



TRADE UNION DIGITALIZATION OFFICERS

**TRADE UNION DIGITALIZATION OFFICERS FOR EFFECTIVE TRADE
UNIONS IN THE NEW DIGITAL WORLD OF WORK**

**Online training
27th Feb 2024**

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2nd online training

**Telework – key challenges for workers
?**



2nd online training

EU-level policies on telework and the right to disconnect

Telework and teleworkability in the EU – empirical findings

Case studies - benefits and challenges of telework



EU-level policies on telework and the right to disconnect

EU-level social partners Framework Agreement on Telework (2002)

- national-level regulations

European Social Partners Framework Agreement on Digitalisation (June 2020)

European Parliament resolution with recommendations to the Commission on the right to disconnect (Jan 2021)

Draft bill for the Directive on telework and the right to disconnect failed in Dec 2023

EU-level policies on telework and the right to disconnect

EU Working Time Directive (Directive 2003/88) includes provisions aimed at protecting the safety and health of workers (maximum of 48 working hours per week, etc.), including those performing telework;

Framework Directive on Safety and Health at Work (Council Directive 89/391/EEC) when dealing with the health and safety of workers in the workplace, does not specify the work location and, accordingly, also applies to remote workers;

Transparent and Predictable Working Conditions Directive (Directive (EU) 2019/1152) indirectly affects remote workers as it requires that provisions be made in relation to the place of work and that work patterns be clarified in the employment contract. Moreover, the directive seeks to protect workers from on-demand requests and this could help to reduce the unpredictability of irregular working time patterns and have a positive impact on the work–life balance of workers; although it does not deal with the potentially negative impact of telework,

EU-level policies on telework and the right to disconnect

the Work-Life Balance Directive (Directive (EU) 2019/1158), includes telework as one of the flexible working arrangements to which working parents and carers are entitled. Remote workers who exercise this right are protected against discrimination or any unfavourable treatment resulting from the request;

General Data Protection Regulation (Regulation (EU) 2016/679), replacing Directive 95/46/EC, regulates the collection, use and transfer of personal data, and establishes provisions related to data-processing operations, including employee monitoring. In this view, this regulation requires that employees' consent be given prior to the introduction of any employee monitoring system.

Telework and teleworkability in the EU – empirical findings

twing

TWING PROJECT

Desk Research: Comparative Report

notus | recerca social aplicada
investigación social aplicada
applied social research
recherche sociale appliquée

Authors: Pablo Sanz de Miguel, Juan Arasanz and Martí Fernández.

 This publication was produced for the project TWING – Exploring the contribution of social dialogue and collective bargaining in the promotion of decent and productive telework in the post-COVID-19 scenario (GA 101052352), funded by the DG Employment, Social Affairs and Inclusion of the European Commission. The opinions expressed in this report reflect only the authors' views. The European Commission is not responsible for any use that can be made of the information contained therein.

twing


TWING PROJECT

Quantitative Analysis Report

PARTNER: PRAXIS CENTER FOR POLICY STUDIES

AUTHOR: KIRSTI MELESK

praxis
think tank

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Telework and teleworkability in the EU – empirical findings

