

A Comparative Analysis of the Legal Framework and Institutional Approaches to Workplace Stress in Malaysia

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ABSTRACT

In recent years, stress and anxiety have become an extensive and significant issue in the workplace, for employee well-being, culture in organisations, and society. As the pressures of the work environment improve with modern demands, effective activities to lessen and prevent stress is more critical than ever. This article will identify a broad range of actions, tools, and techniques to manage and lessen stress in the workplace such as individual coping styles, organization approaches, and technology. For the purposes of the article, specifically mindfulness, flexibility as a strategy, support in leadership, and digital wellness applications will be key discussion points within the article. The article will examine both at workplace, enablers, and coping strategies in order to provide organizations, and employees with practical ways to manage their own well-being and resilience, to help promote well-being and resilience, organisationally. Ultimately, the effective use of coping and prevention tools could potentially positively impact mental health outcomes, satisfaction, and reconciliation.

Keywords: workplace stress, employee well-being, organisational interventions, coping strategies, flexibility as a strategy, support, digital wellness, mental health, job satisfaction.

INTRODUCTION

Tools Against Workplace Stress in the title indicates that the article will cover strategies, techniques, or mechanisms to manage and mitigate stress in the work environment. The stress in the workplace is widespread and often due to the high number of tasks, short timelines to complete those tasks, limited power or choice, and inability to balance all aspects of life. The consequences of ignoring stress in the workplace can lead to burnout, decreased productivity, and mental health issues for both staff and organisations. The article will probably present practical tools for engagement, mindfulness practices, time management tools, creating supportive leadership capacity, and developing policies to engage in a healthier work culture. It can be challenging to engage and use these tools within diverse environments of work as they all have differing needs across sectors and varying individuals who have their stressors. Responding to workplace stress requires a wide scope of engagement that incorporates an individual's resilience with structural changes that create responses that enable sustainable and supportive and productive mental health and work environment.

Workplace stress is a serious problem for individual well-being and organisational effectiveness, as it has contributed to declines in productivity and increases in absenteeism and turnover intentions (Crawford, Lepine & Rich, 2019). Although the issues raised here are now well-known, stress management programs, while increasing in quantity, have not resulted in appropriately sustainable stress improvements. Typical wellness programs mainly prioritize individual change processes, while virtually ignoring much larger systemic stressors such as excessive job demands and insufficient support structures (Giorgi et al., 2020; Park & Kim, 2022). This resulting imbalance has generated an urgent need for a more comprehensive tool to embrace both organisational

changes and personal resilience, one that would lead to stronger workplaces and improved employee well-being.

Recent research has highlighted the possibilities of digital resources, including mindfulness-based, cognitive-behavioural, and some other behaviour-change mobile applications, that have variable efficacy, with moderate to large effects on perceived stress and improved well-being (Lomas et al., 2019; Xu, Liu & Shi, 2021). Furthermore, meta-analytic evidence demonstrates the efficacy of resilience interventions and employees assistance programs in alleviating employees' psychological health with multi-faceted approaches and support from leadership (Gupta & Agarwal, 2022; Li, Wang & Kong, 2021). Additionally, the rapid move to remote and hybrid work throughout the COVID-19 pandemic has reinforced the need for flexible/technology-based pathways in navigating the transition in the work-family interface (Vaziri et al., 2020).

In recent years, the workforce has become noticeably more demanding, with the expectation towards the employee's ability seemingly exceeding their capability as well as their capacity. This, as a result, has significantly impacted workers' health and wellbeing (Better Health Channel, 2012). While working brings many benefits to the employee, it is known to deflect their physical and physiological resources (Lyubykh et al., 2022). According to the International Labour Organization (ILO) and the World Health Organisation (WHO), globally, it was estimated that 488 million people are working long-hours at their jobs with 745 000 people having died from heart disease and stroke as a result of working more than 55 hours per week. The strain on working people can start showing from their acute physiological response such as fatigue, stress, impaired sleep and many more (The Lancet, 2021).

In Malaysia, the right for workers to rest is governed under Section 59 of the Employment Act 1955 which provides that a worker shall have at least 1 whole rest day in a working week. Section 60 of the act gives guidelines where if an employee was asked to work on the rest day, employers are obligated to compensate the employee with a rate no lower than two times his normal rate. However, the execution of such legal rights remains as if it is only a suggestion to some employees. In the case of National Union of Transport Equipment and Allied Industries Workers v PEPS-JV (Melaka) Sdn Bhd [2020] ILJU 221, the court held that failure of the employer to pay the two-time rate for overtime work and three-time rate for working on public holiday constitute a breach of the employment contract and is in violation of Employment Act 1955.

