European Commission

Study exploring the social, economic and legal context and trends of telework and the right to disconnect, in the context of digitalisation and the future of work, during and beyond the COVID-19 pandemic

Annex 8 Factual summary of each consultation activity

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2021

Directorate-General for Employment, Social Affairs and Inclusion

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Annex 8A. Weighted employee survey results

Part A – Your current experience

Figure 1. My contracted hours per week were…
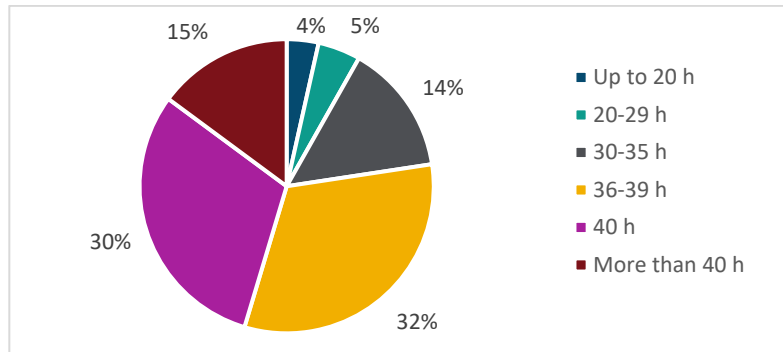
Source: own elaboration based on weighted employee survey data. N=10940

Figure 2. For this section, please reply considering your experience at your current workplace. Take January-June 2022 as reference.
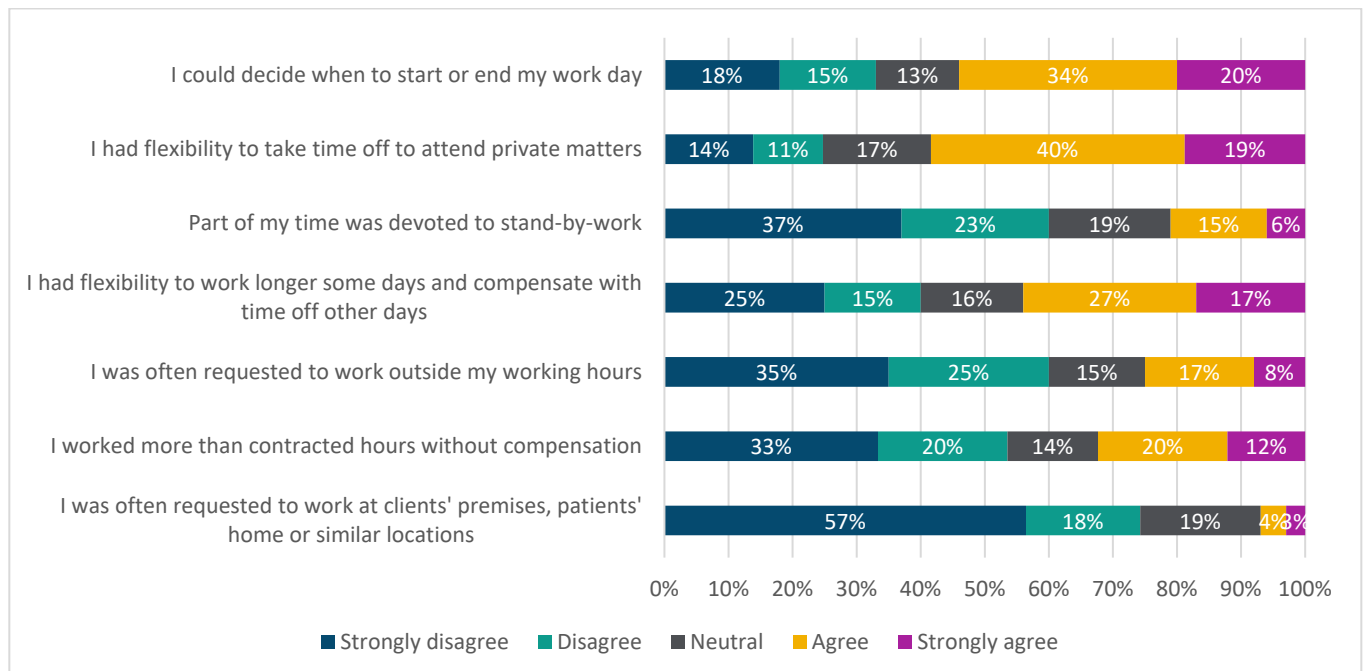
Source: own elaboration based on weighted employee survey data. N=10957

Figure 3. I teleworked (that is, worked from home or other places such as a coworking space or a vehicle)

[Please note: the share of teleworkers is significantly higher than the shares reported by EUROSTAT, based on LFS survey. The differences could be due to sampling strategy]
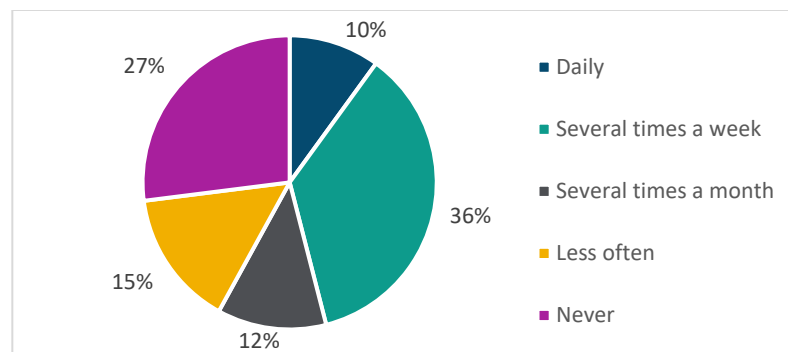
Source: own elaboration based on weighted employee survey data. N= 11010

Figure 4. I did not telework because …(tick all that applies)
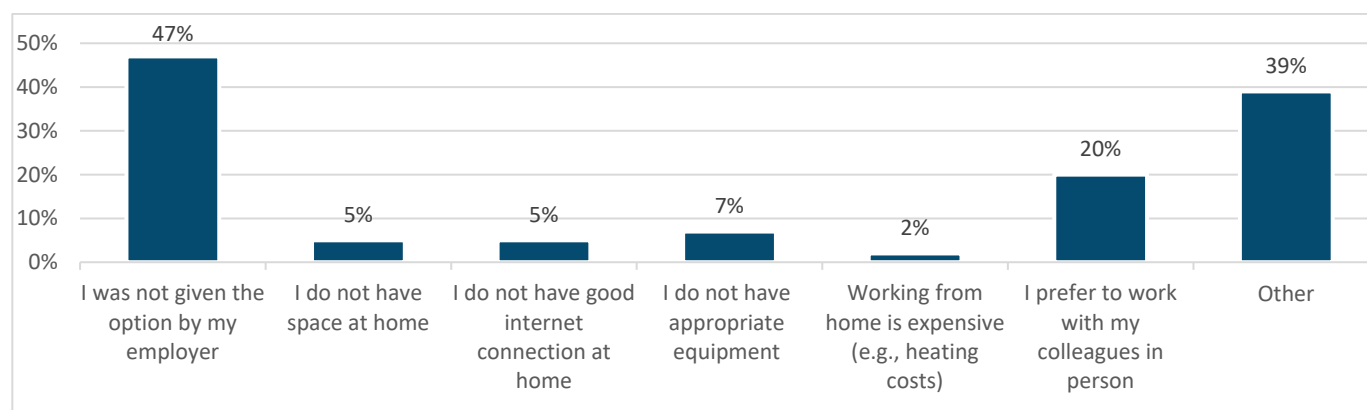
Source: own elaboration based on weighted employee survey data. N= 2819

Part B – Your experience with telework

Figure 5. I teleworked this % of my working hours

[Please note: the share of teleworkers is significantly higher than the shares reported by EUROSTAT, based on LFS survey. The differences could be due to sampling strategy]
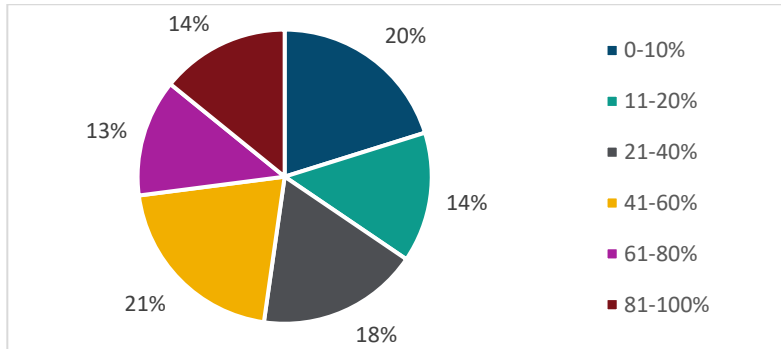
Source: own elaboration based on weighted employee survey data. N= 7767

Figure 6. I could decide when to work from home and when to work from my employer's premises

Source: own elaboration based on weighted employee survey data. N= 7739

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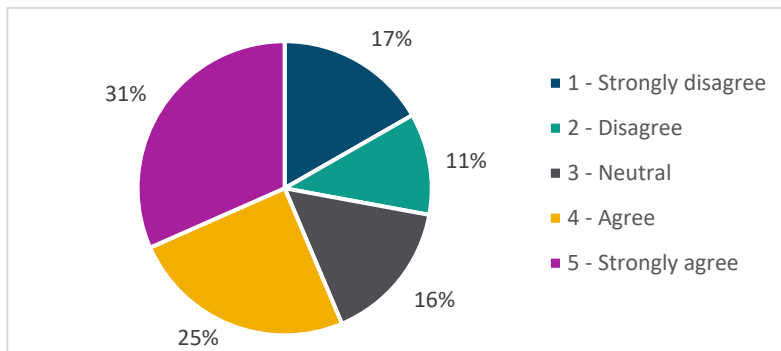
**Figure 7. I teleworked because …(tick all that applies)**
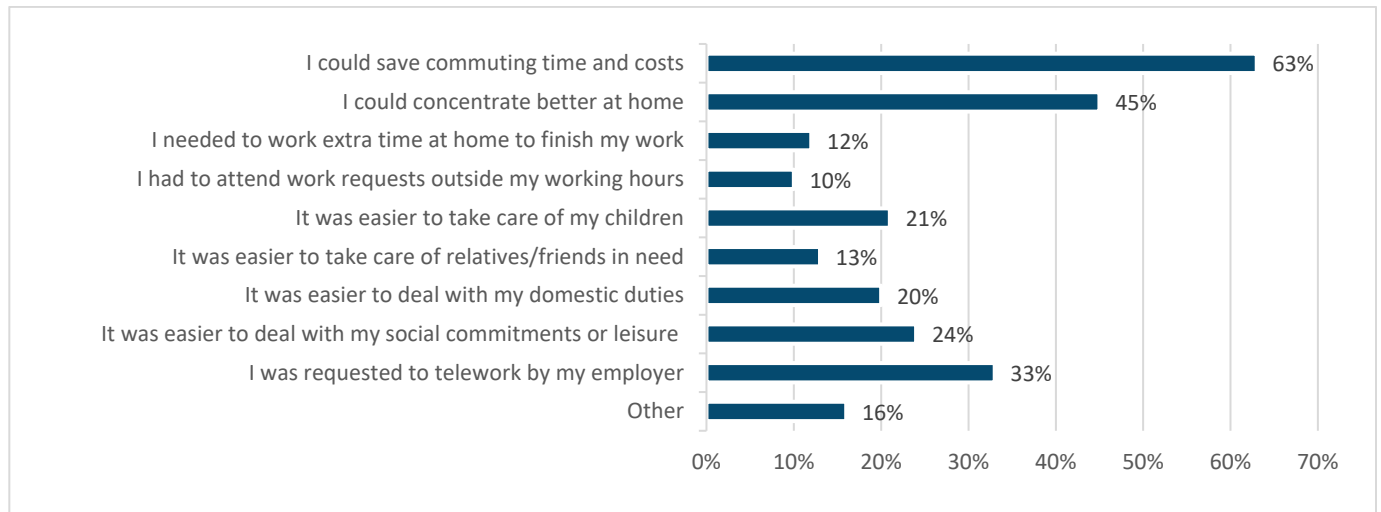
Source: own elaboration based on weighted employee survey data. N= 7669

Figure 8. Did you telework when you were residing in a country which is not the country where your employer's workplace is?

[please note: The analysis excluded responses from NL, ES, IT and DE. These countries produced outliers due to weights being applied to small N.]
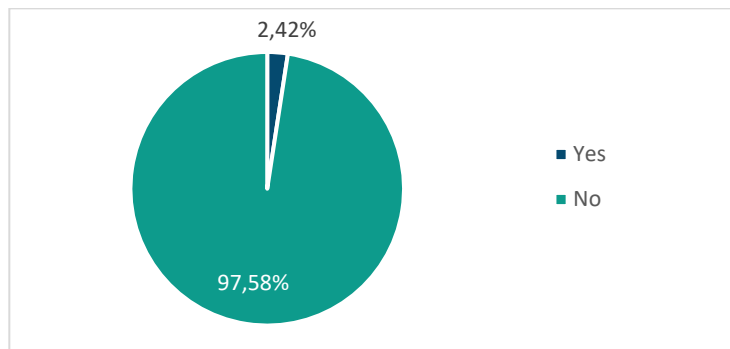
Source: own elaboration based on weighted employee survey data. N= 9991

Part C – Your experience with telework from another country

Figure 9. I teleworked residing in another country this % of my work time

[please note: The analysis excluded responses from NL, ES, IT and DE. These countries produced outliers due to weights being applied to small N.]
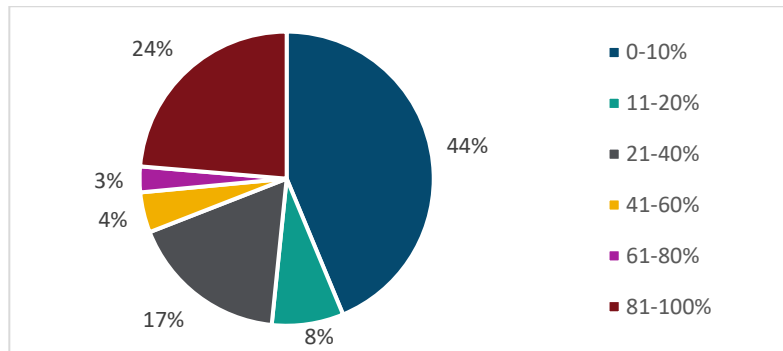
Source: own elaboration based on weighted employee survey data. N=275

Figure 10. The country where I teleworked from was …

[please note: The analysis excluded responses from NL, ES, IT and DE. These countries produced outliers due to weights being applied to small N.]
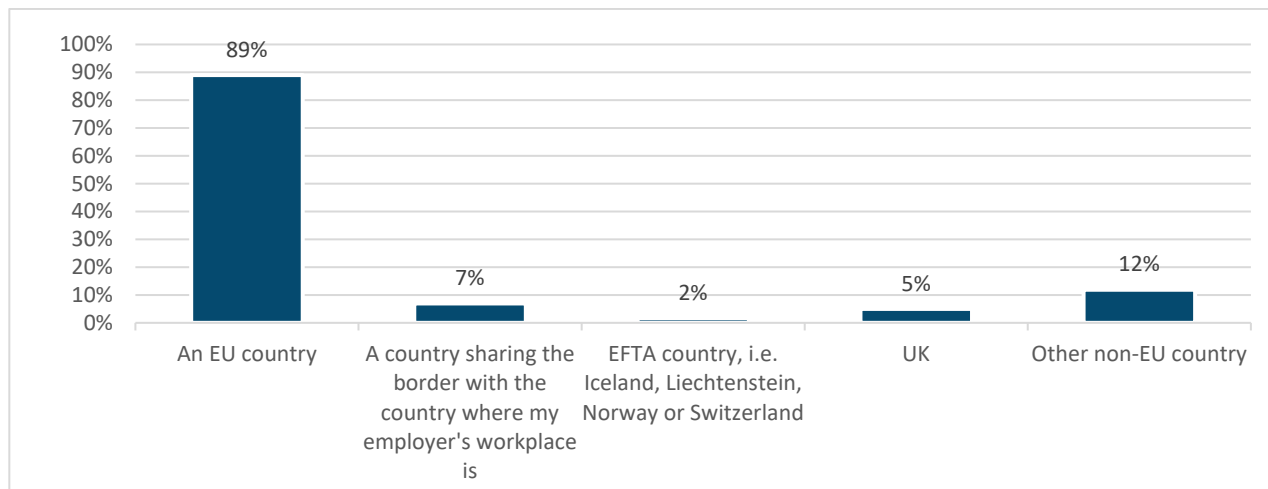
Source: own elaboration based on weighted employee survey data. N= 250

Figure 11. I teleworked residing in another country because … (tick all that applies)

[please note: The analysis excluded responses from NL, ES, IT and DE. These countries produced outliers due to weights being applied to small N.]
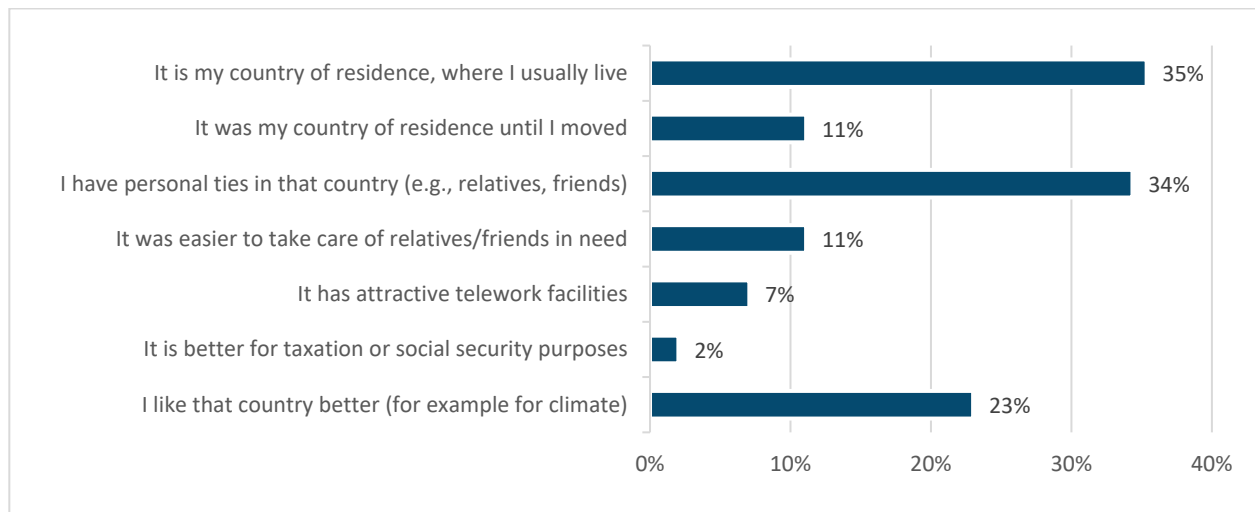
Source: own elaboration based on weighted employee survey data. N= 227

Figure 12. Have you experienced any administrative difficulties when you teleworked while residing in another country?

[please note: The analysis excluded responses from NL, ES, IT and DE. These countries produced outliers due to weights being applied to small N.]
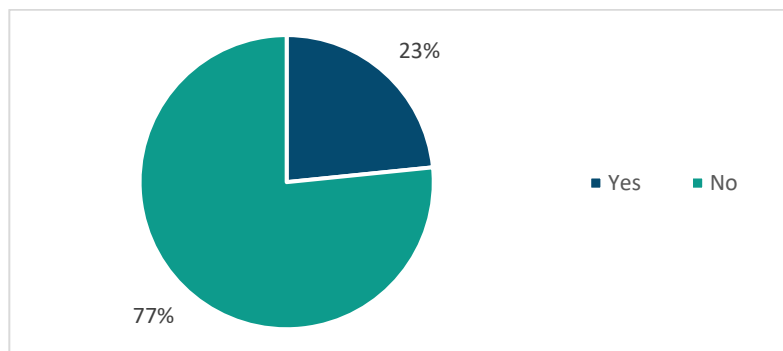
Source: own elaboration based on weighted employee survey data. N= 238

Figure 13. Select all that applies

[please note: The analysis excluded responses from NL, ES, IT and DE. These countries produced outliers due to weights being applied to small N.]
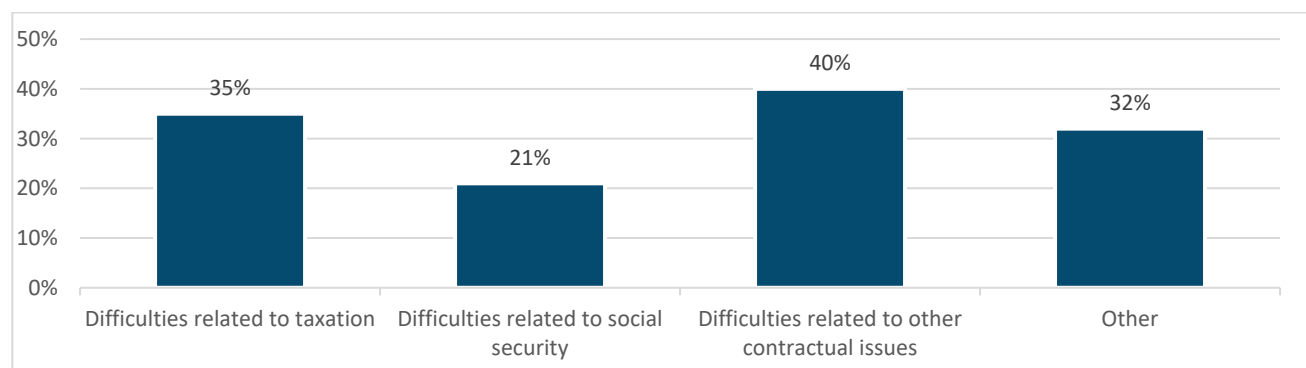
Source: own elaboration based on weighted employee survey data. N= 40

Part D: Working arrangements at your workplace

Figure 14. Regarding "telework" (the ability to work from anywhere) my employer … (tick all that applies)
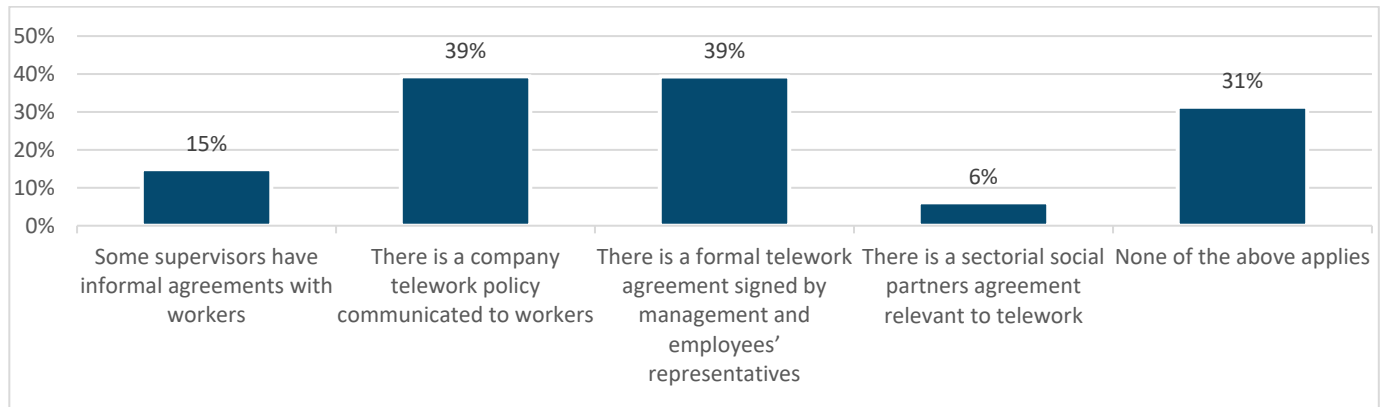
Source: own elaboration based on weighted employee survey data. N= 9891

Figure 15. Regarding the "right to disconnect" (the right of workers to "swich off" from work when not on duty), my employer … (tick all that applies)
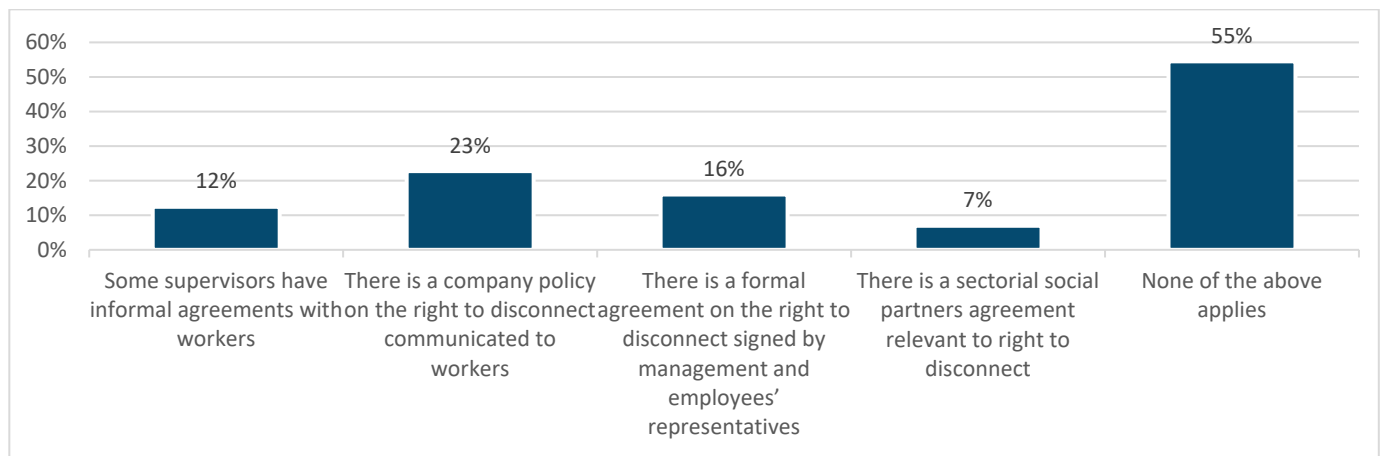
Source: own elaboration based on weighted employee survey data. N= 9825

Part E: Your current work arrangement

Figure 16. For this section, please reply considering your experience at your current workplace.

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
I have good opportunities for training and career development	15%	15%	31%	31%	8%
I have little autonomy at work	21%	31%	23%	16%	9%
I have a good trusting relationship with my supervisors	4%	6%	19%	39%	32%
I receive help and support from my colleagues		4%	18%	53%	22%
I am exposed to intrusive control or constant surveillance	34%	29%	21%	9%	6%
My supervisors do not help or support me enough	27%	32%	23%	11%	6%
I am satisfied with my performance		2%	17%	55%	24%
I often feel discriminated	44%	26%	17%	10%	3%
I spend little time in commuting to work and save costs	16%	16%	23%	22%	22%
My employer compensates me for the additional costs I incur working from home	46%	19%	20%	10%	5%
I cannot keep stable boundaries between private and professional life	24%	26%	24%	18%	8%
My work is positive for my health and wellbeing	11%	16%	36%	28%	9%

Part F: Your preferences

Figure 17. From the list below, please select the most important issues
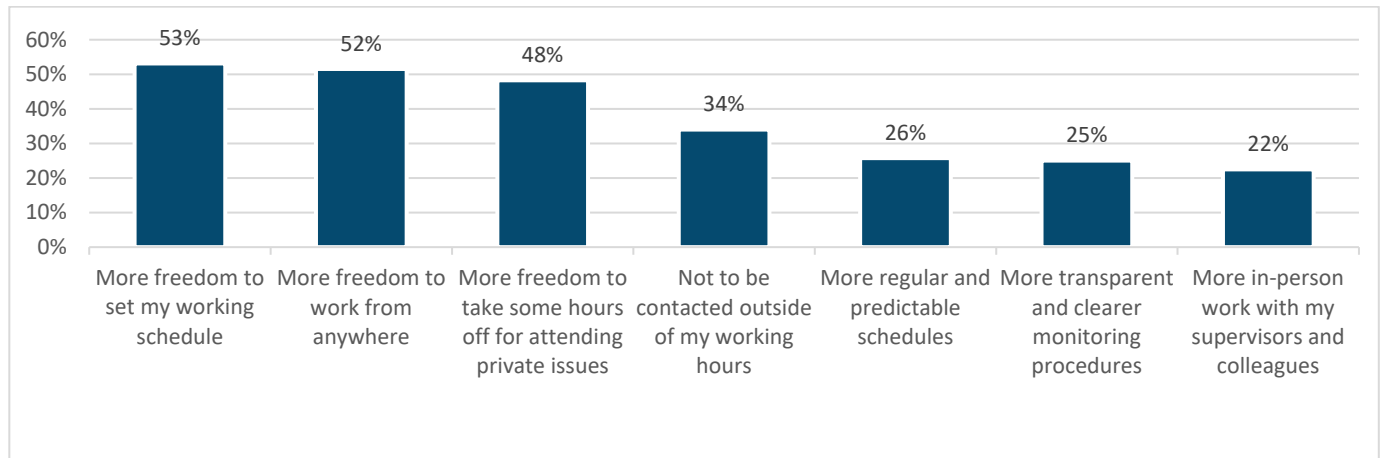
Source: own elaboration based on weighted employee survey data. N= 9213

Part G: Main areas for improvement

Figure 18. From the list below, please select the most important issues
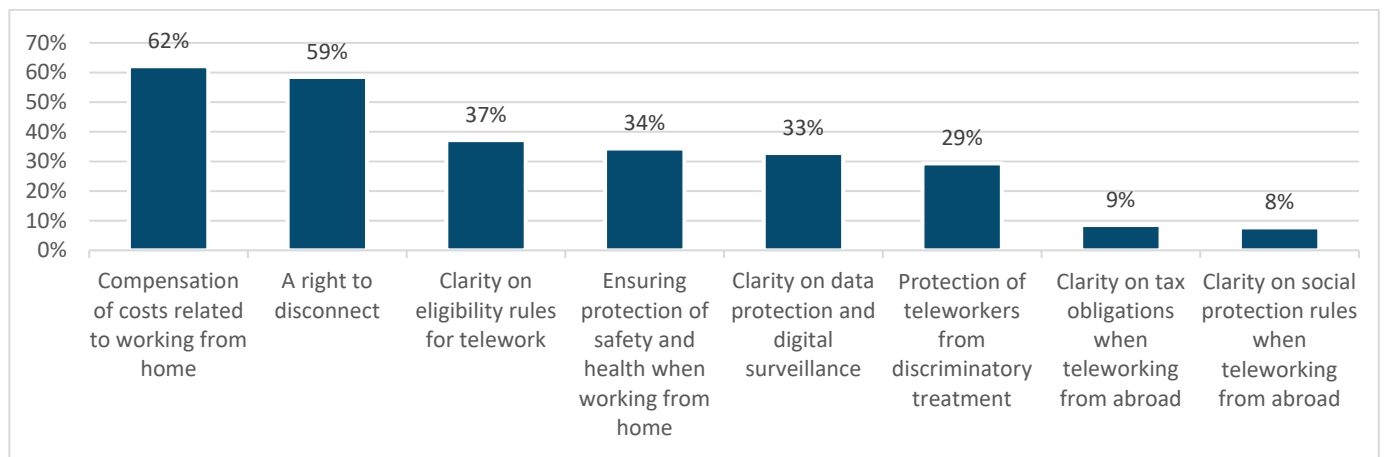
Source: own elaboration based on weighted employee survey data. N= 9009

Part H: About you

Figure 19. What type of organization do you work for?