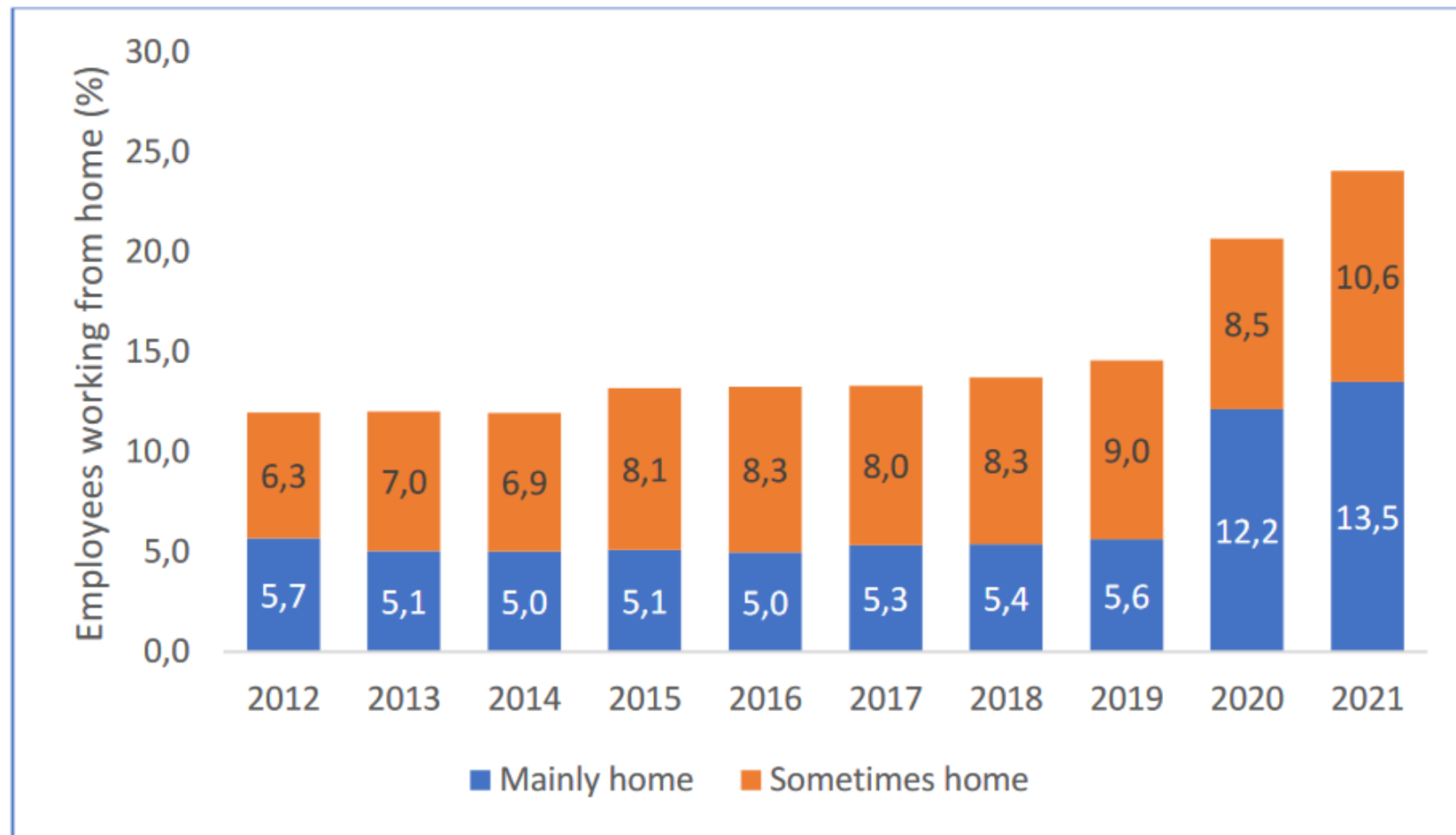


Figure 1. Employees working from home all the time or most of the time, 2012-2021, average of 27 EU countries