As such, to maintain a worker's health, recovery from such work is a crucial part of maintaining proper work function (Lyubykh et al., 2022). If employers fail to prioritize employees' right to rest, not only will production and productivity decrease, it will also lead to an increase of absenteeism and low morale within the workplace (Effects of Absenteeism in the Workplace, 2024).

Workplace stress has become a pressing problem, which affects employees, employers, and even legislators. As the demands of today's workplace increase, the problems of stress among employees is becoming one of the leading causes of physical, emotional, and mental health concerns and cases of employee discontent. The problem of workplace stress can be compounded when chronic workplace stress leads to employee burnout, lack of job satisfaction, and decreased levels of productivity. Therefore, it is imperative to investigate tools to find effective solutions to manage workplace stress. The tools against workplace stress represent the ability to meaningfully sustain an employee's sense of well-being, focus, and balance well into their careers. Stress-reduction practices like training in mindfulness and meditation, flexible work schedules, and mental support and services can help to build employee resilience and strength to stabilize their well-being. This allows for more job satisfaction in the workplace and ultimately leads to a more prosperous career ongoing in their work lives. The case for employers to manage workplace stress is just as compelling because workplace stress affects employee engagement. High levels of employee stress can lead to observable absenteeism, loss of workforce through turnover, and greater healthcare costs and administrative burdens in workplace health regulations. Some of these stresses can be ameliorated with stress-reduction strategies, but it is important to also consider employee morale and performance as a priority beyond illness prevention and recovery. The workplace stresses employees face, and the employees exist in workplaces, attitudes can influence the overt and covert contexts to which a company holds its employees or workforce accountable. Therefore, investing in the stress-reduction tools of workplace strategy, will not just be for employee morale, but for the work structures and its culture.

LITERATURE REVIEW

Concept and Importance of Rest For Workers

The concept of the right to rest is a fundamental principle that encompasses the legal, cultural, and human dimensions. Legally, it is embedded in international human rights instruments such as in the Universal Declaration of Human Rights under Article 24 (UDHR, 1948). It proclaims that everyone has the right to rest and leisure, including the reasonable limitations of working hours and also the periodic holidays with pay. In Malaysia, this is issued through labour laws that set standards for working hours, overtime limits, and mandated rest breaks.

From a cultural perspective, rest is often framed within societal attitudes toward work-life balance. Cultures nowadays that prioritize productivity over personal well-being may stigmatize rest as laziness, while others may assess rest as essential to sustaining long term performance and wellness.

From a basic human perspective, rest is essential for physical and mental health, enabling recovery from any cognitive fatigue, emotional strain, and physical exertion. Fisher et al. (2022) highlight how adequate rest supports cognitive functioning, especially among the older workers, whose mental resources may already be taxed by physiological changes. Rest plays a vital role in mitigating occupational stress and burnout, acting as a buffer against cumulative work demands (Crawford et al., 2019).

This emphasised the importance of organizational responsibility in promoting rest. Leka and Jain (2020) advocate for workplace strategies that prevent mental ill health through systematic changes rather than solely relying on individual coping mechanisms. Similarly, Richardson and Rothstein (2021) found that stress management interventions are most effective when they are proactive and organisationally embedded rather than reactive and individualized.

Factors Leading to Workplace Stress

Workplace stress is commonly defined as a harmful physical and emotional response that occurs when the requirements of a job do not match the capabilities such as resources or needs of the worker (Tennant, 2021). It is not merely an individual problem but a universal one, influenced by how work is designed and managed.

Several recurring factors contribute to the emergence of workplace stress. These include long working hours, excessive job demands, lack of autonomy, inadequate benefits, and poor organizational support. Awa et al. (2020) describe how prolonged exposure to such stressors can result in burnout, a condition characterized by emotional exhaustion, cynicism, and reduced professional efficacy.

Cocker and Joss (2021), in their systematic review, identifies compassion fatigue as a unique form of stress affecting care workers and those in emotionally demanding roles. Similarly, Wang et al. (2021) emphasized the compounded effect of workplace violence and poor sleep on mental health, underscoring how organizational climate can exacerbate stress levels.