[Please note: due to sampling strategy, this distribution does not perfectly represent the structure of employment in the EU]

Private company
Public administration
Public company operating in the market
Public provider of service
Non-profit sector
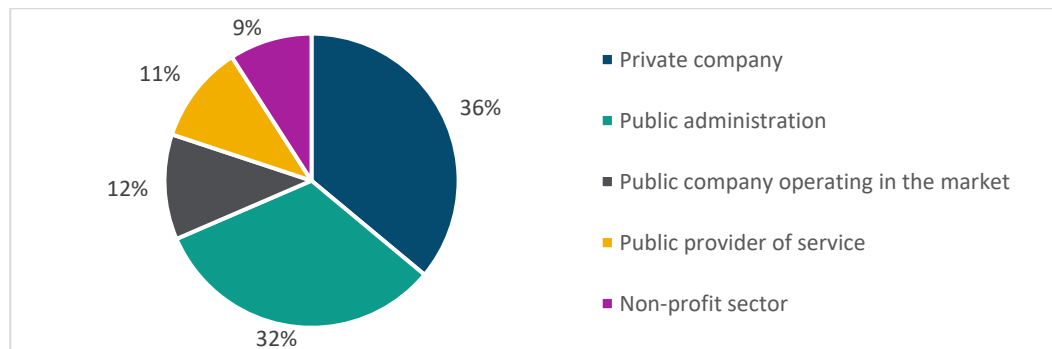
Source: own elaboration based on weighted employee survey data. N= 9193

Figure 20. What is the main activity of your organization?

[Please note: due to sampling strategy, this distribution does not perfectly represent the structure of employment in the EU]
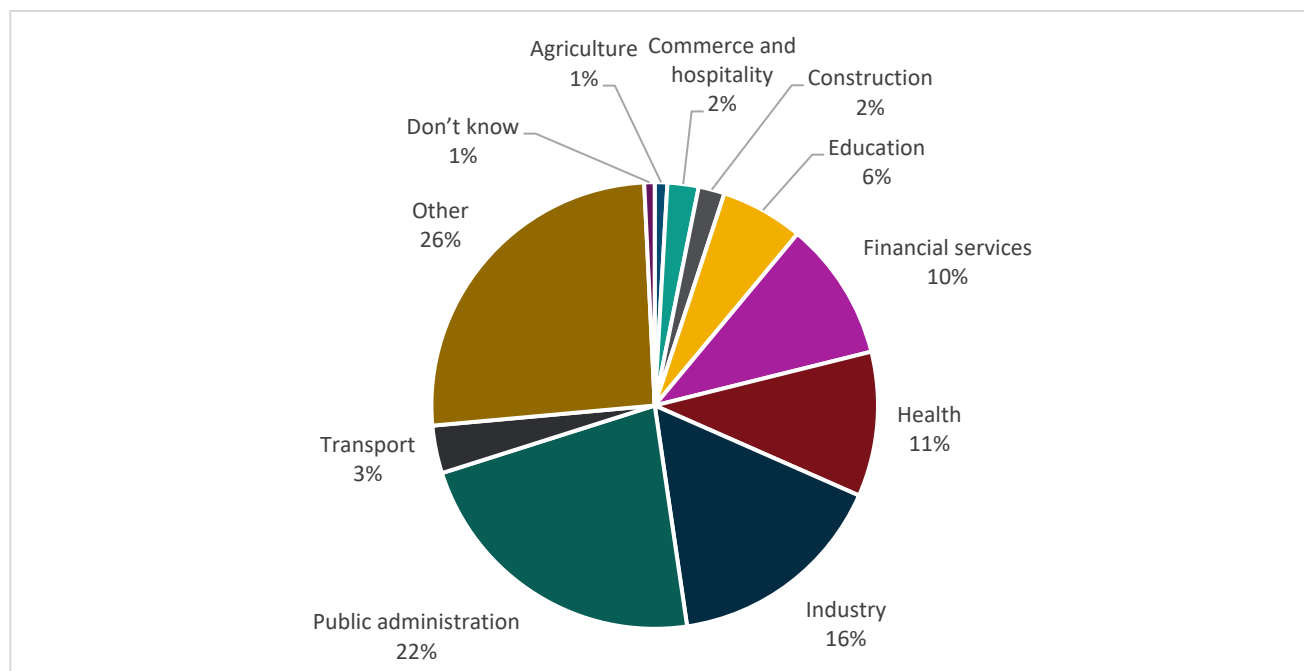
Source: own elaboration based on weighted employee survey data. N= 9204

Figure 21. How many employees work for your organization?

[Please note: due to sampling strategy, this distribution does not perfectly represent the structure of employment in the EU]
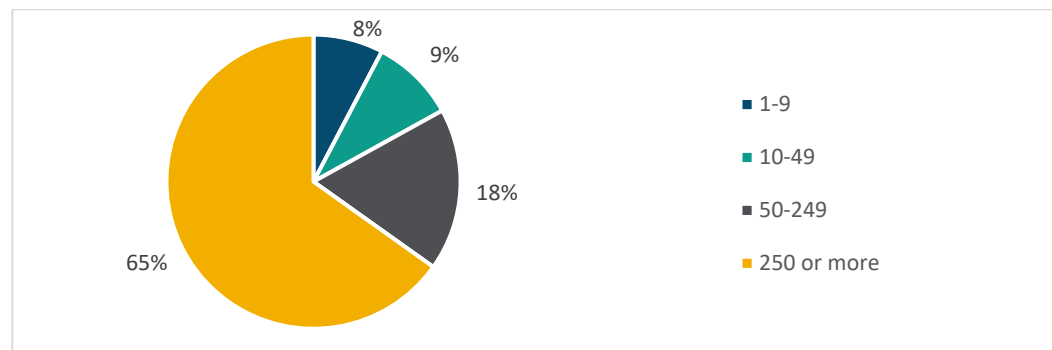
Source: own elaboration based on weighted employee survey data. N= 9184

Figure 22. Are there employees' representatives in your organization?

[Please note: due to sampling strategy, this distribution does not perfectly represent the structure of employment in the EU]
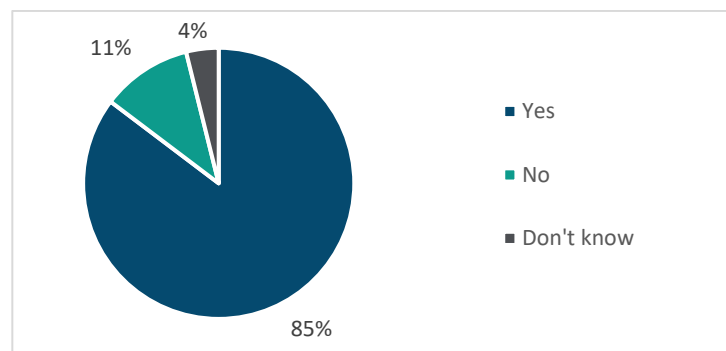
Source: own elaboration based on weighted employee survey data. N= 9167

Figure 23. What best describes your role or activity?

[Please note: due to sampling strategy, this distribution does not perfectly represent the structure of employment in the EU]
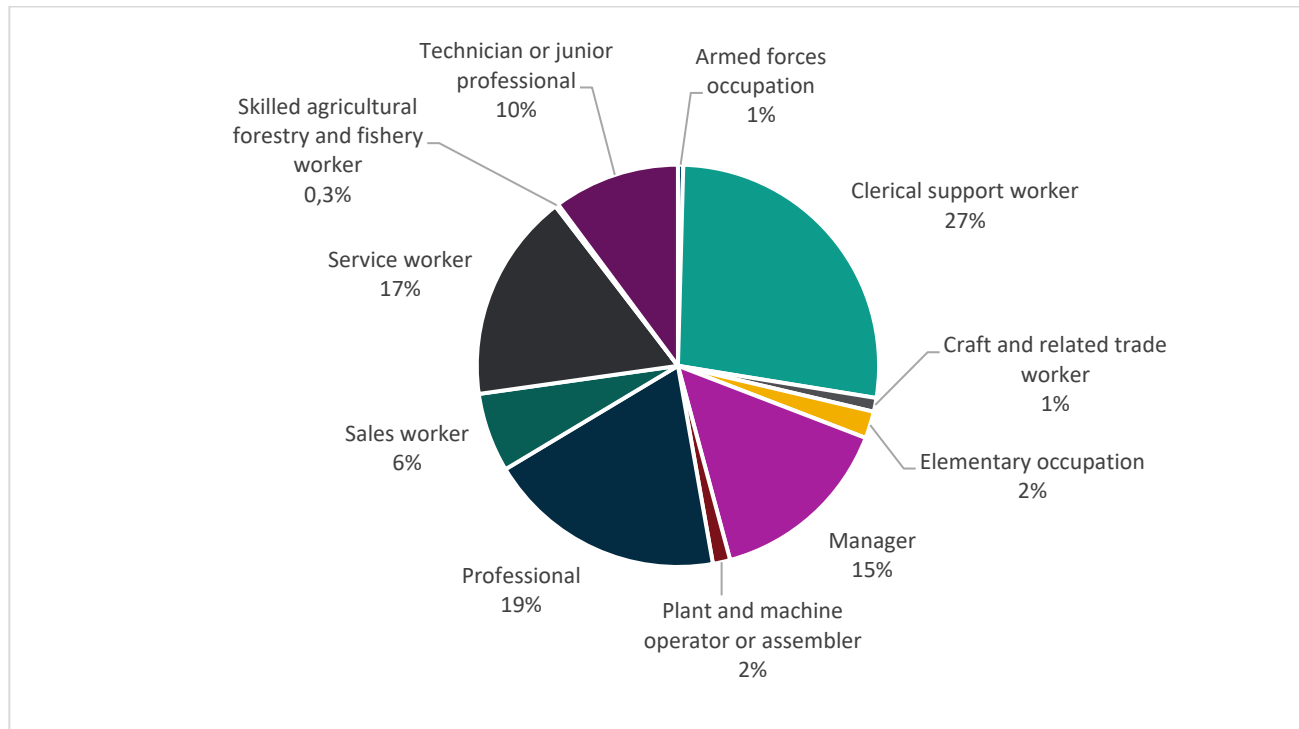
Source: own elaboration based on weighted employee survey data. N= 9134

Figure 24. In which country do you live in?

BE	2.64%
BG	1.63%
CY	0.23%
CZ	2.58%
DE	24.54%
DK	1.62%
EE	0.35%
EL	1.35%
ES	8.73%
FI	1.43%
FR	13.90%
HR	1.00%
HU	2.42%
IE	1.23%
IT	11.66%
LT	0.63%
LV	0.34%

MT	0.10%
NL	3.63%
PL	8.45%
PT	2.39%
RO	4.34%
SE	2.87%
SI	0.51%
SK	1.44%

Source: own elaboration based on weighted employee survey data. N= 11010

Figure 25. What best describes the area where you live?
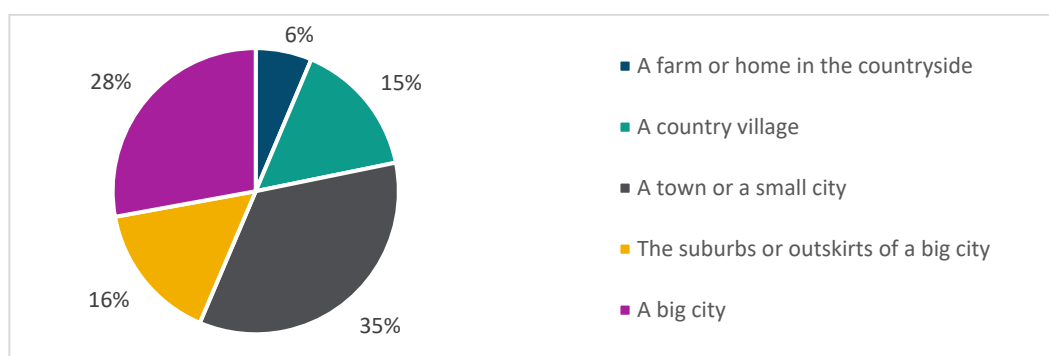
Source: own elaboration based on weighted employee survey data. N= 9181

Figure 26. How distant is your home from your workplace?
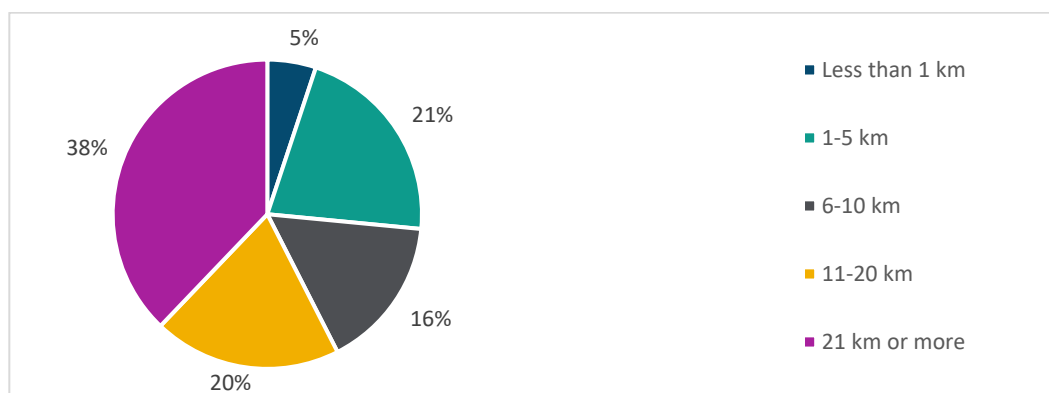
Source: own elaboration based on weighted employee survey data. N= 9188

Figure 27. What means of transport do you usually use to go to work (tick all that applies)
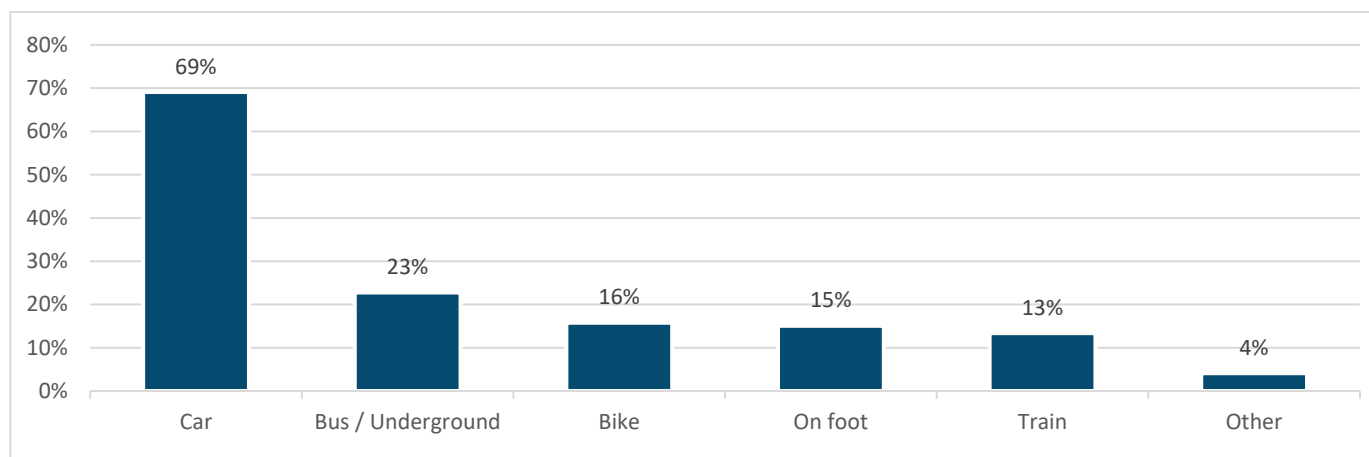
Source: own elaboration based on weighted employee survey data. N= 9177

Figure 28. What is your education background?
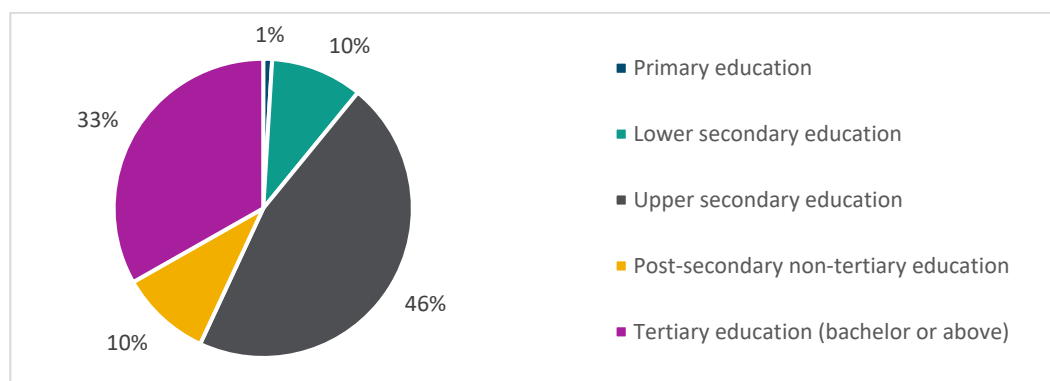
Source: own elaboration based on weighted employee survey data. N= 9182

Figure 29. How would you describe yourself?

Source: own elaboration based on weighted employee survey data. N= 9177

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Figure 30. Regarding your private life, how often do you…
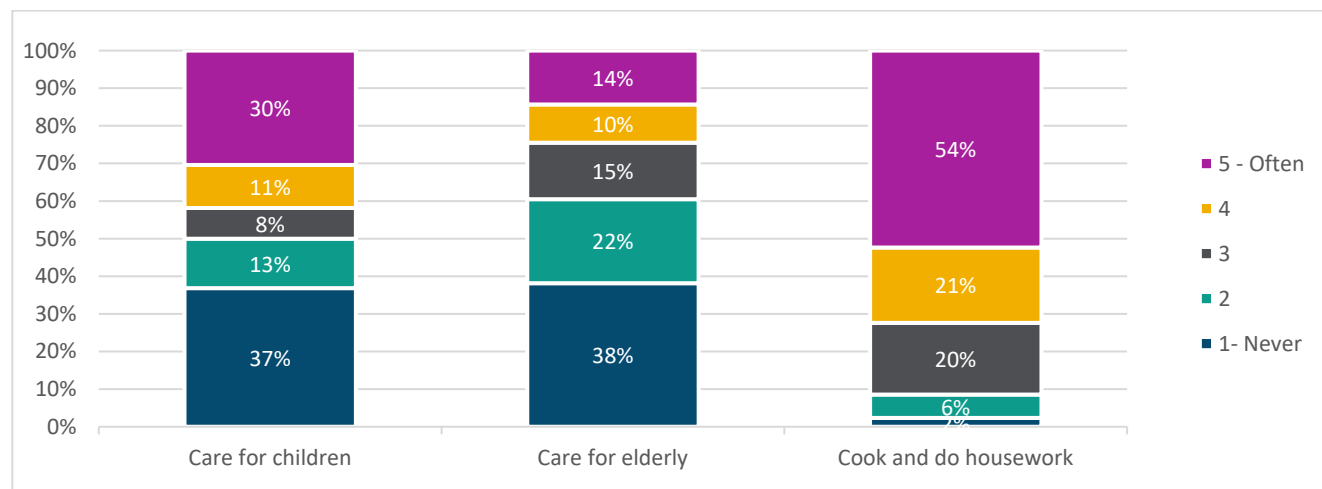
Source: own elaboration based on weighted employee survey data. N= 9180

Annex 8B. Weighted employer survey results

Figure 1. The % employees working part-time is...

Legend:
- 0%
- up to 10%
- 11-20%
- 21-40%
- 41-60%
- 61-80%
- 81-100%
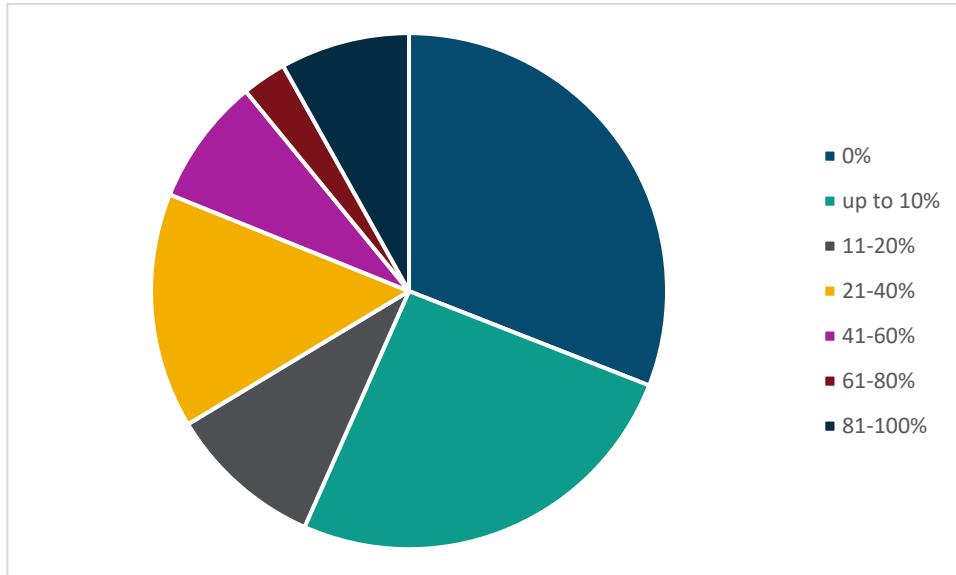
Source: own elaboration based on weighted employer survey data. N=2241

Figure 2. Employees can decide when to start or end their work day, at least to some extent

18%
19%
20%
43%

Legend:
- Few employees
- Most employees
- No employee
- Some groups of employees

Source: own elaboration based on weighted employer survey data. N=2230

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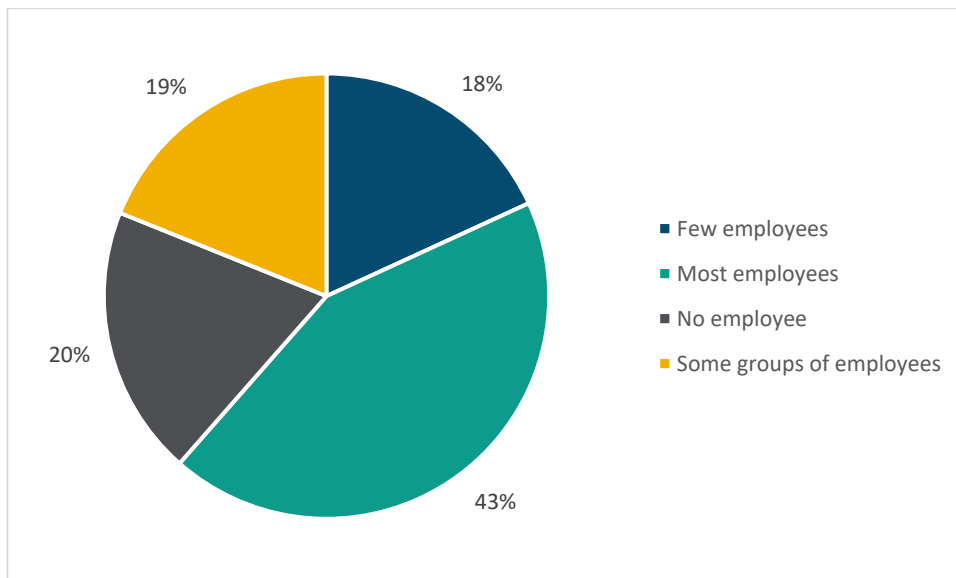
Figure 3. Employees have flexibility to take time off to attend private matters

- Few employees
- Most employees
- No employee
- Some groups of employees
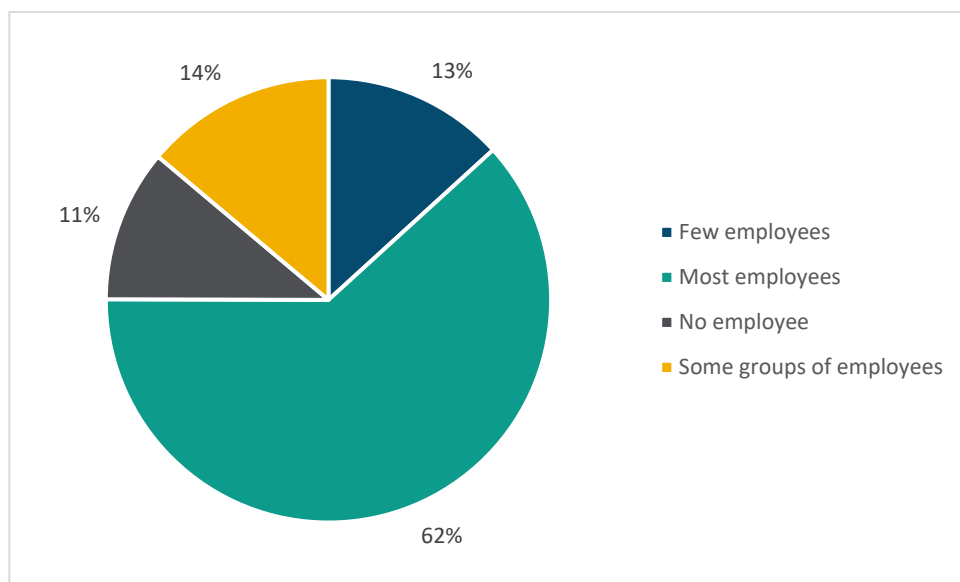
Source: own elaboration based on weighted employer survey data. N=2219

Figure 4. Employees sometimes are on stand-by-work (that is, anywhere but available to telework)

- Few employees
- Most employees
- No employee
- Some groups of employees
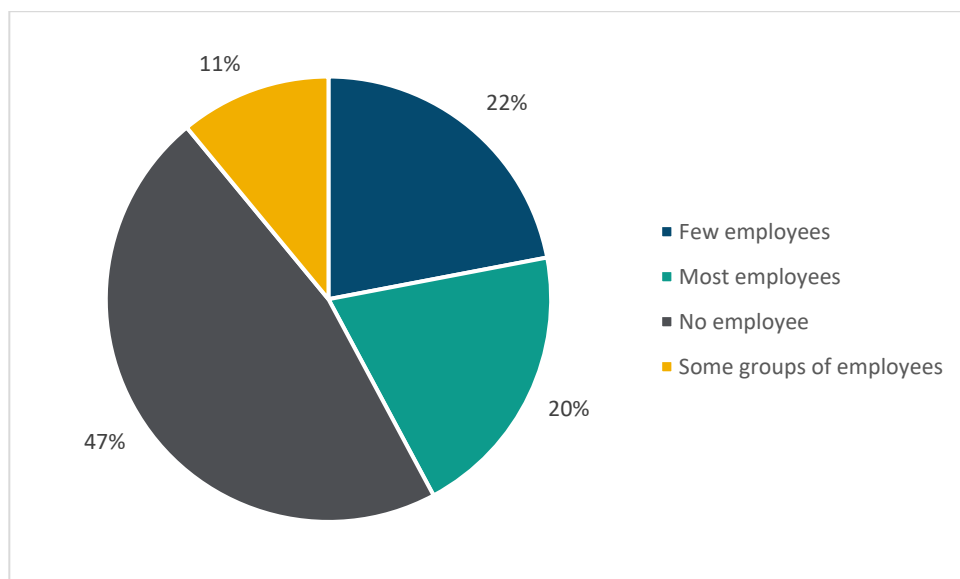
Source: own elaboration based on weighted employer survey data. N=2216

Figure 5. Employees have flexibility to work longer some days and compensate with time off other days

14% 16%

28%

41%

- Few employees
- Most employees
- No employee
- Some groups of employees
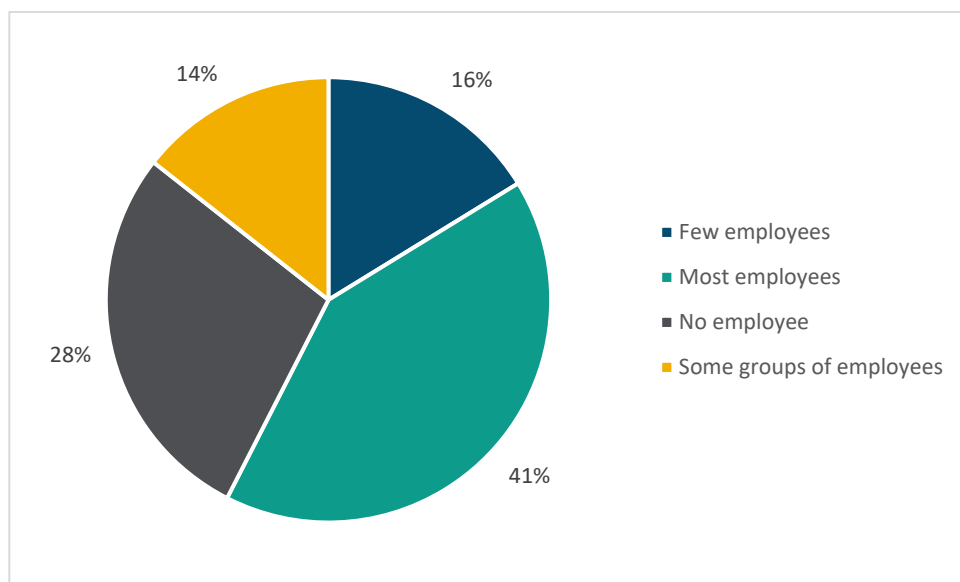
Source: own elaboration based on weighted employer survey data. N=2216

Figure 6. Employees are sometimes requested to work outside their working hours

13%

22% 48%

17%

- Few employees
- Most employees
- No employee
- Some groups of employees
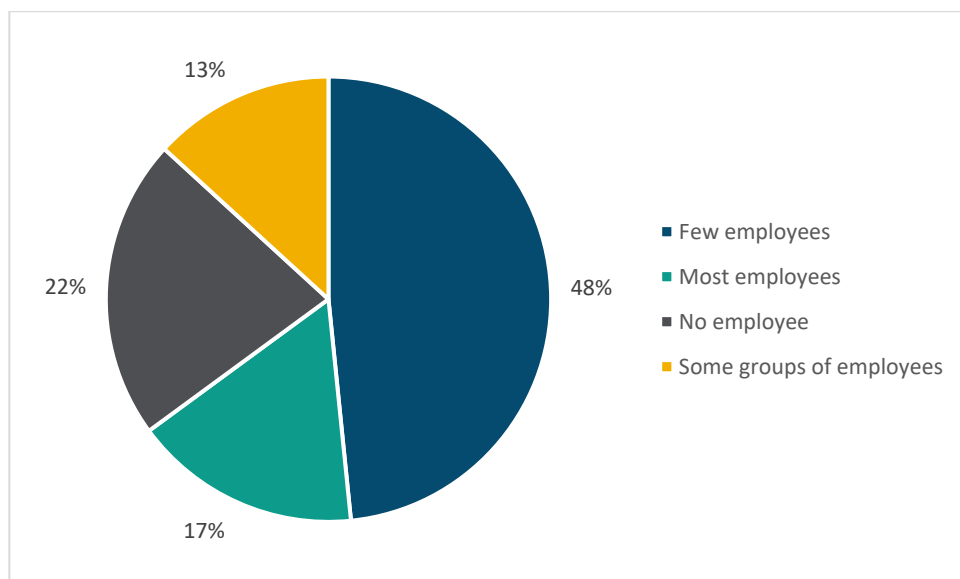
Source: own elaboration based on weighted employer survey data. N=2220

Figure 7. Employees are sometimes requested to work at clients' premises, patients' home or similar locations

- Few employees
- Most employees
- No employee
- Some groups of employees
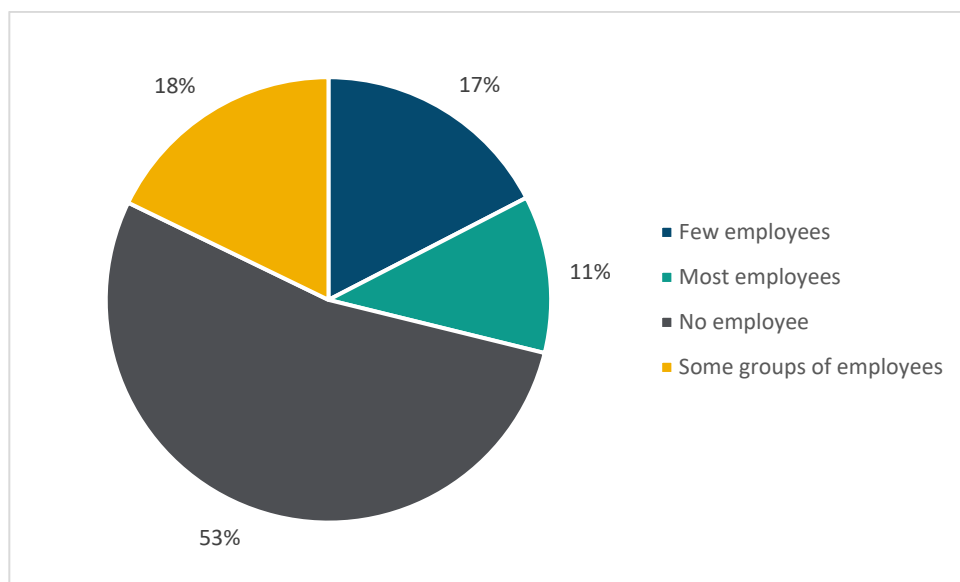
Source: own elaboration based on weighted employer survey data. N=2210

Figure 8. Employees are sometimes working from home or other places such as a coworking space or a vehicle (that is, teleworking)

- Few employees
- Most employees
- No employee
- Some groups of employees
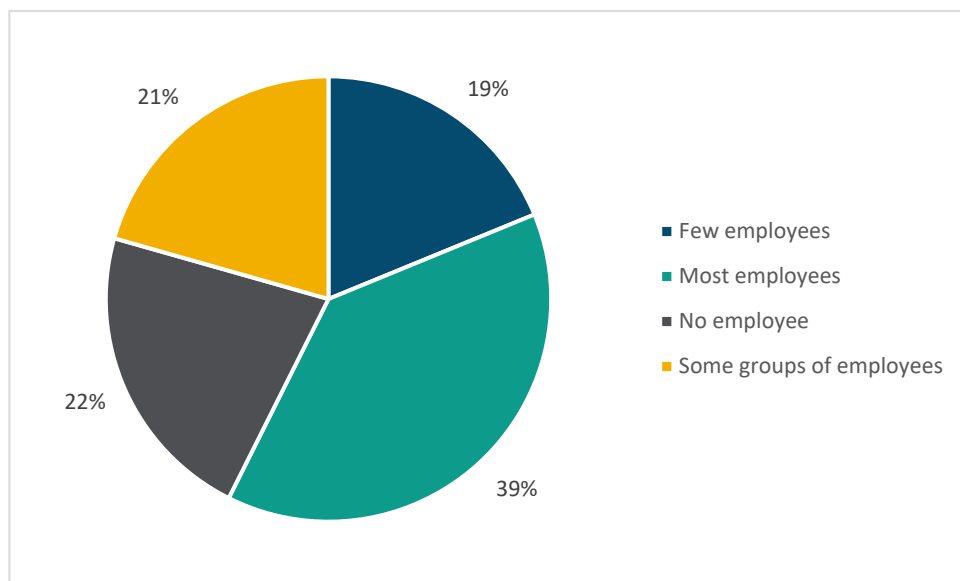
Source: own elaboration based on weighted employer survey data. N=2218

Figure 9. Employees do not telework because...

