the development of structured policies aimed at prevention, support, and rehabilitation. Employee Assistance Programmes (EAPs), wellness programmes, and stress management training are now common strategies in corporate governance. EAPs typically provide confidential counselling, crisis intervention, and referrals to external professionals, reducing stigma and encouraging employees to seek help without fear of repercussions.⁴¹ Studies link EAPs to decreased absenteeism, improved morale, and increased productivity.⁴² Beyond EAPs, organisations have introduced mindfulness initiatives, flexible working options, and wellness platforms to promote holistic well-being. Legal systems have reinforced organisational responsibility. In *Barber v. Guardian Royal Exchange Assurance Group* (1999),⁴³ the Court of Appeal acknowledged employers' duty of care to protect employees from foreseeable psychiatric injury. Similarly, in *Walker v. Northumberland County Council* (1995),⁴⁴ the court held that employers could be liable where adequate support was not provided to stressed employees.

In India, the Mental Healthcare Act, 2017⁴⁵ marked a significant step towards integrating mental health into social and occupational contexts. The Act guarantees the right to mental health services and prohibits discrimination against individuals with mental illness. While primarily directed at healthcare providers, its principles extend to the workplace, encouraging employers to adopt policies aligned with dignity and reasonable adjustment. This legislative recognition complements constitutional jurisprudence under Article 21, which embeds mental health within

³⁹ Jeffrey M. Stanton & Elizabeth M. Weiss, *Electronic Monitoring in Their Own Words: An Exploratory Study of Employees' Experiences with New Types of Surveillance*, 16 COMPUTERS IN HUM. BEHAV. 423 (2000).

⁴⁰ INT'L LABOUR ORG., DECENT WORK AND MENTAL HEALTH (2021).

⁴¹ Mark Attridge, *Employee Assistance Programs: A Research-Based Primer*, 24 J. WORKPLACE BEHAV. HEALTH 1 (2009).

⁴² Rick Csiernik, *The Glass Is Filling: An Examination of Employee Assistance Programming in Canada*, 26 J. WORKPLACE BEHAV. HEALTH 1 (2011).

⁴³ *Barber v. Guardian Royal Exchange Assurance Group* [1999] 1 WLR 1089 (HL).

⁴⁴ *Walker v. Northumberland County Council* [1995] 1 All ER 737 (QBD).

⁴⁵ The Mental Healthcare Act, 2017, No. 10, Acts of Parliament, 2017 (India).

the right to life and dignity. The effectiveness of mental health policies depends heavily on organisational culture. Policies on paper alone are insufficient; successful implementation requires leadership commitment, employee engagement, and clear communication.

Cultures of openness help to combat stigma and build trust, enabling employees to discuss mental health issues freely. In digital workplaces, specific policies must address challenges such as Zoom fatigue, online harassment, and the effects of surveillance. Tailored approaches ensure that mental health programmes remain relevant and effective. Ultimately, organisational mental health policies combine legal and ethical requirements with strategic needs. They reflect the understanding that employee wellness is essential to organisational success and sustainability. Integrating mental health into workplace governance builds resilience, honours dignity, and drives long-term productivity in the digital era.

IX. JUDICIAL TRENDS IN INDIA AND ABROAD

In recent decades, the recognition of mental health as an important component of well-being at work has grown significantly, both on constitutional grounds and through the development of labour jurisprudence. The Supreme Court of India has interpreted the right to life under Article 21 of the Constitution to include the right to live with dignity, a concept that has come to encompass mental health. In *Olga Tellis v. Bombay Municipal Corporation* (1985),⁴⁶ the Court equated dignity with livelihood and introduced the concept of well-being into the context of fundamental rights. More recently, in *Justice K.S. Puttaswamy v. Union of India* (2017),⁴⁷ privacy was recognised as a fundamental right, further establishing autonomy and psychological security as integral to human dignity. These rulings set precedents for workplace protections concerning not only physical health and safety but also mental health.

