

A telework option that works for all

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The COVID-19 pandemic is a tipping point for technology dissemination and for the digital transformation of our working environment. In the industry, the pace of digital transformation has accelerated as the new situation called for the introduction and the use of new technologies, with automation being one way of keeping social distance. Advanced remote monitoring and advanced collaborative tools which were not on the top of the list before COVID-19 became a priority for many companies. This will lead to the emergence of a new business model across the entire value chain and result in high productivity gains. This will also have massive repercussions on work organisation, working conditions, and eventually on employment itself.

The acceleration of digitalisation has a huge impact on workers. Many workers in industries have been forced to adapt to an increasingly higher and unpredictable work pace caused by intensification of work due to automation and advanced technologies. The pressure to be flexible and adaptable, to have the right skills and to stay on top of the job affects the workers who need to keep up with the rapid digital transformation. IndustriAll European Trade Union is highly aware of the impact of digitalisation on workers in industries and remains deeply committed to ensure a fair and just digital transformation that puts the rights of workers at the forefront.

Nevertheless, in the context of the COVID-19 pandemic, the acceleration of digitalisation is most visible in the sudden and massive shift towards telework. Telework is defined in the [2002 European cross-sector social partners' framework agreement on telework \(PDF\)](#) as “a form of organising and/or performing work, using information technology, in the context of an employment contract/relationship, where work, which could be performed at the employer’s premises, is carried out away from those premises on a regular basis”.

Telework has allowed for work to continue while safeguarding workers from exposure to the COVID-19 virus. In many cases, telework was imposed whereas no working arrangements had been previously established regarding telework equipment, working conditions and working time, data protection, social protection including insurances, or training. As a result of the COVID-19 teleworking experience, many employers are starting to recognize its advantages and consider switching to telework on a more permanent basis.

IndustriAll Europe recognizes the urgency to react to the sudden developments on telework. We present an initial trade union position on this topic with a few key demands to ensure that telework is an option (and not an imposition) that works for all. This position paper has been triggered by the COVID-19 crisis and its push towards telework, but it does not only refer to telework during COVID-19 times. By now, it has become clear that telework is here to stay. Therefore, this paper represents a first industriAll Europe position on the issue of telework in general.

Telework needs to be regulated in order to become an advantage for workers and to not only be a cost reduction strategy of business (or eventually lead to unnecessary outsourcing of work, but ensure that work is performed by employees of the company). Telework does not suit all workers, and it is key to ensure that also newly hired workers get the opportunity to be present at the employers’ premises. Employers must be fully aware of the positive impact that social interactions at the workplace have on common projects and innovation, as well as on workers’ physical and psychological health. Trade unions need to be involved in the regulation of telework in order to establish clear redlines on working time (limit overtime, ensure full pay of all the hours worked), health and safety (ergonomic issues, stress increase, professional isolation), and privacy (right to disconnect, limit surveillance, limit the collection of workers’ data, data storage and data access).

Telework: A friend or a foe of workers?

During the COVID-19 pandemic, nearly 4 out of 10 employees (over 37%) in the EU [were reported](#) to have switched to telework. The rate was particularly high in countries where digitalisation was at a more advanced stage, like in the Nordic and the Benelux countries. Nevertheless, 24% of workers who switched to teleworking had never previously worked from home before the COVID-19 crisis and 56% had only teleworked occasionally before the pandemic.

Telework was the right answer to this emergency. However, if telework is to continue for as long as the pandemic is not under control or if this becomes even a permanent feature of our working lives in the future, the lack of frame has to be rectified. Trade unions and employers have to sit together to set proper conditions to regulate it. As unions, we must play our role and make the most of telework, while preventing its negative effects for workers and our future workplaces through negotiation and collective agreements at all levels.