Telework is not feasible — 57%
Employees have not requested this option — 23%
My organisation does not offer this option — 19%
Other. Please specify — 11%
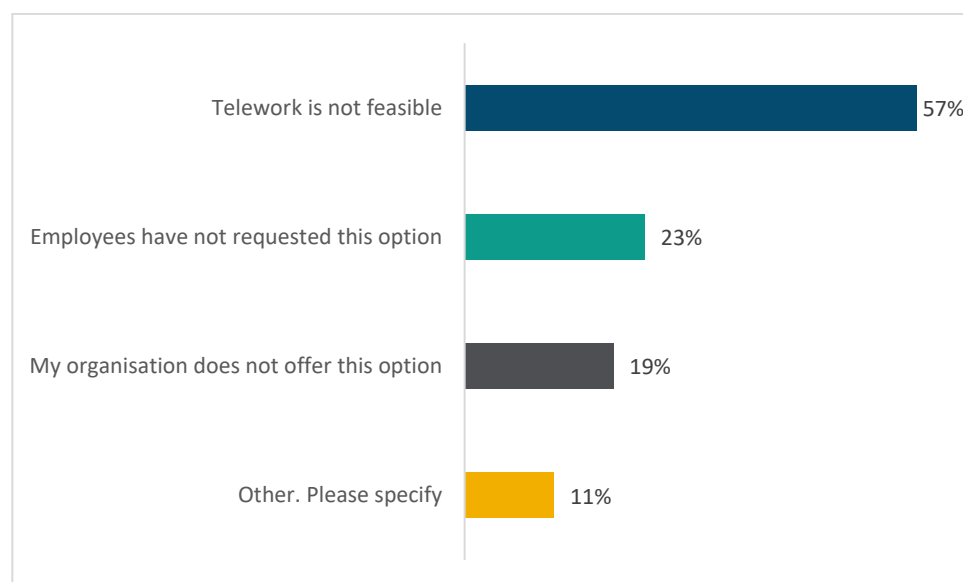
Source: own elaboration based on weighted employer survey data. N=382

Figure 10. Most teleworkers work from home this % of their time

- 0-10% — 26%
- 11-20% — 14%
- 21-40% — 23%
- 41-60% — 16%
- 61-80% — 7%
- 81-100% — 14%
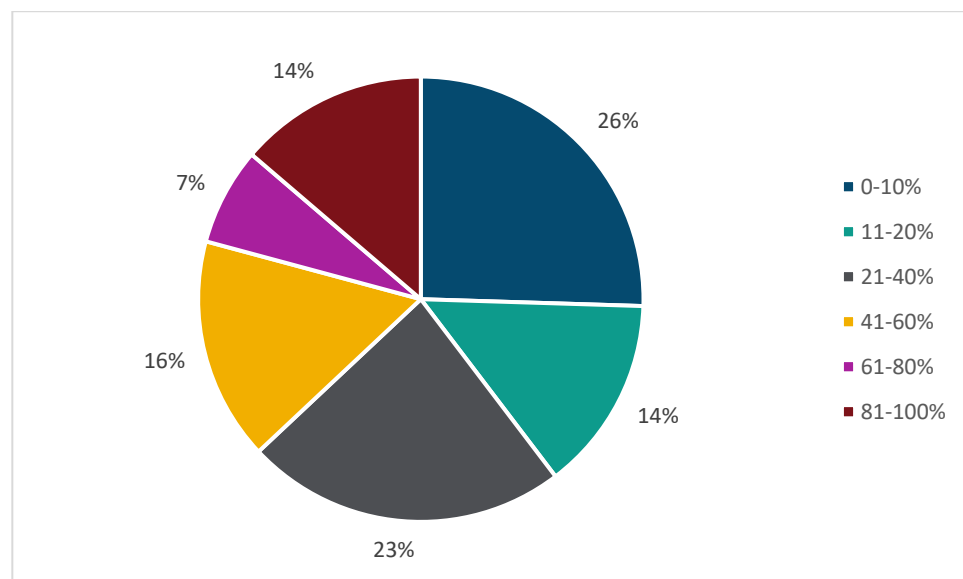
Source: own elaboration based on weighted employer survey data. N=1684

Figure 11. Most teleworkers can decide when to work from home and when to work from my organisation's premises
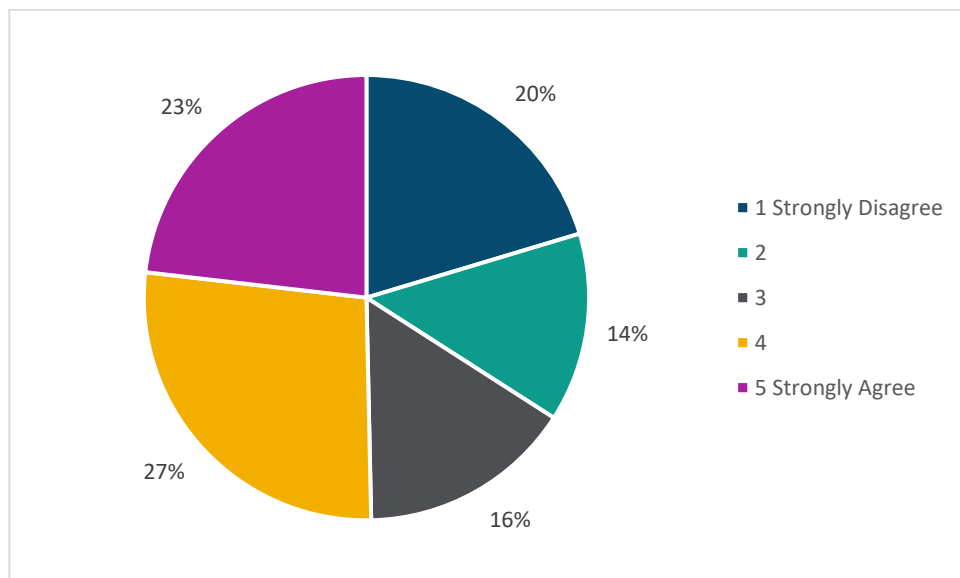
Source: own elaboration based on weighted employer survey data. N=1679

Figure 12. My organisation offers the option to telework because...
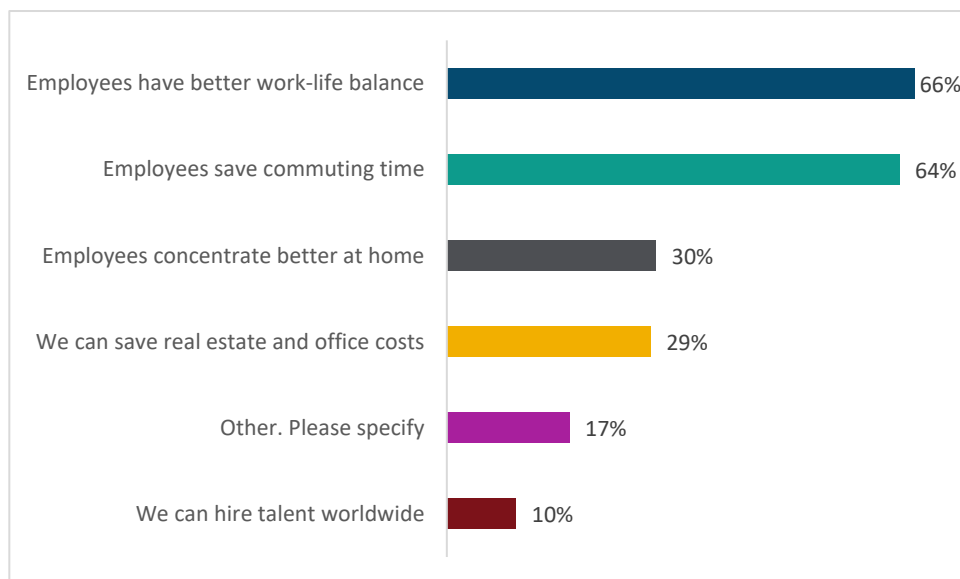
Source: own elaboration based on weighted employer survey data. N=1654

Figure 13. Did any employee telework while residing in a country that is not the country where your organisation is placed?

9%

No

Yes

91%
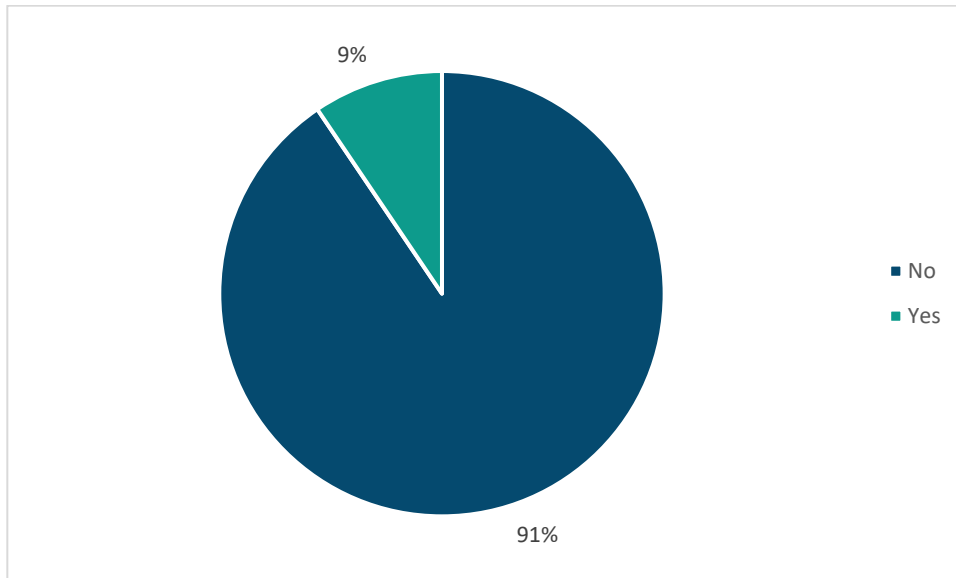
Source: own elaboration based on weighted employer survey data. N=1654

Figure 14. Did any employee telework while residing in a country that is not the country where your organisation is placed?

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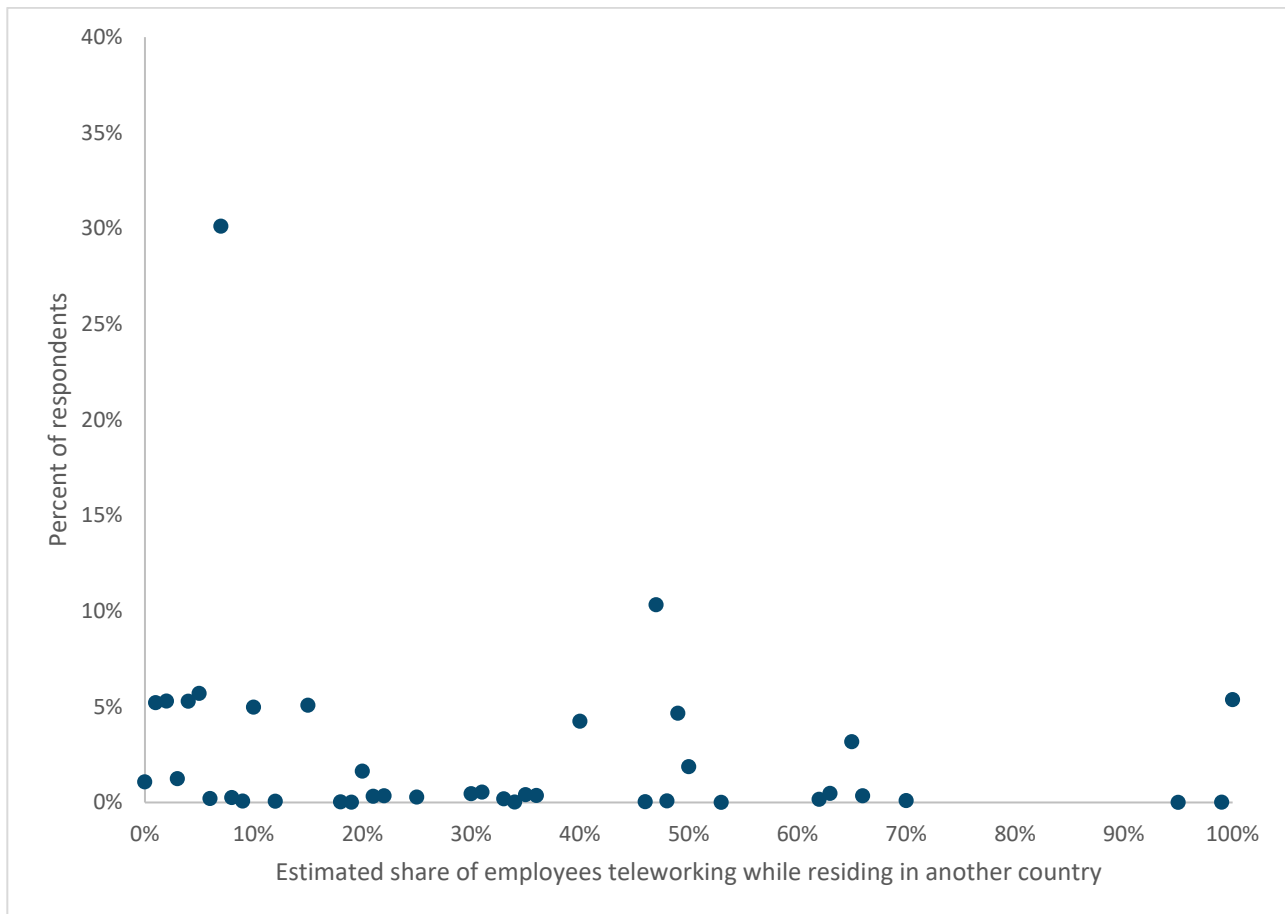
Source: own elaboration based on weighted employer survey data. N=216

Figure 15. Have you experienced any administrative difficulty concerning teleworkers residing in another country?

20%

80%

- No
- Yes
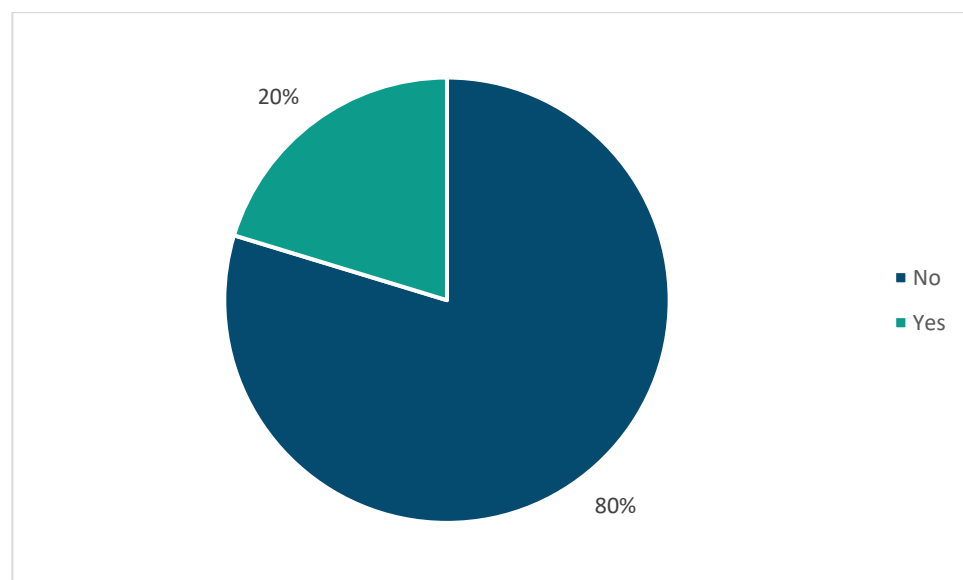
Source: own elaboration based on weighted employer survey data. N=247

Figure 16. Have you experienced any administrative difficulty concerning teleworkers residing in another country? Select all that apply.

Difficulties related to other contractual issues	73%
Difficulties related to taxation	70%
Difficulties related to social security	63%
Other. Please specify	26%
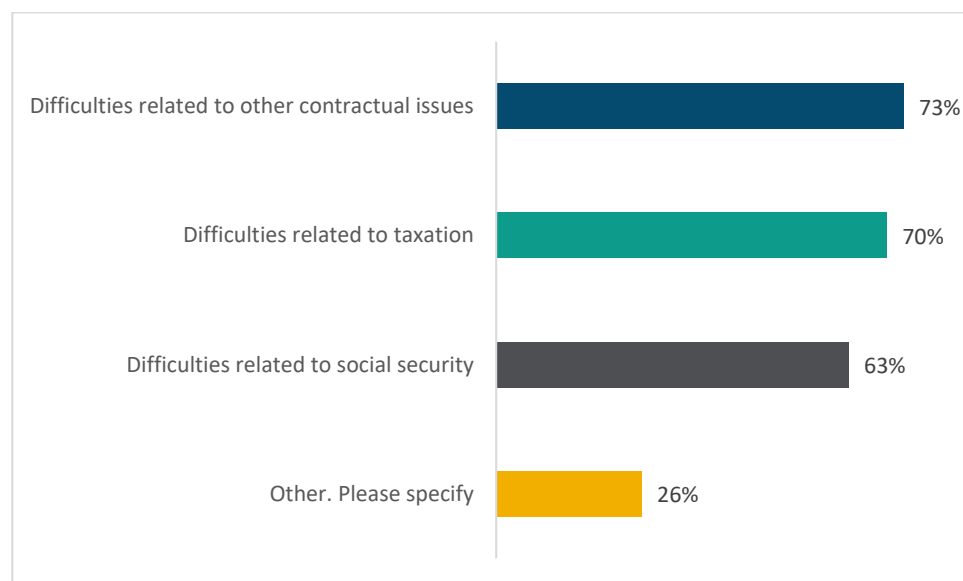
Source: own elaboration based on weighted employer survey data. N=2260

Figure 17. Regarding 'telework' (the ability to work from anywhere) my organisation...
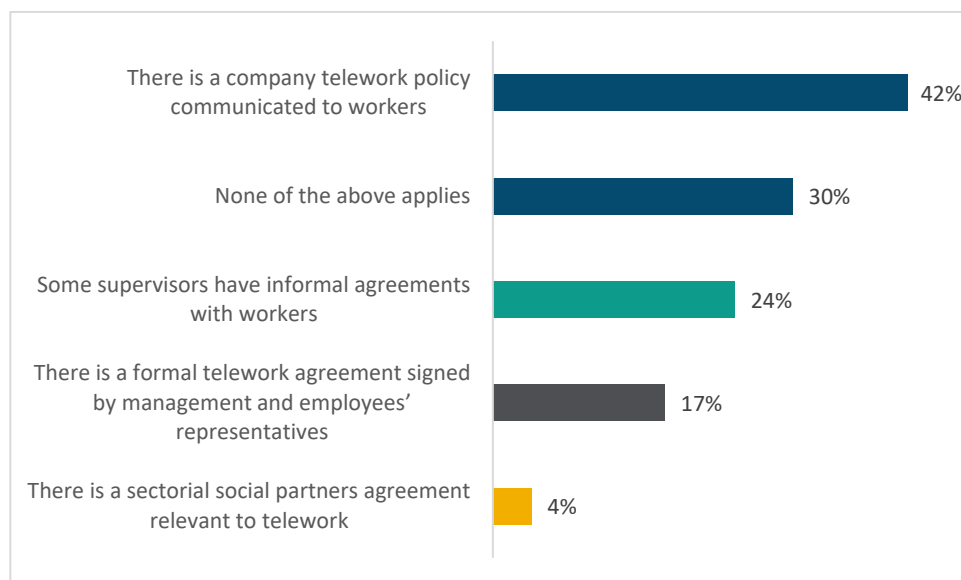
Source: own elaboration based on weighted employer survey data. N=1597

Figure 18. Regarding the 'right to disconnect' (the right of workers to 'switch off' from work when not on duty), my organisation...
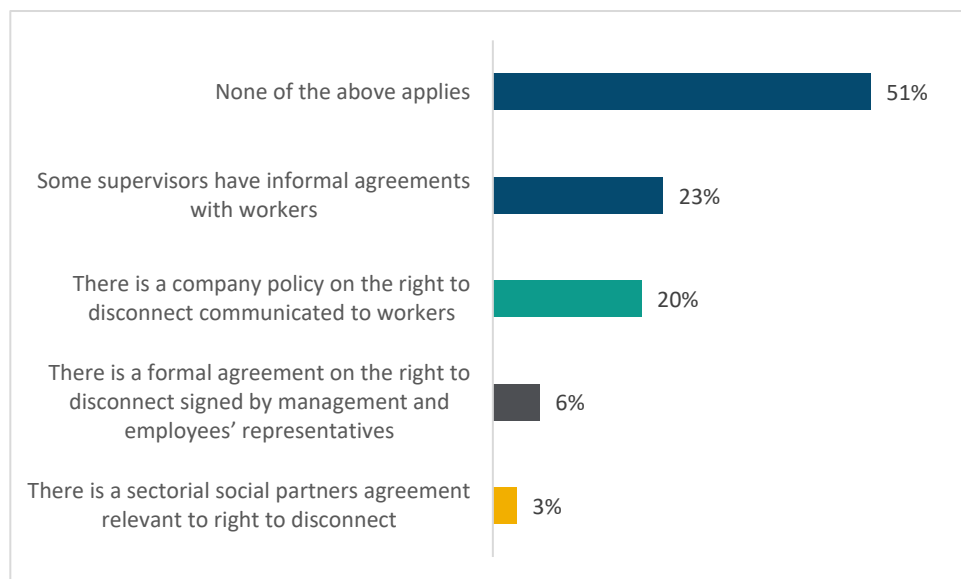
Source: own elaboration based on weighted employer survey data. N=1973

Figure 19. For this section, please reply considering your experience with current work arrangements in your organisation.

Statement	1 - Strongly disagree	2 - Disagree	3 - Neutral	4 - Agree	5 - Strongly agree
We attract and retain highly skilled professionals, no matter where they live	13%	17%	35%	20%	16%
We have difficulties for sustaining organisational culture and workers' attachment	28%	29%	20%	21%	3%
We favour trust-based relationships between supervisors and employees	3%	3%	13%	27%	54%
We have difficulties enhancing knowledge sharing and innovation	18%	36%	29%	14%	2%
We dedicate additional efforts to organise and supervise work	7%	19%	32%	33%	8%
We have difficulties integrating employees working on-site and teleworking	20%	32%	37%	9%	3%
We have implemented new procedures for control and surveillance	28%	24%	37%	9%	3%
We have increased productivity	4%	9%	53%	25%	10%
We compensate employees for expenses due to working from home	20%	18%	39%	16%	8%
We have reduced real estate and office costs	17%	21%	37%	14%	11%
Overall, we have reduced costs	15%	20%	35%	23%	8%
The sickness absence rate has decreased	10%	13%	51%	17%	9%
We have dedicated additional efforts for protecting the health and safety of employees working from home	10%	9%	53%	23%	4%

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Figure 20. From the list below, please select the three most important issues

Figure 21. From the list below, please select the three most important areas for improvement
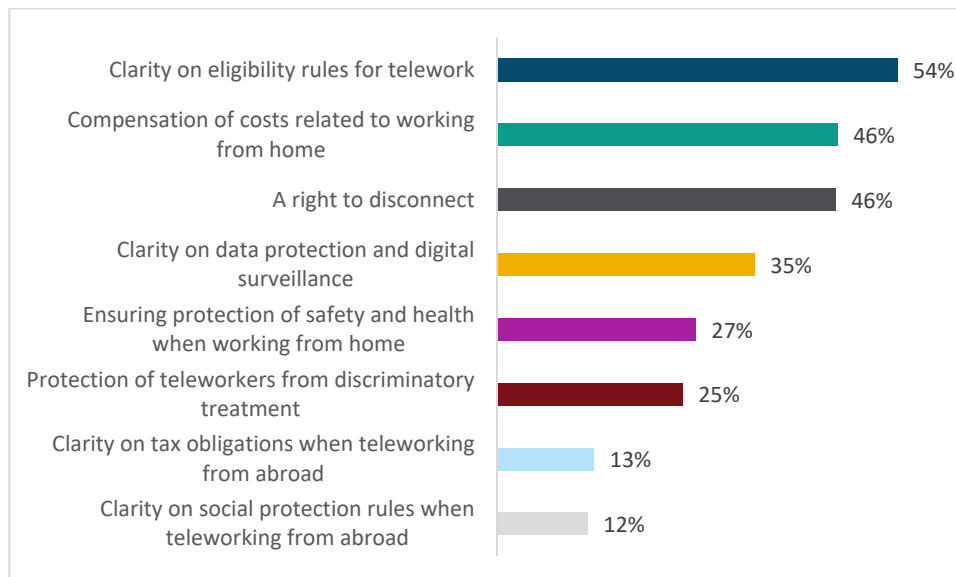
Figure 22. What type of organisation do you represent?

[Please note: due to sampling strategy, responses to this question do not ideally match the structure of organisations in the EU]
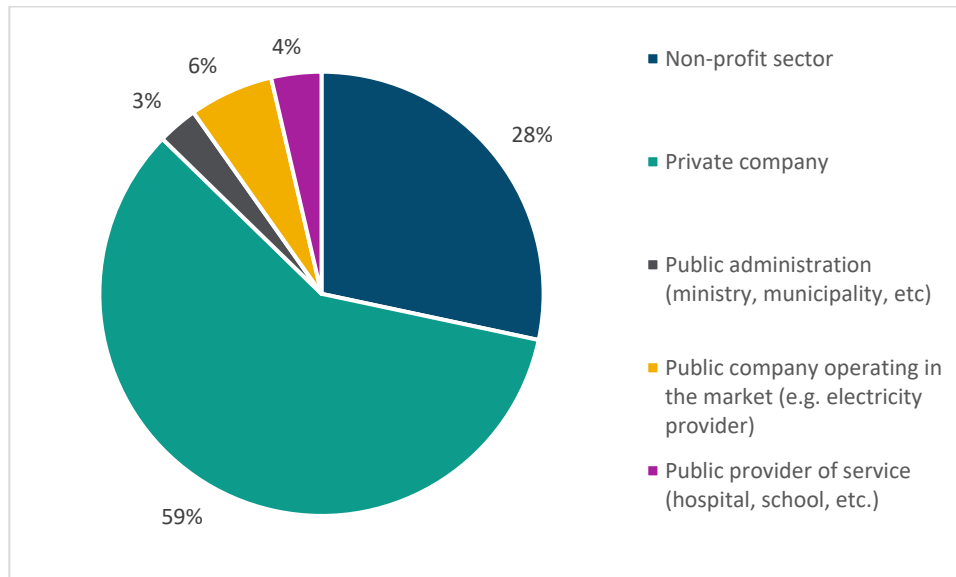
Source: own elaboration based on weighted employer survey data. N=1744

Figure 23. What is the main activity of your organisation?

[Please note: due to sampling strategy, responses to this question do not ideally match the structure of organisations in the EU]
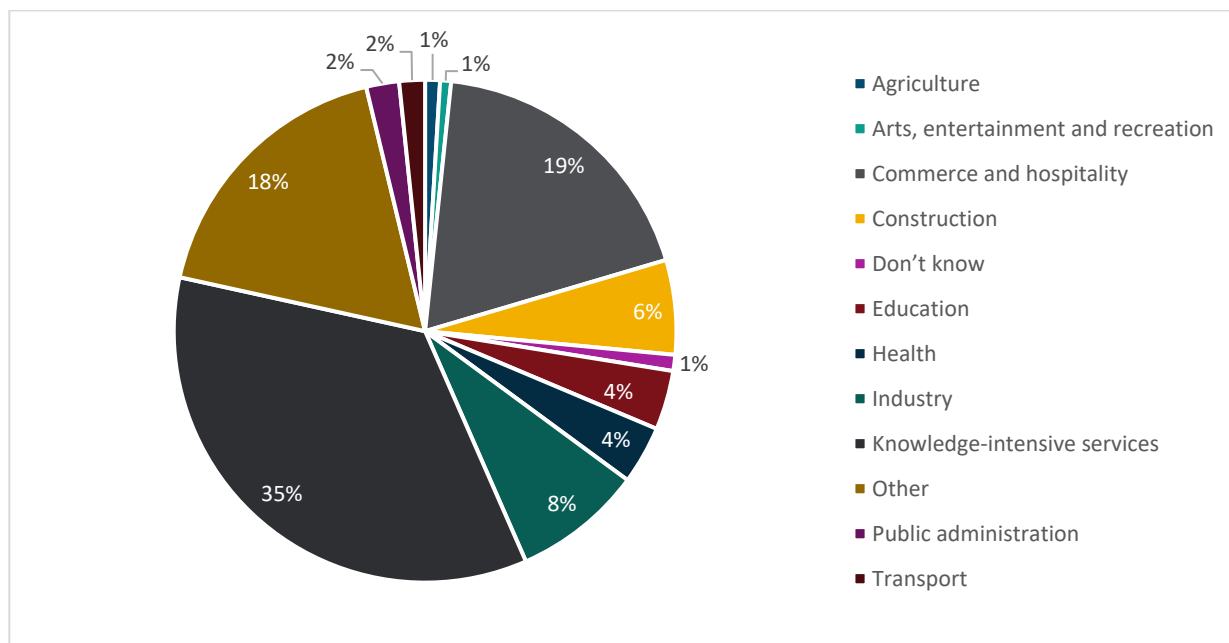
Source: own elaboration based on weighted employer survey data. N=1709

Figure 24. How many employees work for your organisation?