The Indian judiciary has also begun to address stress and harassment in digital workplaces. In *Shreya Singhal v. Union of India* (2015),⁴⁸ the Supreme Court invalidated Section 66A of the Information Technology Act, reaffirming the importance of freedom of expression in cyberspace. While not directly concerned with workplace well-being, the case emphasised the Court's commitment to protecting mental health in digital spaces by preventing overreach and invasive practices. In the United Kingdom, judicial trends have strengthened employers' responsibility for stress-related claims. In *Walker v. Northumberland County Council* (1995)⁴⁹

⁴⁶ *Olga Tellis v. Bombay Municipal Corporation*, (1985) 3 SCC 545 (India).

⁴⁷ *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1 (India).

⁴⁸ *Shreya Singhal v. Union of India*, (2015) 5 SCC 1 (India).

⁴⁹ *Walker v. Northumberland County Council* [1995] 1 All ER 737 (QBD).

and *Barber v. Guardian Royal Exchange Assurance Group* (1999),⁵⁰ the courts recognised employers' duty of care to safeguard employees against foreseeable psychological injury. These cases placed mental health firmly on the agenda of occupational health, highlighting the importance of proactive organisational policies to reduce stress.

X. DIGITAL WORKSPACES: CHALLENGES

Digital workspaces have changed the face of employment, giving employees flexibility and global connectivity but also posing various challenges that directly affect employee well-being and mental health. The erosion of work-life balance is one of the most serious problems. Digital tools promote an "always-on" culture, which can extend working hours, reduce sleep, and lower family engagement, and which has been associated with burnout and chronic stress that negatively affect both individual health and organisational productivity.⁵¹ Digital fatigue is another pressing challenge. As people spend more time on video conferencing applications and messaging services, they have developed a sense of exhaustion, or "Zoom fatigue",⁵² leaving them drained, disengaged, and fatigued. Virtual communication is more cognitively demanding than traditional office communication and can lead to increased stress owing to the additional effort required to convey and interpret non-verbal cues. This fatigue is exacerbated by the absence of rest breaks and the expectation of constant availability, making it an ever-present hazard in contemporary workplaces.

Cyberbullying and online harassment are further mental health hazards in the digital workspace. Online harassment can be as harmful as harassment in the physical workplace, and courts have observed that this may result from the anonymity and immediacy of communication in the digital age. For instance, in India, *Shreya Singhal v. Union of India* (2015)⁵³ confirmed that free speech in the digital domain deserves protection, while affirming that the state should not permit individuals to be subjected to harmful work environments through technology.⁵⁴ In the United States, a body of law has developed to extend employers' liability to encompass a hostile work environment arising from digital harassment, further illustrating the principle that the law must evolve with technology. The issue of digital inequality compounds these concerns. People who lack reliable internet connections, suitable devices, or digital literacy may be denied

⁵⁰ *Barber v. Guardian Royal Exchange Assurance Group* [1999] 1 WLR 1089 (HL).

⁵¹ Daantje Derks & Arnold B. Bakker, *Smartphone Use, Work-Home Interference, and Burnout: A Diary Study*, 99 J. APPLIED PSYCHOL. 111 (2014).

⁵² Brenda K. Wiederhold, *Connecting Through Technology During COVID-19: Managing "Zoom Fatigue"*, 23 CYBERPSYCHOL. BEHAV. & SOC. NETWORKING 437 (2020).

⁵³ *Shreya Singhal v. Union of India*, (2015) 5 SCC 1 (India).

⁵⁴ U.S. EQUAL EMP. OPPORTUNITY COMM'N, GUIDANCE ON WORKPLACE HARASSMENT IN DIGITAL ENVIRONMENTS (2021).

opportunities, deepening socio-economic inequalities. This inequality hampers inclusiveness and psychologically burdens those unable to adjust to digital demands. Organisations must recognise that digital workspaces, for all their flexibility, can also exacerbate structural inequities.

Monitoring and surveillance practices are also problematic, raising concerns about privacy and autonomy as more employers use software to monitor productivity. Excessive oversight can engender mistrust and anxiety among employees and damage morale. In *Bărbulescu v. Romania* (2017),⁵⁵ the European Court of Human Rights reaffirmed the need to balance the employer's right to monitor against the employee's right to maintain a healthy mental state, applying the principle of respect for the psychological health of employees to their workplace rights. Such decisions demonstrate the psychological impact of surveillance and establish privacy as a key aspect of a healthy work environment. Together, these difficulties highlight the fact that digital workspaces are far from neutral and can exert a powerful influence on the employee experience. A combination of legal protections, organisational policies, and cultural change is needed to address these challenges. By recognising the dangers of digital fatigue, harassment, inequality, and surveillance, societies can help to make digital transformation a force for good in relation to employee well-being.