Telework and teleworkability in the EU – empirical findings

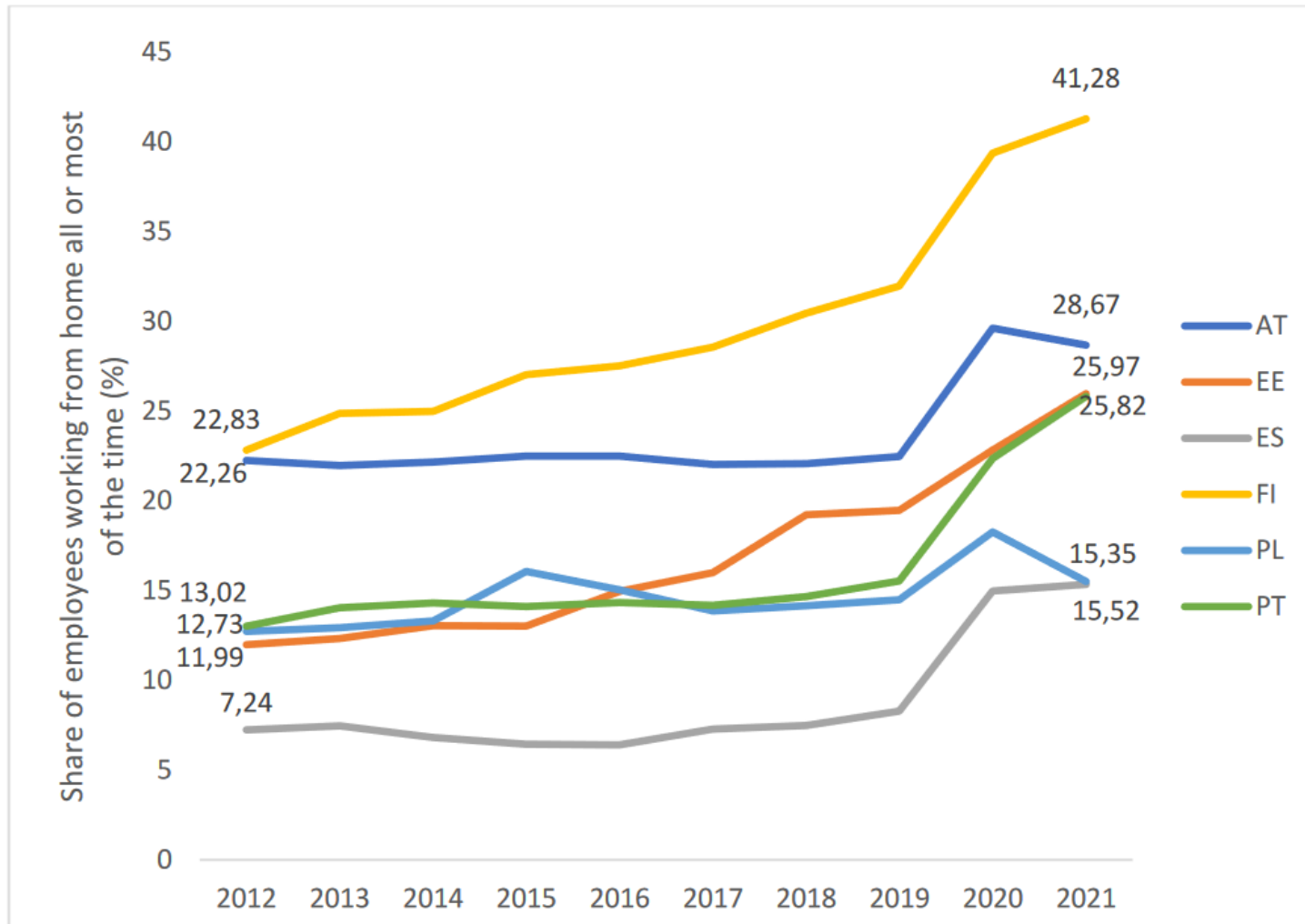


Figure 2. Employees working from home all or most of the time in 6 countries, 2012-2021

