

The Quiet Quitting Phenomenon in Digital Workplaces: A Legal-Theoretical and Comparative Analysis

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Abstract: Quiet quitting has recently emerged as a widely discussed phenomenon in organizational science, primarily due to its implications for business operations and employee productivity. However, its impact on labor law should not be overlooked. This paper employs legal-theoretical and comparative methods to explore the key aspects of conceptualizing quiet quitting within both individual and collective labor law frameworks. It also examines how company law addresses the unique status of managers and directors as employees. The analysis is limited to a general legal assessment of the Quiet Quitting phenomenon, acknowledging its conceptual ambiguity and its intersection with organizational management, labor law, and company law.

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1. Introduction

Labor law is encountering significant challenges due to changes in the labor market, with a new generation of workers (Gen Z) entering the workforce, coupled with technological and digital innovations that introduce novel approaches to work organization, ultimately transforming working conditions. Organizational management practices undeniably influence working conditions, while workplace culture plays a central role in shaping employment models. Additionally, employees are responding to these changes, with one notable reaction being the phenomenon of “quiet quitting” (QQ). QQ refers to employees meeting only the minimum expectations outlined in their employment contracts, without going above and beyond. This form of resistance has historical roots. In the 20th century, it was commonly referred to as a “go-slow,” a type of industrial action in which work was deliberately delayed or slowed down to express dissent or exert pressure without engaging in a full strike. A recently published study on Gen Z workplace tendencies reveals that Gen Z employees are more likely to engage in disengagement activities, such as QQ, and often draw inspiration from influencers on social media.¹ Furthermore, the study finds that QQ behavior is likely to spread within the organization, especially in environments where social media influence is prevalent, further affecting employee engagement and workplace dynamics.²

In organizational management theory, QQ is often viewed as a consequence of poor management, whereas, in labor law, it is examined within the context of the employment relationship, specifically regarding the employee’s duty to perform work tasks in good faith. This raises a central question: can QQ activities be considered a breach of the employment contract under individual labor law, or, if adopted by a majority of employees, could it be interpreted as a form of strike action under collective labor law? Additionally, the authors will examine how company law addresses the issue of QQ, particularly when performed by top managers or directors.

The paper is structured to trace the emergence of the phenomenon of QQ within organizational management and to examine its implications as

¹ Karina Ochis, “Generation Z and ‘Quiet Quitting’: Rethinking Onboarding in an Era of Employee Disengagement,” *Multidisciplinary Business Review* 17, no. 1 (2024): 91.

² Ibid.

a labor law issue. It aims to explore the connection between management strategies and labor law frameworks, recognizing that the legal implications of QQ have been identified in both individual and collective labor law contexts. Additionally, the authors seek to analyze how company law addresses QQ behaviors performed by top managers and directors, with the broader goal of proposing a conceptual and regulatory framework for future legal developments in this area.

2. Quiet Quitting Phenomenon – From Organizational Management Concern to Labor Law Issue

2.1. Quiet Quitting in Organizational Management Science

The phenomenon of “quiet quitting” – working with the minimum effort but well enough not to violate the employment contract – has been the focus of organizational management and behavioral economic scientists as one of the emerging professional trends nowadays. The main factors that impact workers’ behavior and cause QQ are those related to the work organization model as an objective, and the individual perception regarding work as a subjective factor. Thus, in organizational management literature attention has been made, primarily, towards the work orientation of an individual, i.e. beliefs regarding the role of work in a person’s life that further impacts job satisfaction, and consequently the QQ intentions of the worker.³ Moreover, the socio-demographic characteristics of individuals also influence work engagement in terms of QQ posing socio-cultural differences that increase the QQ trends. Having said that, recent empirical studies have shown that QQ is particularly linked to the Generation Z demographic cohort born between 1997 and 2012 and younger Millennials as a means to express their dissatisfaction with the work organization model⁴ forming a *sui generis* social class movement group in a digitalized work era.

From the perspective of organizational management scientists, the QQ trend has been explored in the context of offering a new model/approach in dealing with workers’ dissatisfaction and disengagement at work,

³ Milena Nikolova, “Loud or Quiet Quitting? The Influence of Work Orientations on Effort and Turnover” (GLO Discussion Paper, No. 1429, Global Labor Organization GLO, Essen, 2024), 1.