XI. POLICY RECOMMENDATIONS

The distinctive challenges of digital workspaces require a holistic policy approach that combines legal protection, organisational measures, and cultural change. Technological innovation and employee wellness are two sides of the same coin in effective policy and its implementation, and such policy must be designed to enhance, rather than damage, employee mental health. Employers must take proactive action to make mental health part of organisational governance. This involves establishing Employee Assistance Programmes, providing flexible working arrangements, and setting boundaries to ensure that work-life balance is not intruded upon. In addition, policies should incorporate strategies to combat digital fatigue, such as regular breaks, reduced reliance on video conferencing, and the use of asynchronous communication wherever possible.

Legal reform is also needed. Legislatures should include mental health provisions in labour law, such as France's Labour Code, which sets out the right to disconnect, to ensure that employees are not overburdened by the constant demand to be connected.⁵⁶ In India, a labour law clause

⁵⁵ *Bărbulescu v. Romania*, App. No. 61496/08, Eur. Ct. H.R. (2017).

⁵⁶ French Labour Code, Law No. 2016-1088 (establishing the "right to disconnect") (France).

protecting employees' rights to dignity and autonomy would reinforce this constitutional protection. Likewise, the inclusion of psychological hazards within the scope of occupational health laws would provide a sound legal foundation for addressing stress, burnout, and harassment in digital spaces.⁵⁷ International labour standards offer useful guidance for policy development. The International Labour Organization has highlighted the importance of decent work covering both the physical and the mental dimensions of health, thereby urging a comprehensive approach to workplace well-being. Implementing these standards nationally would help to ensure consistency and accountability. In addition, organisations should adopt ethical frameworks that emphasise transparency, consent, and proportionality in surveillance, which helps to reduce its psychological effects.

The success of these policies depends on organisational cultural reform. To dismantle stigma and build trust, leadership commitment, employee involvement, and open communication are essential. Awareness-building and confidential reporting processes for workplace stress and harassment can enable employees to access support without fear of reprisal. Digital workspaces call for specific interventions in response to the particular issues that arise, such as cyberbullying, online harassment, and digital inequality. Policies must be inclusive, taking into account variability among employees and providing equal access to resources. Finally, policy recommendations should rest on the premise that employee well-being is both a human right and a strategic priority. Legal protections, organisational practices, and cultural reform are essential components in creating digital workspaces that honour dignity, foster resilience, and ensure productivity. Such policies not only address the challenges of today but also serve as a roadmap for the evolution of governance as the world becomes increasingly digital.

XII. CONCLUSION

Digital technologies have brought both opportunities and challenges for workers' well-being and mental health. While providing flexibility, inclusiveness, and global connectivity, digital workspaces also create new psychological pressures, such as digital fatigue and online harassment, blur the boundaries between professional and personal life, and give rise to new cultures of surveillance. These developments highlight the need for changes to law, organisational procedures, and culture to ensure that mental health is mainstreamed within workplace management. Judicial trends in India, the United Kingdom, the United States, and Europe make it evident that mental health issues are increasingly recognised as part of labour rights and human dignity. Over time, the courts have broadened the scope of employer

⁵⁷ Rick Csiernik, *The Glass Is Filling: An Examination of Employee Assistance Programming in Canada*, 26 J. WORKPLACE BEHAV. HEALTH 1 (2011).

responsibility to include psychiatric injury, stress, and harassment, thereby bringing psychological health within the legal framework of occupational safety.

In the Indian context, dignity and autonomy have been recognised as integral to the right to life under Article 21,⁵⁸ providing a strong basis for workplace protection. Codifying mental health provisions in labour law and incorporating psychological hazards into existing occupational health legislation are critical for sustainable governance. Organisational stressors can be reduced and resilience built through Employee Assistance Programmes, flexible arrangements, and inclusive digital policies. Equally important to the success and sustainability of mental health programmes are cultural changes that dismantle stigma, foster open discussion, and are supported by leadership.

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