[Please note: due to sampling strategy, responses to this question do not ideally match the structure of organisations in the EU]
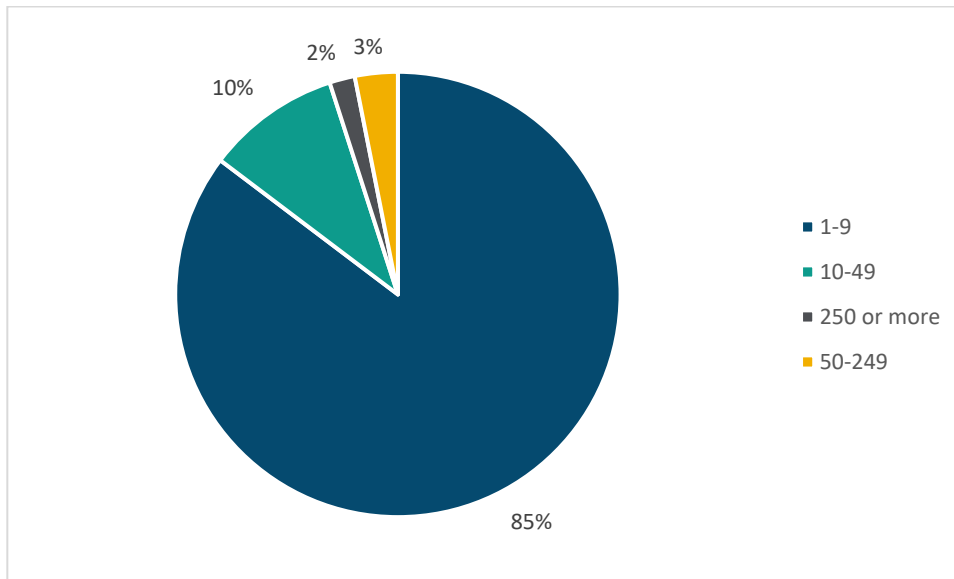
Source: own elaboration based on weighted employer survey data. N=1745

Figure 25. Are there employees' representatives in your organisation?

[Please note: due to sampling strategy, responses to this question do not ideally match the structure of organisations in the EU]

Source: own elaboration based on weighted employer survey data. N=1737

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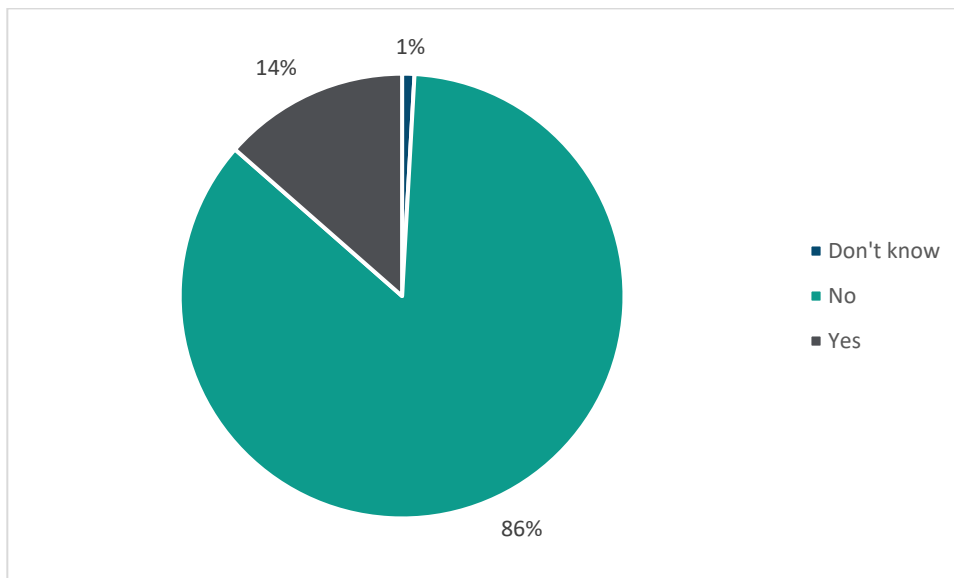
Figure 26. What is your current position within your organisation?

■ Human resources specialist

■ Manager (for instance, director, human resources manager or similar)

■ Other. Please specify

7%

21%

71%
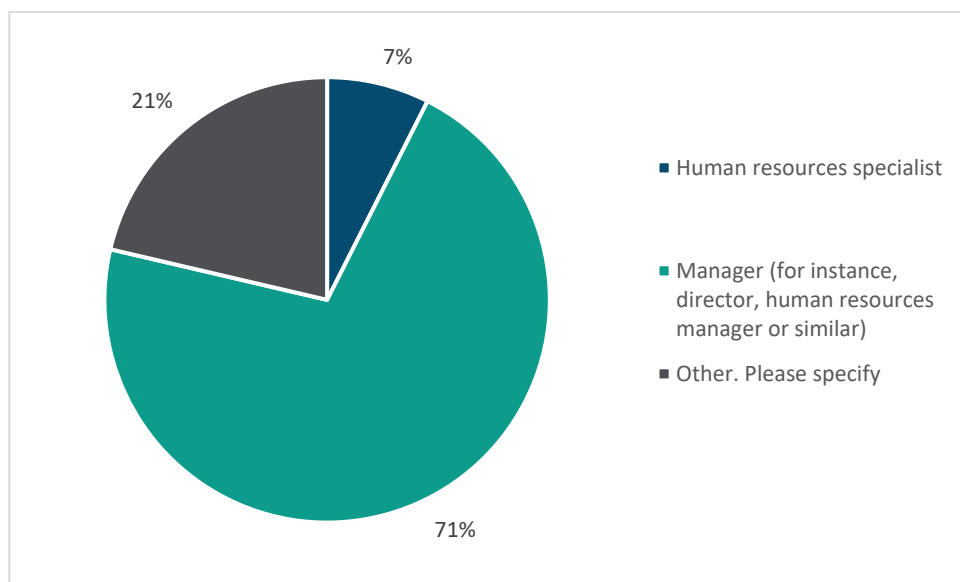
Source: own elaboration based on weighted employer survey data. N=1741

1.1.1. Annex 8C. Overview of the results of interviews with national stakeholders

1.1.2.

How likely is it that telework is here to stay? What are the likely trends in telework after the COVID-19 pandemic?

Respondents almost unanimously argued that in the future, a high share of employees would continue to work from home. They identified the following drivers as being behind this trend:

- Continuing high demand for such arrangements from employees;

- Changes in work organisation that support telework have become accepted by both employees and employers. This has transformed some occupations that were previously considered not 'teleworkable'. For example, in the healthcare sector, this has allowed general practitioners to carry out some functions online or over the phone, which has led to efficiency improvements;

- Costs savings (office rental, commuting etc.);

- Recruiters can hire talent from different countries or other regions of the country (which also reduces regional divides);

- Exponential growth of digitalisation and technology, as well as the lower cost of ICT;

- Labour shortages;

- Growing demand for better work-life balance and the need for flexibility;

- Fewer delays (due to a lack of commuting);

- Reduction in negative environmental impacts via reduced commuting;

- Generational change (younger cohorts that are more willing to telework when entering the labour market);

- New legislation and changes to the labour code make it easier to start teleworking;

- Downsizing of office spaces.

Nevertheless, respondents agreed that it is unlikely that the peak levels of telework achieved during the height of lockdowns will be reached in the foreseeable future. This is due to the following factors:

- The intrinsic non-teleworkability of some occupations;

- The value of face-to-face interactions in some occupations;

- Company policies that encourage in-person meetings at least periodically, even in highly teleworkable occupations;

- Lack of IT literacy (especially in certain sectors such as medicine);

- Lack of a suitable working environment at home (OSH concerns);

- Interference of work in private life;

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- Feelings of isolation;

- Monitoring and privacy violations/ lack of trust between workers and employers/managers;

- Teleworkers are hard to integrate;

- Increased utility costs (electricity, heating, etc.) for employees.

Hence, while the share of teleworkers is likely to remain well above pre-pandemic levels, it is also likely that a significant share of teleworkers will adopt hybrid rather than pure teleworking arrangements.

How well have workers and companies managed to achieve a balance between working time flexibility and the right to disconnect? What future developments are likely?

Respondents' views diverged on this question. Most employer representatives and national authorities stated that the right to disconnect was not (yet) considered an issue/ not discussed, as it had not yet been legally established and/or was not considered important by employees. Some thought that the monitoring of working time and the enforcement of limits on working time were enough to ensure that employees are not expected to work overtime. Throughout the responses, respondents underlined the importance of context and the specificities of individual cases. Some national authorities considered ensuring the right to disconnect to be the responsibility of a company, while some employers highlighted it as a responsibility of the employee. In addition, employers' representatives noted that employees like flexibility, and thus the right to disconnect is not an issue, and that if it were enforced as an obligation, it would impede the desired flexibility. This group of respondents also mentioned certain challenges to enforcing the right to disconnect, i.e. the specifics of certain industries (e.g. healthcare) and a lack of awareness among workers regarding the right to disconnect.

Other employer representatives stated that they had managed to achieve a good balance between working time flexibility and the right to disconnect. Some respondents claimed that the right to disconnect has always been there, and that employees are not expected to work overtime. Respondents mentioned the significance of compromise between employers and employees with respect to the right to disconnect and acknowledged the collective agreements in place.

However, employee representatives regarded the right to disconnect as having been unsuccessfully handled so far. Some respondents mentioned working longer hours, which leads to issues with work-life balance and increased stress. In the view of these respondents, such challenges arise from a lack of legislation and a dominant view of telework as being beneficial to employees (as a result employees are not yet demanding strict enforcement of their rights).

Employee representatives mostly agreed that employees' right to disconnect will gain prominence in the future. They note that the main driver will be the increase of telework, as well as risks of the entanglement of private life and work, and burn-out. Furthermore, respondents had already noticed new business models, new forms of work (gig-work, crowd-work or other short project-work) and changes in the labour market, as well as the exponential growth of developments in technology. Respondents also mentioned the vagueness of current legislation as well as the EU's activities with regard to the right to disconnect.

National authorities and employers' representatives disagreed, however. In the view of most of these respondents, the right to disconnect will not gain prominence in the future. In their view, this is due to the prevailing shift from a process-oriented model to a results-oriented model, under which it becomes more important to deliver appropriate results on time than to be present at one's desk for a certain number of hours. Due to this development, flexible hours will become more prominent and the right to disconnect will not be demanded. National authorities and employers' representatives also tended to highlight the fact that trade unions have not yet been very active on the issue of the right to disconnect. Lastly, some respondents highlighted that there is no possibility to enforce the right to disconnect in some industries, due to the specifics of those sectors.

Challenges and opportunities: occupational safety and health (OSH), including physical and mental health

Opinions on the importance of OSH varied between different types of stakeholders. The topic of 'Occupational safety and health (OSH), including physical and mental health' was mentioned most frequently by employee representatives and national authorities. These stakeholders identified the following as being the main problems in this area in relation to telework:

- Deteriorating physical health;
- Mental health issues;
- Challenges in ensuring ergonomic workstations at home;
- Unfit living conditions for work.

Employers' representatives were less likely to regard OSH as a problem, and stated that most employers provide employees with all of the equipment necessary for telework.

However, in certain countries (Sweden, Belgium, Cyprus, the Czech Republic, Luxembourg and Romania), all groups of stakeholders agreed that OSH is a problem in their country and needs to be addressed.

While few respondents referred to possible solutions, those who did mentioned the following types of instruments:

- New measures passed by legislators;
- Guidelines on how to deal with the issues involved in remote working;
- Risk analysis (carried out to determine if employee's home environment is fit for working);
- Educating managers on the rules to ensure occupational safety and health.

Challenges and opportunities: decent employment and working conditions, including working time and work-life balance

Opinions on this issue varied between types of stakeholders. Employee representatives were most likely to agree that work-life balance was a problem in their country. Only in Belgium did employee representatives, employer representatives and national authorities alike agree on the relevance of decent employment and working conditions. Overall, employee representatives identified the following as the main problems in this area in relation to telework:

- Vague or scarce legislation;

- Increased working hours;

- Deficient implementation of existing regulations.

Decent employment and working conditions in respondents' countries were addressed by:

- Guidance materials;

- Union debates;

- Collective agreements.

Challenges and opportunities: skills, career development and job mobility (across sectors and occupations)

Most respondents did not underline this area as raising important issues. Those who did so were mostly employee representatives. The following challenges were the main ones mentioned by employee representatives in relation to telework:

- Employees lack the necessary ICT skills;

- Overtime induced by new materials and learning;

- IT specialists are more difficult to when working from home as opposed to in the office.

Skills, career development and job mobility in respondents' countries were addressed by:

- A 'train-the-trainer' approach;

- Centralised training;

- Online learning tools and courses.

Challenges and opportunities: cross-border telework – applicable law, social security and taxation, including addressing the risk of social dumping

With regard to cross-border telework, respondents from Western European countries (Belgium, Austria and Luxembourg) more often considered this an issue across all types of stakeholders. Opinions in other countries varied according to the type of stakeholder – employers' representatives were most likely to mention cross-border work. These stakeholders mentioned the following problems with regard to cross-border telework:

- It is difficult to determine which rules apply;

- Lack of health or social insurance for teleworkers;

- Rules are not unified at an international level;

- Lack of clarity regarding taxes and social security.

Challenges and opportunities: control, surveillance and performance monitoring systems, including data protection for teleworkers

With regard to control, surveillance and performance monitoring systems, including the issue of data protection for teleworkers, respondents' answers varied according to the types of stakeholders concerned. Employee representatives were most likely to regard surveillance a problem and stated that this issue had not yet been addressed. They identified the following as the main challenges in this respect:

- Employees do not know what data is being harvested and used by the employer;

- No special regulations specifically cover the protection of employees' personal data;

- Strict monitoring – the use of remote monitoring tools (webcams, tracking of keyboard or mouse activity, keeping track of productivity scores) – raises the risk of violations of employees' privacy, as these tools are not yet widely regulated. Such tools can also reduce employees' autonomy;

- New surveillance tools are emerging;

- Old guidelines have not been updated.

Employers' representatives, however, insisted that there is a lack of monitoring and control. They identified the following as the main challenges in this respect:

- Inability to track workers' participation;

- Challenges in maintaining worker productivity;

- Difficulties in ensuring data protection for workers who work from home or in public spaces.

Challenges and opportunities: regional cohesion – tackling the urban-rural divide through teleworking arrangements

Respondents almost unanimously regarded telework as providing an opportunity to tackle regional cohesion. The main issue mentioned was that telework enables workers living in smaller towns and more remote regions to benefit from access to wider job opportunities, as they do not need to commute to the workplace for jobs that can be performed remotely.

Challenges and opportunities: gender, skills and digital inequalities relating to access to teleworking arrangements

Employee representatives from a handful of EU Member States (Latvia, Czechia, Slovakia, Germany and Austria) highlighted digital inequalities as an issue. They mentioned the following challenges in this area:

- Social and digital inequalities between urban and rural areas (e.g. differences in broadband speed);

- The possibility of telework perpetuating gender inequalities (e.g. jobs predominantly carried out by women are less likely to be teleworkable);

- It is inherently more difficult for women to achieve a better work-life balance, as they carry out the most domestic work at home;

- Lack of digital skills among older employees;

- Lack of hardware (laptops, monitors, keyboards, etc.).

According to the respondents, the issues mentioned above had not yet been addressed in their countries.

Effectiveness of national legislation and existing social partner agreements

Responses in relation to this issue varied by stakeholder type. Employers' representatives were most likely to claim that national legislation is effective. Their arguments for this are as follows:

- Effective social dialogue;

- A deregulated environment enables flexibility;

- The same laws that regulate work in person are sufficient in the case of telework.

Employee representatives more often considered national legislation to be effective. In particular, they mentioned the following issues:

- Lack of guidelines on how to separate work life from private life;

- Difficulties in protecting the safety and health of employees who work from home;

- Reimbursement of expenses incurred by workers when teleworking;

- The need for guidance on specifying the conditions under which telework is allowed in certain sectors;

- Lack or vagueness of legislation covering telework and the right to disconnect.

In addition, employee representatives mentioned the following challenges to implementation:

- Legislation does not affect work culture/perceptions;

- A centralised legislative solution is possible only in very general terms, as this will not be able to address industry-specific issues;

- Social dialogue at sectoral/industry level is very weak.

Is the existing EU labour acquis effective, relevant and sufficient?

Most respondents agreed that national policies, social partner agreements and the debates that surround them at national level are shaped to a small extent by the existing EU labour acquis.

Employee representatives mostly agreed that the acquis shaped national debates to some extent, mostly because the acquis was transposed into national legislation with some caveats in its implementation. For example, one employee representative[1] stated that the EU acquis is often implemented only "on paper", and that, in practice, there is a tendency to ignore general rules. This stakeholder mentioned that in the particular case of education, EU directives are interpreted vaguely due to a lack of public budget for education.

Employer representatives and national authorities were more likely to agree that the EU labour acquis shaped national policy and debates only to a small extent. They stated that agreements and debates were mostly shaped by national legislation. However, respondents deemed the EU acquis to be mostly effective in protecting the rights of workers, while facilitating full use of the benefits of teleworking.

Employee representatives and national authorities mostly found acquis effective; however, they underlined that the right to disconnect should also be covered.

Some employers' representatives regarded the EU acquis as ineffective. They stated that the protection of workers depends on company-level agreements, and that the EU acquis is hard to enforce and sometimes limits the flexibility of work.

With regard to enforcement costs, most respondents agreed that the transposition and implementation of the acquis does not entail costs (workload) in addition to the cost of implementing national policies.

Should the existing EU labour acquis be changed? If so, how?

Here, the interview respondents split into two groups – for and against changing the EU labour acquis (28 and 29, respectively). The former group consisted mostly out of employee representatives. These stakeholders suggested including the following areas in the framework:

- The right to disconnect;
- Cross-border work;
- Minimum OSH standards at EU level;

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[1] The interviewee opted to remain anonymous.

- Minimum data privacy standards at EU level.

Most employee representatives suggested that an EU directive would be the most suitable instrument to address the above issues.

1.1.3. Annex 8D. Overview of the results of expert interviews

How likely is it that telework is here to stay? What are the likely trends in telework after the COVID-pandemic?

Respondents unanimously agreed that telework is here to stay. However, most of them mentioned that in their opinion, the size of the teleworking workforce will not reach the levels seen during the pandemic. Some respondents also mentioned the importance of the specifics of certain occupations (as some of these are less likely to be teleworkable) and the specifics of companies (their size, work culture, etc.). Respondents identified the following as the main drivers of telework:

- The pandemic has demonstrated that work can, to a large extent, be organised remotely;
- Cost savings (for both the companies and employees);
- Better work-life balance;
- The energy crisis;
- Companies starting to move away from offices and into co-working spaces;
- Employees resettling further away from their work.

Respondents also mentioned the following potential challenges to the future of telework:

- The need for teleworkers to cover utility and equipment costs;
- Upskilling as new technologies emerge;
- Discrimination;
- Managing remote teams.

What does the main evidence show in terms of trends in maintaining work-life balance and disconnecting from work-related responsibilities: to what extent is this becoming an accepted practice? To what extent is it driven by legal changes or by sectoral / company-level agreements and practices?

Most respondents agreed that work-life balance and disconnecting from work-related responsibilities are becoming an accepted practice to a small extent. However, they mentioned that such practices vary from country to country, as the EU is not homogeneous. For example, in countries such as France, the right to disconnect is already enshrined in legislation. However, overall trends point towards longer working hours and a lack of adequate work-life balance. While discussions on these issues are taking place between social partners , and regulation has been achieved through collective agreements, most Member States still lack a general legal framework covering these issues.

Challenges and opportunities: occupational safety and health (OSH), including physical and mental health

Most respondents did not comment on this issue. Those who did stated that the main problem is the enforcement of OSH rules at home, as it is difficult for managers to ensure that the employee's workspace is suitable, and it is not easy to conduct inspections in employees' private space.

Challenges and opportunities: decent employment and working conditions, including working time and work-life balance

Respondents agreed that telework causes problems in terms of work-life balance, and blurs the line between work and personal life. However, they pointed out that each case is different, and that some employees do not face such challenges, and therefore enjoy flexibility.

Challenges and opportunities: skills, career development and job mobility (across sectors and occupations)

Most respondents did not comment on this issue. Those who did stated that there is often a need for upskilling in relation to the use of technology. As a result, less tech-savvy employees might feel anxious about the changing nature of work. They also mentioned an increase in job turnover, which was a phenomenon related to COVID-19, as people began to question their career choices.

Challenges and opportunities: cross-border telework – applicable law, social security and taxation, including addressing the risk of social dumping

Only half of respondents addressed this issue. Those who did stated that the number of employees who wish to work from abroad is increasing. With this comes certain challenges, such as a lack of clarity regarding the applicable taxation and social security rules. As a result, some respondents believed cross-border telework should be regulated at EU level.

Challenges and opportunities: control, surveillance and monitoring performance systems, including data protection for teleworkers

A third of respondents mentioned this issue. They stated that as telework became increasingly common, a large increase had occurred in the use of various forms of algorithmic management by company managers to control these processes remotely. This development has brought issues regarding privacy, control and surveillance to the forefront. Respondents underlined that while the GDPR represents an advance in terms of privacy, issues exist with regard to its implementation. Because the main idea behind the GDPR is consent, employers are able to carry out contentious activities with regard to privacy, while the employees agree because the alternative would be not having a job at all.

Challenges and opportunities: regional cohesion – tackling the urban-rural divide through teleworking arrangements

Respondents stated that due to the increase in telework, employees are now starting to move from the main cities into the regions. As a result, regional cohesion will be enhanced. However, one respondent mentioned that big cities could also become more attractive as commuting becomes irrelevant, depriving medium-sized cities of high-skilled workers.

Challenges and opportunities: gender, skills and digital inequalities in relation to access to teleworking arrangements

Most respondents recognised that it may be more difficult for women than men to achieve work-life balance, as in most cases they do the majority of domestic work. However, others saw telework as an opportunity for women to work while also taking care of their children and housework.

Is the existing EU labour acquis effective, relevant and sufficient? Should it be changed?

Most of the experts agreed that the existing EU labour acquis needs to be updated. This is due to an increase in telework, new technologies, and overall changes in the labour market since the pandemic. They stated that additional regulation is needed. However, the experts agreed that telework and the right to disconnect would be difficult to regulate, as there is a need for flexibility and different cases require different approaches. Some suggested that telework and the right to disconnect would be better regulated through collective or company agreements.

Report for Delphi survey (1/2)

Response Counts

Completion Rate:	**66.7%**	
	Complete	18
	Partial	9

Totals: 27

1. The graph above illustrates the evolution of telework through the years. In your opinion, what share of employed persons is likely to work from home in the near future (2022-2024)?
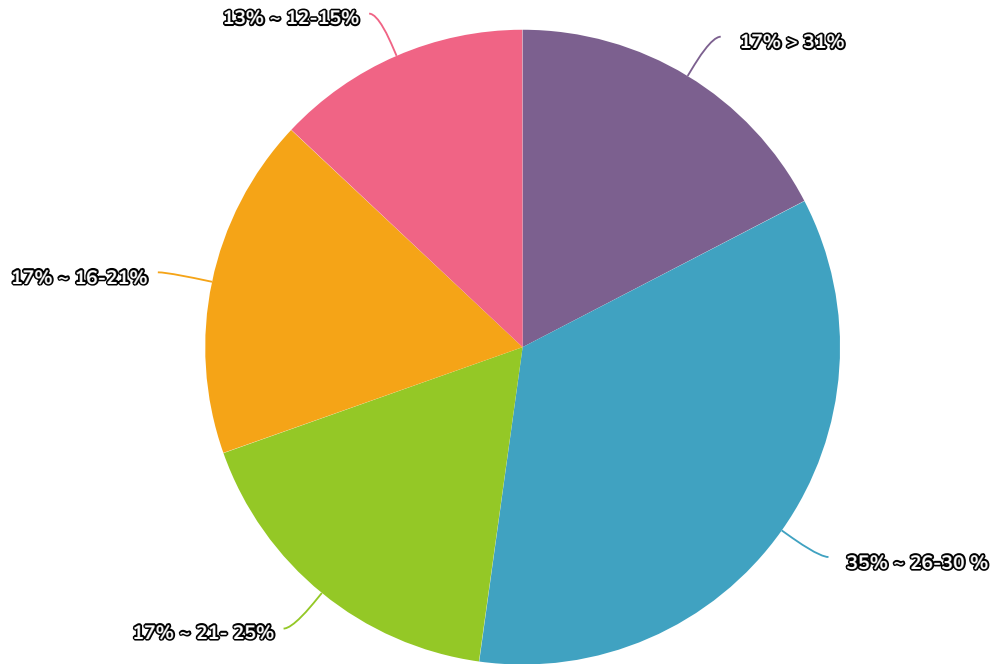
Value		Percent	Responses
> 31%		17.4%	4
~ 26-30 %		34.8%	8
~ 21- 25%		17.4%	4
~ 16-21%		17.4%	4
~ 12-15%		13.0%	3

Totals: 23

2. Please provide arguments / explain your answer

ResponseID	Response
10	In the UK, the porportion of people working from home is likely to be slightly higher at the moment, and is likely to continue given the current state of the labour market/changes in employer/workers' preferences/attitudes. I do not see it being beyond 30% not in the near future, however.
15	Cada vez más son las empresas que disponen de medios humanos y materiales para implementar una transformación digital en su gestión del día a día. Ello se le une la necesidad cada vez más elevada a corto plazo de las personas trabajadoras en edad juvenil que aspiran a teletrabajar y así aspirar a conciliar y tener una vida más allá del trabajo. (Español)
16	End of COVID will slow the rise but probably stabilize above 20%
17	Employees like it and it has little detrimental effects for employers
18	This depends on whether we mean exclusively telework, or work a hybrid model (some days on-site, some days telework). I have answered on the assumption the survey question asks what share will work either hybrid or exclusively remote.
19	After remote work has been facilitated by many employers during the pandemic, it will likely remain in place for some workers, yet it is unlikely that the levels of remote work will be as high as in 2021 when many Covid restrictions were still in place.
20	I think more employees want telework, but I think organizations will be slow to respond as many managers still want employees to be in person as much as possible
21	Work habits are changing. The use of telework will continue to grow, but not at the same rate as after the pandemic. On the other hand, some teleworkers may want to return to face-to-face work.
22	COVID accelerate the transition to telework that was already happening in the previous decade. The necessity to resort to remote work proved to organisations and employers that the feared impact on productivity was marginal or inexistent, and it had the further benefit of reducing costs. As such, it is likely that organisations might increasingly resort to remote working, claiming that it would also result in a positive effect on employees (although is aspect is indeed way more complex and need a closer and thorough consideration)
23	The tendency is increasing since the pandemic and people found another way to work, avoiding the difficulties linked to go to the work place.

ResponseID	Response
24	Remote work has been growing exponentially because of the pandemic, and many people will no doubt continue to work from home, at least on a hybrid basis. There definitely has been a shift in the workers' and employers' mindsets about remote work. However, I don't think that these levels will remain as high as in 2021 when even jobs that shouldn't be performed remotely were carried out in this way due to the public health restriction (e.g. education, some healthcare services). In these sectors, people will likely return to in-person work as much as possible.
25	If the question is based on employed persons who work from home at some point in the week (but not all the time), then I think this is likely to remain a familiar element of many jobs. In particular, this is popular with workers, but also advances other social objectives.
26	Work flexibility, traffic, improved technologies
30	There are a number of jobs that are not teleworkable, this could change in the future but in the short term this will not change. In addition, now that the Covid crisis is coming to an end, employers seem less happy to have their employees working from home and are asking them to get back to the office.
31	especially in North Europe workers were used to work from home and from other places; during Covid-19 several workers were forced to work form home and other places. In Italy for example the share of teleworking increased massively. Since the workers appreciated this working mode and big firms have employed it, I think it will stay, although with differences among countries.
32	Notwithstanding the ample use of remote working during the pandemic, only a slight increase of the share of workers working remotely can be expected in the near future. As shown by the first data available after the most severe phase of the pandemic, employers are more and more imposing the return to office to their employees due to management problems. Many companies, indeed, are not ready for remote working because they are still organised with a strict command and control approach. As a consequence, these companies are pushing for traditional organisation of work to come back, even though workers demonstrated to perform adequately their task remotely during the pandemic.
33	Most employer are getting to know that it is cost saving for them
34	I assume it is going to be slightly higher than now, because more and more jobs are considering occasional telework
35	Considering the nature of the tasks, the pressure from below, the level of tech penetration and the managerial culture of companies.

After correcting the error in Q3, the report provides answers before and after the correction, so Q3 and Q4 should be added together.

3. [OLD VERSION] [OLD VERSION] The graph above illustrates dynamics in the shares of employees working from home sometimes (1-2 days a week) and usually (3 days or more per week). In your opinion, what share of employed persons is likely to work from home sometimes and usually in 2022-2024?

	Share of employees teleworking usually (3 days or more per week)	Share of employees teleworking sometimes (1 or 2 days per week)	Responses
Will be higher when compared to 2021 Count Row %	3 42.9%	4 57.1%	7
Will be about the same level as in 2021 Count Row %	0 0.0%	4 100.0%	4
Will be lower than in 2021, but above pre-pandemic Count Row %	6 85.7%	1 14.3%	7
Will return to pre-pandemic levels Count Row %	0 0.0%	1 100.0%	1

Totals
Total Responses   7

After correcting the error in Q3, the report provides answers before and after the correction, so Q3 and Q4 should be added together.

4. The graph above illustrates dynamics in the shares of employees working from home sometimes (1-2 days a week) and usually (3 days or more per week). In your opinion, what share of employed persons is likely to work from home sometimes and usually in 2022-2024?