⁴ Sanja Jelača and Marko Golubović, “The Impact of the Quiet Quitting Phenomenon on Employees in Serbia,” *The European Journal of Applied Economics* 21, no. 1 (2024): 60–80.

mainly caused by the COVID-19 health crises and the Fourth Industrial Revolution, i.e. workplace digitalization. The altered working and living conditions during the pandemic gave rise to two notable reactions among workers: (1) the “Great Resignation” and (2) “QQ”.⁵ The term “Great Resignation” was coined by Professor Anthony Klotz of Texas A&M University, who predicted that many employees would leave their jobs as the COVID crisis subsided and life returned to normal.⁶ In contrast to this mass exodus, the QQ trend emerged as an alternative response to the changing work landscape.

Nevertheless, the QQ trend has been primarily explored from an organizational management perspective as a workplace-cultural trend, particularly among younger workers who refuse to dedicate their whole lives to work and who choose to work and live with expanded autonomy as a new work value in a changed world of work. The values of the younger generation of workers (Gen Z), particularly their desire for self-determination in the workplace, align with the principles outlined in self-determination theory of management. This theory emphasizes that personal motivation at work is closely tied to fulfilling innate psychological needs for competence, autonomy, and relatedness.⁷

2.2. Quiet Quitting – Bridging the Gap between Organizational Management and Labor Law

The socio-cultural characteristics of a young generation entering the labor market significantly challenge the traditional labor-law institutes and the very foundation of the employment relationship. The work orientation and values of the so-called “digital natives” – Gen Z – combined with the ongoing digital transition, have transformed the work environment and impacted employment relationship, prompting the need for his redefinition.

Some forms of flexible employment such as platform work, particularly “crowd work,” promote worker’s autonomy over the employer’s

⁵ Nastja Pevec, “The Concept of Identifying Factors of Quiet Quitting in Organizations: An Integrative Literature Review,” *Izzivi prihodnosti/Challenges of the Future* 8, no. 2 (2023): 128–47, <http://dx.doi.org/10.37886/ip.2023.006>.

⁶ Ibid., 131.

⁷ Henrik Nordgren and Anders Björs, *Quiet Quitting, Loud Consequences: The Role of Management in Employee Engagement* (Uppsala: Uppsala Universitet, 2023).

subordination power, i.e. transferring the management tasks to the online workers.⁸ However, some studies suggest that while algorithms on online labor platforms increase job autonomy for workers during the initial stages of work preparation and execution, they simultaneously reduce autonomy in the digital reputation and job evaluation phases, while also extending working hours and workloads.⁹

From the standpoint of labor law scholars, QQ has been considered as an idea of fundamental labor rights' protection that is grounded on respect for the worker's dignity and the work-life balance, an emerging concept, in a changed world of work.¹⁰ Accordingly, Gen Z have different expectations about work that include demands for autonomy and flexibility, searching for meaning in work, and have greater commitment to balancing work and life responsibilities.¹¹

The work-life balance concept gained wide attention among social scientists, including sociologists, demographers, and lawyers. There are different approaches to the concept considering the particular science field, but, generally, work-life balance is holistic and subjective in its nature, grounding on the individual's, subjective assessment of the balance between work and private responsibilities.¹² At the level of the European Union (EU), the Work-Life Balance Directive¹³ was adopted in 2019 and by 2022 most of the Member States implemented the Directive by introducing new policies or updating the existing ones. The main objectives of the Directive are generally focused on enhancing leave policies to benefit both parents, implementing measures to support workers' caregiving responsibilities, and

⁸ Christine Gerber, "Community Building on Crownwork Platforms: Autonomy and Control of Online Workers?," *Competition & Change* 25, no. 2 (2021): 190–211.

⁹ Liu Shanshi, Pei Jialiang, and Zhong Chuyan, "Is the Platform Work Autonomous? The Effect of Online Labor Platform Algorithm Management on Job Autonomy," *Foreign Economics & Management* 43, no. 2 (2021): 51–67.

¹⁰ Bernadett Solymosi-Szekeres and Sanja Stojković Zlatanović, "Approaching Quiet Quitting from the Labor Law Perspective: A Case Study of Hungarian and Serbian Legislation," *Legal Records Journal*, no. 1 (2024): 218–38.

¹¹ Elsa Islammia Pasha, "The Phenomenon of Work-Life Balance among Generation Z: A Case Study of Creative Workers," *American Journal of Open Research* 3, no. 11 (2024): 335.