High expectations and an always-on culture which is defined as the expectation that employees are constantly available and reachable, regardless of time or location, often driven by performance metrics and digital connectivity, have also been linked to burnout and stress (Salvagioni et al., 2020). Crawford et al. (2019) stated that it was explored how the imbalance between job demands and resources can lead to disengagement and psychological distress, particularly when employees lack support or decision-making authority.

Lastly, the preventive and recovery-oriented strategies have shown effectiveness. For example, Van Der Klink et al. (2020), demonstrate that activating interventions for employees with adjustment disorders reduced long term sickness absence. Also, such as reinforcing the importance of early and also structured systems in mitigating the adverse consequences of workplace stress.

Legal and Policy Perspectives on the Right to Rest

In the international domain, a worker's legal right to rest is codified under Article 24 of the Universal Declaration of Humans Rights (UDHR, 1948) which include both limitation to one's working hour and a periodic paid holiday. This shows that the regional human rights bodies have interpreted this article as giving workers the right to rest and enjoy a paid holiday and not merely enjoying some free time outside of working hours (Bueno, 2023). Despite the right to rest being part of the international standard, the broad interpretation of the provision leads to various interpretations and causes inconsistent in the implementation across the jurisdictions in the world (Maynard, 2007), this is indeed the truth particularly in industries that involve domestic workers (Humblet, 2015.).

Another international standard to set the landscape of a worker's right to rest is ILO Convention which provides different types of breaks which includes workday, daily and weekly breaks as well as annual leave that should be provided to workers in effort to maintain workers physical and mental well-being (International Labour Organisations, 2015) . However, like UDHR' policy, the implementation of the regulatory framework is often faced with weak implementation by employers due to the various interpretations of labour laws in their own countries. For example, in some countries employers may promote 'standard' working hours but the employees are not protected by the labour laws and often seen 'volunteering' working up to the maximum 48 hours as per the ILO standard (Human Rights and Business Dilemmas Forum - Dilemmas, 2015). This signifies the contrast between the ideal appearance of the policy and the reality faced by the workers, which undermines the spirit of the right of workers to rest.

For instance, the European Union had promulgated a few regulations relating to workers right to rest such as Article 31(2) of the Charter of Fundamental Rights of the European Union (CFR) stating that 'every worker has the right to limitation of maximum working hours, to daily and weekly rests periods as well as to an annual period of paid leave' aimed to promote protection of worker's health and safety (European Commission, 2023). Despite its progressive promise, the CFR had faced heavy criticism due to its potential vagueness and horizontal direct effect, especially disputes in private employment relationships. The prominent case to illustrate this dispute would be *Bauer v Willmeroth*, a dispute arising due to the fact the employer refused to pay compensation if annual leave was not taken as the result of the employee's death. The court sided with the plaintiff however it shows that the intended protection under Article 31(2) is weak and the relevancy of the international standard to workers' right to rest surrounding paid leave is uncertain due to the difficulties in application (Article 31 - Fair and Just Working Conditions, 2015).

A further instance of this would be Japan's Karoshi . Karoshi is a phenomenon where one would become permanently unable to work or die due to extreme long work hours and excessive fatigue. To combat this phenomenon, the Karoshi Prevention Act was enacted in 2014 by the Ministry of Health, Labour and Welfare (Kanai, 2009). The government further tried to address the phenomenon in 2018 using Work-Style Reform Legislation where this regulation introduced a limitation on monthly overtime to prevent overwork among the workers (How Japan Is Fighting Karoshi and Its Culture of Overwork, 2025). Nevertheless, the regulations still face criticism due to their strict applicability and the fact that the law is weak and often only addresses the worst cases rather than being used as a preventive measure (North & Morioka, 2016).

In Malaysia, workers' right to rest is enshrined under the Employment Act 1955 and Occupational Safety and Health Act 1994 (OSHA). Under the Employment Act, the rights to rest are mainly vested in Sections 59, 60 and 60A meanwhile under OSHA, the right is primarily under Section 15. The Employment Act provides that a worker shall not work more than 45 hours a week, with a maximum of 8 hours a day and at least 30 minutes break every 5 hours. Nevertheless, these regulations still receive backlash for their inadequacy to protect certain groups of workers, including domestic workers and migrant workers as well as their impractical implementation in the real world ("My Employer Never Saw a Calendar.," 2024).

