



JOINT DECLARATION ON ICT-BASED MOBILE WORK

by the European social partners in the telecom sector

Introduction

Following the Joint Declaration on Telework in June 2016, the European social partners in the telecom sector (ETNO and UNI Europa) have agreed to lay down a definition and basic principles for ICT-based mobile work.

With view to the rapid changes of the working environment, work organisation and technology in the ICT sector, the European social partners in the telecom sector acknowledge the need to address mobile work as an expansion of the traditional forms of telework. These have been widely accepted and regulated in the ICT sector. ICT-based mobile work, however, has not yet been the subject to a social partner framework agreement and needs to be addressed in its own right. The objective of this declaration is therefore to provide the stakeholders in the ICT sector with a definition and basic principles on ICT-based mobile work. UNI Europa and ETNO want to encourage employers and employees in the ICT sector to use these recommendations as a basis for negotiations at national and/or company level.

Follow-up and next steps

Promotion of the joint declaration

The social partners commit to informing, through all available means, trade unions, associations and employers in the telecom sector and beyond about this joint declaration.

They will encourage the relevant social partners at national level to promote and address this joint declaration together. This could, for instance, take the form of holding joint meetings on its contents, making joint presentations to national governments and other relevant players, undertaking joint studies or research activities. Where possible, the joint declaration will also be translated into other official EU languages.

Monitoring of the joint declaration

The monitoring of the joint declaration could be done, for instance, by sending questionnaires to the members of the European social partners or to players in the telecom sector.

ICT-BASED MOBILE WORK

Definition

- We speak of *ICT-based mobile work* when the employee performs parts of his/her work during his/her agreed working hours at changing locations (chosen by the employee) outside the normal worksite/office, and spends most of his/her time working with information and communication technologies (computers, the Internet, e-mail and social networks).

Basic principles and recommendations

1. Entitlement to do ICT-based mobile work

- ICT-based mobile work is voluntary, should be agreed by employer and employee and does not replace other forms of work in the company. Mobile workers should be able to return to a totally fixed company workplace if they wish to do so (return guarantee). The employee's choice to do ICT-based mobile work should in no way affect his/her career or training opportunities. Mobile workers have the same rights as other workers and must not be discriminated. Employers should not refuse the employees' right of mobile working in applicable areas unless based on relevant arguments (lack of infrastructure, specific job needs).

2. Working time

- Employees can perform ICT-based mobile work on an hourly/daily basis, as part time or full time work, during an agreed timeframe (e.g. between Mondays and Fridays and between 6h and 22h). A clear timeframe defined in the company/collective agreement is important to avoid borderless work, ensure work-life management and the right to disconnect (this concerns as well employees in management positions). It is essential that the mobile work agreement respects the existing timeframes within a company/collective agreement.
- Part of the working time has still to be spent at the company's premises to maintain the important link of the mobile worker with the company and to ensure the necessary social contacts and information flow. The weekly working hours spent on ICT-based mobile work can vary (subject to the company/collective agreement); but mobile working time should normally not replace the full regular working time of an employee. Works Councils/employee reps have to agree with working time arrangements for ICT-based mobile work and how working hours are spread.

Time recording is important and overtime and work on weekends should be announced and allowed in advance. Work load must be realistic and expected results clearly defined; it can be used as a measure to complement the classic measure of working time.

- It must be ensured that working time restrictions and rest periods that are defined by national law or collective agreements are respected.

3. Health and safety

- The workplace must be adequate, i.e. it must comply with provisions on data protection, ergonomics, infrastructure, security and health and safety etc. Employees should receive the necessary training on these issues given that they can choose the location for ICT-based mobile work. The employer has to fully cover the costs for the equipment allowing for ICT-based mobile work (including equipment for ensuring data privacy e.g.). Insurance for work-related accidents needs to be addressed and covered by the company/collective agreement.
- If an employee chooses to work at a company premise other than his/her usual workplace, his/her presence should be known by the staff in charge of security/logistics and relevant information on health and safety particular to that work place need to be provided.

4. Trade Union Communication

- Communication and information exchange between union/employees' representatives and mobile workers can be done by use of the ICT equipment of the mobile workers.

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