¹² Chandrani Sen and Himangini Rathore Hooja, "Work-Life Balance: An Overview," *International Journal of Management and Social Sciences Research* 7, no. 1 (2018): 1–6.

¹³ Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers (OJ L188, 12 July 2019).

expanding flexible work policies, including the right to disconnect and the option for flexible work arrangements.

The latter, the right to disconnect could be explored in the context of QQ, considering that, by definition, right to disconnect means the right of employees not to be engaged in work-related communication after working hours, i.e. the right to ignore emails, messages, and calls related to work in their free time. The EU policymakers, by introducing the right to disconnect, gave some form of legitimacy to the QQ activity of employees, considering that QQ among other things presupposes the employee's denial to work overtime and to engage in extra hours. Moreover, given that QQ is a phenomenon that emerged in the digital era, there is an indirect connection with the right to disconnect, which could also be seen as a policy and legal answer to the QQ. On the other side, the right to disconnect is considered as a modern interpretation of the traditional right to rest and leisure.¹⁴ The final aim is the protection of workers' health, both physical and mental and overall well-being. Thus, in this context, QQ represents a worker's attempt to prioritize his/her mental health and overall well-being at work in an environment where hustle and always-on culture expectations prevail.

2.3. Approaching the Concept of Quiet Quitting in Labor Law: Prioritizing Mental Health in Legislation

The conceptualization of QQ can be further expanded in both its legal-philosophical and semantic dimensions. While the term “quiet quitting” is commonly used, it does not fully capture the essence of the phenomenon. QQ is not about actually resigning from a job. Instead, we argue that it is more accurately described as “quiet distancing,” as it involves disengagement from the role without formally leaving it.¹⁵ This interpretation reflects the shift in employee involvement and motivation, rather than a complete resignation from their responsibilities. During QQ, the worker is still performing his/her work duties but is no longer subscribing to the hustle and always-on

¹⁴ Sanja Stojković Zlatanović and Milena Škobo, “The ‘Twilight’ of Health, Safety, and Well-being of Workers in the Digital Era – Shaping the Right to Disconnect,” *Journal of Work Health and Safety Regulation* 2, no. 2 (2023): 129–44.

¹⁵ Solymosi-Szekeres and Stojković Zlatanović, “Approaching Quiet Quitting From the Labor Law Perspective.”

culture expectations.¹⁶ In doing so, the worker performs the minimum level of job duties, does not work overtime voluntarily,¹⁷ and does not look for extra opportunities to work, and the employer or even the co-workers may feel that he/she has lost engagement in work. This is a kind of distancing from the employer's (owner) expectations. While it is easy to pin this trend on the pandemic,¹⁸ studies indicate that it was building up long before COVID-19 struck, catalyzing long-forming movements toward Gig Work.¹⁹

The concept of QQ does not have a singular definition. It encompasses a range of employee behaviors, from those who only meet the minimum requirements of their employment contract during working hours, to those who work diligently within their hours but refuse to engage in any tasks outside of their scheduled time.²⁰ In addition to work-life balance considerations, QQ is closely associated with the concept of burnout at work.²¹ Studies reveal that an individual's satisfaction of mental and overall social well-being plays a significant role in this connection.²²

Therefore, we advocate for addressing the issue of QQ in labor law from a mental health perspective, incorporating the concepts of well-being in traditional occupational safety and health models. The normative solutions implemented by EU Member States for promoting and protecting mental health can be considered preventive mechanisms for highlighting QQ behaviors in the workplace. QQ is a phenomenon that has emerged in organizations where management has been seeking effective policy models to shift from an "always-on" culture to one focused on care. Although labor law has not explicitly recognized QQ as a breach of the employment contract, nor fully embraced the dominant view linking QQ activities to mental health issues, recent comparative legislation has introduced various

¹⁶ Victoria Masterson, "What Is Quiet Quitting and Why Is It Happening?," World Economic Forum, September 2, 2022, accessed May 5, 2025, <https://www.weforum.org/agenda/2022/09/tiktok-quiet-quitting-explained/>.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Bernadett Solymosi-Szekeres, "Hustle Culture and Quiet Quitting – Trends Between Young Workers in the Era of Digital Work," *Hungarian Labour Law E-Journal*, no. 2 (2024): 19–30.