The sudden push towards telework highlighted [a new form of inequality](#) among the workforce – between occupations that are “[teleworkable](#)” and those that are not. This could lead to a new divide between workers who can telework and protect themselves from COVID-19, and workers whose occupation requires physical presence and who are forced to expose themselves to the virus during the commute and at the workplace. In industry, this can contribute to the divide between production workers and office workers. However, as unions, we need to prevent any divide among workers who actually have the same interests – they all want fair wages and good working conditions at safe and healthy workplaces.

Even though most office workers were able to telework during the pandemic and protect themselves from the virus, their general health and safety was not ensured. Since the start of the pandemic, feedbacks received from workers and their representatives about telework point at a significant increase in musculoskeletal complaints, long and irregular working hours and psychological strains linked to the lack of social interaction, work-life imbalance and feelings of isolation. As unions, we need to ensure that the health and safety of all workers is guaranteed. On the one hand, we need to make sure that telework is performed in a proper working environment without physical and psychological risks.

Moreover, it is crucial that telework does not become an extra burden for women workers who unfortunately still in many cases can easily end up having to juggle between work, household and care responsibilities. Telework is not a substitute for public childcare. It should also not represent an opportunity to push women into staying at home, but it should be an instrument to ensure a better work-life balance for all workers who decide to use it. Therefore, unions must ensure through collective bargaining negotiations at all levels that telework is an advantage for all workers and that those who decide to use it will have the same rights and opportunities as all other workers, especially in terms of career development, possibility to get promoted and to occupy leadership positions etc.

Telework can have both positive and negative aspects for workers. However, what initially appears as an advantage can easily turn into a disadvantage. This is especially the current case when a growing number of employers – industry included - which were opposed to telework before COVID-19 are now pushing for it to become the norm. Some employers are even contemplating introducing permanent telework at the level of their company worldwide. Employers claim that telework will reduce their environmental footprint by limiting transport and improve their employees’ work-life balance by reducing commuting and offering them opportunities for autonomy and flexibility in their work. The experience of telework during COVID-19 made employers realize the benefits they could gain from this way of organising work: Not only did business continue, but employees were also more productive and were working longer hours as the porosity between

work and free time resulted in a huge increase of working time. Saving cash by reducing company real estate footprint is also suspected to be a major motivation for employers.

The experience of telework during the COVID-19 pandemic [is reported](#) to be a positive one for the majority of the workers who were able to do it (70%). This finding confirms pre-COVID-19 [studies](#) which [showed](#) that telework can lead to higher productivity, reduced absenteeism and a relatively higher job satisfaction. However, all studies confirm that teleworking is only positive for workers as long as it is not permanent and while presence at the workplace is still possible at least a couple of days a week. Additionally, as unions we reserve our right to be cautious and to adopt a critical perspective on these study results. For example, while reduced absenteeism is generally seen as positive, it can quickly be regarded as negative if the worker is pressured to carry out his or her activity while being sick but teleworking. It is crucial that telework should by no means replace any form of sick leave, care leave, maternity leave and parental leave. Unions must ensure that workers' right to any form of leave is guaranteed and that telework will not be misused in order to breach it, especially by ensuring the right to disconnect through collective agreements at all levels.

Many workers wish to go back to the office because the feeling of isolation is unbearable. Telework can mean working alone, having breaks alone and eating alone in front of the computer. It prevents workers from social contacts which are an essential value of work. Furthermore, it risks dismantling the collective approach of work and further exacerbates the individualisation of work which is already underway. Therefore, it is important that unions get involved and negotiate agreements on telework.

It is our responsibility to ensure that all workers continue to feel part of one collective community of workers united through their working places and trade union. Together we need to develop effective ways of maintaining and creating unity among workers in a rapidly changing work environment. Workers' access to the office and to physical meeting spaces should always be possible. Workers should always be allowed to exercise their right to contact their union. On the other side, the union representative should always be able to contact the workers.