Telework and teleworkability in the EU – empirical findings

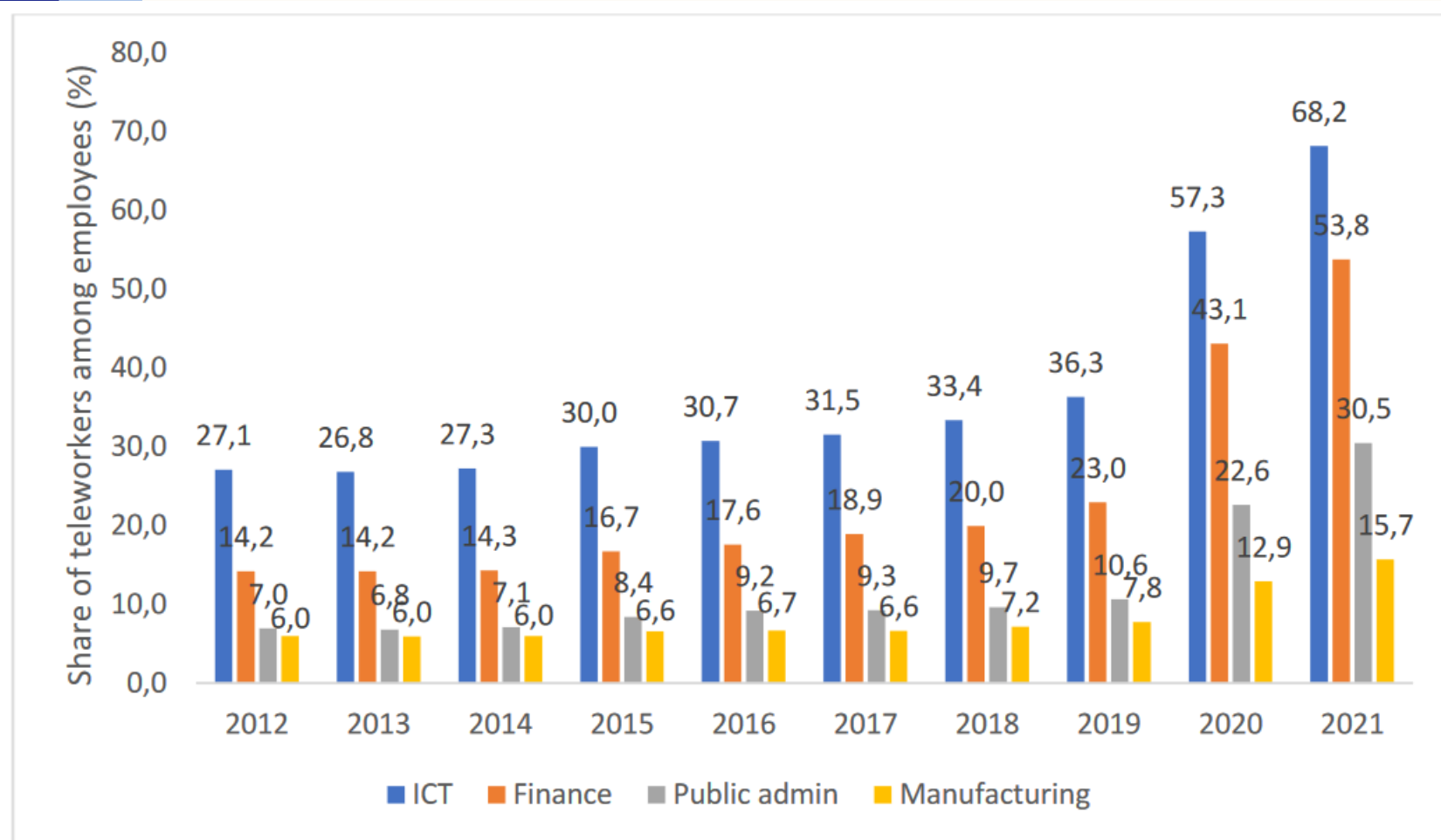


Figure 3. Share of teleworkers by economic sectors, EU-27, 2012-2021