In contrast, workers in Ireland benefit from their legal framework surrounding the right to rest. It is codified under Organisation of Working Time Act 1997. Under the statute, a worker is entitled to rest for a period of 11 hours in a day, a full 24-hour break in a week as well as a 15-minute break for a shift of 4 hours 30 minutes or

30 minutes for a 6-hour shift. These implementations are publicly accepted and affirmed due to their great and sufficient application as well as grievance procedures (Schuster, 2023). It also promotes better work-life balance thus subsequently reducing worker burnout and better protecting workers' rights regarding the right to rest.

Cultural Attitudes Toward Rest

Differing societies conceptualise rest and work in different ways, informed by cultural norms, economic systems, and historical contexts. In the United States and many countries in East Asia, such as Japan and South Korea, hustle culture is prevalent. Here, hard work, long hours, and productivity are virtues in themselves that mark success and self-worth (Choi, 2020). Hustle culture can lead to burnout and mental health issues, but it may be rationalised by the pursuit of ascendance and individualism.

On the other hand, many countries in Europe lean toward work-life balance. Countries, such as Germany, Sweden, or the Netherlands, have strong labour protection laws, and leisure is viewed as an important part of well-being (OECD, 2021). For example, the German cultural concept of *Feierabend* flags a demarcation of time for work and time for self. Hence, slack is prioritized over hard work, and these countries have been ranked high in quality of life, happiness, and health.

The discrepancy in attitudes toward work and rest also reflects theoretical differences in societies that value individualism and competition, a culture of hustle, versus collectivism and well-being, a culture of work-life balance (Hofstede, 2011). While hustle culture may contribute to economic growth, the toleration of hustle culture is being increasingly questioned in a context where acknowledgement of mental health and burnout continues to rise.

In various cultures, a serious stigma is assigned to taking a break, as if rest directly correlates with laziness, and constant motion is productive. This narrative is particularly salient in capitalist societies, where people are evaluated based on their output and efficiency, and subjective self-worth becomes a knowledgeable commodity (Hooks, 2000). For this reason, we often feel guilty or ashamed when we take time to rest or take care of ourselves instead of being productive or displaying motivation. This attitude ultimately cycles back not just to the detriment of our mental and physical well-being; it also places social science research on the back burner that shows that rest has been found to improve creativity, attention, and performance (Pang, 2016).

To combat the stigma, there is a call to action to diligently position rest as a legitimate and essential factor of a balanced life. Proponents suggest that our cultural narratives deserve thorough re-positioning (Tricia Hersey, 2022). The focus should shift away from overworking, and instead, highlight indigent rest practices and toxic work spaces as a form of flexibility and resistance against burnout. Taking a rest and re-framing it, as a right (not a privilege), is another important step to reduce the attitudes of toxic productivity and make way for spaces and cultures that prioritize sustainable wellness. These changes will require structural and social changes in our imagined future. At the organisational level by changing workplace culture, locally in our education on mental health practices, and publicly by standardising rest and showing concrete, purposeful examples of it as human life.

Employer Responsibility and Workplace Practices

As organizations become aware of their workers' wellbeing, in the near future, developing supportive initiatives (e.g. break protocols, flexibility with employees on hours, and mental health days) that ameliorate not only workforce burnout, but continued productivity and wellbeing and job satisfaction. Research has shown burnout can be decreased when breaks are taken during the work day, in addition to cognitive performance being better off if breaks mitigate fatigue (Kim et al, 2017). Mandating breaks should make it less likely that employees work longer hours, especially in high-performance organisations.

Then there is the management of work scheduling as it fits the same framework of employer support of salaried employees. When employees can schedule their work around their needs, it acknowledges that productivity does not follow a normal curve, unless limited by an employer. Allowing employees to work on flexible schedules correlates with greater job satisfaction and lower attrition (Bloom et al, 2015). Remote work options and hybrid

schedules allow employees to make better decisions regarding their time but also improve poor work-life balance practices.

Mental health days as a rising practice where employees are supported to take a day off to address their mental health without stigma or penalty. This allows for more normalisation of conversations about mental health and is likely to reduce employee absenteeism due to anxiety or stress that is unmanageable and will not be addressed (Mind Share Partners, 2021). Normalizing rest and recovery as a part of performance will also show employees that their health is valued as a priority.