²⁰ Hanna Cashion, "The Struggle for Work-Life Balance: Quiet Quitting as a Hyper Individualized Tool of Neoliberal Resistance" (PhD diss., University of Arkansas, 2024), 7.

²¹ Ibid.

²² Ibid.

mechanisms aimed at safeguarding and prioritizing mental well-being. This evolving approach could serve as a preventive framework for addressing QQ behaviors, complementing recent initiatives such as the right to disconnect.

France was among the first EU countries to address this issue through normative regulation. In Part IV of the Labor Code, titled “Health and Safety at Work,” France explicitly recognizes the employer’s duty to protect both the physical and mental health of workers by implementing all necessary measures. The Labor Code also emphasizes the issue of moral harassment/bullying in the workplace as a significant risk to both physical and mental health.²³ The principles of occupational safety and health (OSH) in French legislation are outlined as follows: avoiding risks, assessing unavoidable risks, addressing risks at their source, adapting work to individuals – including work design, equipment, and methods – creating prevention plans that integrate technology, work organization, working conditions, social relationships, and environmental factors, including the risks of bullying and sexual harassment.²⁴ The focus is placed on collective protection measures rather than individual ones.²⁵ On the other hand, in 2016, France introduced the right to disconnect in its labor legislation, specifically in the Labor Code. Constant connectivity is recognized as a significant occupational risk related to technology, which must be addressed preventively to protect the physical and mental health of workers, forming a key component of the core principles in the OSH field.²⁶

France, as the first country in the EU to introduce the right to disconnect, enacted legislation ensuring that employees are not contacted through digital devices after working hours. However, the legal nature of the right to disconnect remains theoretically unclear. The dominant view is that the right to disconnect derives from the traditional right to rest and leisure,

²³ “Occupational Safety and Health – France,” International Labour Organization, 2015, accessed April 25, 2025, https://www.ilo.org/dyn/legosh_en/f?p=14100:1100:0::NO::P1100_ISO_CODE3%2CP1100_SUBCODE_CODE%2CP1100_YEAR:FRA%2C%2C2015.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Loïc Lerouge and Francisco Trujillo Pons, “Contribution to the Study on the ‘Right to Disconnect’ From Work. Are France and Spain Examples for Other Countries and EU Law?,” *European Labour Law Journal* 13, no. 3 (2022): 455.

while the perspective of its autonomy as a digital right is less prominent in the literature.²⁷ However, in the context of placing QQ concept within labor law, the approach linking the right to disconnect to privacy-related issues and the concept of “home invasion through ICT”²⁸ – particularly in terms of autonomy – is quite interesting and worth analyzing. In this regard, privacy-related rights from a liberal perspective are linked to the “manifestation of individual autonomy” and an individual’s right to establish boundaries between their private and public spheres and interests.²⁹ Therefore, by introducing the right to disconnect into national legislation, states (with France as the pioneering country in the EU) address concerns related to QQ in a preventive manner, while simultaneously providing protection for mental health from an OSH (Occupational Safety and Health) perspective and indirectly recognizing the employee’s autonomy as an emerging value in modern labor relationship.

On the other hand, while German legislation in the field of occupational safety and health (OSH) imposes a duty on employers to assess work-related risks – including psychosocial risks – and emphasizes the obligation to design workplaces in a way that prevents both physical and mental harm; empirical studies have shown that this is not fully implemented in practice. Most German employers either do not conduct workplace risk assessments at all or do so without considering psychosocial risks in the process.³⁰ However, many German employers address psychosocial risks as part of their established workplace culture and business strategy objectives, framing the issue within the realm of organizational

²⁷ Stojković Zlatanović and Škobo, “The ‘Twilight’ of Health, Safety, and Well-Being of Workers in the Digital Era – Shaping the Right to Disconnect,” 139.

²⁸ Fabienne Kéfer, “The Right to Disconnect: A Response to One of the Challenges Raised by the Digital Transition? European and Belgian Perspectives,” in *Work in a Digital Era: Legal Challenges*, eds. Maria do Rosário Palma Ramalho, Catarina Carvalho, and Joana Nunes Vicente (Portugal: AAFDL EDITORA, 2022), 429–47, accessed April 7, 2025, https://orbi.uliege.be/bitstream/2268/259740/1/FK%C3%A9fer_right_to_disconnect.pdf.