	Share of employees teleworking usually (3 days or more per week)	Share of employees teleworking sometimes (1 or 2 days per week)	Total Checks
Will be higher when compared to 2021 Checks Row Check %	6 35.3%	11 64.7%	17
Will be about the same level as in 2021 Checks Row Check %	2 50.0%	2 50.0%	4
Will be lower than in 2021, but above pre-pandemic Checks Row Check %	5 62.5%	3 37.5%	8
Will return to pre-pandemic levels Checks Row Check %	0 0.0%	1 100.0%	1
Total Checks Checks % of Total Checks	13 43.3%	17 56.7%	30 100.0%

5. Please provide arguments / explain your answer

ResponseID	Response
10	There is something wrong with your survey - please admend - I expect to be same levels for `-2 days a week slightly higher for 3 or more days/or similar
15	Parece ser que el trabajo en remoto llegó para quedarse pero lo cierto es que no es así. En España el tipo de empresa (pequeña) no es acorde con la digitalización y no ofrecen a sus trabajadores la posibilidad de emplearse en remoto. Del mismo modo tampoco cuentan con políticas de bienestar y de conciliación que promuevan la fatiga informática en el trabajo (Bomarzo, 2022. Trujillo Pons, F.).
16	Companies will encourage more time in the office so some will go from usually to sometimes
17	Because the world of work has changed- no going back to old ways of working
18	Most work that is capable of being done remotely was done remotely during the pandemic. I believe most work that is capable of being done remotely will be done on a hybrid basis in the near future. However, not very many workers want to work exclusively remotely
19	It seems unlikely that the majority of employers will continue to provide the option for workers to work remotely usually given the fact that all public health measures have been lifted. However, the numbers of employees working remotely sometimes will likely rise compared to 2021 when many workers worked remotely all the time. There is an expectation that workers should return to the office to some extent.
20	I think both will continue to rise
21	Teleworkers will now seek a better balance between remote and face-to-face work.
22	The transition to blended or hybrid work practice (combining remote and office-based work in some proportion) seems indeed the most likely compromise that organisations might pursue. And following consideration from previous answer, I would probably anticipate the share of usually or occasionally teleworkers to increase in the near future.
23	People acknowledge the advantages of both, work at home and at the workplace
24	As outlined above, I think that we will not see as high level of exclusively remote work as we did in the height of the pandemic, as workers will be expected to return to work in some capacity. However, the hybrid system has likely grown in popularity. It facilitates work-life balance, and there will be an expectation on the part of workers to maintain it. At the same time, those who worked exclusively remotely during the pandemic might be in a position to return to the office on a hybrid basis.

ResponseID	Response
25	There is evidence of some "return to the office" and this is growing in pace as confidence grows that the worst period of the pandemic is behind us. There is a transition back towards some meetings and events being in-person, so this is likely to reduce teleworking to some extent.
26	After pandemic organization wanted to resume activities as before. Associated costs and workers preference will make telework remains.
30	Hybrid work will be more likely to happen, with some days/week of work from home and a higher number of days/week of work in the office. So I expect teleworking sometimes higher than in 2021 and teleworking usually lower than 2021 but higher than pre-pandemic
31	The heterogeneity of countries in terms of firms size, knowledge-intensive sector share, and "culture" of the country will impact these phenomena
32	It is foreseeable that both the share of workers teleworking for three days or more and of workers teleworking two or 1 day per week will slightly increase compared to 2021, according to the general increase expected for teleworking. As happened before the pandemic, it can be expected that the increase of persons teleworking one or two days will be among companies that are going introduced teleworking for the first time as an ordinary ways of working or among newly hired workers. Differently, the share of teleworkers providing their performance remotely for 3 or more days will probably grow consistently among persons that already teleworked and demonstrated to manage working remotely adequately.
33	The working condition during the pandemic seems to have come to stay
34	It very much depends on the context, e.g. how long the energy crisis will continue, or whether the Member States increase the provision or quality of early childhood and education services (or long term care services). If services are short, workers will need to telework to cover caring gaps

6. How telework is expected to evolve in the medium-long term (5-10 years from now)? What share of employees would you expect to be working from home (at least sometimes) in 2032?(to remind of historical data, the share of teleworkers in 2019 constituted 14.5% and in 2021 – 22.9%).

7. Please provide arguments / explain your answer

ResponseID	Response
10	Given the change in the economy (e.g. education retail etc.) more jobs will be teleworkable and will be carried out in such a way
15	Trabajadores que cuenten con medios telemáticos, responsables de departamentos y altos directivos
17	Because many more have experienced hybrid working
18	I expect some of the jobs that cannot be done remotely at present to be automated or to move outside the EU. I do not consider this to be a good thing, but that is my prediction, unless member states and the EU take active steps to safeguard these jobs
19	I don't think that in 10 years time the numbers will be much higher than in 2021. Yes, there will likely be more automation and technological advances in 2032, but we have to bear in mind that the year 2021 was extreme due to the Covid measures, and many of those whose jobs actually require them to be present in the workplace were unable to go to work due to the restrictions.
20	I think this will continue to increase in some industries (those that can work from home / remotely; non-physical labor jobs) - especially as technology makes this easier
21	It is difficult to say today that telework will surpass face-to-face work. But the balance between the both will be more even.
22	Flexible and remote working are opening up potential advantages for both employers and employees. In terms of the work market, I might anticipate the exponential growth of this working arrangement. Whether this will happen in a regulated and monitored way, taking into consideration employees' wellbeing and diversity is less obvious, though.
24	I am quite conservative in my answers and yes, there is more automation and more jobs will not require in-person presence, but I think that the pandemic has also shown that people were eager to return to in-person interaction, at least in some capacity. At the same time, I think that we often become fixated on office jobs when we think about remote work, but in reality the majority of jobs require an in-person presence, and while it may change with time, I don't think it will happen as soon as 2032.
25	Telework is popular with many workers and technology is increasing the ease with which this can be performed.
26	New organizations will adopt technologies and processes of telework easily
30	My estimate is based on digital technologies that could allow for more teleworkable jobs (e.g. virtual or augmented reality)

ResponseID	Response
31	More and more workers are asking for working from home, especially young workers. Studies underline an increase of work-life balance for workers working few days a week outside the office (home, other places, also coworking spaces); and there is a rise of new working spaces and coworking spaces in less central areas. Besides, companies want to reduce costs, especially related to the head quarters in central areas, but they also recognize the importance of face-to-fece contracts to promote knowledge spillovers.
32	A modest increase of the share of teleworkers can be expected thanks to different factors: 1) Ten years can be enough for many companies to develop the organisational changes required by teleworking. The competition with other companies will increase and companies should take the pace of the transformation of work, also with reference to teleworking. 2) More and more workers, especially among the young and the specialised workforce will request telework arrangement as a condition to accept the job offer. A cultural change is ongoing and also the manager will be more open to the request of the workers, considering the generational change expected in ten years. 3) Also the share of "remotable" jobs will increase thanks to the technological development and organisational transformation.
33	Cheaper to get experts working remotely
35	It is a combination of the factors discussed above and below: tech, pressure, managerial culture and content of the tasks.

8. In your opinion, which drivers will be the most important in shaping medium-long term telework trends? Please select up to five of the most important drivers.
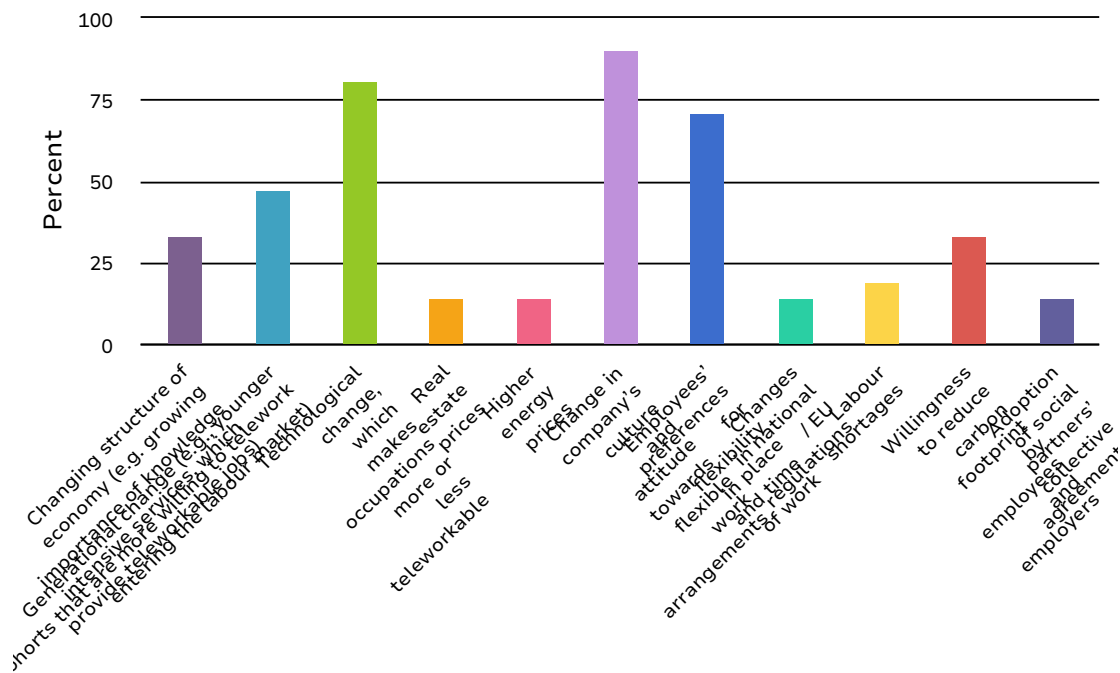
Value		Percent	Responses
Changing structure of economy (e.g. growing importance of knowledge intensive services, which provide teleworkable jobs)		33.3%	7
Generational change (e.g., younger cohorts that are more willing to telework entering the labour market)		47.6%	10
Technological change, which makes occupations more or less teleworkable		81.0%	17
Real estate prices		14.3%	3
Higher energy prices		14.3%	3
Change in company's culture and attitude towards flexible work arrangements		90.5%	19
Employees' preferences for flexibility in place and time of work		71.4%	15
Changes in national / EU regulations		14.3%	3
Labour shortages		19.0%	4
Willingness to reduce carbon footprint by employees and employers		33.3%	7
Adoption of social partners' collective agreements		14.3%	3

Other drivers (please specify)	Count
Totals	0

9. Due to the changing structure of the economy teleworking will:

14% Significantly increase
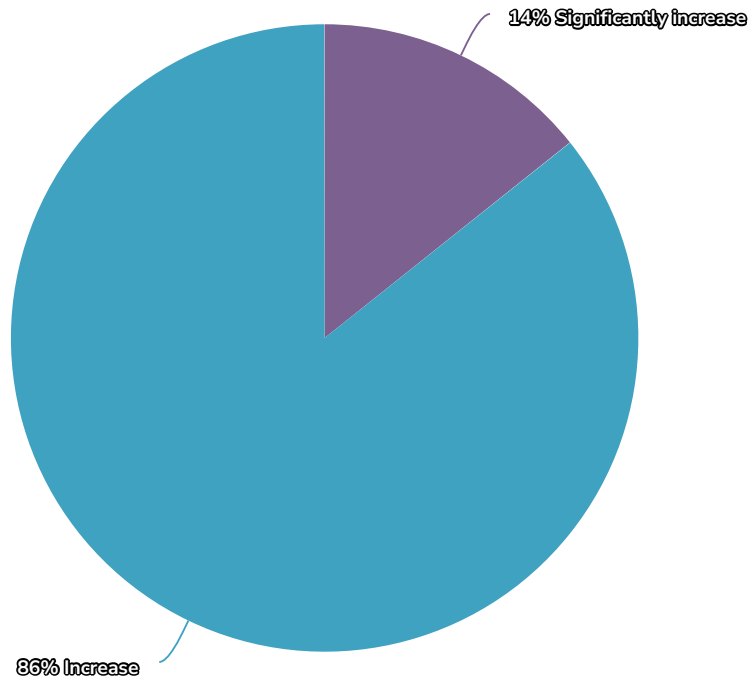
86% Increase

Value		Percent	Responses
Significantly increase		14.3%	1
Increase		85.7%	6

Totals: 7

10. Please provide arguments/ explain your answer

Count	Response
1	More jobs will be teleworkable esp in industrialised countries
1	Makes it easier
1	Some jobs that cannot be done remotely are at risk of off-shoring
1	More teleworkable positions can be expected thanks to the change in the work organisation and to the digitalisation of work in the manufacturing and in the tertiary sector.

11. Due to the generational change teleworking will:
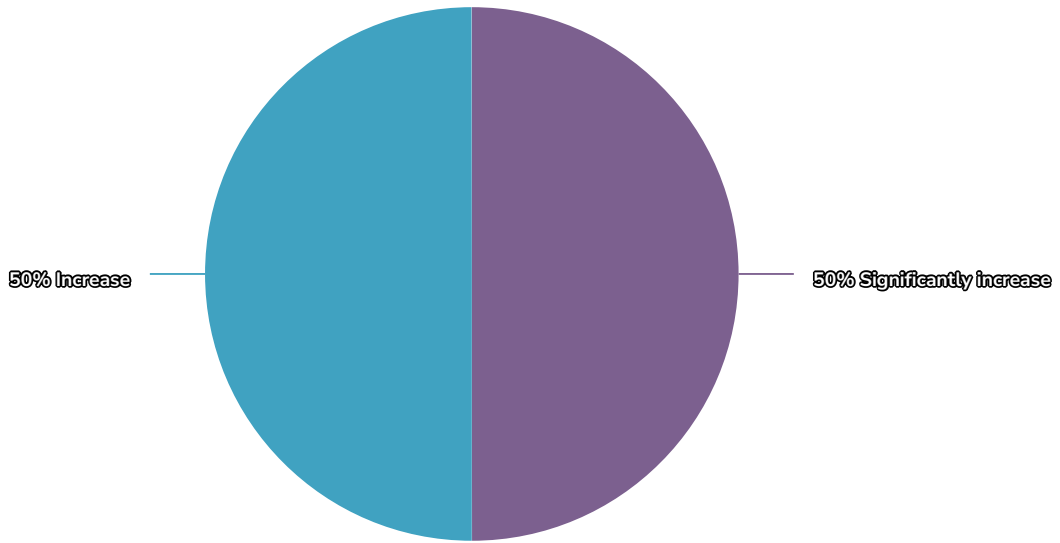
Value		Percent	Responses
Significantly increase		50.0%	5
Increase		50.0%	5

Totals: 10

12. Please provide arguments/ explain your answer

Count	Response
1	younger generations will like to work from home more often and will lead a cultural change in the way we work including working shorter hours
1	The place, values and meaning of work have changed during the pandemic for young people also faced with climate change.
1	Younger generations have become more flexible as a consequence of flexibility and volatility in the labour market and in the jobs offered to younger workers, therefore they request flexibility in where and when working in exchange of flexibility in contract and salary
1	Knowledge intensive sectors demand for young high skilleld employees that in turn need more flexibility in time, and space.
1	Generational change will have a significant impact both on the managers, who will be less rigid towards teleworking and more open to the requests of their collaborators, and on the workers that, especially among the young workforce, will value the flexibility of work as very important in the job offer.

13. Due to the technological change teleworking will:
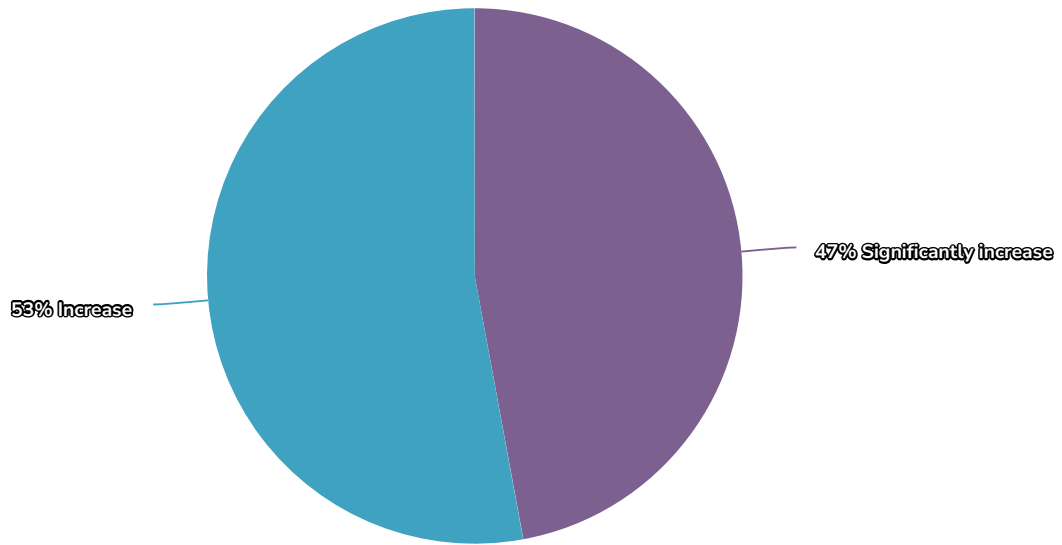
Value		Percent	Responses
Significantly increase		47.1%	8
Increase		52.9%	9

Totals: **17**

14. Please provide arguments/ explain your answer

Count	Response
1	Change in technology will increase the types of jobs that will be teleworkable - e.g. retail is likely to be done mostly online giving way to new jobs that will be carried out from home (online service jobs)
1	Some jobs that cannot be done remotely are at risk of automation
1	There will be more automation due to technological advances.
1	Teleworking is substantially linked to technological changes. Technology opens up more opportunities, supports the transition, and responds to employers' and employees' needs.
1	As discussed above, technology has an enormous impact on automation. There is no specified timeframe in the question - in more distant future I think that the increase will even more significant, but in medium term definitely as well, more jobs will become automated, not necessarily only office jobs (self-driving cars for transport services?)
1	The pandemic period witnessed a significant improvement in the quality and variety of telework options.
1	Virtual reality and augmented reality (and other technological changes) can make telework available also to workers in jobs that were not teleworkable (due to the characteristics of the job) in the past
1	Technological change will increase the chance to work remotely also in peripheral areas that nowadays do not have a good internet connection.
1	Digitalisation of work will increase the number of teleworkable job position among the different sectors of the economy. Not only in the tertiary sector, but also in th manufacturing (i.e. smart manufacturing or Industry 4.0) and in agriculture.
1	It is an organizational challenge, not a technological one.

15. Due to real estate prices teleworking will:
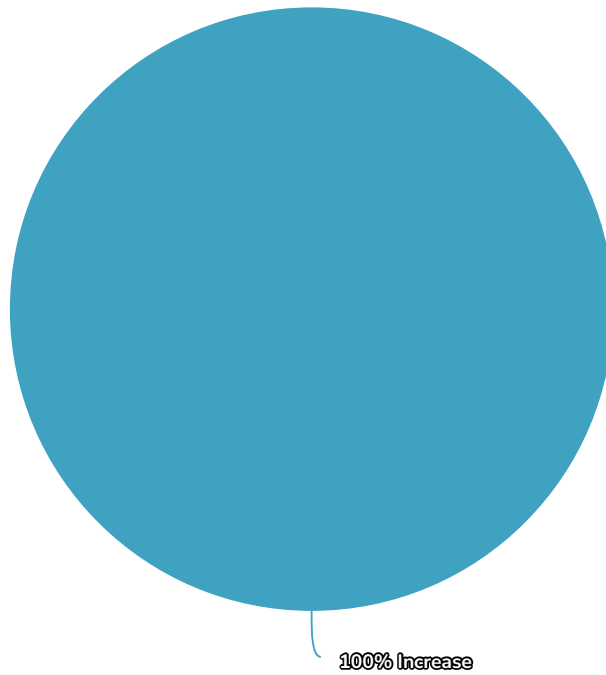
100% Increase

Value		Percent	Responses
Increase		100.0%	3

Totals: 3

16. Please provide arguments/ explain your answer

Count	Response
1	Young people will be forced out of cities
1	High real estate prices in European large cities is pushing skilled workers towards less central areas with high quality of life and good transport accessibility

17. Due to higher energy prices teleworking will:
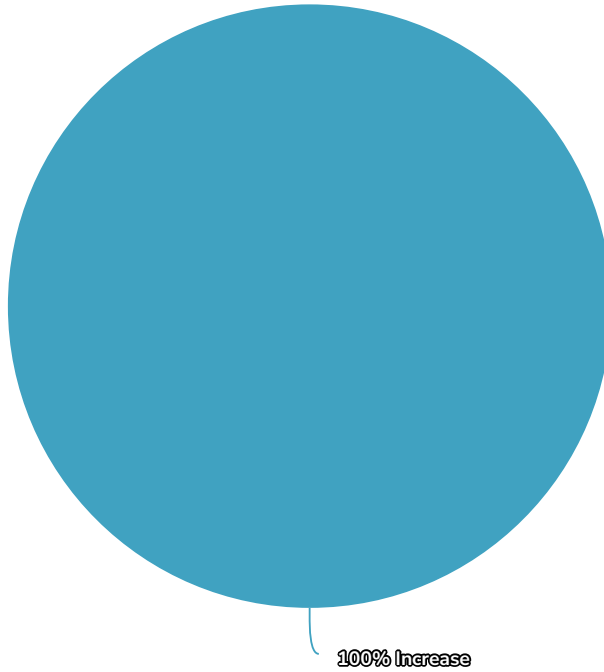
100% Increase

Value		Percent	Responses
Increase		100.0%	3

Totals: 3

18. Please provide arguments/ explain your answer

Count	Response
1	Already there is evidence that employers are asking workers to stay at home and work remotely to save on energy bills.
1	Along with the asset of reducing estate and office associated costs, telework has the potential to allow organisations to contain expenses - which could indeed be one of the main drivers sustaining organisations' inclination to promote remote working.
1	Again, while it's hard to speculate for the long term, in the short term, the rise in the energy prices and the cost of living will in my opinion contribute to an increase in remote work. Already there is anecdotal evidence in Ireland that employers are asking people to stay at home in order to save on electricity bills.

19. Due to company's culture and attitude towards flexible work arrangements teleworking will:

5% Significantly decrease

5% Decrease

21% Significantly increase
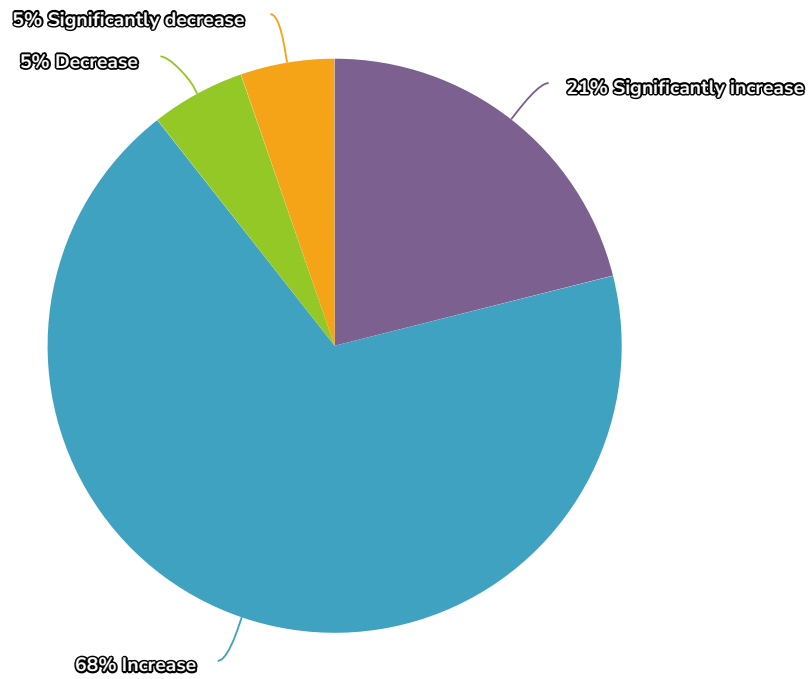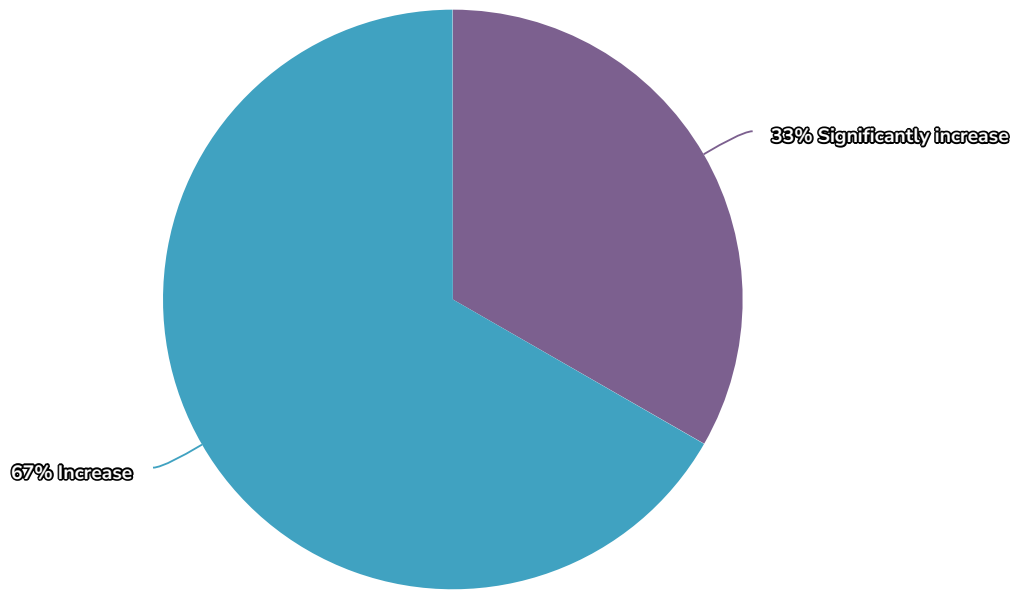
68% Increase

Value		Percent	Responses
Significantly increase		21.1%	4
Increase		68.4%	13
Decrease		5.3%	1
Significantly decrease		5.3%	1

Totals: 19

20. Please provide arguments/ explain your answer

Count	Response
1	flexible/teleworking is likely to become the norm in most jobs/countries - in the UK/some other Western European countries
1	Lo he dicho antes. Poca conciencia del riesgo laboral contemporáneo de fatiga informática en el trabajo. Su actitud negacionista del riesgo provoca que el teletrabajo disminuya
1	Telework will be better controlled and in principle better supervised.
1	An implicit element holding organisations back from opening up to remote work has probably been the expected drop in productivity, associated with the limited possibility to monitor and check the employees were actually working when away from the office. The pandemic challenged that worry and actually proved that risk quite marginal (if at all present),
1	The pandemic provided evidence that it was possible for many jobs to be performed effectively on a remote basis, at least some of the time.
1	Trust, work by objectives, appraisals and overall a new approach to work organisation are the real game-changer to increase teleworking.
1	The change in the company's culture and attitude towards flexible work arrangements is crucial, especially for small and medium-sized firms and family firms less favorable to teleworking
1	As already explained, young workers as well as specialised workers will be more demanding towards flexible working arrangements, including teleworking. A different understanding of work in the life is spreading among workers who may prefer a more flexible job position to a job position better paid but with a traditional 9 to 5 organisation of work.
1	Due to data on productivity gains.

21. Due to employees' preferences for flexibility in place and time of work teleworking will:

33% Significantly increase

67% Increase

Value		Percent	Responses
Significantly increase		33.3%	5
Increase		66.7%	10

Totals: 15

22. Please provide arguments/ explain your answer

Count	Response
1	There is a huge preference shift towards more flexibility in people's work, which is unlikely to change in the near future unless there are shortages of jobs/quick decline in workers' negotiation power
1	Recruitment
1	Many employees will have become accustomed to working remotely as it facilitates work-life balance.
1	The values and the relationship to work have changed. A more important place is devoted to quality of life.
1	Generally speaking, remote work tends to allow workers to better match personal and working life. As such there might be an inclination to prefer such a working arrangement. The potential risk associated with this might be the actual management of the boundaries between work and personal life, and the risk of resulting in a constantly "switched on" mode, bringing serious issues to individuals, wellbeing.
1	As discussed above, the mindset has changed, and this is also linked to some other suggested answers, such as generational change, which I also agree with but I think that the employee's preferences basically cover this. During the pandemic many people discovered how time-efficient remote work can be, especially for people with parenting and caring commitments.
1	It is beginning to be evident that the option of remote working is a factor in recruitment.
1	It is an irreversible revolution.

23. Due to changes in national/ EU regulations teleworking will:

33% Significantly increase
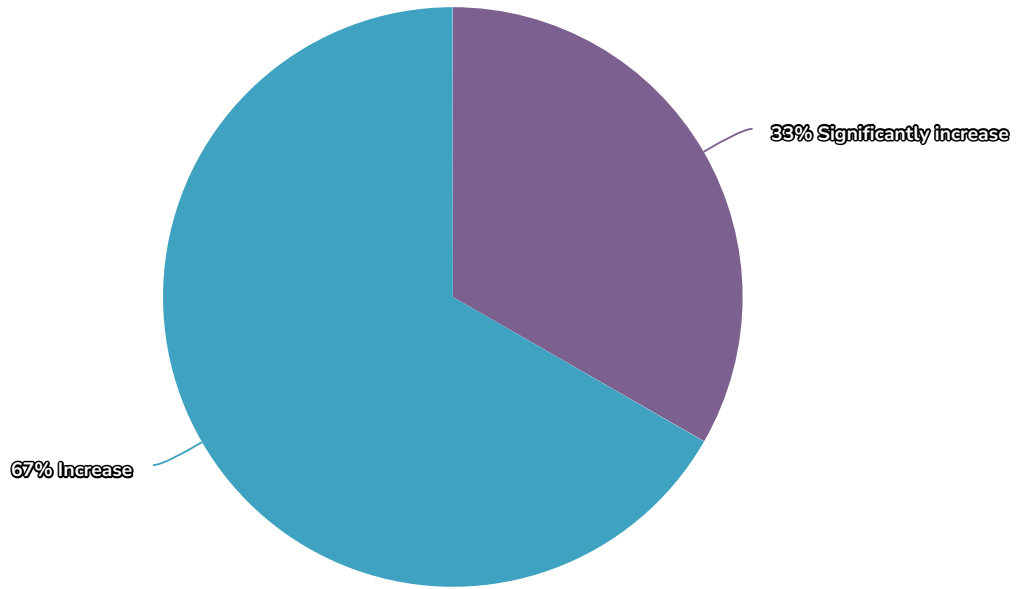
67% Increase

Value		Percent	Responses
Significantly increase		33.3%	1
Increase		66.7%	2

Totals: 3

24. Please provide arguments/ explain your answer

Count	Response
1	Better telework will be regulated, more attractive it will be.
1	Regulation is crucial to make telework accessible to a wider number of workers, assuming also that it has been introduced based on social dialogue. Importantly, regulation can address occupational health and safety issues that are related to telework, and include obligations and responsibilities for employers/employees.
1	Reduce red-tape and unleash flex arrangements.

25. Due to labour shortages teleworking will:

50% Increase — 50% Significantly increase
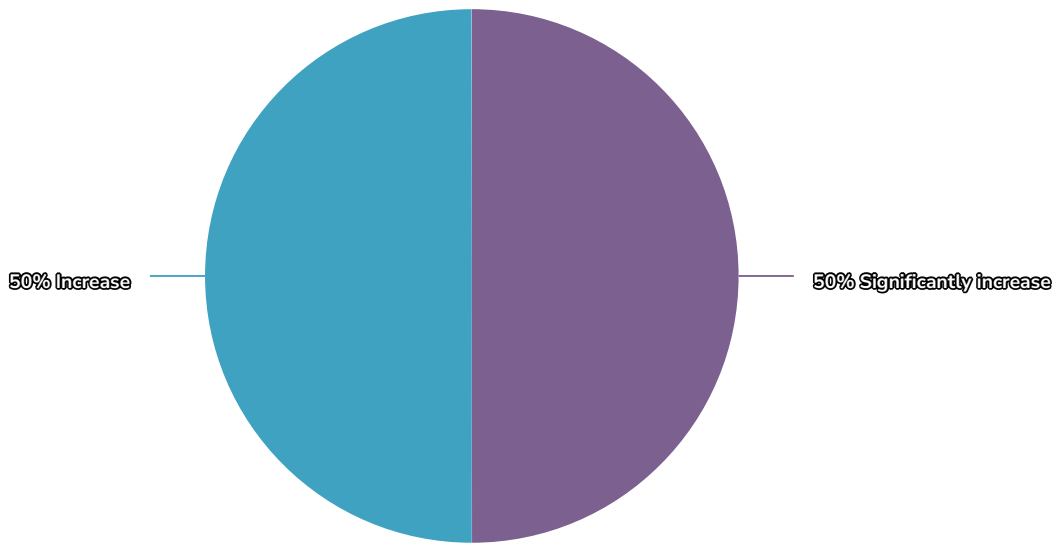
Value		Percent	Responses
Significantly increase		50.0%	2
Increase		50.0%	2

Totals: 4

26. Please provide arguments/ explain your answer

Count	Response
1	Labour shortages are good - increase worker bargaining power
1	Employees continue to move towards organizations that give them what they want (telework)
1	Telework will allow to access a wider pool of workers who are based in other regions of the country or even in other countries (in which case tax-related implications should be taken into account), which would be beneficial for the matching of labour demand and supply.