These changes will necessitate a change in workplace culture, such as leadership modelling healthy boundaries, and valuing rest as a tactical move. Ultimately, policies like these will help cultivate teams that are engaged, resilient, and productive.

Human resources (HR) and organizational leadership have a significant influence on the culture of rest in an organization. They establish the tone for acceptable workplace behaviours, and they are decision makers about incorporating rest and wellness into policies and practices. When people in HR norms put an emphasis on employee wellbeing with rest breaks, mental health supports and resources to help manage their workload, it allows everyone in the organisation to create participants to normalise rest rather than shame it (Keller et al, 2019)

Leaders must, specifically, model healthy behaviours to demonstrate healthy boundaries around work hours, taking rest or a break, and encouraging others to do the same. Modelling healthy work habits is a visible form of leadership that can help disrupt both the "always on" culture that contributes to burnout. Managers who check in with employee wellbeing and who are flexible with work hours demonstrate a culture with rest practices in place, which reinforces that rest is acceptable and valued (Gallup, 2020).

There are solid, measurable reasons for employers, and businesses, to promote a rest-friendly atmosphere. Organisations that support work-life balance experience substantially lower rates of employee turnover than organisations who do not, meaning they have lower recruitment and training costs (Kossek et al, 2011). Likewise, employees who feel cared for and respected are typically more engaged at work, which is valuable given that engagement is associated with greater innovation, collaboration, and overall productivity.

Countless studies have documented that rested employees are often more focused, commit fewer errors, and work more effectively toward fulfilling the purpose and achieving goals of the organisation (CDC, 2017). On the other hand, burnout leads to disengagement and work absenteeism, which subsequently leads to diminished work-life satisfaction levels, which negatively impacts performance and outcomes.

Finally, both HR and organisational leaders have an ethical, and even business case, to promote a culture of rest. Organisations that shift their culture of work towards rest will grow healthier employees and, sooner or later, more resilient organizations.

Challenges to Implementing the Right to Rest

The concept of the right to disconnect (RTD) as according to the research of (Hauschild & Carey, 2024) the right of employees to disengage from work-related digital communication outside official working hours had been originated in France in the early 2000s and has since been codified in multiple European nations to curb "always-on" work culture based on *Boundary Theory*, which argues that blurred lines between professional and personal life harm well-being and productivity (Hopkins, 2024). Enormous empirical evidence consistently links after-hours digital communication to sleep disturbances, increased stress, and impaired psychological detachment, reinforcing calls for statutory improvements.

According to research Trinity College Dublin (2021) it is imperative in Ireland, whereby the Organisation of Working Time Act 1997 enforces minimum rest intervals amounted 11 hours of daily rest, a weekly 24-hour break, and a 48-hour maximum work week in providing the statutory foundation for digital rest rights for employees of the country. However, the research conducted by (Trinity College Dublin, 2021) determined that

digital-era RTD rights were only explicitly addressed with the non-binding Code of Practice on the Right to Disconnect introduced by the Workplace Relations Commission in April 2021. As per reiterated by Alagaratnam and Saravanan (2021), this Code outlines three intertwined rights: not to be routinely contacted outside work hours, not to face disciplinary action for refusal, and a communal obligation to honour others' personal time. It is admissible in employment tribunals but carries no statutory enforcement according to Irish scholars from Trinity College noted that existing legal tools under the 1997 Act and the Safety, Health and Welfare at Work Act 2005 remain too limited without clearer definitions of "working" vs "leisure".

Despite the Code's non-statutory nature, within this context as according to Murphy BL (2023) we can note that its introduction triggered meaningful shifts in workplace culture. More companies now use "delay-send" email tools, email footers signalling off-duty status, and formal communications policies around digital access. A pivotal development was the *Kepak v. O'Hara (2018)* ruling, where persistent after-hours emailing was deemed to breach statutory working-time limits. The Labour Court ruled employers must enforce rest periods and maintain accurate time logs, awarding €7,500 in compensation which is effectively giving legal teeth to RTD principles.

However, critics caution that Ireland's approach remains "soft-law": the Code lacks clarity on what constitutes work outside hours, there are few tribunal cases, and it does not cover the full spectrum of non-standard employment. According to (Trinity College Dublin, 2021) report, it specifically recommends that Ireland adopt binding legislation defining work-leisure distinctions and include non-standard workers and remote employees, especially in cross-time-zone roles.