²⁹ Stojković Zlatanović and Škobo, “The ‘Twilight’ of Health, Safety, and Well-Being of Workers in the Digital Era,” 140.

³⁰ David Beck and Uwe Lenhardt, “Consideration of Psychosocial Factors in Workplace Risk Assessments: Findings from a Company Survey in Germany,” *International Archives of Occupational and Environmental Health* 92, no. 3 (2019): 435–51.

management, even though it is directly regulated under OSH legislation.³¹ When it comes to the right to disconnect, this right has not been explicitly recognized as a standalone entitlement in German labor legislation. However, working time restrictions are directly established under the Working Hours Act, which aims to protect employees from harm related to excessive overtime and to prevent health risks.³² The protection of employees from being available after working hours, as established by the Working Hours Act, has been degraded by a recent court decision. In 2023, the German Federal Labor Court ruled that an employee is obligated to respond to messages received during rest periods if the actual start time of the next shift can only be determined by the employer on short notice and the employee is expected to anticipate such communication.³³ On the other hand, in Germany, there is an established practice of incorporating the right to disconnect into individual employment contracts or collective agreements adopted at the company level.³⁴

France addresses mental health and well-being in the workplace primarily through a strict legal-normative approach, while Germany largely relies on organizational practices, internal employer policies, and workplace culture. Changes in workplace culture and business practices inevitably influence labor standards, and vice versa. Therefore, organizational management and labor law must work in tandem to respond to the dynamic transformations in the world of work. In this context, the traditional dichotomy between hard and soft law mechanisms is becoming increasingly blurred.

The hustle and always-on cultures, which serve to increase production while simultaneously endangering mental health and overall well-being of the workers, are so strongly present in the labor market that it is not enough to think only in terms of normative options open to the legislator to protect

³¹ Elke Van Hoof, *Legislation and Practical Management of Psychosocial Risks at Work* (Brussel: Vrije Universiteit, 2019).

³² Tina Weber, "Right to Disconnect: Legal Provisions and Case Examples," Eurofound, April 16, 2020, 6, accessed March 12, 2025, <https://www.eurofound.europa.eu/en/publications/eurofound-paper/2020/right-disconnect-legal-provisions-and-case-examples>.

³³ Hagen Köckeritz and Guido Zeppenfeld, "Germany: The Right to Disconnect Q&A," Lexology, March 24, 2025, accessed May 10, 2025, <https://www.lexology.com/library/detail.aspx?g=0106acc4-5bc4-4912-a20f-ff0bdb6716aa>.

³⁴ Weber, "Right to Disconnect."

the work-life balance and the dignity of the worker, but also to allow room for grassroots efforts on the part of individual workers. Yet, as there may be several negative consequences of QQ activities on employers' productivity from organizational and business perspectives, it is also worth examining how this persistent behavior can be assessed through the lens of labor law. Accordingly, the central research question is whether a worker engages in unlawful conduct by participating in QQ, and whether the employer is entitled to impose sanctions in response to such behavior. This issue becomes particularly significant when an employer becomes aware that QQ is spreading among employees and evolving into a form of collective action.

3. Quiet Quitting vs. Work-To-Rule in Collective Labor Law

As mentioned before, the QQ trend could become particularly challenging when it spreads among workers, from the standpoint of an employer. It could directly affect his economic interest and profit goals. Thus, QQ activities performed by only one employee where he/she is going backward to the minimum of the employment contract with the intention of being dismissed by the employer and being eligible for social benefits are considered in terms of individual labor law and addressed in every particular case that will be significantly difficult to prove. On the other side, QQ activities that a majority of employees have been performing had to be analyzed from the perspective of collective labor law.

In that regard, in collective labor law, there is a form of industrial action, i.e. a form of strike that, in its essence, corresponds to QQ – named work-to-rule strike. According to the Justia Legal Dictionary, work-to-rule is defined as “strategy where employees adhere strictly to the rules of their job in order to slow down work progress,”³⁵ while in Cambridge Dictionary states that work-to-rule is “a form of protest in which employees do exactly what is stated in their contracts, and nothing more, in order to slow down the production.”³⁶

³⁵ JUSTIA Legal Dictionary, s.v. “work-to-rule,” accessed March 30, 2025, <https://dictionary.justia.com/work-to-rule>.

³⁶ Cambridge Dictionary, s.v. “work-to-rule,” accessed March 30, 2025, https://dictionary.cambridge.org/dictionary/english/work-to-rule#google_vignette.