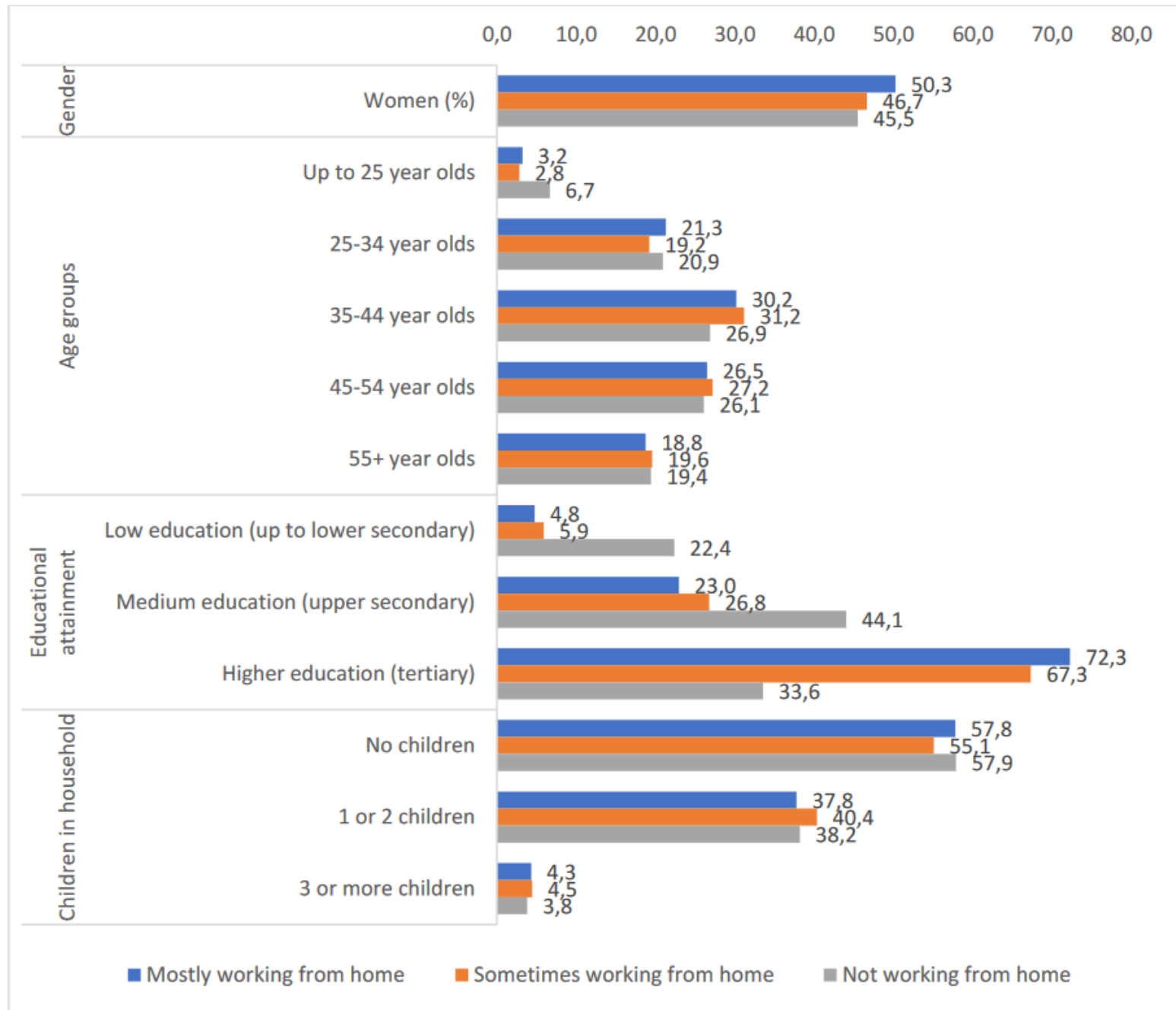


Figure 7. Socio-demographic profile of teleworkers based on 2020-2021 combined data by telework categories