As mentioned by Alagaratnam and Saravanan (2021), in Malaysia, the legal framework is far less developed than Ireland. The existing statutes such as the Employment Act 1955 and Occupational Safety and Health Act (OSHA) 1994 indeed address physical rest but do not tackle digital availability or work-induced stress with more detail and comprehensiveness.

While recent amendments to include Flexible Working Arrangements (FWAs) represent progress, researchers including Che Shaari and Amirul (2023), this highlight the conspicuous omission of RTD in these reforms, warning that without digital-rest provisions, FWAs fail to protect work-life balance according to the publication made by (Von Bergen & Bressler, 2019).

The structural barriers in Malaysia are acute in which the enforcement is weak, not to mention that unions have limited reach and migrant or gig workers most often on the frontlines of the always-available culture which are largely excluded from legal safeguards. A Skrine study has documenting the RTD situation concluded that Malaysia is "a long way from home," highlighting overworked conditions, elevated stress with the finding on statistics that shown (92% fear losing jobs, 51% report work-related stress, 53% get <7 hours of sleep), and no legal recourse for digital intrusion. Malaysia's university-based empirical research also confirms low awareness of RTD among staff, signalling that not only is the law silent, but workplace culture and norms are ill-prepared to support RTD.

In comparison, Ireland has far more integrated statutory rest with a voluntary RTD Code and benefits from an emergent jurisprudence as seen in *Kepak's case* and evolving corporate culture. Malaysia, conversely, acknowledges work breaks but offers no digital protections; enforcement is weak, worker representation is limited, and pressures from globalization and cross-border business are invoked to justify constant availability.

RESEARCH METHODOLOGY

This research is library-based, focusing on the comprehensive analysis of both primary and secondary data sources related to the comparative legal framework and institutional approaches to workplace stress between Malaysia and Ireland. Primary data will include legislative texts such as Employment Act 1955 and Occupational Safety and Health Act 1994 (OSHA). Meanwhile, secondary data will be sourced from various materials, including journal articles, newspaper articles, guidelines, and online databases such as Google Scholar, Emerald Insight, Sage Journals, and ScienceDirect. By utilizing these resources, the research aims to provide a thorough

examination of the current state of workplace stress in both countries, highlighting legislative frameworks and their institutional approaches to workplace stress.

FINDINGS AND DISCUSSION

Comprehending the Aspects of Workplace Stress

Workplace stress has become integral to the contemporary employment debate as organisations are becoming ever more demanding and competitive. The research results show that stress need not simply be regarded as a personal issue, but a matter of structure and culture determined by, *inter alia*, job demands, lack of rest, technological overreach, and failure of the institution to evolve. In terms of legislation in Malaysia, there have been some acknowledgments to determine and restrict traditional, as well as digital-age stressors through (OSHA), but many gaps remain.

The International Labour Organisation (ILO) and WHO demonstrated that long working hours were responsible for over 745,000 deaths as a result of heart disease and stroke. This information establishes the serious effect of overwork and shows that stress cannot simply be considered as a momentary experience but something we may have to confront in the public health domain. Statutory provisions exist in Malaysia to afford rest to workers - a rest day each week, and overtime benefits; however, in practice, these provisions are not enforced. There are now cases such as *National Union of Transport Equipment Workers v PEPS-JV (Melaka)* which illustrate that some employers disregard statutory rights to rest, which has been eroded from the beginning.

Comparative Legal Analysis

Malaysia's labour laws try to provide rest and recuperation rights, but the practice is substantially deficient. Comparatively, Ireland has established a much more cohesive and purposeful framework. The Organisation of Working Time Act 1997 legislates for daily rest (11 hours), weekly rest (24 hours) and rest breaks - all of which provide employees with independent and structured breaks. Further, Ireland has addressed the issues associated with the digital age and therefore some of the contemporary challenges of workplace stress by promoting its Right to Disconnect Code of Practice in 2021.

Ireland's Code is non-binding, but it does establish important standards of behaviour by stating that employees will not be treated adversely if they "ignored" workplace communications that happen outside of work hours. This represents a major cultural and policy shift utilising the same measures to approach digital over-reliance and acting towards recognising it as a key modern stressor. In contrast, Malaysia is clearly lacking in any meaningful legislative efforts in this area where most importantly, do not address the "always-on" expectation for employees which is particularly pertinent for gig and remote workers.