In addition, the explosion in overtime which is not recorded and therefore unpaid needs to be better controlled and properly regulated for teleworkers. The classical solution of recording working time can meet its limits in a telework context, because the actual advantage of teleworking is flexibility and autonomy, meaning that workers can decide on how to organise their working day. Together with the workers, the unions need to find the best solutions in order to ensure that the advantages of telework are maintained, while also protecting workers' rights and health.

Finally, evidence also shows that the extension of telework goes hand in hand with the use of invasive technologies which give employers unlimited possibilities to remotely monitor and control workers way beyond what is justified. This raises questions in terms of workers' privacy and respect of human dignity. As unions, we demand the strict protection of workers' personal data and privacy in compliance with GDPR as well as the respect of the boundaries between private and working life, especially by respecting the right to disconnect. We oppose the expansion of a general state of surveillance of workers who are increasingly anxious regarding the threat of data misuses. Management should build a relationship based on trust towards their workers in order to tackle this unwanted trend towards unacceptable surveillance of workers.

In the context of the COVID-19 pandemic, the use of contact tracing applications at work requires caution, because individual workers can be tracked and their data can be collected without a guarantee of data protection. The purpose of data collection should be well-founded and respect the legal framework, it should be strictly used for contact-tracing for the scope of managing the health emergency and the data should be deleted after a period of time and preferably data should be stored locally to reduce the risk for misuse..

Workers should give their clear informed consent and trade unions should be involved in all the steps of the process, including the development of confidentiality and security policies.

IndustriAll European Trade Union's demands on telework

IndustriAll Europe recognizes the advantages of telework for workers. However, as a union we reserve our right to remain cautious and we will continue to monitor its impact, especially because some forms of telework (imposed and/or permanent telework) can also be in the detriment of workers and employment in general. We demand that unions at all levels are closely involved in the regulation of telework. We will continue to fight for the respect of workers' rights, their health and safety, their privacy and autonomy at the workplace and while teleworking.

In order to ensure that telework benefits workers we demand that:

- Telework is clearly regulated through national regulation and/or collective agreements at all levels, especially where regulatory frameworks have not yet been established and where unions see it as necessary.
- The voluntary principle is fully respected, meaning that workers should have the right to choose between teleworking or working at the office. All type of workers who can telework or where telework is applicable (including agency workers, workers on a short-term contract etc.) must have the right to telework, but also to revert back to the office (a physical working place should be available to all employees)
- The working time needs to be in full compliance with national regulation and/or collective agreements. Working time conditions must be the same no matter where the work is carried out. More flexibility and autonomy should be in the advantage of the worker and his/her work-life balance, and not result in unpaid overtime, pressure to be flexible and always available, and huge psychological strains. The right to disconnect must be fully granted and respected. In the context of a pandemic, solutions must be found for those teleworkers who have to shoulder care responsibilities due to closed facilities.
- Telework should not increase gender inequality, but represent an opportunity for a better work-life balance for all workers.
- The employer is the full responsible for providing the workers with the necessary good quality equipment to telework, as well as to ensure the proper health and safety measures and pay the workers' health and social insurances.
- Teleworkers enjoy all the same rights as all other workers, including the benefits from the collective agreement, the right to contact and to join a union, the right to training and lifelong learning, the possibility to get promoted etc. Telework and office work must be compatible.
- The employer must provide the training programs in order to equip workers with the necessary skills to telework. Training needs to be accessible to all and to be designed for different groups of disadvantaged employees. The employer must respect the privacy and autonomy of the teleworker. This means the limitation on the collection of data only to what is necessary, demand for a clear protection of worker's personal data in line with GDPR, full transparency of the scope and use of data collected, human in control demand etc..
- Employers should also be trained in order to better manage a work organisation based on telework and to fully respect workers' rights and the demands listed above.

- The employer must provide an additional allowance to cover the costs of telework (utilities, such as heating and electricity etc.) and maintain the same benefits (including meal vouchers etc.).

Trade union representatives need to be involved in all of the points outlines above and provided with the necessary facilities and digital tools to defend workers from an equal footing with employers.