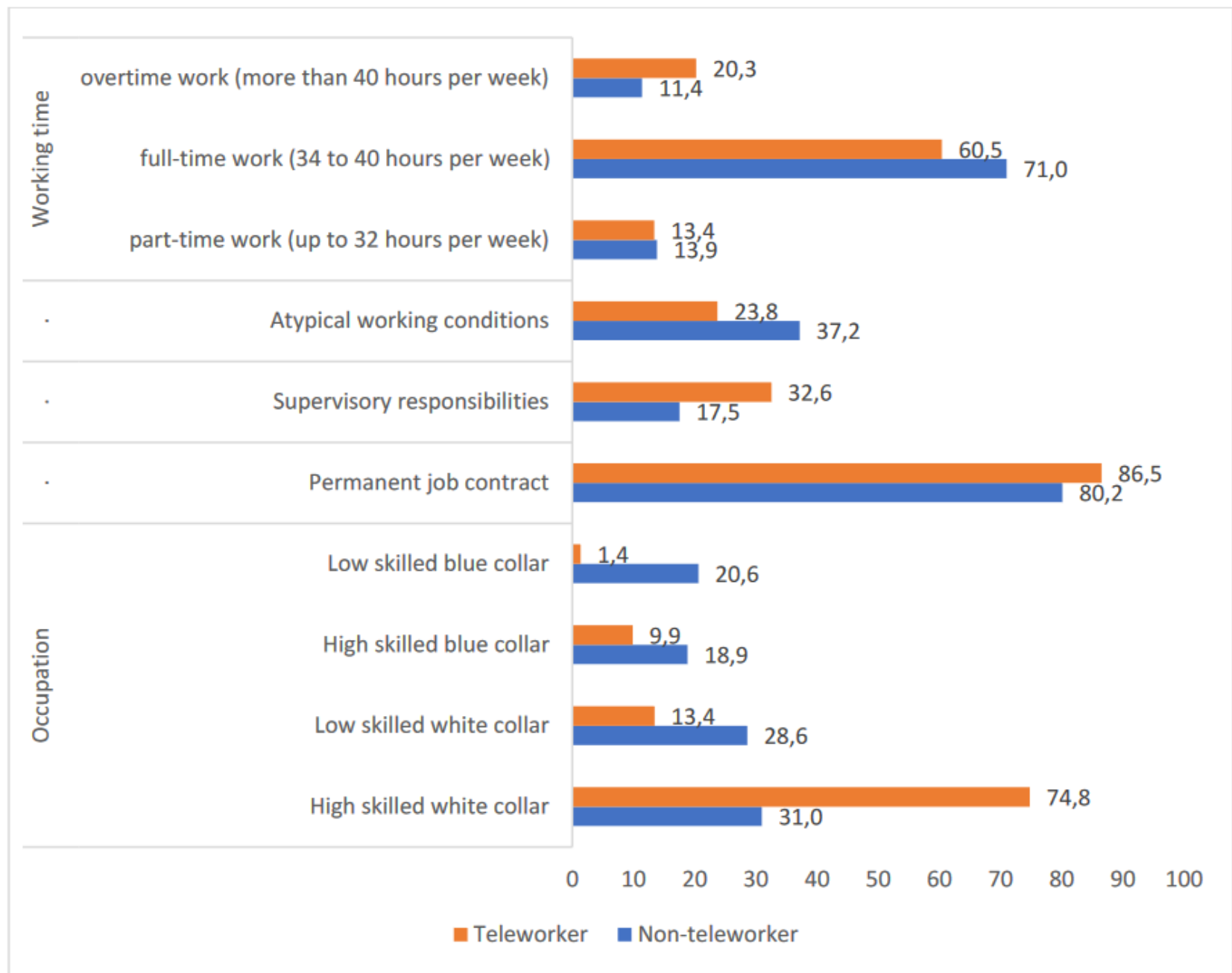


Figure 9. Working conditions of teleworkers and non-teleworkers in 2020-2021

Telework and teleworkability in the EU – empirical findings

- Share of potentially **teleworkable employment** in the European Union (EU) is approximately **37%** (Eurofound, 2021), varying from 27% in Romania to 54% in Luxembourg.
- Teleworkable employment is more prevalent among **women (45%)** compared to men (30%),
- More common among **native-born workers**, those with **open-ended contracts**, and individuals working in **large companies and urban areas**, as opposed to suburban or rural regions.
- Teleworkable employment is significantly large among **white-collar workers** than blue-collar workers, the latter characterized by physical requirements and location dependence. Among white-collar workers, the potential teleworkable employment ranges from **85%** for clerical support workers to approximately **28% for service and sales workers**, while the share is less than **2% among blue-collar workers** such as craft and trade workers, machine operators, and elementary occupations.

Telework and teleworkability in the EU – empirical findings

- Service sectors with a higher prevalence of white-collar employees, such as **financial services (93%)** and **ICT services (79%)**, have higher proportions of teleworkable employment. Sectors like healthcare (30%), retail (27%), and accommodation/food services (16%) have lower shares of teleworkable employment. Primary sectors, manufacturing, and construction have relatively low proportions of teleworkable employment, ranging from 10% to 20%. Wage and education levels play crucial roles as determinants of teleworkability. Higher-paying jobs and greater educational attainment are associated with larger shares of potential teleworkable employment, with 74% of the highest-paying jobs falling into this category compared to only 3% of the lowest-paying jobs.



Case studies

- benefits and challenges of telework



Industrial Relations
for Smart-Workers in Smart Cities

Case studies

- benefits and challenges of telework

	Company profile	Sector	Sort of out-of-office work	White / blue collars	Presence of trade unions	Collective agreement
France	insurance and manufacturing of automotive equipment	Private	Working from home	White / blue collars	No, works council present	No
	universal bank with global outreach	Private	Working from home	White collars	yes	yes
Italy	regional administration	Public	Working from home	White collars	yes	yes
	electricity company	private/ public	ICT-based mobile work	Blue collars	yes	yes
Poland	universal bank with global outreach	Private	Working from home	White collars	yes	no
	electricity company	Public / private	ICT-based mobile work	Blue collars	yes	yes
Romania	IT company	Private	Working from home	White collars	no	no
	university	Public	Working from home	White collars	yes	yes
Spain	charter primary public school	Public / private	Working from home	White collars	yes	no
	telecommunication services provider	Private	Working from home	White collars	yes	yes



Key results – motivation for telework

- **Modernisation process** and adaptation to current market trends (electricity company in Poland and in Italy)
- Strategy to address **workers' preferences** to improve working conditions (bank and insurance company in France, Regional Administration in Italy, IT company in Romania, telecommunication company in Spain)
- **Temporary arrangement** during the lockdowns imposed by national regulations during the **COVID-19 pandemic** in order to sustain business activity (bank in Poland, primary school in Spain, university in Romania)

Key results – impact on working conditions

Commuting

Work flexibility:

- Flexible tasks arrangements
- Flexible workplaces

Autonomy at work (including strengthening self-discipline)