27. Due to willingness to reduce carbon footprint teleworking will:

29% Significantly increase
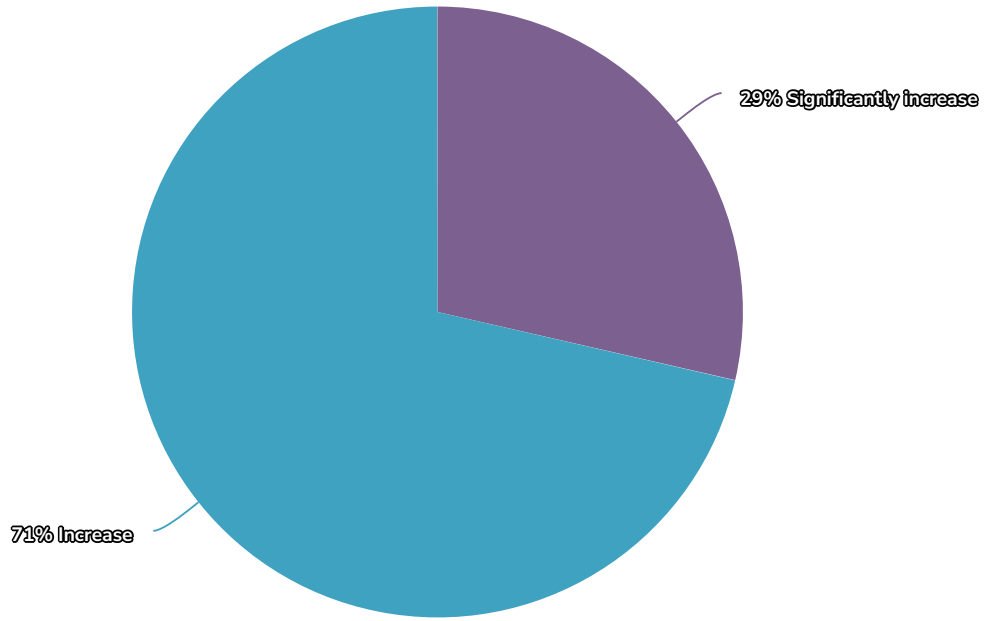
71% Increase

Value		Percent	Responses
Significantly increase		28.6%	2
Increase		71.4%	5

Totals: 7

28. Please provide arguments/ explain your answer

Count	Response
1	I think people are becoming more and more aware of the environmental factors.
1	I am not an expert in environmental law but I do think that in the medium and long term, these environmental issues will become more and more pressing around the world. Furthermore, the younger generations are more climate conscious, so the generational change will be a factor here too.
1	It is not yet clear that this will be a significant factor on companies' decisions, but it plays some role.
1	The willingness to reduce carbon footprint by employees and employers is essential because people are less and less willing to travel by plane or car either for work or leisure.

29. Due to adoption of social partners' collective agreements teleworking will:

33% Significantly increase

67% Increase

Value		Percent	Responses
Significantly increase		33.3%	1
Increase		66.7%	2

Totals: 3

30. Please provide arguments/ explain your answer

Count	Response
1	Telework is undoubtly the business of the social partners who must participate in its regulation for a better quality of telework.
1	Social partners can be an important driver of flexible work arrangements and of a different culture of work in the company. It is not by chance that remote working has become a central topic of negotiation in the last few years thanks to the demands of the workers. Good practices in the context of collective agreements may prove of particular importance to the increase of teleworking, by promoting quotas, priorities or, even, right to flexible working.
1	Define a clear and bespoke framework.

31. Let's assume the share of teleworking employees will increase in the medium – long term. What impact is this likely to have on:

	Low or no impact	Highly positive impact	Positive impact	Both: positive and negative impacts	Negative impact	Highly negative impact	Do not know	Responses
Work-life balance of employees Count Row %	0 0.0%	4 21.1%	9 47.4%	4 21.1%	2 10.5%	0 0.0%	0 0.0%	19
Hiring talent worldwide Count Row %	0 0.0%	5 26.3%	10 52.6%	3 15.8%	0 0.0%	0 0.0%	1 5.3%	19
Cross-border teleworking Count Row %	2 10.5%	2 10.5%	13 68.4%	2 10.5%	0 0.0%	0 0.0%	0 0.0%	19
Cost savings for employers Count Row %	0 0.0%	5 26.3%	12 63.2%	1 5.3%	1 5.3%	0 0.0%	0 0.0%	19
Cost savings for employees Count Row %	1 5.3%	2 10.5%	10 52.6%	6 31.6%	0 0.0%	0 0.0%	0 0.0%	19
Productivity Count Row %	1 5.3%	4 21.1%	10 52.6%	3 15.8%	1 5.3%	0 0.0%	0 0.0%	19
Psychological impacts and mental health, including burn-out among employees Count Row %	0 0.0%	1 5.3%	0 0.0%	14 73.7%	4 21.1%	0 0.0%	0 0.0%	19

	Low or no impact	Highly positive impact	Positive impact	Both: positive and negative impacts	Negative impact	Highly negative impact	Do not know	Responses
Physical health and safety of workers Count Row %	1 5.3%	3 15.8%	1 5.3%	12 63.2%	2 10.5%	0 0.0%	0 0.0%	19
Gender equality in the labour market Count Row %	1 5.3%	2 10.5%	5 26.3%	9 47.4%	0 0.0%	0 0.0%	2 10.5%	19
Gender equality in the division of labour at home Count Row %	2 10.5%	0 0.0%	5 26.3%	8 42.1%	3 15.8%	1 5.3%	0 0.0%	19
Economic development of non-metropolitan regions Count Row %	1 5.3%	5 26.3%	11 57.9%	1 5.3%	1 5.3%	0 0.0%	0 0.0%	19
Regional labour mobility Count Row %	2 10.5%	1 5.3%	12 63.2%	0 0.0%	2 10.5%	0 0.0%	2 10.5%	19
Income inequality Count Row %	3 15.8%	2 10.5%	1 5.3%	9 47.4%	2 10.5%	0 0.0%	2 10.5%	19
Costs of adaptation falling on SMEs Count Row %	1 5.3%	1 5.3%	4 21.1%	7 36.8%	1 5.3%	0 0.0%	5 26.3%	19

	Low or no impact	Highly positive impact	Positive impact	Both: positive and negative impacts	Negative impact	Highly negative impact	Do not know	Responses
Efficient use of natural resources Count Row %	0 0.0%	5 26.3%	8 42.1%	5 26.3%	0 0.0%	0 0.0%	1 5.3%	19
Access to education and training Count Row %	1 5.3%	3 15.8%	9 47.4%	4 21.1%	0 0.0%	0 0.0%	2 10.5%	19
Increasing overall levels of employment Count Row %	2 10.5%	1 5.3%	8 42.1%	6 31.6%	0 0.0%	0 0.0%	2 10.5%	19
Access to the labour market in general Count Row %	1 5.3%	2 10.5%	16 84.2%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	19
Strengthening of social dialogue Count Row %	1 5.3%	2 10.5%	2 10.5%	4 21.1%	6 31.6%	3 15.8%	1 5.3%	19
Digital transition of the world of work Count Row %	0 0.0%	5 26.3%	8 42.1%	5 26.3%	0 0.0%	0 0.0%	1 5.3%	19
Totals Total Responses								19

32. In the previous question you have assessed the likely impacts of a higher prevalence of telework. Please provide arguments / explain your answers for the impacts, which you considered the most important ones

Work-life balance of employees

ResponseID	Response
10	can be improved IF workers are protected/their private time is protected - e.g. right to disconnect
22	Again, mixed bag. it depends how remote work is implemented, regulated, and supported/monitored. Further, there is an interaction between organisational and individual factors. Hence it would be essential to take into account, and bring into the equations also individual characteristics and preferences, rather than attempting the design of a one-size-fits-all solution
24	I think the pandemic has made everyone more aware of life-work balance. Definitely, for workers with parenting or caring duties, it has been a godsend, but the risk is of blending work and home life too much. This is linked with remote work leading to this "always on" culture, where workers find it hard to disconnect.
31	work life balance depends on the ebove metioned aspects, but in principle should improve.
32	Depending on regulation by law and collective agreements as well on companies practices (managers and HR play an important role)
35	the experience is largely positive

Hiring talent worldwide

ResponseID	Response
10	world becomes a hiring pool - only if national/international policies adapt to enable this
22	Overcoming gepgraphical boundaries as mentioned
31	a growth in teleworking will positively increase the chance to hire talents worldwideis will might
32	Talent will be looking for good jobs and good jobs are made of good salaries and flexible working conditions.
35	potential risks of outsourcing

Cross-border teleworking

ResponseID	Response
10	there will be more people working across borders - which may be good only if national/international regulations (e.g. Pensions) allow this
22	As mentioned before, remote working might potentially overcome geographical boundaries
31	Cross-border teleworking incerase flexibility and freedom but it can also have negative effects on the local labour force, which labour opportunities can be taken over by other more qualified qorkers. In the medium-long run this might have positive effects on the local labour market
32	Positive for some areas that can be attractive for digital nomads due to the cost of living and the good quality of life (Italy, Portugal, Spain ...); negative for other areas.
35	very likely

Cost savings for employers

ResponseID	Response
10	office rental/running cost savings - cost savings due to lower sickness and abseenteeism/cost savings due to hiring costs/worker retainment may be increased
17	Sell real estate
22	Reduction in estate and energy costs. By adopting flexible and hybrid modes, office space and resources might be substantially reduced
31	employers need smaller premises and can rent flexible spaces geographically dispersed. They can also offer vouchers to employees to rent a desk in a coworking-flexible-hybrid space
32	Positive for reduced consumption of energy and also for reallocation of employer's building.
35	less expenses

Cost savings for employees

ResponseID	Response
10	commuting cost savings, savings of not having to buy lunch, savings due to not having to buy office/formal clothes
17	Save on travel
22	a reduction of cost might be associated to reduced mobility, but they will have to face increased energy costs at home (e.g. electricity, heating,...) which ideally should be supported by the employer
24	Remote work definitely saves money, as workers do not need to commute or even spend as much money on office clothes etc. That might be another reason, apart from work-life balance, prompting employees to seek remote work, at least in some capacity.
31	knowledge workers can reduce travel and accomodation costs
32	Positive with reference to commuting costs (mainly for transportation); negative for energy consumption at home.
35	neutral impact

Productivity

ResponseID	Response
10	usually found that giving workers access to homeworking improves productivity in a number of different ways
17	Evidence suggests positive effects
22	WIth the correct arrangement, and an adequate support and communication system (note: not an over-controlling one) in place, the effect might indeed be marginal (if any at all)
29	depends of efficiency of work organization
31	literature mainly agrees about a positive impact on workers' productivity
32	Depending on managers and HR specialists.
35	less office politics, more free energies

Psychological impacts and mental health, including burn-out among employees

ResponseID	Response
10	can be improved if workers do not/are protected from/working all the time/blurring of boundaries leading to more work
21	The impact on mental health can be positive or negative according of the employee's personality, the means granted to the implementation of telework, etc.
22	Without adequate consideration and monitoring there is a risk that flexible/remote work might blurred and infiltrate the boundaries between office and private life, with a potentially devastating impact on individuals' wellbeing
29	depends of efficiency of work organization
31	it very much depends if the right to disconnect is respected.
32	Depending on regulation by law and collective agreements as well on companies practices (managers and HR play an important role)
35	neutral

Physical health and safety of workers

ResponseID	Response
10	could be improved ONLY IF there are regulations that allow for the regulation and support given to homeworkers
22	Mixed bag again. Potentially there might be more option to fit in physical activities when remote working (depending on individual capability to effectively manage boundaries and time). But it might also results in less attention to ergonomic requirements.
31	The physical health and safety of workers should be better if the right to disconnect is respected.
32	Depending on regulation by law and collective agreements as well on companies practices (managers and HR play an important role)
35	neutral

Gender equality in the labour market

ResponseID	Response
10	relating to the access to work - women/mothers will have better access to work if work becomes more teleworkable/on a regular basis at lest 3-4 days a week
22	Not sure. Glass ceiling, gender inequality, gender stereotypes might be actually exhacerbated by remote work (out of sight our of mind) as well as contrasted (greater opportunity)
31	Gender equality in the labour market can be achieved in some countries bout not in others. It might happen that mainly woman ask to telework and men do not. This might negatively impact women's carrier
32	Same as above.
35	positive

Gender equality in the division of labour at home

ResponseID	Response
10	IF men are allowed to and encouraged to (e.g. through the use of paternity leave and other policies that shape gender roles), then there will be more equal division of housework - but if not it may result in women doing more
21	Managing work at home and family life is challenging for many women
22	Indeed this is more broadly linked to cultural norms that might have a slower pace.
24	Yes and no. The positive impact of remote work is that those performing the traditionally male breadwinning roles in the family can be more present at home thanks to remote work, and the division of labour may become more equal. However, I would be afraid that due to the traditional gender roles, more pressure would be on women who work remotely to take care of the household chores at the same time.
31	In principle if the couple telework, man and woman should equally divide the labout at home. Nevertheless, as the literature has underlined, in several cases and countries this has not happend: woman worked from home taking care of all the labour at home
32	It depends on cultural development, policies by States and administration and regulation by law and collective agreements.
35	positive but not with significant impacts

Economic development of non-metropolitan regions

ResponseID	Response
10	there will be more wealth generated for non-metropolitan areas if teleworking is allowed more often on an regular basis
20	There's a lot of conversation about workers moving to remote / non-metro areas, yet many employees (especially white collar with access to telework) still seem to want to live in a community setting often found in smaller and medium metro areas
22	Still linked to the geographical boundaries, althought the pre-requisite is the overcoming of any potential digital divide between urban and rural area
24	This is a really interesting point, and definitely in Ireland you can see more and more people leaving Dublin. This is due to the cost of living, but remote work often facilities this. And while this is not good for Dublin, other parts of the country will definitely benefit from it.
31	Non metropolitan regions will become more attractive for teleworkers , with subsequent positive effects on the socio-economic local context. This will also affect the largest cities with an increase of their liveability in terms of reduction of congestion, pollution, pressure, and higher life quality and lower real estate prices.
32	The positive or negative impact will depend on the capacity of administrations, social partners and the civil society at local level to promote policies for the development of teleworking (for example, co-working spaces; investment in digital infrastructure etc.)
35	very likely, see southworking in Italy and Spain

Regional labour mobility

ResponseID	Response
10	see above re work access- but there is a huge opportunity for labour mobility to happen ONLY IF the telework done is done on a regular basis and more days (4days etc)
22	Overcoming geographical boundaries
31	telework should reduce it
35	very likely

Income inequality

ResponseID	Response
10	not sure
22	Again, a mix bag. Potentially it opens up opportunities to a greater audience (with the potential of impacting positively income equality), but on the other hand it might amplify existing inequalitites (digital divide, professional gaps,...)
24	I think this will have a negative impact. The lowest wage jobs often cannot be performed remotely, so these workers will have to continue to spend more on the commute, while workers in white-collar jobs will save more thanks to remote work.
31	a growth in teleworking can from one side posivitely affect the higher skilled, thus increasing the distance between them and low skilled workers; for the other side, as Moretti stated in his book about the new geography of work, high skileld workers (also in less central areas) increase the demand of low skileld workers
35	ND

Costs of adaptation falling on SMEs

ResponseID	Response
10	adapting workers to telework may be more costly for SMEs if there are no frameworks they can draw from
22	This obviously depends on how much SME will also take responsibility to support and sustain employeers in setting up their home workspace
31	larger firms are more willing to adopt teleworking. SMEs have more problems related to the multiple roles the employees have to cover in the company. SMEs will support more costs to adapt than larger firms
32	Negative in the short term; positive on the overall productivity of SMEs.
35	ND

Efficient use of natural resources

ResponseID	Response
10	non commuting will allow more efficient use of natural resources
17	Less car use
31	teleworking might have both positive and negative effects on the use of natural reseaources, it depends by how the phenomenon is managed and regulated. There is the risk that areas with high environmental and cultutral values will become too attractive towards digital nomads and teleworkers, thus reducing their local values.
32	The impact will depend mainly on the policies adopted by States and local adeministration. Teleworking may reduce the consumption, but also increase it, if any location become a work position.
35	ND

Access to education and training

ResponseID	Response
10	as training and education become more online based it will be accesssible to all workers/across different regions becoming more equal access
22	online training might be less expensive, allow trainee to benefit of a greater offer, and having access to resources/trainers otherwise out of reach
29	because of gain in time - less time for transportation
31	if education and training will be in presence, only less peripheral areas will supply these services. In the medium-long run other areas will be supplied by these services (but not all, and not fully)
32	It reduces barriers for disadvantaged persons (i.e. disabled, but also persons living in rural areas) and also promotes lifelong learning among persons in employment.
35	no difference with in person work

Increasing overall levels of employment

ResponseID	Response
10	teleworking will enable more workers better access to jobs across the world, which will not only increase job access but talent access which will boost the economy --> increase jobs
22	Potentially remote working might allow access to work to a larger population (e.g. people with physical disabilites, or some form of neurodiversity)
31	teleworjing allow people from all over to work without supporting high costs of living and working in central areas that are always expensive places. Knowledge firms are mainly located in cities where the urbanisation economies represent an advantage
35	ND

Access to the labour market in general

ResponseID	Response
10	teleworking will quickly enhance the access to labour market for those in more marginalised positions (women, ethnic minorities, BAME workers, disabled workers, LGBT+ workers, and workers living in rural areas etc)
22	There is a potential overcoming of geographical boundaries potentially opening up more options
31	there will be a better access to the high skileld knowledge workers
32	It reduces barriers for disadvantaged persons (i.e. disabled, but also persons living in rural areas)
35	low barriers

Strengthening of social dialogue

ResponseID	Response
10	not sure
18	Harder for workers to organise remotely
21	Because of less employees in the workplace less social dialogue will be strong
22	Hopefully it might bring up attention on specific challenging issues (e.g. workers with disability/neurodiversity) with a positive impact on the social dialogue. But I would not take it for granted.
29	depends of efficiency of work organization
31	it migth have a positive impact on the social dialogue, putting the worker at the center
32	Organisational change are at the core of social dialogue and the more teleworking will develop the more it will need a balance between employers' and employees' interests.
35	co-location strenghtens solidarity

Digital transition of the world of work

ResponseID	Response
10	teleworking will make digital transformation quicker
24	Again, during the pandemic we all learnt that many jobs that couldn't be performed remotely, can actually be carried out in this way, and remote work will continue to drive the digital transition.
31	teleworking will demand for higher digitalisation
32	Teleworking may be a factor in the digital transformation of work.
35	a boost for digitalization

33. What other impacts growth in incidence of telework may pose in the future? Why they are important?

ResponseID	Response
9	The most relevant is the perspective of médium supervisors. They believe telework reduces their power and control. Facing this problem is crucial for telework growth
17	Flexibility for the most privileged
21	How to reorganise labour inspection or work environment authorities controls? How to keep a good medical follow-up at work?
31	The effects on the local context and local community, i.e., near working strategy which will improve the local development of the neighborhood, its livability (supply of basic services, like working spaces, making the area more lively and thus improving the positive social effects on all the citizens, including elderly)

34. Let's now assume that prevalence of telework will decrease in the medium-long term (5-10 years from now). In your view, why would have that happened?

	Very important factor	Somewhat important factor	Neither important, nor unimportant	Not important factor at all	Do not know	Responses
Employees' preferences Count Row %	3 16.7%	10 55.6%	0 0.0%	5 27.8%	0 0.0%	18
Employers' preferences Count Row %	11 61.1%	5 27.8%	2 11.1%	0 0.0%	0 0.0%	18
Economic crisis Count Row %	1 5.6%	7 38.9%	6 33.3%	1 5.6%	3 16.7%	18
Issues with technological adoption or use Count Row %	3 16.7%	11 61.1%	2 11.1%	2 11.1%	0 0.0%	18
Lack of appropriate regulatory framework at Member State level Count Row %	3 15.8%	13 68.4%	2 10.5%	0 0.0%	1 5.3%	19
Lack of appropriate regulatory framework at EU level Count Row %	2 10.5%	13 68.4%	1 5.3%	2 10.5%	1 5.3%	19
Lack of regulatory enforcement Count Row %	6 33.3%	9 50.0%	1 5.6%	2 11.1%	0 0.0%	18

	Very important factor	Somewhat important factor	Neither important, nor unimportant	Not important factor at all	Do not know	Responses
Lack of coordination between employers' and employees' representatives Count Row %	9 50.0%	6 33.3%	3 16.7%	0 0.0%	0 0.0%	18

Totals

Total Responses   19

35. In the previous question you have assessed the drivers for the hypothetical scenario of a lower prevalence of telework in the medium-long term (5-10 years from now). Please provide arguments / explain your answers for the drivers, which you considered as the most important ones

Employees' preferences

ResponseID	Response
21	Some employees can realize telework is not adapted to them.
22	Even though I would really wish this being the main element, I am afraid it would come after employers preferences
24	Some employees following the pandemic were really eager to return to work and started to value human interaction more. I think this is true especially for young people who had missed out so much during their most formative years.
31	I think that the employees are in favour of teleworking on average
32	Employees' preferences are expected to be favorable to the diffusion of teleworking unless its implementation will be detrimental to their work-life balance and their health. In this case, it will not be an employee preference but only a failure in implementation.
35	Not always satisfied

Employers' preferences

ResponseID	Response
21	Some employers can realize face-to-face work is better for their business.
22	Should employers still have worries associated with monitoring, productivity...
24	This is an important factor. If it wasn't for the economic crisis, I think many employers would like to see their workers return to the office.
31	employers (mainly of SMEs and family firms) were not favourable to teleworking
32	As long as the decision regarding the adoption of flexible working will remain mainly in the hands of the employers, their preference will be a very important factor. The only way to limit the importance of this factor it to promote regulations that request adequate motivation to the refusal of a teleworking request.
35	The key driver

Economic crisis

ResponseID	Response
22	Ideally, I would expect this to push rather than hinder the remote working
24	Important, as in I think that as long we have crisis, this decrease in remote work won't happen.
31	I think the economic crisis can have either the effects, depending by the actors involved
35	ND

Issues with technological adoption or use

ResponseID	Response
21	We do not know eveythng on the impacts of technological adoption or use on health at work.
22	This is surely key. Remote working is possible as much as supported by technology. Technological barrier or divide would necessarily affect any access to remote working practice
31	technology is important but its adoption has improved during the Covid-19 pandemic
32	Especially in the short run, problems with cybersecurity may impede the adoption of remote working.
35	important but not decisive

Lack of appropriate regulatory framework at Member State level

ResponseID	Response
21	Telework needs to be regulated in order to ensure good teleworking conditions and health and safety.
22	It is essential a proper and accurate regulation of remote working practices to ensure that they are implemented having in mind not just employers needs and preferences, but also (and above all) indivuals requirement, expectations and needs. Hence National Level Policy are Framework are a priority
31	This is very relevant
32	Problems may arise from inadequate regulatory framework, especially for what relates to OSH.
35	could facilitate

Lack of appropriate regulatory framework at EU level

ResponseID	Response
21	Telework needs to be regulated in order to ensure good teleworking conditions and health and safety.
22	Following the previous point, a broader, integrated framework at EU level would guide and possibly push the countries to national regulation. Further, if as expected remote working will offer opportunity to overcome national boundaries, it would be quite essential to place national policies within a broader EU framework.
31	This is very relevant at a higher EU level
32	Problems may arise from inadequate regulatory framework, especially for what relates to OSH.
35	could facilitate

Lack of regulatory enforcement

ResponseID	Response
21	Telework needs to be regulated in order to ensure good teleworking conditions and health and safety.
22	Policy per se are not enough, without regulatory enforcement
31	the regulatory enforcement is crucial also in this case
32	This may be relevant once a right to remote working or, at least, a priority to adopt flexible working is established by law or collective agreement and not enforced
35	could facilitate

Lack of coordination between employers' and employees' representatives

ResponseID	Response
22	An open and respectful dialogue between employers and employees is essential, to ensure that any policy will have a correct balance
31	the coordination between employers' and employees' representatives is crucial
32	Being an organisation matter, the coordination between employers' and employees' representative is pivotal to promote good practices of remote working
35	important but not decisive

36. What other reasons / drivers could result in lower prevalence of telework in the medium-long term (5-10 years from now)? Why they are important?

ResponseID	Response
24	I think it is quite possible in the medium-long term that there will be another world war, which would definitely affect telework.
31	In the case of teleworkers being digital nomads, countries should allow them to stay for longer periods to live and work than for a few months (as it happens in some countries, see touristic permit).

37. Let's assume that right to disconnect (i.e., the right of workers to 'switch off' from work when not on duty) is legally established across all EU Member States. What long-term impacts would it have on the following:

	Low or no impact	Highly positive impact	Positive impact	Both: positive and negative impacts	Negative impact	Highly negative impact	Do not know	Responses
Employees' willingness to telework Count Row %	1 5.9%	8 47.1%	7 41.2%	1 5.9%	0 0.0%	0 0.0%	0 0.0%	17
Employers' willingness to offer telework Count Row %	1 5.6%	0 0.0%	4 22.2%	10 55.6%	3 16.7%	0 0.0%	0 0.0%	18
Work-life balance of employees Count Row %	0 0.0%	8 44.4%	6 33.3%	3 16.7%	1 5.6%	0 0.0%	0 0.0%	18
Psychological impacts and mental health, including burn-out among employees Count Row %	0 0.0%	12 70.6%	3 17.6%	2 11.8%	0 0.0%	0 0.0%	0 0.0%	17
Productivity Count Row %	0 0.0%	2 11.1%	11 61.1%	4 22.2%	1 5.6%	0 0.0%	0 0.0%	18
Staff turnover Count Row %	1 5.6%	1 5.6%	8 44.4%	6 33.3%	1 5.6%	0 0.0%	1 5.6%	18
Competitiveness of European companies Count Row %	1 5.6%	1 5.6%	7 38.9%	5 27.8%	1 5.6%	0 0.0%	3 16.7%	18

	Low or no impact	Highly positive impact	Positive impact	Both: positive and negative impacts	Negative impact	Highly negative impact	Do not know	Responses
Costs of adaptation falling on SMEs Count Row %	2 11.1%	0 0.0%	0 0.0%	7 38.9%	4 22.2%	0 0.0%	5 27.8%	18

Totals
Total Responses · 18

38. The previous question asked you to assess the likely impacts of establishing the right to disconnect. Please provide arguments / explain your answers for the impacts, which you considered as the most important ones.

Employees' willingness to telework

ResponseID	Response
11	The right to disconnect(RtD) will increase preferences for teleworking as worker's will no longer fear that the blurring of boundaries will lead to work being /needing to be carried out all the time and everywhere
24	As explained before, one of the dangers of remote work is not being able to disconnect, so this would be a welcome development for workers.
29	the right to disconnect is just an aspect of work and not only telework. Efficiency in prganizaing work is key and not only setting rules
31	this will have a positive impact on the employees
32	During the pandemic the lack of enforcement of the right to disconnect has proved as one of the main factors for a negative evaluation of the overall experience.

Employers' willingness to offer telework

ResponseID	Response
11	I think some employers may find this right restrictive and may limit the use of telework, however, others will not be bothered will even welcome this
24	It would be more difficult to enforce for workers working remotely.
29	the right to disconnect is just an aspect of work and not only telework. Efficiency in prganizaing work is key and not only setting rules
31	this depends by the attitude of the company and wether it considers it an added value or not
32	It may be considered an organisation burden, but I do not expect it to be particularly relevant.

Work-life balance of employees

ResponseID	Response
11	This will have a huge positive impact on work-life balance of workers as their private time will be protected
18	Obvious and among the most important benefits
21	The protection of provacy is a big issue to ensure work-life balance.
24	It might not suit people who prefer to be more flexible with regard to their working hours. Some people might want to e.g. collect children from school at 3, but wouldn't mind catching up on emails for an hour later. They wouldn't be happy if they couldn't connect to the company servers after 5 pm.
31	it will solve most of the negative aspectes of teleworking
32	The right to disconnect is pivotal to ensure work-life balance of employees and to avoid an always-on culture. It is not only the legal rcognition of the right, but its actual enforcement with specific measures to be put in place by the employer that matters.

Psychological impacts and mental health, including burn-out among employees

ResponseID	Response
11	see above
18	Obvious and among the most important benefits
21	Telework can increase mental workload. String garantees in temrs of disconnection has to be provided.
24	There is scientific evidence proving how important it is to be able to disconnect from work, so yes, definitely - that's an important factor.
31	it will solve most of the negative aspectes of teleworking
32	Same as above.

Productivity

ResponseID	Response
11	Enabling a boundaried time for work will enhance productivity of workers
21	Telework does not mean automaticaly increase of productivity even if a right to disconnect is ensured.
31	according to the studies it wil increase productivity
32	A lack of disconnection will make the employees less productive. The enforcement of the right to disconnect will benefit the productivity of the company.

Staff turnover

ResponseID	Response
11	RtD will enable workers to stay at the job longer as due to positive WLB and burn out outcomes
31	it will positively imact staff turnover giving workers more flexibility and labour opportunities
32	Lack of disconnection may be a relevant factor in the decision of the staff to leave the company. Good practice regarding disconnection may help in the retention of the workforce.

Competitiveness of European companies

ResponseID	Response
11	not sure about this but I don't see why it would decrease competitiveness
31	promoting teleworking improves their competitiveness
32	See productivity.

Costs of adaptation falling on SMEs

ResponseID	Response
11	not sure unless the regulation is cumbersome and no support is given to SME to adapt corporate policies
18	SMEs may be better able to compete if large employers cannot force their workers to work long hours
31	it should represent a cost mainly for SME
32	See employers' willingness.