The two main elements of work-to-rule action are: (1) performing work tasks only in terms of employment contract and nothing more, and (2) intent/motive to slow down the production. On the other side, QQ action certainly includes the first element (working in the framework of an employment contract and nothing more), but the second element is questionable, i.e. quiet quitters intend to find a balance between work and life and protect overall physical and mental well-being, in the work organization where always-on culture prevails. Thus, quiet quitters' motive is not to slow down production, but rather to express disagreement with the established workplace culture. The intent is to influence the change of the established management organizational model without jeopardizing the employer's economic interests and ultimately to improve working conditions.

Nevertheless, when the majority of employees in some organizations are engaged in QQ, it certainly raises the question of possible industrial action at the employer level. Accordingly, reference is further made to the legality of this industrial action, under national law. First, whether this form of strike is permitted under national law and then whether the other conditions stipulated by national law are met. The problem with work-to-rule strikes is related to the problem of strikes in general, considering that the International Labor Organization (ILO) does not define strike actions, including different forms/types of strikes. However, the Committee of Freedom of Association considers that, in addition to a complete work stoppage, other "softer" slowdowns – "brief and limited" – could also be considered a strike and be legal when a strike is guaranteed under national law.³⁷ This principle has been applied to the work-to-rule action as well.

Additionally, in collective labor law, the intent or objective of strike actions is also important to assess in terms of the legality of the action. In that regard, there is a classification of strikes as occupational, trade union, and political strikes, where the first two forms are mainly approved under ILO standards.³⁸ In contrast, a political strike is considered not legal.³⁹

³⁷ Bernard Gernigon, Alberto Otero, and Horacio Guido, *ILO Principles Concerning the Right to Strike* (Geneva: International Labour Organization, 1998), 12.

³⁸ Jorge Andrés Leyton García, "The Right to Strike as a Fundamental Human Right: Recognition and Limitations in International Law," *Revista Chilena de Derecho* 44, no. 3 (2017): 795.

³⁹ *Ibid.*

Occupational strikes aim to improve the working conditions as also QQ activities do, i.e. work-to-rule action when QQ as individual action gains the collective dimension and spread among workers. In the era of workplace digitalization, always-on work culture, and flexible work forms introduction, QQ activities are considered as individual means to influence employers to improve working conditions and provide work-life balance.

The legitimacy of actions like QQ is further reinforced by growing demands for greater autonomy at work, which include also the freedom to initiate actions such as QQ – distinct from traditional union activities. This shift occurs within the context of emerging modern forms of worker organizations, often referred to as “new mutualism.”⁴⁰ These organizations represent spontaneous initiatives that bring together workers from newly formed sectors, particularly digital workers, whose access to collective bargaining remains limited due to their unrecognized employment status. As a result, the intentions behind QQ can be viewed as legitimate actions advocating for worker autonomy and rights within the context of the emergence of a modern form of work organization, such as new mutualism. However, these kinds of organizations do not have the form of unions but provide workers help to raise their voices, advocate, and influence employers to change the management model and improve working conditions through soft-law approaches representing *sui generis* substitute for social partners. Some of them are engaged in strike actions, like Workers Centers established in the United States to represent immigrants and freelance workers, i.e. workers in non-standard employment. However, the work method of the Workers Centers is mainly to engage in producing consumers’ pressure throughout supply chain and influence on the employers to change organizational practice.⁴¹

A new flexible form of work in a digitalized environment where an always-on culture prevails generate novel approaches to workers’ engagement in influencing employers’ behavior that is further supported by the change of generation of workers entering the labor market. The socio-cultural differences among workers’ generations impact the methods they will

⁴⁰ Sandrine Cazes et al., *Negotiating Our Way Up: Collective Bargaining in a Changing World of Work* (Paris: OECD, 2019), 246, <https://doi.org/10.1787/1fd2da34-en>.

⁴¹ Ibid.

apply to enhance labor status and improve working conditions. Therefore, QQ activities might have the potential to grow from an individual action of an employee into a collective action of a new generation of workers.

4. Quiet Quitting Among Directors (Managers) – Company Law Approach

In the last decades, it has been known that one of the pivotal elements in worker retention is the relationship between a company's commitment to professional growth and employees' satisfaction at work. If companies invest in opportunities for professional development, career advancement, and lifelong learning, employees are more likely to feel valued and engaged. This, in turn, fosters loyalty and increases job satisfaction.⁴² Employees who perceive that their employer is dedicated to their professional growth tend to stay longer, as they see opportunities for long-term success and fulfillment within the company.