- Challenge for young and new workers in companies, difficulties with peer-learning and company identification

Content of work

- being able to focus on elements of work that require more commitment or creativity,
- tasks requiring teamwork, meetings, peers consultations, or tasks that could be performed only from office (i.e. administrative issues)
- limited or deferred feedback from co-workers

Key results – impact on working conditions

Work organisation

- workers' oversight challenge / trust to employees
- more online meetings

Health and safety (including psychosocial risks)

- physical difficulties due to sedentary work (musculoskeletal disorders, headaches, sight difficulties)
- psychological risks: depression
- less socializing

Work-life balance (paradox)

- better reconciling work and family life (ie. care obligations) vs. blurring boundaries of working time and rest (necessity of the right to disconnect and better self-management)
- working from home during the COVID-19 pandemic – workers with children reported lower levels of job satisfaction (gender inequalities), distraction and lower productivity
- home-made food vs. excessive eating leading to overweight or obesity

Key results – impact on working conditions

No impact of out-of-office work on the following:

- Wages, although media costs reimbursement
- Working time, although arrangement of tasks and work breaks and no commuting
- Job stability and job security
- Social protection
- Form of employment / form of contract

Key results – social dialogue

	Company profile	Sector	Sort of out-of-office work	White / blue collars	Presence of trade unions	Collective agreement
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Key results – social dialogue

Regional Administration in Italy

- Developed regulatory framework at national level (Law no. 81/2017 on agile work) and sectoral level (Law 191/1998 and Decree of President of Republic n.70/1999, article 14 of Law no. 124/2015 so-called Madia Reform of the Public Administration)
- Definition of telework in cross-industry agreement for the private sector signed on 9 June 2004
- Organisational Plan of Agile Work** (Pola, 2021-2023) and agreement regulating smart work in the wake of the first renewals of the National collective agreement in the Public Administration

Bank in France (with global outreach)

- HR strategies: Road map “Smart working”, “People Care”, 80 "digital working" ambassadors
- Collective agreement (with CFDT, CFE CGC and CFTC) 8 July 2021, starting from February 2022 (standardisation of practices in terms of telework, skills, fostering intra-group professional mobility, non-discrimination and fair treatment)

Key results – social dialogue

School in Spain

- National level regulations (temporary COVID-19 related regulations)
- No collective agreement present

Bank in Poland (national branch of a global company)

- Recent regulations at national level (April 2023) that obliged employers and unions to conclude an agreement on remote work
- Some top-down attempts to implement „flexiwork” model in the company as a result of the COVID-19 pandemic
- No collective agreement present

Key results – social dialogue

IT company in Romania

National level regulations (Labor Code, CHAPTER 9 - Work at home, articles 108 (Legal definition and special characters), 109 (Home work contract) and 110 (Equality of treatment), Law no 55/2020 –temporary pandemic related regulation)

-No collective agreement present

Key results – social dialogue

Conclusions:

- Social dialogue at company plays a role, but its impact on out-of-office work vary across cases and countries
- The patterns reflect structure of Industrial relations system in Europe
- Social dialogue and social partners are more likely to play a greater role in Western European countries than in Central and Eastern Europe
- and in larger private and public sector organisations than in small and medium-sized organisations.

Action plan and priorities for the next months of TUDOs work (national and international activities)

Manual for TUDOs

Trainings:

1st online training session: 21.02.2024

2nd online training session: 27.02.2024

Training in Malaga (Spain): 6-7.03.2024

3 online networking meeting of TUDO network

Information, consultation and participation rights

- Country specific regulations
- Information, consultation and participation rights:
 - Works councils Directive 2002/14/WE
 - Directive 94/45/EC → Directive 2009/38/EC → recast - European Works' Council
 - Board-level employee representation (country specific regulations)
- Cross-Border Mergers Directive 2005/56/EC and Directive 2019/2121 amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions

EU legal acts on information and consultation (and related issues)

Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees <https://eur-lex.europa.eu/eli/dir/1994/45/oj>

Council Directive 2001/86/EC of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0086>

Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32002L0014>

Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32005L0056>

EU legal acts on information and consultation (and related issues)

Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast) <https://eur-lex.europa.eu/eli/dir/2009/38/oj>

Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32017L1132>

Directive (EU) 2019/2121 of the European Parliament and of the Council of 27 November 2019 amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019L2121>

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THANK YOU