39. What other long term impacts would the right to disconnect have? Why they are important?

ResponseID	Response
15	Fatiga informática en el trabajo, el nuevo riesgo laboral que provoca enfermedades psicosociales a los trabajadores que no ejercen su derecho a la desconexión digital
17	Burn out of employees
31	This should also make some works more attractive than before

Annex 8F. Summaries of workshops

No 1. THEMATIC MEETING ON THE RIGHT TO DISCONNECT
15 July 2022, 10 AM – 14 PM CET
Summary
Agenda

Session	Time	Speakers	Topic
Introduction	10:00 – 10:10	DG EMPL Contractor	Welcome, presentation of the study and the workshop
Session I Challenges	10:10 – 10:30	Pablo Sanz, contractor	Interim findings – key research gaps
	10:30 – 10:50	Heejung Chung, University of Kent, UK	Working conditions
	10:50 – 11:10	Burkard Göpfert, Ius Laboris	Management approaches
	11:10 – 11:20	Jolanta Reingardė, EIGE Oscar Vargas, Eurofound	Round of discussants (5 minutes each)
	11:20 – 11:55	All, facilitated by contractor	General discussion
	11:55 – 12:05	Break	
Session II Looking forward	12:05 – 12:20	Tania Bazzani, contractor	Regulation and enforcement
	12:20 – 12:30	Frédéric Turlan, IRShare	France: experiences and lessons learned
	12:30 – 12:40	Yvonne Lott, Hans-Böckler Foundation	Germany experiences and lessons learned
	12:40 – 12:50	Matti Vartiainen, Aalto University	Finland experiences and lessons learned
	12:50 – 13:00	David Drabble, Tavistock Institute	Ireland: experiences and lessons learned
	13:00 – 13:15	Experts from other countries: Nuno Boavidad, expert on Portugal Vasileios Koniaris, expert on Greece Rosita Zucaro, expert on Italy Roxana Abrașu, expert on Romania	Round of discussants (5 minutes each)
	13:15 – 13:45	All, facilitated by contractor	General discussion
Wrap-up	13:45 – 14:00	Contractor	Summary of key results

Participants

No.	Participant	Affiliation
1.	Adela Barrero	European Commission
2.	Alexandra Nicolai	European Commission
3.	Andrea Grgic	European Commission
4.	Anna Banczyk	European Commission
5.	Ester Grau Simo	European Commission
6.	Jonathan Stabenow	European Commission
7.	Krisztina Boros	European Commission
8.	Leopoldine Kunz	European Commission
9.	Maria Dolores Montesinos	European Commission
10.	Mario Mariniello	European Commission
11.	Rosalie Bay	European Commission
12.	Solveiga Eidukynaitė-Gerard	European Commission
13.	Thaís Gonçalves	European Commission
14.	Audronė Sadauskaitė	Visionary Analytics
15.	Žilvinas Martinaitis	Visionary Analytics
16.	Anastasia Tsakiridou	Samaras & Associates SA-Consulting Engineers
17.	Anica Ferić	Sindikat naftnog gospodarstva
18.	Anna Borg	University of Malta
19.	Burkard Göpfert	Ius Laboris
20.	David Drabble	The Tavistock Institute
21.	Francisco Trujillo Pons	Universidad de Valencia

22.	Frederic Turlan	IR Share
23.	Heejung Chung	University of Kent
24.	Jolanta Reingardė	EIGE
25.	Juan Arasanz	Notus – Applied Social Research
26.	Jurgita Lazauskaitė-Zabielskė	Vilnius University
27.	Marta Urbane	Riga Stradiņš university
28.	Matti Vartiainen	Alto University
29.	Nuno Boavida	NOVA University of Lisbon
30.	Oscar Vargas Llave	Eurofound
31.	Pablo Sanz	Notus – Applied Social Research
32.	Predrag Bejakovic	Institute of Public Finance
33.	Raluca Dimitriu	Faculty of Law, University of Economic Studies, Bucharest
34.	Rosita Zucaro	INAPP
35.	Roxana Abrasu	NNDKP
36.	Tania Bazzani	Europa Viadrina University
37.	Thodoris Papadopoulos	Consultant
38.	Vasilios Koniaris	University of Macedonia
39.	Yvonne Lott	Hans-Böckler Foundation
40.	Zdeňka Šímová	National Training Fund
41.	Zoltán Bankó	University Pécs, Hungary
42.	Adrien Csanyi	Unregistered participant
43.	Marti	Unregistered participant

Introduction

The introductory speakers set the objectives of the workshop:

- To better understand recent trends and the current extent of 'always-on' working culture and their implications for workers' health, working conditions and employment prospects, and for employers' productivity and management.

- To better understand the legal and practical concepts involved in, and the difficulties in implementing, the right to disconnect, taking into account the variety of policy approaches across EU Member States and relevant stakeholders.

DG EMPL set the context for the discussion, highlighting that the COVID-19 pandemic had led to an acceleration of telework and digital transformation, and that the related issues of the consequent 'always-on' culture had led to calls for a right to disconnect (R2D). The European Commission (EC) is responding to a resolution of the European Parliament calling for EU-level intervention and an EU legislative framework on telework. The workshop is part of a large-scale study exploring the social, economic and legal context and trends in telework and the right to disconnect, in the context of digitalisation and the future of work, during and beyond the COVID-19 pandemic (March-December 2022). This was launched by the EC as a part of an evidence-gathering exercise designed to inform reflections and debates on how to follow up on the resolution, as well as to provide factual evidence to support the discussions of social partners, which play an active role in this policy debate.

Session I: Challenges

Session I on challenges centred around a discussion of the extent of 'always-on' working culture and its implications for workers and employers.

- To what extent are workers requested to work outside their usual working time? To what extent are workers doing unpaid overtime to cope with their workload?

- What are the implications in terms of workers' health, working conditions and employment prospects? Which groups of workers are most negatively affected?

- What are the different management approaches in terms of flexibility of working time and location? What are the implications of an 'always-on' culture in terms of productivity and management? What are the main challenges to adopting a policy on the right to disconnect?

The session covered an **overview of key trends in telework and R2D**. The following key points were highlighted:

- The diversity of teleworking arrangements in terms of intensity, pattern, location and mobility, and the existence of debates related to the terms and definitions (e.g. whether mobile work is considered 'telework').

- Common features that define teleworking arrangements, i.e. physical separation from the employer's premises, and the intensive use of ICT.

- The variety of implementation approaches (statutory legislation, collective bargaining, or combination of both, individual agreements/human resource management policies, informal practices).

- How the impact of telework is mediated by several factors (the way in which telework is arranged, organisational, individual factors, etc.); how telework can lead to both positive and negative outcomes in all areas.

- The interplay between telework and the right to disconnect (R2D): while the R2D applies to all workers (not only those engaged in teleworking), it is particularly important for teleworkers and flexible working arrangements, as those arrangements exacerbate various challenges and difficulties. R2D is seen as having the potential to provide a win-win solution to maintaining flexibility while also protecting workers from the expectation to be 'always on'.

- The overall prevalence of telework in the EU-27 is still below the share of 'teleworkable' jobs.

- 'Always-on' working culture: the most recent available LFS data on the incidence of work-related contacts during leisure time show that the incidence in Nordic countries and Western continental Europe is higher than in Southern and CEE countries. Relevant differences exist in terms of occupations and sectors.

Another key point discussed by the workshop participants related to the **rationale for an intervention.** Participants shared various insights from studies highlighting evidence of 'the flexibility paradox', i.e. that flexible working can lead to workers working harder, and for longer. Examples of evidence presented include the following:

- Flexible schedules lead to increased overtime hours and unpaid overtime, and these patterns occur across occupations and countries in the EU and beyond.

- Multitasking and mental spill-overs are more prevalent when working flexibly.

- Although flexibility was intended to alleviate the strain of reconciling work and family life, flexible work might actually have a higher negative impact on work-family conflict.

- When given the freedom to choose when and where to work, workers tend to engage in 'self-exploitation', i.e. they use this freedom and control over their work to enhance

their competitive edge and market chances to better fulfil the norm of the ideal worker. This flexibility perpetuates a hyper-competitive culture. Some organisations accelerate self-exploitation with organisational-level policies, such as performance-related pay. The issue of self-exploitation should be viewed in the context of the demise of collective bargaining power/the welfare state; a rise in insecurity (of jobs, status and income); the individualisation of risks; the prevalence of a work culture of "busy-ness", viewing work as (the only way of) self-fulfilment, leading to the exploitation of passion.

Participants outlined various arguments as justifications for policy intervention, with several discussants proposing to frame the intervention as the 'right to rest' rather than the 'right to disconnect':

- Labour laws are built around fixed schedules and office work, stemming from an outdated view of the world of work. Remote work blurs time boundaries, and the difficulty of tracking work hours makes it more sensible to protect rest rather than regulate work hours

- The increasing prevalence of 'always-on' culture creates a downward spiral.

- Stress and burnout create high costs for society.

Part of the discussion was dedicated to **expectations for, and of, employers.** A key point discussed was the monitoring of working time and its related challenges. Participants highlighted the ongoing debate over what should be considered 'work'. Some participants took the view that 'work' should be viewed more broadly (e.g. including hours spent multi-tasking between work and family/personal obligations, as well as other types of non-work activities, such as informal chats with colleagues, which research has shown increase productivity at work), while some highlighted that managers might prefer to define work as 'focused work' (i.e. hours spent solely focusing on the work task at hand).

Various other challenges were touched upon during the discussion:

- Gender, unpaid work/care and inequality:

  o Unpaid work is an important factor when considering telework and the right to disconnect. Debates about the 'right to rest' should take into account that unpaid work (e.g. care obligations) is not rest. These debates cannot ignore the still-entrenched gender norms that associate care obligations and unpaid work with women. To address this challenge, any new policies on R2D and/or telework must be linked with a package of policies that aim to protect women's rights in the labour market (e.g. parental leave policy, working time policy), as well as to change the gender stereotypes associated with care (enabling/ allowing male workers to be more involved as carers).

  o Research shows that although men have historically enjoyed greater autonomy in setting their schedules and telework, they used this less for the purpose of caring, while women have used it more, despite their schedules being more restricted. Participants also discussed the risk that strict working time regulation might indirectly discriminate against women, who tend to have more care obligations (i.e. they may need to leave work early more often to pick up children from school/kindergarten).

  o Recent EIGE survey data show that parents, especially women, face challenges in relation to telework (higher incidence of interruptions and the need to share workspaces, implying worse working conditions). However, a small shift has

been observed during the pandemic, with men taking on more care responsibilities to share the load with their partners. This increase was mostly observed among young, educated men with children, whose partners performed essential (i.e. non-teleworkable) jobs.

- Intensification of work. Although the 'right to rest' may be an appealing concept, its implementation might be challenging if the workload itself is problematic (too heavy). A qualitative assessment of the workload is required, as a quantitative look at the regulation of working time is not sufficient to address this. This frames the issue of the 'right to rest' as a problem of boundary management. Furthermore, Eurofound research confirms that remote work is one of the main drivers for working longer hours and the 'always-on' culture. Participants reflected on the extent to which technology might be used to address this issue, as opposed to being seen solely as a culprit in work intensification, e.g. the use of AI to assess work intensity and predict trends (enabling the prevention of overwork).

- Agenda setting. In some cases, the issue of telework and R2D may be overshadowed by other items higher on the political agenda. For example, in the context of collective bargaining, wage negotiations still take precedence over other issues. In addition, furloughs and the seasonality of work might prevail as key topics for discussion and take precedence over the importance of flexible work, given the energy and security crisis in Europe.

- Privacy. Working from home or away from the work premises entails various risks and needs that must be addressed by occupational health and safety measures, which brings about a trade-off between control and the privacy of the worker's home life.

- Discrimination against migrants. The current strict (inflexible) working time regime might also disproportionately disadvantage migrants, who tend to live in smaller spaces on the outskirts of large cities, have longer commutes, and might thus be more likely to opt for teleworking in poorer working conditions (e.g. sharing a limited workspace with other family members).

- Importance of the national context. Many country-specific insights were shared from forthcoming Eurofound research, which highlighted the importance of taking account national differences when conceptualising EU-wide issues (especially in relation to the prevalence of various teleworking trends and challenges, corresponding policy/legal frameworks, and the state of industrial relations).

Session II: Looking forward

The forward-looking Session II focused on a discussion of legal and practical difficulties in implementing the right to disconnect – and how these can be addressed:

- The EU labour law acquis: although no directive specifically focuses on telework and the R2D, a number of directives (example, Working Time Directive) include relevant provisions. Hence, to what extent are these provisions still relevant in the face of changing world of work?

- Regulation and enforcement: to what extent is current regulation effective in preventing an 'always-on' culture and in protecting workers' health, working conditions and employment prospects?

- What are the practical difficulties in enforcing this right at company level?

- What can we learn from the different regulatory and enforcement experiences in selected EU countries?

The participants shared interesting insights from several EU Member States regarding the legal framework present in each country:

- In **France,** the R2D has been introduced into the Labour code, and the issue has support from the trade unions. An interesting specificity of the French legal framework is the obligation on employers to open a negotiation each year on equality between men and women and working conditions (although it is not compulsory to reach an agreement). The R2D is also subject to such discussions. If no agreement is reached, a charter (employer decision) must be prepared and discussed with the works council. However, available data from the Ministry of Labour on agreements conducted in 2020 indicate that out of 96,500 agreements or amendments signed in 2020, only 1.1 per cent directly addressed the right to disconnect. However, such issues might be covered under other agreements about other issues (e.g. working conditions, quality of work, etc). An additional caveat regarding the R2D is that while it is implemented via compulsory collective bargaining, there is no collective bargaining in 60% of companies (2022 data). In addition, the charter that an employer must prepare in the event no agreement is reached must be submitted to works councils, while no such works councils exist in 64.5% of the companies (2022 data). These peculiarities highlight the importance of the proper implementation and enforcement of the legal framework.

- In **Germany,** it is perhaps most interesting to note that the German Trade Union Confederation is of the opinion that a separate R2D is not necessary, as it is already implied by the Working Hours Act; instead, it claims that better enforcement is the key issue. Additional or new regulation on R2D might face similar or even greater enforcement issues, On the other hand, the fact that employers' associations call for the flexibilisation of the Working Hours Act (the abolition of maximum daily working hours) is some evidence that the regulation is relevant/effective.

- In **Finland,** during the pandemic, guidelines (for example, from the Institute of Occupational Health) and suggestions (by social partners) were developed for the application of telework during the pandemic, based on European Telework 2002 Framework Agreement. In addition, the Finnish government proposed a law to compensate state personnel for accidents that occur under teleworking conditions. This was supported by all of the main employees' unions. In addition, a multi-locational working model was proposed. In late 2021 and early 2022, serious discussions emerged concerning post-pandemic hybrid working. Large companies began to develop their own frameworks and 'rules of the game'. A lively public discussion is currently ongoing, especially among consulting and IT companies. Flexibility at team level is often suggested.

- In **Ireland,** prior to the pandemic, remote working was treated as a way to widen rates of employment, and was primarily the responsibility of the Department of Justice. Currently, the right to request remote working is established as a code of conduct and is accompanied by other telework policies (the Making Remote Work strategy, established January in 2021; Rural move; the Town and Village Renewal Schemes and Connected Hubs in 2022; national and regional training on managing remote teams). The relative success of this 'soft' legislative approach should, however, be viewed in the context of a strong economy and high employment levels, giving higher bargaining power to employees.

- In **Portugal,** amendments to the Labour Code relating to R2D came into effect in January 2022, sparking debates among experts. However, six months after the changes had come into effect, conclusions on results were still very difficult to draw.

- In **Greece,** telework has been regulated since 1998, and in the past, many companies already preferred teleworking, even before the start of the pandemic. A new law introduced the R2D last year, among other legal innovations intended to address digital transformation. This brought about many company-level charters introducing the R2D.

- In **Italy,** 'smart working' and 'agile working' have been introduced as a concept in Italian law (i.e. work characterised by the absence of place and time constraints and also by the organisation of phases, cycles and objectives agreed between the worker and employer as a form of hybrid, flexible work. However, the R2D has not yet been introduced into the legal framework in Italy.

- In **Romania,** no separate initiative exists on R2D; however, the country possesses a meaningful legal framework aimed at protecting employees' rights (e.g. the maximum duration of daily and weekly working time; strict rules on daily pauses as well as daily rest; the requirement for weekly rest to be granted to employees; the possibility for the employer and employee to agree on a flexible working arrangement; the employee having the right to reject such a request coming from the employer; many OSH obligations). Social dialogue is not quite present in the employment market; however, the involvement of social partners would be beneficial in strengthening the effectiveness of the enforcement of existing rules.

A variety of remedies and policies were discussed as options to address the various challenges relating to telework and R2D:

- Awareness-raising for both managers/employers and employees on how to manage telework and R2D.

- Moving from daily to weekly, monthly or yearly working time as the basis for the consideration of working time, enabling workers to distribute their work 'attendance' over the course of a longer period of time.

- Giving companies with collective agreements in place the discretion to regulate flexible working arrangements, on the basis that the presence of such agreements warrants a higher level of trust that discussions will lead to reasonable solutions.

- Effective sanctions for poor implementation of the legal framework.

- Care should be taken when regulating different sectors, as these are often subject to very different specifics. Both over- and under-regulation may be harmful.

- Although some participants claimed that the R2D is not necessary as a separate legal instrument, due to the issue being covered by other legal instruments, some participants claimed that the R2D is an important concept for raising awareness of the issue.

- To reconcile the trade-off between privacy and control, a third party could be engaged in supervising OSH outside of work premises.

No 2. MEETING WITH REPRESENTATIVES OF NATIONAL AUTHORITIES IN CHARGE OF POLICY FRAMEWORK RELATED TO TELEWORK

15 September 2022, 09:30 – 16:30 CET

Summary

Agenda

Session	Time	Presentation	Speakers
Introduction	9.30 – 9.45	Welcome, presentation of the study and the workshop	DG EMPL Žilvinas Martinaitis (Visionary Analytics)
Session I National approaches	9.45 – 10.30	Overview of national policies and legislation on the flexibility of working time, the right to disconnect and telework	Pablo Sanz (Notus)
	10.30 – 12.30	Sharing of experiences: • Is the regulation of the right to disconnect necessary? • How is it defined and implemented? • Enforcement issues? • Implications for telework?	Presentations by national authorities, followed by overall discussion: • Nenko Salchev (Ministry of Labour and Social Policy, Bulgaria) • Alex Agius Saliba (MEP, Rapporteur on the Right to Disconnect) • Alexandra Nicolai (Ministry of Social Affairs and Employment, the Netherlands) • Susana Luz (Authority for Working Conditions, Portugal)
12.30 – 13.30		Lunch	
Session II The EU labour acquis: tackling new challenges to 'always on' culture	13.30 – 14.45	Presentation and discussion: The EU labour acquis: tackling new challenges to 'always-on' culture	Tania Bazzani (Europa Viadrina University) 15 minutes) Followed by three parallel sessions (45 minutes) and a plenary discussion (15 minutes)
14.45 – 15.00		Short break	
Session III The future of telework: drivers, challenges and opportunities	15.00 – 16.15	Presentation and discussion: telework practices across the EU: whether and what instruments are needed to support the benefits and manage the risks?	Žilvinas Martinaitis (Visionary Analytics) and Pablo Sanz (Notus) 15 minutes Followed by three parallel sessions (45 minutes) and a plenary discussion (15 minutes)
Wrap-up	16.15 – 16.30	Wrap-up and summary	Žilvinas Martinaitis (Visionary Analytics)

Participants

No.	Participant	Affiliation
1.	Anna Banczyk	European Commission
2.	Barbara Roubicek	European Commission
3.	Dita Collinsova	European Commission
4.	Ester Grau Simo	European Commission
5.	Jonathan Stabenow	European Commission
6.	Krisztina Boros	European Commission
7.	Max Uebe	European Commission
8.	Mario Mariniello	European Commission
9.	Md Montesinos	European Commission
10.	Michela Lafranconi	European Commission
11.	Žilvinas Martinaitis	Visionary Analytics
12.	Nini Gigani	Visionary Analytics
13.	Pablo Sanz	Notus

14.	Maria Caprile	Notus
15.	Tania Bazzani	Europa Viadrina University
16.	Alex Agius Saliba	MEP, Rapporteur on the Right to Disconnect (European Parliament, Malta)
17.	Alexandra Nicolai	Ministry of Social Affairs and Employment (The Netherlands)
18.	Armin Skrozic	Ministère du Travail et de l'Emploi (Luxembourg)
19.	Ditte Lings Fiala	Ministry of Employment (Denmark)
20.	Dragana Korov	Ministry of Labour, Pension System, Family and Social Policy (Croatia)
21.	Georgi Evtimov	Ministry of Labour and Social Policy (Bulgaria)
22.	Ilze Zvidrina	Ministry of Welfare (Latvia)
23.	Karolina Gritzerová	Ministry of Labour and Social Affairs (Czechia)
24.	Māra Vīksne	Ministry of Welfare (Latvia)
25.	Māris Badovskis	Ministry of Welfare (Latvia)
26.	Nenko Salchev	Ministry of Labour and Social Policy (Bulgaria)
27.	Romolo De Camillis	Ministry of Labour and Social Policies (Italy)
28.	Ruta Juršaitė	Ministry of Social Security and Labour (Lithuania)
29.	Susana Luz	Authority for Working Conditions (Portugal)
30.	Vladka Komel	Ministry of Labour, Family, Social Affairs and Equal Opportunities (Slovenia)
31.	Wanda Chau Alenius	Ministry of Employment (Sweden)
32.	Xenios Mamas	Labour Relations Department, Ministry of Labour and Social Insurance (Cyprus)

Introduction

The introductory speakers set the objectives of the workshop:

- To better understand the national challenges and opportunities posed by increasing flexibility in working time;

- To better understand how the EU acquis has contributed to mitigating the risks of an 'always-on' culture, and any gaps that remain;

- To better understand the likely future trends in telework, as well as related challenges and opportunities.

DG EMPL set the context for the discussion, highlighting that the COVID-19 pandemic had led to an acceleration of telework and digital transformation, and the related issue of the consequent 'always-on' culture has led to calls for a right to disconnect (R2D). The European Commission (EC) is responding to a resolution of the European Parliament, which calls for an EU-level intervention and EU legislative framework on telework. The workshop is part of a large-scale study exploring social, economic and legal context and trends in telework and the right to disconnect, in the context of digitalisation and the future of work, during and beyond the COVID-19 pandemic (March-December 2022), which the EC launched as a part of an evidence-gathering exercise designed to inform reflections and debates on how to follow up on the resolution, as well as to provide factual evidence to support the discussions of social partners, which are playing an active role in this policy debate. DG EMPL also highlighted the central role of social partners in negotiating and implementing rules on the R2D.

Session I: National approaches to tackling the 'always-on' culture of teleworkers

The session began with an overview of national policies on telework and the right to disconnect, followed by a discussion of selected national experiences.
The main guiding issues presented and discussed were as follows:

- Is the right to disconnect necessary to ensure that workers and teleworkers have adequate rest/breaks and are not engaged in work-related activities or communications outside working time?

- How is the right to disconnect legally defined and implemented? Are there any gaps?

- How can general working time regulation and the right to disconnect be properly enforced?

- The regulation of telework: what are the key implications of challenges to implementing the right to disconnect?

The key points are summarised below:

Overview of national policies and legislation, by Pablo Sanz

- Trends
    - There has been an upward trend in the share of employees working from home in terms of occasional telework in recent years (2012-2021), with exponential growth in regular telework due to the pandemic.
    - Alongside this, work-related contacts during leisure time have also increased, especially among managers.

- Working time regulation (WTR)
    - The implementation of the WTD has been constrained by certain problems of application and emerging disputes.
    - The average collectively agreed weekly working time across the EU is lower than the statutory maximum.
    - Minimum rest periods are similar across the EU, but problems exist as to its interpretation (e.g. on-call work and standby time; communication via ICT; rest breaks)
    - The recording of working time is the subject of ongoing discussions.

- Defining telework and R2D
    - Differences can be seen between EU countries in terms of how telework statutory definitions define intensity and patterns of work, including the definition of working time. This is also true in relation to the R2D, including its coverage of types of workers, implementation, and enforcement.

The case of Bulgaria

- The regulation concerning telework in the Bulgarian Labour code was adopted in 2011, with amendments in 2020 in response to the pandemic. Legislation relating to on-duty time and standby time is currently in progress.

- To comply with the requirements in relation to employment contracts for telework, employers must build a system for assigning and reporting work, and must adopt rules that define the terms and conditions and the nature of the work.

- The legislation includes the right to respect for private and family life, which should be taken into account when establishing a system to control work performance.

- The legislation lays down compulsory periods of uninterrupted rest: 12 hours of daily rest; 48 hours of weekly rest (when working hours are calculated in terms of working days); 36 hours of weekly rest (when a summary calculation of working time is established using work schedules). Overtime work is prohibited, with a few exceptions.

- No legislation has been passed specifically concerning the R2D, but the provisions above imply that in Bulgaria, the R2D means that both employer and worker have mutual respect for the agreed working time and applicable legislation.

- The main challenges include how easily understood the information is with regard to the applicable legislation; enforcement (i.e. identifying teleworkers and monitoring the IT systems in place for assigning and reporting work); legislation (i.e. keeping pace with evolving models of work organisation and platform work, as well as balancing flexibility and security).

Summary of the Q&A

- Possibilities for control: the labour inspectorate must be able to access the worker's home if a complaint is made. It is possible for employers and trade unions to check working times? This issue is still being discussed in terms of a specific framework.

- Amendment regarding on-duty time and standby time: the reason for this amendment is that the previous regulation dated from 1994, and thus needed to be updated. The amendment encompasses maximum times, scheduling, the nature of work, etc. It is uncertain if this will apply to teleworkers, especially with regard to standby time, as this is difficult to determine in the case of teleworkers.

The case of Malta

- In Malta, discussions have been kickstarted on the R2D also being given to private companies. At the moment, the right is only available to government employees.

The case of the Netherlands

- Trends

  o There has been a positive trend in the share of employees working from home. In 2013, approximately 37% of employees worked according to a hybrid model, while 6% of workers worked exclusively from home. In 2020, the number of hybrid workers increased to 46%, and according to 2020 June statistics, 16% of employees worked exclusively from home.

  o Prior to the pandemic, the Netherlands had the highest percentage of teleworkers in the EU. This is partly due to the relatively high share of workers in the knowledge and ICT-intensive services sectors. Moreover, Dutch companies are also well accustomed to digital technologies.

  o Employees who began teleworking during the pandemic experienced no significant differences in psychosocial workload or physical complaints involving arms, shoulders, neck or back. Hence, up to the present time, working from home has not resulted in an increase or decrease in burnout or physical complaints.

- Current Dutch policy

  o The Dutch Working Conditions Act provides a framework within which employers and employees can reach mutual arrangements regarding working conditions and measures to maintain the health and safety of employees.

  o The Dutch Flexible Working Act provides a framework under which employers and employees can make arrangements concerning the time and place of work.

- o The Dutch government encourages employers to make clear arrangements with employees about working from home via Risk Assessment and Evaluation (RA&E), which includes psychosocial risks and stress. Moreover, employers should develop a plan to prevent or mitigate work-related stress following high work pressure and/or undesirable behaviour.

- o The employer must provide a good, ergonomically well-furnished working environment, both in the office and at home.

- o In March 2021, the Dutch government requested advice from the tripartite Social Economic Council (SEC) on hybrid work and its societal consequences. This resulted in two notable recommendations:

   - ▪ Amending the Flexible Working Act so that an employee's request to change his workplace is assessed on the basis of reasonableness and fairness.
   - ▪ Making hybrid work easier for cross-border workers by adapting the current agreements regarding tax and social security in a coherent manner.

- o The Dutch government sees hybrid work as a positive development, and contributes to the development of hybrid working through the Dutch Agenda for the Future of Hybrid Working.

- o A bill on the R2D and the availability of workers outside working hours was submitted in July 2020, obliging employers to agree with employees about the working hours. This bill was further discussed in October 2022.

Summary of the Q&A

- RA&E and the evaluation of psychosocial risk: this process is not specific to telework, but the government is working on updates to risk assessment to better take into account new ways of working.

- The tripartite Social Economic Council has advised that it does not see any value in giving workers the right to have a formally regulated conversation, due to a boom in complaints. However, the fact that this topic is being discussed is already creating change; at the same time, workers already have the right to talk to their employer about being contacted outside working hours.

- The representativeness of social partners is currently low, but the government is aware of this and is looking into increasing involvement.

The case of Portugal

- By regulating the right to disconnect in the Labour Code, specific restrictions are placed on the employer regarding telework. Any breach of this right by the employer is now directly sanctioned with an administrative sanction.

- New legislation was updated in 2021. Because the legislation is new, it is still a work in progress.

- Special duties placed on employers include avoiding contacting the worker during rest periods. Furthermore, it is considered discriminatory if a worker is treated differently when teleworking.

- In terms of enforcement, the current law is a work in progress. The employer must notify the employee 24 hours prior to visiting their workplace (in the case of teleworkers, their home). Officers of the labour inspectorate must notify the employer 48 hours prior to an inspection.

- Special rights apply to parents with children under the ages of 3 and 8, as well as to victims of domestic violence, and informal caretakers.

- Teleworkers also have the right to not be isolated, as well as being covered by provisions governing who bears the costs of telework (internet and electricity), privacy, training, and equipment.

- It is mandatory to have a collective agreement stating the rules and conditions of telework.

Summary of the Q&A

- In cases where a worker wishes to go to court, the worker complains to the labour inspectorate. If the employee does not wish to attend proceedings in person, they will be represented by a public prosecutor who always defends worker in the labour courts in Portugal.

- With regard to the costs incurred during telework, fixed amounts or percentages may be stated in the contract between the employee and employer.

- EU directives on the workplace do not apply to homes, so working conditions are not ensured at such places. This is also the case in Portugal. In cases where home conditions are inadequate, the employer would have to find a third space at their own expense.

- If an employee works as a teleworker in such a third space, in the event that the employee has to go to the company's premises for a meeting, the employer must pay the difference between travelling to the office of the employer from the worker's home, and travelling to the office from the third space.

- The employer can refuse the employee's right to telework if it does not have the resources to pay for the employee's teleworking conditions.

Session II: the EU labour acquis – tackling the new challenges of the 'always-on' culture

This session explored how the EU labour acquis deals with the main challenges of an 'always-on' culture. After a short presentation, the participants worked in three parallel sessions.
The main guiding issues presented and discussed were as follows:

- To what extent can the existing acquis address the new challenges brought about by telework and new work organisation practices? What are the national experiences and approaches?

- To what extent has the implementation of the EU labour acquis been constrained by problems of application (legal gaps, interpretative problems, etc.)?

The key points are summarised below:

EU labour acquis: tackling the new challenges of the 'always-on' culture, by Tania Bazzani

- There are two dimensions to OSH: psychological and physical

- The line between working time and rest time is blurred, and mechanisms are required to measure working time and to guarantee the R2D

Parallel discussions

- In **Sweden**, the case is similar to experiences in the Netherlands, i.e. self-regulation. At the same time, certain issues are regulated – working time legislation and the working environment (health and safety). Communication between employer and employee is important in the case of telework, to ensure teleworkers similar rights. The R2D is seen as being covered by existing regulation.

- In **Portugal**, the labour inspectorate has highlighted that it has more tools and enforcement mechanisms to ensure health and safety requirements are enforced. It also has more power to enforce risk assessments in relation to psychosocial issues.

- In **Bulgaria**, attention has been given to the issue of isolation. Mechanisms are in place to prevent this, such as the obligation to hold meetings online in order to ensure workers are integrated into the company environment. Debate takes place, and health and safety regulation exists, such as that directly targeted at telework. According to the labour authority, improvements could be made to the current system for recording working time, which is mostly based on employers' inputs (e.g., new digital and AI tools could be implemented within a company's IT system to monitor performance). Those companies which already have such systems in place could implement specific modifications to ensure they are also in compliance with the working time regulations.

- The representative of the **Netherlands** highlighted the need for working time to be agreed at a company level. However, it is debatable to what extent this is achievable, and to what extent it would be effective in protecting workers against overwork, not only in relation to their employers, but also from themselves.

- Representatives of the **Netherlands and Croatia** agreed that rest time can be regulated within the existing regulatory frameworks. However, the national approaches of these countries are different. In both countries, discussions are ongoing about additional regulations specifically aimed at telework, and social partners are also involved.

- There is general concern in **Lithuania** about how the social partners would react to new legislation concerning telework.

- A similar situation also exists in **Cyprus**, where a draft law is currently being discussed, but companies are saying they would prefer to wait for EU feedback before agreeing to new provisions. Cyprus has also reached out to Greece to share its experiences regarding new teleworking regulations.

- The representative of **Latvia** noted the importance of ensuring both the employee and employer understand OSH as a mutual obligation.

Session III: the future of telework – drivers, challenges and opportunities

This session explored cross-national differences in teleworking practices and explored what solutions could be used to address potential risks while making full use of the opportunities offered by telework. After a short presentation, the participants worked in three parallel sessions.

The main guiding issues presented and discussed were as follows:

- What are the main drivers behind the high levels of telework after the pandemic?

- What new challenges and opportunities may emerge?