However, some companies fail to offer employees a path for professional growth and development, leaving them with the impression that the current positions offer no possibility for progression and that the current position is essentially a dead end.⁴³ Conversely, a lack of company support can lead to employee frustration, disengagement, and ultimately higher employee turnover. According to Sturt and Nordstrom, numerous employers have consistently failed to address workers' needs and present an array of disturbing statistics about the ineffectiveness of many modern managers (officers).⁴⁴ Therefore, many top employees, including managers and/or directors (executive directors and non-executive directors) choose to disconnect from the organization and/or the company since they have lost faith that the company is committed to their long-term development.

QQ among directors (managers) is a relatively new concept that highlights a shift in the way some leaders approach their roles in a company. Therefore, QQ among directors represents a subtle but significant

⁴² Danica Bakotić, "Relationship Between Quiet Quitting and Leadership Orientation: The Case of Croatian Employees," *DIEM* 8, no. 1 (2023): 39.

⁴³ Heidi Hiltunen, "Quiet Quitting Phenomenon in Finnish Aviation Industry" (BA diss., Helia University of Applied Sciences, 2023), 6.

⁴⁴ Thalmus Mahand and Cam Caldwell, "Quiet Quitting – Causes and Opportunities," *Business and Management Research* 12, no. 1 (2023): 12.

withdrawal from the active and engaged leadership that organizations rely on. As opposed to “traditional” QQ which is often associated with employees disengaging from their tasks, doing only the bare minimum required; QQ among directors takes on a deeper, and more impactful meaning.

The phenomenon of QQ among managers does not manifest through dramatic actions. It is marked by a gradual and silent retreat from the enthusiasm and commitment that are usually present in effective management.⁴⁵ Having in mind that directors and/or managers have broader responsibilities, their roles often include leading teams, ensuring productivity, and being decision-makers for organizational direction. QQ among directors might be harder to identify than in other employees because of their more autonomous roles. Rather than making clear, and explicit decisions or taking drastic actions, QQ among managers manifests in a steady decline in active involvement, reduced enthusiasm for tasks, and a lack of proactive leadership, which can negatively impact team dynamics, and a company’s productivity over time. In this context, the director’s lack of visible commitment may not always be immediately noticed, but its cumulative effects can gradually erode organizational culture and the company’s performance.

When directors and/or managers withdraw their active and effective participation, the entire decision-making process within the company is negatively impacted. Decisions adopted without the full engagement of management and/or board of directors, lack the depth and consideration of fully engaged leadership discussions.⁴⁶ Consequently, strategic decisions may lack the necessary perspective, leading to poor judgment and avoidable mistakes. In addition, initiatives may stray from the company’s long-term objectives, as disengaged leaders are less likely to ensure alignment with broader objectives, ultimately undermining the company’s overall success and direction.

From a company law perspective, QQ among directors and managers raises several concerns that can affect the company’s legal obligations, interpersonal relations within the company, and business outcomes. Directors

⁴⁵ Marcin Majka, “Quiet Quitting Among Managers,” June 18, 2024, accessed February 25, 2025, https://www.researchgate.net/publication/381515236_Quiet_Quitting_Among_Managers.

⁴⁶ Ibid.

and managers, like all employees, are bound by their employment contracts, which outline specific obligations, duties, and expectations. These often include duties of competence, fiduciary duty, and loyalty, as well as a responsibility to perform to the best of their abilities and in line with the company's objectives. Directors are required to act in good faith, i.e. they have a legal responsibility to act in the best interests of the company. Directors and managers are also expected to assess compliance risk.⁴⁷ In fulfilling their responsibilities, directors must avoid situations that create a conflict of interest between their obligations to the company and their personal interests.⁴⁸

QQ could be seen as the neglecting of their fiduciary duty, especially if their inaction harms the company, brand equity, or its reputation. If a director's and manager's QQ results in neglect of their duties related to team management, it could inadvertently create a toxic workplace, leading to discrimination or harassment complaints. For instance, failure to address grievances or manage interpersonal conflicts properly could expose the company to liability. Additionally, if a company's performance declines due to a director's lack of engagement, this can lead to potential legal challenges from stakeholders (e.g. shareholders) or breaches of regulatory requirements (in cases where business outcomes are tied to legal or compliance standards). For example, failing to meet health and safety regulations or ignoring environmental obligations due to lack of management involvement could expose the company to fines or lawsuits.