Institutional and Organisational Challenges

Regularly there has to be a focus on organisational culture and leadership and how they discourage or uplift workplace stress conditions. Many organisations are still treating mental health/well-being as an add on. In particular Malaysian employers are woefully slow to adapt to the modern work life balance. Proactive organisational intervention is virtually absent.

An additional challenge to set the record straight is that the lack of a rights-based approach to mental wellness and recovery creates further issues. For instance, employee protections are enhanced by grievance procedures, public awareness, however, are more importantly backed by judicial precedent (e.g. *Kepak v. O'Hara* which rejected constant after hour communication). Sadly, Malaysia presents no precedent nor practical mechanism to prevent or limit the after-hours digital intrusion on employer time and inattention to employee health and stress leading to further stress/harm and reduced satisfaction among employees.

Significance of Rest and Breaks

In terms of legality and psychology, rest is crucial for well-being and performance. Arguments for rest are

supported by Article 24 of the Universal Declaration of Human Rights (UDHR) and ILO conventions, and it has been established in the study that rest is not just a human requirement which is a right and also a tool for workplace productivity.

Research supports the established premise that cognitive fatigue, burnout, and sustained disengagement from employment (not to mention the various physical health effects) are caused by a lack of rest. There are many legal minimum requirements for rest in Malaysia's Employment Act including the right to holidays but excludes some of the largest segments of workers: domestic workers and other informal workers. On the other end of the spectrum, in Ireland, where this study was conducted, there is a legal basis for rests, as well as cultural expectations and regular practices enabling rests.

Importance of Technology in Stress Management

Digital technologies are clearly a remedy and a source of stress. Tools such as wellness apps, mindfulness based cognitive behavioural apps, and scheduling flexibility provide employees with an opportunity to manage stress better. This is true, however, if there isn't a governance structure and organisational support in place, technology can become a conduit for added pressure and work hours.

We pointed out in the study that it was impressive how Ireland's laws evolved to embrace the "Right to Disconnect". This is a proactive measure. In contrast, the introduction of Flexible Working Arrangements (FWAs) in Malaysia is a step in the right direction, however, without the benefit of digital protections it is of limited value. The Malaysian workforce is still feeling high levels of stress, with 50% of employees reporting they are getting less than 7 hours of sleep and feel insecure about their jobs.

Cultural Attitudes and Stigmatization of Rest

Another thematic strand that is emerging is the cultural attitudes toward rest and work. For most ethnic groups in Malaysia, and Asian culture more broadly, there is often an attachment to a variation of "hustle culture" wherein overworking is understood as virtuous and rest is equated with laziness. The ingrained notion of what makes one better than another creates stigma around breaks and prioritising mental health.

Europe is different; countries like Ireland recognize that rest is a component of long-term productivity and personal health; in Germany, the term "Feierabend" describes a precious time off from work, so workers disconnect after work.

Even for other traditions, cultural differences contribute to the importance of reframing the national culture of Malaysia from leisure travel to be less about guilt and more about being informed about and praising the need for rest.

Employer Responsibility and Leadership Modelling

Employer-directed practices such as flexible schedules, enforced breaks and mental health days are becoming more widely recognized as mechanisms to mitigate burnout. Research cited in the study has shown that when breaks are built into workflows, cognition and job satisfaction markedly improve; in other words, it works.

Leadership behaviour has a significant influence. When leaders model healthy boundaries, such as taking time off, detaching after hours and being concerned with workers' well-being, they build a more resilient organisational culture. Unfortunately, such modelling is the exception to the rule in many Malaysian workplaces where performance is evaluated on hours ticked off rather than the outcomes achieved.

Structural and Legal Barriers

Classes of rest rights have been recognised in law; structural barriers remain in Malaysian contexts. The issues related to weak enforcement, lack of digital specific protections, and non-standard worker exclusions exemplify a legal system that is outdated in the modern workplace. Legal reforms in two relevant pieces of legislation have

provided statutory FWAs. However, FWAs will have limited positive provision if employers overly require availability from employees.

Ireland, while imperfect, offers a workable model for Malaysia. It utilises statutory tools, soft law instruments (including the Right to Disconnect Code), developing jurisprudence, and cultural awareness, contributing to a more thoughtfully integrated workplace stress management ecosystem. Towards achieving similar success, Malaysia will need to have purposeful legal reform, cultural re-education and employer accountability.