If QQ is recognized, employers may need to address it through formal mechanisms, potentially including disciplinary action or even termination of the employment contract. If directors stop performing their duties adequately or fail to act in the best interest of the company, they may be also considered in breach of their duty of care under labor law. In extreme cases, this could lead to dismissal for failure to fulfill contractual obligations. Courts, particularly within the common law system, may find it especially challenging to evaluate the director's omissions stemming from

⁴⁷ Alexander Dill, *Bank Regulation, Risk Management, and Compliance: Theory, Practice, and Key Problem Areas* (Abingdon: Informa Law from Routledge, 2020), 83.

⁴⁸ The Institute of Company Secretaries of India, *Company Law* (New Delhi: ICSI House, 2021), 499–500.

QQ.⁴⁹ Namely, the courts in the common law system recognize that the decisions of directors often involve weighing and balancing legal, ethical, commercial, and promotional aspects, public relations, and other factors. Consequently, “courts will not sit in judgment on the wisdom of decisions made by directors.”⁵⁰ If the directors have acted in good faith based on adequate information, courts will not enjoin the course of action taken by the directors. The business judgment rule protects directors who make diligent and lawful business decisions, even if those decisions negatively impact the company, its reputation or raise its costs.

From a company law perspective, managing QQ involves both legal and policy considerations. Company law may provide specific frameworks for performance management, such as probationary periods, performance reviews, and red flags, before dismissal is considered. The company should have formal processes to evaluate and address a director’s and manager’s performance issues, including documenting instances of disengagement, offering corrective action plans, and providing support to improve performance. Also, if QQ is related to personal or organizational issues (e.g., burnout, lack of resources, lack of proper communication, or unfair treatment), the company must ensure that it addresses the root cause while respecting anti-discrimination laws.⁵¹

5. Conclusion

QQ has evolved from an organizational management issue to a labor law and, further, a company law concern. However, the intersection of these areas remains blurred in both theory and practice, as legislation does not yet recognize QQ in legal terms. This raises significant questions in legal theory regarding the role and impact of organizational management issues on fundamental socio-economic rights.

From the perspective of individual labor law, the primary concern is to assess the objective of QQ: does it represent an individual employee’s

⁴⁹ Mirko Vasiljević, *Corporate Management – Legal Aspects* (Belgrade: Faculty of Law University of Belgrade, 2007).

⁵⁰ David P. Twomey and Marianne Jennings, *Anderson’s Business Law and the Legal Environment*, 22nd ed. (Mason: South-Western Cengage Learning, 2014), 1082.

⁵¹ Abha Thakur, “Quiet Quitting: The New Corporate Trend,” *International Journal for Multi-disciplinary Research* 6, no. 1 (2024): 3–4.

warning to the employer, urging them to ensure work-life balance and protect their well-being in terms of occupational safety and health while remaining within the boundaries of the employment contract? Or does it represent an attempt to influence the employer to terminate the employment contract to access social benefits? This involves considering QQ in the context of the always-on culture *versus* a culture of care, as well as in relation to emerging labor law mechanisms, such as the right to disconnect. From the perspective of collective labor law, QQ must be explored in terms of its recognition as an approved form of strike under national law. This involves determining whether QQ can be classified as a legitimate collective action and what legal protections or consequences it might entail within the framework of labor strikes.

From the perspective of company law, addressing this issue requires a balance of ensuring managers and directors meet their contractual duties while also providing a supportive business and work environment. QQ among managers and/or directors represents a significant challenge for companies, both in terms of internal workplace culture and legal risk. To mitigate the adverse consequences of QQ, companies should implement a compliance program that fosters a psychologically safe environment for all employees, including directors and managers. This program should enable employees to find meaning in their work and cultivate a corporate culture that prioritizes their well-being. In addition, companies must monitor performance, create a culture of feedback, and implement clear processes for addressing disengagement, while ensuring that they are in compliance with labor law. Companies need to reevaluate their assumptions about the values of the next generation of workers (Gen Z) and develop programs, policies, and practices that reflect a more accurate understanding of those groups.

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