RECOMMENDATIONS

As the world evolves, the professional world has also been catching up unfortunately, at the expense of employees' health and well-being. Workplace burnout has become a structural epidemic rather than a mere individual burden. Burnout, anxiety, depression and isolation, to name a few, are no longer isolated issues, as they have become embedded into the modern workplace environment due to employers' expectations. These issues are often framed as individual struggles, despite the core issue being the failure of employers to adhere to basic and necessary labour rights, the right to rest such as reasonable working hours and the right to disconnect. Yet, when searching for the reason behind the drop in employee morale the conversation tends to shift towards resilience and coping strategies, with only a few acknowledgements given to the necessary solution. The right to rest is more than just downtime for these employees rather than what empowers their well-being and health that promotes sustainability in the long term.

In many countries, including Malaysia, the right to rest has been formally legislated and protected by law, however, in many workplace cultures it is being treated more as a suggestion than a right and some employers actively discourage their employees to benefit from it. To prevent the right from being a mere legal formality, the employer must play an active role in normalising it in practice. There is a need for internal workplace policy that encourages rest. This is because internalising the normalisation of rest at the workplace allows employees to be at ease and not stand out for merely exercising their right. To achieve this, HR training should be highly encouraged, to make sure that the policy is a centralised activity within the institution. This also subsequently allowed the right to rest to become a norm and not an exception.

Next is the right to disconnect. The right to disconnect is a practice where employees may leave work related issues at the workplace and to be addressed only during working hours as widely practiced in countries like Spain and France. This practise should be radically blended into Malaysian workplace practise as many Malaysian employees remain tethered to their workplace even after hours. This, paired with the fact that many non-emergency occupations like office workers, offer employees with company devices such as laptops or handphones then expect them to stay connected around the clock. Thus true rest cannot be achieved if employees are expected to remain available beyond their agreed working hours. To combat this, there must be clear policies and guidelines specifically on communication and to stop reprimanding employees for simply putting boundaries on limiting connection to work during their private time.

Moving on, it is crucial that employers make it mandatory for employees to take leave from work. This leave should be separate from the regular leave of absence due to sickness or illnesses to allow employees to rewind from work stress. While annual leave is codified under the Employment Act 1955, many employees have been guilted into not utilising their annual leave, citing loyalty, teamwork, family-based environment and performance-ridden promotion as a guarantee to advance their career development. As such, making the leave mandatory would allow employees to overcome workplace politics and bureaucracy thus ensuring employees' right to rest be protected. In addition, to further enforce mandatory minimum leave, employers should limit the accumulation or carry-forward system for unused leave to prompt employees into taking the leave regularly.

Apart from mandatory leave of absence enforcement, mental health should be made as a legitimate reason for time off. By incorporating mental health into the workplace leave policies, it shows that rest is not just for physical recovery, but to send a message that mental exhaustion should also be taken care of. Allowing a 3 or 4 days of mental health leave could prevent major meltdowns or serious depression among employees. To successfully implement this, incorporating elements of anonymity or no question-based procedure would avoid

employees from being hesitant to utilise the time off as stigma around mental health still lingers in Malaysia.

Lastly, promoting the right to rest at federal and state level. Rest should not remain as a symbolic ideal but a right that is protected by enforcement mechanisms at both federal and state level. In promoting the right to rest, cultural change alone is not enough especially when there are no legal consequences. As such, in creating a huge shift in any culture must be supported by a solid backing. This move is to ensure that if the manager or any leadership figures disregard employees' right to rest, a real course of action and repercussion can be set into motion. In addition, there is also a need at the federal level to allow the reduction of working days in Malaysia, from 5 working days to only 4 as seen in Japan's transition. This change seems highly possible due to the rise of technologies. As technology progresses, it allows employees to work remotely at the same efficiency level as they do working in an office.

CONCLUSION

The right to rest should not be treated as a luxury as it is a recognised fundamental legal right of every employee. Although legal frameworks exist in Malaysia, significant gap and lacunae between the codified law and actual implementation into the real world renders the law to be ineffective and at last, only make the employee a victim. To bridge this gap, the right to rest must be protected, normalised and enforced at every level starting from internal HR of the workplace to federal policy. This is because, right to rest should not be a passive benefit but rather the pillar to a sustainable labour system. As the line between work and life continues to blur, rest must be reclaimed as a structural right. While Malaysia has kickstarted the ideal framework, implementation remains unjust, leaving Malaysia behind from countries like Finland.

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