- What solutions could address the main risks?

The key points are summarised below:

The future of telework, by Žilvinas Martinaitis

- There is a macro-trend towards the flexibilisation of work – external flexibility (the fading of the implicit promise of a lifetime employment contract, e.g. platform work) and internal flexibility (the decoupling of work from a pre-defined time and space, e.g. co-working)

- A large portion of cross-national differences in the EU in terms of the share of employees who work from home can be explained by the relative sizes of those industries that are more telework-friendly. Such occupations include clerical support, where over 80% of employees work in highly teleworkable jobs. The top countries in terms of share of employees working from home include mostly Nordic countries and Ireland.

- Data on the 'new normal' does not yet exist.

- Two contradictory mechanisms are in operation with regard to telework following the pandemic: the 'bounce-back' effect (the involuntary nature of telework during the pandemic means a greater likelihood of returning to the office), and the learning effect (continuing with teleworking in the longer term)

- In the future, it is likely that the overall incidence of telework will be lower than at the peak of the pandemic, but will remain above pre-pandemic levels, and the number of people teleworking 'usually' (3 or more days a week) will decrease.

- There are two main drivers of telework in the medium and long term: teleworkability, i.e. the material possibility of working remotely, and the willingness of firms to support teleworking.

- According to the preliminary results of the survey, the top reasons for teleworking are as follows. For employees: a) shorter commute and lower costs; b) better concentration at home; and c) employer telework being requested by their employer. For employers, the top reasons are: a) better work-life balance; b) shorter commute; and c) other.

- According to the preliminary results of the survey, the top areas for improving teleworking conditions are as follows. For employees: a) the compensation of costs relating to teleworking; b) the R2D; and c) clarity regarding eligibility for telework. For employers, the top reasons are: a) clarity regarding eligibility for telework; b) clarity regarding data protection and digital surveillance; c) the R2D.

- In **Portugal**, the share of teleworking is expected to go down, but not to pre-COVID-19 levels. This may be related to the sectoral composition of employment in terms of teleworkable occupations. Immigrants who come to Portugal are often not ready to telework, due to a lack of digital skills and cultural differences. Due to increases in the price of energy, and depending on the context of their work, many are tempted to return to the office even though commuting time had previously been considered an issue. Cultural factors, as well as a lack of statutory legislation regarding work, pose barriers and could lead the country back to pre-pandemic levels of teleworking.

- Two trends are apparent in **Sweden**: a learning process, by which telework is now more accepted among both employers and employees, but also a trend of going back to face-to-face work.

  o Another trend in Sweden is the possibility of moving to rural areas to telework.

- In the long term, **younger people** may be more in favour of telework than the current generation.

- In the **Netherlands,** cross-border teleworking is a possible trend in the medium to long term.

- In terms of **environmental impacts**, telework could have a possible positive impact. However, there is growing evidence that this is not the case. This is one of the issues that needs to be addressed by policymakers.

- In **Lithuania** and **Bulgaria**, the short-term trend is towards hybrid work.

  o It also seems likely that work will be subject to an agreement between parties on covering the costs incurred by telework, e.g. energy consumption. However, in terms of taxes, it is unclear what part of the costs will be covered by employers, and how this will be calculated.

  o A return to pre-pandemic patterns of work is highly unlikely in these countries.

  o The role of telework in supporting work-life balance is unclear, and needs to be further investigated.

  o Teleworkers living outside the EU pose the risk of social dumping.

  o Emphasis must be placed on health and safety – this needs to be the future of discussions on telework.

No 3. EXPERT MEETING WITH EU AND INTERNATIONAL ACADEMIC AND RESEARCH EXPERTS

11 October 2022, 09:15 – 13:00 CET

Summary

Agenda

Session	Time	Presentation	Speakers
Introduction	9.15 – 9.30	Welcome, presentation of the study and the workshop	DG EMPL Žilvinas Martinaitis (Visionary Analytics)
Session I Drivers and evolution of telework in the medium and long term	9.30 – 10.00	Provocation I: the case for a gradual increase in the prevalence of telework	Dr. Vainius Bartasevičius (Visionary Analytics)
	10.00 – 10.30	Provocation II: the case for the high future prevalence of telework	Maria Caprile (Notus)
	10.30 – 11.00	Provocation III: the case for a decline in the prevalence of telework	Dr. Heejung Chung (University of Kent)
	11.00 – 11.15	Short break	
Session II Future impacts of telework	11.15 – 11.40	Provocation I: impacts on employee well-being	Dr. Pablo Sanz, (Notus)
	11.40 – 12.00	Provocation II: impacts on work organisation practices, productivity and competitiveness	Maria Caprile (Notus)
	12.00 – 12.20	Provocation III: impacts on social, regional and other inequalities	Dr. Heejung Chung (University of Kent)
	12.20 – 12.40	Provocation IV: impacts on cross-border work	Dr. Olea Morris (Visionary Analytics)
Wrap-up	12.40 – 13.00	Wrap-up and summary	Žilvinas Martinaitis (Visionary Analytics)

Participants

No.	Participant	Affiliation
1.	Celine Faufeder	European Commission
2.	Solveiga Eidukynaitė-Gerard	European Commission
3.	Barbara ROUBICEK	European Commission
4.	Ester Grau	European Commission
5.	Krisztina Boros	European Commission
6.	Rosalie Bay	European Commission
7.	Palimariciuc Mihai	European Commission
8.	MD Montesinos	European Commission
9.	Jonathan Stabenow	European Commission
10.	Mario Mariniello	European Commission
11.	Žilvinas Martinaitis	Visionary Analytics
12.	Nini Gigani	Visionary Analytics
13.	Aurinta Garbašauskaitė	Visionary Analytics
14.	Vainius Bartasevičius	Visionary Analytics
15.	Olea Morris	Visionary Analytics
16.	Pablo Sanz	Notus
17.	Maria Caprile	Notus
18.	Tania Bazzani	Europa Viadrina University
19.	Heejung Chung	University of Kent
20.	Jolanta Reingardė	European Institute for Gender Equality (EIGE)

21.	Tamas Forgacs	Eurofound
22.	Vargas Llave	Eurofound
23.	Ilaria Mariotti	Politecnico di milano
24.	Francisco Trujillo Pons	Universidad Jaume I
25.	Domenico Sanseverino	Università degli Studi di Torino
26.	Ester Grau-Alberola	Psychosocial Research Unit of Organizational Behavior (UNIPSICO) of the University of Valencia

Session I: Drivers and evolution of telework in the medium and long term

The first session aimed to explore demographic, social and economic macro-trends, as well as the changing preferences and incentives of employers and employees. Its objective was to understand how different combinations of these factors might lead to changes in the nature and prevalence of telework.

Provocation I: the case for a gradual increase in the prevalence of telework

- **Baseline scenario**: assumes "business as usual". It assumes that no major shocks will occur that would have a major effect on telework. When applying this scenario, we rely on pre-pandemic trends. Forecasting is based on pre-pandemic trends in the prevalence of telework (Eurostat and LFS micro-data) as well as CEDFOP projections on the structure of employment by occupation (ISCO classification) by 2030.

- **Pandemic effect**: data are available from 2000 to 2019, representing the pre-pandemic period (0). The years 2020-2021 are considered a pandemic period (1). In 2022, it is assumed that we are between the pandemic and the period following the pandemic (0.5). For forecasting, ARIMA time series models were used with the following external predictors: proportion of employees in teleworkable occupations (ISCO categories 1-4), and the pandemic. The missing data relate to future changes in the teleworkability of occupations and a change in employers' attitudes towards telework, as well as changes in employee expectations. It is likely that the missing data would yield more positive projections.

- **The projection for the EU-27:** telework rose significantly to around 24% in 2019. The fall is forecasted to be 18% in 2022, after which we would forecast a drop in 2023 to pre-pandemic levels. After this, there is expected to be a gradual increase, reaching 15% in 2030. This is higher than the pre-pandemic level.

- **Trends differ between countries**, e.g.:

  o in Lithuania, teleworking is expected to fall almost to pre-pandemic levels and remain stable (increasing only slightly) until 2030.

  o in Germany, telework is forecasted to drop, but remain higher than pre-pandemic levels.

  o in Greece, telework is forecasted to drop to pre-pandemic levels, and to continue slowly dropping further.

  o **Inputs from participants**: how likely is this scenario to happen? 6.9 on a scale of 1 (highly unlikely) to 10 (highly likely). Reasons for this**:**

Inceptives	many people who telework would like to continue it in the future as well	there will probably be other shocks
energy crisis, rising communing prices not factored in	Munkaerőpiac – the labor market is expanding territoriallylong term - office spaces are reduced (rental fee)enegry crisis...	Convenience for both businesses and workers
You can't put the cat back into the bag, so to speak – regardless of whether there is another pandemic (likely), I can't imagine that telework rates will decrease.	improved digital environment will help. socio-economic and political uncertainties will play a role.	On average the increase of telework depends on the country (firms size, innovation degree, labour culture), some countries might be faster, others slower
People are increasingly working from home for some days of their work week. However, I'm not putting an higher vote because this will be highly dependent on legislation, resources, and labour culture. Some countries are already faster than others.		

Provocation II: the case for the high future prevalence of telework

- **Higher prevalence of telework** than estimated in the baseline scenario, but not necessarily a consistent pattern – the prevalence of certain types of telework arrangements might be higher, or telework might be more prevalent among certain occupations, groups of workers, sectors, types of companies and countries.

- **Drivers**:
  - Learning effect –experience of the benefits and drawbacks of telework during the pandemic. The most important change here is that people who were not previously offered this opportunity (e.g. technicians, and clerical workers) may do so in the future. However, positive experiences under extraordinary circumstances do not necessarily translate into a general change. The most attractive option for employers and employees is hybrid teleworking (which can be arranged at different intensities – regular vs *ad hoc*, etc).
  - Employers – there is some evidence indicating a lower reluctance towards telework among employers (especially as regards employees not in managerial/high-skilled positions). Telework provides greater opportunities for recruitment and retention, and thus, for tackling staff shortages. Productivity gains are reported when investments in the reorganisation of work have proven effective. In addition, a reduction in overhead costs and direct costs is seen (e.g. teleworking from countries with lower wage levels).
  - Employees – the specific benefits and drawbacks of telework greatly depend on individual circumstances and preferences. There is debate about ideal worker culture versus a friendly work-life culture. Evidence suggests that younger generations are demanding the flexibility to improve work-life balance, and generational change might bring new ways of understanding telework. In

addition, huge roles are played by unemployment and collective bargaining, as well as labour and social policies.

- o Teleworkability – changes in teleworkability are linked to emerging business innovations and organisational changes. The impact of automation remains uncertain.

- o Policy framework – certain policies may provide a more favourable overall framework for telework. These include regional cohesion/local development policies (including connectivity and opportunities for coworking); environmental policies (supporting telework within a broader package of measures); and changes in legislation/ social partners agreements that can improve legal clarity and favour win-win arrangements adapted to the context.

- **Inputs from participants:** how likely is this scenario to happen? 7.0 on a scale of 1 (highly unlikely) to 10 (highly likely). Reasons for this:

Policy support is key	technological advancement will play a significant role	I think teleworking may become part of strategies for carbon mitigation/ combatting environmental degradation
Autonomy and flexibility are important. If the employee has a right to manage their time, then the right to disconnect SHOULD be based on some objective work measuring/detection. (not regular office hours to be mirrored)	work life balance and wellbeing, the rise of third places and flexible space geographically dispersed, the renewed attractiveness of peripheral and rural areas	good experience in pandemic, work-life balance, economies for enterprises, rising energy prices and real estate prices
Some sectors will have a very high prevalence, while some others will return to lower percentages. The drivers discussed are very clear, but we have to distinguish between agile working and teleworking. Technology and policies are the most important.	Favourable regulatory environment, improved digital literacy. However gaps may remain between ages, genders, occupations, etc…	

- Notes from the discussion:
  - o Certain jobs that are currently not teleworkable will become increasingly teleworkable in the future.
  - o 'Third spaces' for hosting remote workers –employers and real estate companies are investing in making such spaces available closer to employees.
  - o Work is not only a technical activity, but also a social one. We must distinguish agile working in terms of legal contracts. Teleworking is too often understood to mean "you are carrying out the same work you do in the office, but at home." Agile working is different – it involves real autonomy. This is an aspect we must take into account. Telework will increase in some sectors and demographics and given certain institutional infrastructure – this is already happening. But if we talk about agile working – it will increase, because other factors play a role.
  - o Factors supporting higher growth in telework: a favourable regulatory environment; advantages in digitalisation; improved processes and infrastructure; investments in digital education starting at an early age; regulatory and financial support. At EU level, certain improvements have been made, and from the regional perspective, teleworking is being used for the improvement and integration of certain regions, attracting employment to those regions. There is also the issue of the digital nomad – countries are beginning to offer regulatory advantages to those who wish to work not only in one country, but also across borders.

Provocation III: the case for a decline in the prevalence of telework

- To understand why the prevalence of telework might fall, we need to consider why teleworking has not increased as drastically as we might have imagined in the previous decade. One is the so-called 'flexibility stigma' and its negative career consequences. Another is the cost of living and economic/ labour market conditions, leading to increased negotiation power for workers. Studies have shown that since 2002, teleworking has not increased as much as expected.

- **Flexibility stigma:**
  - o This is the belief that those who work from home are not as committed and productive. The pandemic changed this pattern. Eurobarometer 2018 data reveals that one-third of the population believes flexible working is perceived unfavourably by colleagues, and has negative career outcomes.
  - o In terms of variations, it is interesting to note that Southern Europeans hold negative attitudes towards telework.
  - o Workers may feel that they are penalised for teleworking (they are not given good projects, or do not receive a promotion).
  - o The effect of flexibility stigma is especially notable when workers' bargaining power declines.

- Labour market conditions:
  - o On the one hand, the majority of employees would like to work from home at least three days per week in the future, and think that employers should be more flexible in terms of requiring employees to go into the office. Despite this, employers are asking workers to return to the office following the pandemic.
  - o The so-called 'Great Resignation' and labour shortages have given workers greater bargaining power to discuss teleworking with their employer.
  - o A global recession (expected at the end of this year) would see more bargaining power for employers.

- **Managers want workers to return to the office for several reasons**. First, because some managers like to micro-manage. In addition to this there is the need for younger employees to learn about company culture, the importance of face-to-face contact, and cohesion within the group. In addition, some employees might feel isolated when working from home (for some, their only friends are co-workers). Managers also tend to think that employees are more productive in the office (although the count-argument of the autonomy paradox comes in here).

- **The cost of living** has a twofold effect on teleworking. On the one hand, petroleum has become expensive, so employees do not want to commute and may decide to work from home (many low-paid service employees are quitting because petrol prices make it simply not worth working). On the other hand, energy prices have made it expensive to heat apartments, so people may wish to go into the office to save on bills. In addition, the issue of having the space to work from home may make it more of a middle-class luxury.

- **Other aspects**, such as health and safety issues, raise concerns over workers not having an appropriate workplace at home. Employees may also feel bored at home, and may wish to go into the office. In addition, some unions may be pushing for more teleworking, while others may campaign for the need to telework less.

- **Notes from the discussion**:
  - ○ Workers' autonomy has risen over time, And workers have begun to feel the change. The culture of work organisation is changing.
  - ○ Trends are showing that people are trying to 'delocalise' themselves, as commuting and housing are expensive. Telework should be a choice, however, because not everyone benefits.
  - ○ All of these factors are valid and will limit the adoption of teleworking, but they will not reverse the trend.
  - ○ During the pre-pandemic period, discussions revolved around the existence of *any* teleworking. Following the pandemic, many employees are working from home three days week.
  - ○ Urban and regional policies matter. It is important to go back to the office, but this is not always in the city centre, as offices are also geographically dispersed – companies now rent meeting rooms all over the world. Employees can meet in the meeting room, which is rented yearly by the company in a location close to a train station is close by, or where electric cars can be charged.

- **Inputs from participants**: how likely is this scenario to happen? 2.4 on a scale of 1 (highly unlikely) to 10 (highly likely). Reasons for this:

Firms have reduced their premises, already. WFH will be 2-3 times a day	stronger demands from workers towards balanced flexibility	demand for higher flexibility - neither full telework nor full presential work - combination of both
collective awareness, fewer asymmetry of information employer employees	Depends highly on country/work culture of presenteeism, etc., but there might be a pendulum swing back the other way. I wonder if out of office surveillance measures might also be a reason for people to head back to the office..?	work is not whether you are in the office, but how you do your job - anytime, anywhere;100 years of entrenched bureaucratic thinking (since Ford) should be changed;immaturity of work organization (no KPI, goals, results, micro management);
Role of policy framework	It would be very difficult to "undo" the technological / organisational/ behavioural adaptations that have already taken place. However, the need for social contacts is a strong driver for people to return to the office, hence a hybrid pattern.	The drivers discussed are already lowering the rampant adoption of telework, but I think these factors will, at best, flatten the curve of teleworking to a plateau; however I don't think we will see the same proportion of 5-days teleworking as before

Session II: Future impacts of telework

Provocation I: impacts on employee well-being

- The impacts of telework on employee well-being are contingent on the following factors:
  1. **Working time and work-life balance**: autonomy, work overload, individual job characteristics, gender inequality, work culture and work organisation, regulation (the right to disconnect) and the welfare system.
  2. **Psychosocial risks**: work intensification, isolation, emerging risks: non-verbal and information overload.
  3. **Psychological health risks**: overtime, challenges in terms of risk assessment and enforcement, inadequate workspace and equipment.

- The overall impact of these can result in two scenarios:
  - ○ **A gradual increase/high future prevalence of telework** according to one of two scenarios: a) the higher individualisation of risks, the individualisation of

industrial relations (IR) and a more competitive career environment; b) the collectivisation of risks, strong governance models regarding industrial relations, and a new ideal work culture.

- o **A decline in the prevalence of telework** according to one of two scenarios: a) new IR conflicts and worker demand, presenteeism, and (over time) an increase in gender inequality, together with higher costs for facilities and deteriorating working conditions; b) the re-standardisation of working time, the revitalisation of IR, and a decline in exposure to psychosocial and physical risks.

- **Inputs from participants**: Do you agree with the statements made during the presentation? 7.8 on a scale of 1 (highly unlikely) to 10 (highly likely). What arguments would further support this case? If you do not agree, why not?

Decline of telework may not necessarily result in the reduction of psychological problems.	Flexible working arrangements are central for care provisioning, even more important during pandemic (schooling from home, etc.) Care must be taken , however, to make sure that this flexibility does not become a driver for poor work life balance	Even in the case of strong increase of telework, it would need to be an voluntary choice in order to preserve employee well-being. Telework may not work for everyone.
Work-life interface should be addressed in depth, in work-to-life and life-to-work directions. Without restructuring work cultures and policies, both the increase or decrease of teleworking could fail to capture positive aspects of both arrangements	studies have shown a higher productivity, but the right to disconnect is very relevant for wellbeing. The potential overall effect of remote working on the gender pay gap is uncertain because it depends on potential changes for women and men.	the rise of remote working led to an increase in unpaid work for women, especially during the lockdowns, this should be ruled
employees will grow up to telework (maganage their time, schedule) and enjoy their autonomy. The commuting, the jail into the timeframe in the office is more negaitve for well-being.		

- Notes from the discussion:
  - o We must ensure consistency with regard to impacts on employees' well-being, and for companies in relation to the overall policy framework. We must therefore ensure that the impacts of such a scenario are consistent among different stakeholders and in terms of their goals, to make the most of telework.

Provocation II: impacts on work organisation practices, productivity and competitiveness

- Telework helps employers to save costs, improve recruitment and retention, job satisfaction and performance, as well as to implement more efficient work organisation practices. However, along with this come challenges in maintaining and enhancing corporate culture, team coordination and innovation. Telework also makes it harder to avoid counter-productive effects (e.g. high workload/availability; intrusive control measures). Employers may struggle to meet the diverse expectations and preferences of workers. The effects on work organisation are considered in the long term.

- In the **low increase in telework** scenario, employers benefit from a gradual change towards a more inclusive, work-friendly culture. In addition, they might avoid the long-term detrimental impact of high work intensity. However, this comes with the risks such as:
  - o Flexible arrangements being driven by performance
  - o Higher gaps in competitiveness
  - o New IR conflicts

- o Stigma with regard to flexible working that is driven by care needs in individual circumstances

- In the **high prevalence of telework** scenario, the main benefits and risks are as follows:

    - o Benefits: expanding telework opportunities to meet needs' find a good balance between on-site and remote work; increase recruitment and retention rates; and deploy more effective coordination and control measures

    - o Risks: difficulties in managing hybrid arrangements; the extension of digital surveillance; a lack of transparency in teleworking arrangements

- Policy challenges:

    - o Support for hybrid work arrangements while respecting autonomous negotiations between the employer and the employee.

    - o Supporting employers' need for the efficient coordination, monitoring and evaluation of workers;' performance while guaranteeing the worker's right to privacy, the protection of their data, as well as to fair employment and working conditions

    - o Providing a framework that supports SMEs

- Notes from the discussion:

    - o There is an erosion of collective bargaining due to individual employees' role in shaping the future of telework.

    - o GDPR might pose an obstacle to tracking employees. If teleworkers are given the autonomy and flexibility to decide their own schedules, some form of measurement and judgement should be built on the basis of the R2D, to which employers should have reliable access at all times. Overtime cannot be substituted. If a monitoring tool is used to measure it, this should recognise when work is done. In line with the GDPR, however, all of this information must remain private.

- The main concern here is whether telework is expanded to other types of work, e.g. routine jobs, where a behavioural approach can be employed.

- The challenge is to ensure that a monitoring system can ensure people are not overworking, but not determine if they are working at all. Legislation should cover this.

Provocation III: impacts on social, regional and other inequalities

- **Gender.** Flexible working increases workers' access to work, especially for those individuals who have caring duties or disabilities. Mothers and women are more likely to benefit from this. However, when working from home, women do a greater share of the housework, and teleworking may thus increase impact of gender roles in the household. Such a situation might lead to stigmatisation with regard to women's teleworking, which may lead to an increased gender pay gap. Women may be more prone to burnout as a result of using their coffee breaks to do laundry rather than taking a break.

- **Class inequalities.** Usually, those employees who enjoy greater access to teleworking come from higher occupational/educational groups. Thus, higher-status workers spend less on commuting. However, they may spend more on equipment. It is noted that workers in higher-status occupations are also more likely to feel the pressures of

overwork ("stress of a higher-status worker"), making the flexibility paradox more likely to happen.

- **Regional inequalities:** teleworking (4-5 days a week) enables workers to move out of metropolises in order to save costs (one can afford a bigger house in an outlying region rather than a small dwelling in the city centre). This increases regional development (more people living in suburbs means new shops and communities). Due to less commuting, employees can spend more time in their local community (sports, leisure, voluntary activities and political activities). In addition, since more people are moving from metropolises, housing/rental prices might also drop in larger cities

- **Global inequality:** teleworking allows people to move from expensive countries to cheaper ones.

- **Notes from the discussion:** if individuals were able to choose their preferred working situation, do you think many of these inequalities would be resolved in some way?

  - o This is where the role of EC comes in. Companies alone will not sort things out. It is necessary to provide the conditions for something to happen. This is about anti-discrimination. Flexible working is not necessarily an equality tool, but greater flexibility can and should be promoted by the EC. There has to be an understanding that if more telework is done, the workspace still needs to be provided, and possibly supplemented, by the company. Equipment and software should be tax-free so that employees are not out of pocket if they choose to work from home. The place of work is no longer just the office, and legislation should fit this new conception of work.

- **Environmental issues:** Moving away from urban areas and choosing to live in other areas has an impact on the environment – while environmental conditions might improve in cities, a counter-effect may be seen in the suburbs. If people previously living in a tiny studio in London move to a huge house – how much more energy will be required to keeping this house running?

  - o Commuting over long distances is more of an issue of public transportation. But scheduled commuter trains are becoming less frequent and prices are increasing because there are few commuters than before.

Provocation IV: impacts on cross-border work

- Offering opportunities for telework has become a competitive advantage for many companies.

- **Potential future scenario**: companies broaden their recruitment strategies, while both employers and employees face greater bureaucratic hurdles in arriving at arrangements over working time. These high administrative hurdles drive higher rates of cross-border teleworking in certain regions, and certain MSs become hubs for cross-border teleworkers.

- **Notes from the discussion:**

  - o One of the problems faced by teleworkers is isolation.

  - o The case of Venice, which during lockdown became a ghost city. As a result, city authorities had the idea to attract people who they felt should be working in Venice, offering them a flat and a place to work (such as a library or similar space).

No 5. WORKSHOP WITH ALL RELEVANT STAKEHOLDERS
1 December 2022
TELEWORK AND THE RIGHT TO DISCONNECT: PRELIMINARY STUDY FINDINGS – SUMMARY
Agenda

Session	Time	Presentation	Speakers/moderators
Introduction	9.30 – 9.45	Welcome, presentation of the study and the workshop	DG EMPL Žilvinas Martinaitis (Visionary Analytics)
	9.45 – 10.30	Preliminary study findings	Maria Caprile and Pablo Sanz (Notus) Q&A, 10 minutes
Session I Telework and the right to disconnect – prevalence, challenges and opportunities	10.30 – 11.15	Discussions in parallel sessions: o To what extent has the study captured the most relevant challenges and opportunities? Which ones are the most important in specific regions, countries, sectors and occupations? o What additional challenges and opportunities exist? o What should employees, employers and policymakers do, so as to make full use of existing opportunities? o What should employees, employers and policymakers do, so as to address the challenges?	Discussions in parallel sessions (30 minutes) and summary in plenary (15 minutes) Moderators: Pablo Sanz, Maria Caprile, Tania Bazzani, Žilvinas Martinaitis, Vasileios Koniaris, Paul Vroonhof, Ivan Lichner, Frédéric Turlan
	11.15 – 11.30	Short break	
Session II EU labour acquis: tackling the challenges and opportunities of teleworking and 'always-on' culture	11.30 – 12.30	Presentation and Q&A session: EU labour acquis – tackling the challenges and opportunities of teleworking and 'always-on' culture	Tania Bazzani (Europa Viadrina University), 40 minutes Q&A 20 minutes
	12.30 – 13.30	Lunch break	
Session III National approaches to telework and the right to disconnect	13.30 – 14.20	Presentation and Q&A session: national approaches to telework and the right to disconnect	Pablo Sanz (Notus), 35 minutes Q&A 15 minutes
	14.20 – 14.30	Short break	
Session IV The future of telework: scenarios and likely impacts	14.30 – 15.10	Presentation: The future of telework: scenarios and likely impacts	Žilvinas Martinaitis (Visionary Analytics) 30 minutes Q&A 10 minutes
	15.10 – 15.55	Discussions in parallel sessions: • How likely are the different scenarios? Why (key drivers)? • What socio-economic impacts might emerge in the future? What are the main challenges to address?	Discussions in parallel sessions (30 minutes) and summary in plenary (15 minutes) Moderators:

Session	Time	Presentation	Speakers/moderators
			Pablo Sanz, Tania Bazzani, Žilvinas Martinaitis
Wrap-up	15.55 – 16.15	Wrap-up and summary	Žilvinas Martinaitis

Participants

No.	Participant	Affiliation
1.	Andrea Glorioso	European Commission
2.	Barbara Roubicek	European Commission
3.	Chiara Monti	European Commission
4.	Ester Grau Simo	European Commission
5.	Jonathan Stabenow	European Commission
6.	Krisztina BOROS	European Commission
7.	Martina Schwaiger	European Commission
8.	MD Montesinos	European Commission
9.	Max Uebe	European Commission
10.	Rhiannon VAN STRAALEN	European Commission
11.	Solveiga Eidukynaitė-Gerard	European Commission
12.	Tea JAGIC	European Commission
13.	Liis Tõnismaa	Estonian Ministry Of Social Affairs
14.	Ruairi Fitzgerald	ETUC
15.	Oscar Vargas Llave	EUROFOUND
16.	Ricardo Rodriguez Contreras	Eurofound
17.	Tina Weber	Eurofound
18.	Frédéric TURLAN	European Trade Union Institute
19.	Tania Bazzani	European University
20.	Ivan Lichner	Institute Of Economic Research SAS, Slovakia
21.	Predrag Bejakovic	Institute Of Public Finance
22.	Xenios Mamas	Labour Relations Department, Ministry Of Labour And Social Insurance
23.	Armin Skrozic	Ministère du Travail, de l'Emploi et de l'Économie sociale et solidaire, Luxembourg
24.	Aleksandra Pietras	Ministry Of Family And Social Policy
25.	Justyna Mitrowska	Ministry Of Family And Social Policy
26.	Paulina Rudnicka	Ministry Of Family And Social Policy

27.	Georgi Evtimov	Ministry Of Labour And Social Policy
28.	Tom Meyer	Ministry Of Labour Luxembourg
29.	Dragana Korov	Ministry Of Labour, Pension System, Family And Social Policy Of The Republic Of Croatia
30.	Alexandra Nicolai	Ministry Of Social Affairs (NL)
31.	Louis Roijmans	Ministry Of Social Affairs And Employment
32.	Leonidas Antoniou	Self-employed, National Expert
33.	Jana Mochnacka	National Labour Inspectorate, Slovakia
34.	Czesaná Věra	National Observatory of Employment and Education, Czechia
35.	Zdeňka Šímová	National Training Fund (Národní Vzdělávací Fond)
36.	Pablo Sanz	Notus
37.	Marie Caprile	Notus
38.	Nuno Boavida	NOVA University Of Lisbon
39.	Alena Paukrtova	OS KOVO
40.	Valentina Klyhs Albeck Puddu	Oxford Research
41.	Paul Vroonhof	Panteia
42.	Pim Zijlstra	Panteia
43.	Ilaria Mariotti	Politecnico Di Milano
44.	Guillaume Afellat	SGI Europe
45.	Anica Ferić	Sindikat naftnog gospodarstva
46.	Zaiga Strode	State Labour Inspectorate
47.	Antoine Heloise	Union Des Entreprises Luxembourgeoises
48.	Francisco Trujillo Pons	University Jaume I (Spain)
49.	Raluca DIMITRIU	University Of Economic Studies
50.	Iveta Reinholde	University Of Latvia
51.	Vasilis Koniaris	University Of Macedonia
52.	Anna Borg	University Of Malta
53.	Zoltán Bankó	University of Pécs
54.	Nini Gigani	Visionary Analytics
55.	Jan Bednorz	Visionary Analytics
56.	Žilvinas Martinaitis	Visionary Analytics
57.	Emanuel Ludwig	WKÖ

Session I: Telework and the right to disconnect –prevalence, challenges and opportunities

Key points from the presentation

- **Methodology** of the study encompassed:
  - Extensive desk research (332 books / papers / reports covered)
  - Analysis of LFS micro-data (2020 and previous years)
  - Survey of employees (final data set contains 11,010 respondents)
  - Survey of employers (final data set contains 2,260 respondents)
  - Delphi survey on future trends
  - Interviews with 83 national stakeholders (authorities, sectoral social partners)
  - Interviews with 13 experts/academics
  - Three workshops plus today's workshop
  - Three deep-dive studies
  - Econometric modelling of future trends
- **The concept of telework**: a form of work organisation in which work that could also be performed at the employer's premises is carried out away from the employer's premises through the use of ICT.
- **The concept of the right to disconnect** (R2D): the right of workers not to engage in work-related activities or in communications by means of digital tools, outside working time.
- The share of employees who are teleworking is rising in all EU countries and has been over the years, with the highest shares in the Netherlands, Sweden and Luxembourg – all at more than 40%. However, there is a clear divide between blue- and white-collar workers, wherein most teleworkers are managers and professionals. Moreover, incongruences persist between the prevalence, feasibility and desirability of telework (namely, for clerical workers).
- 'Always-on' culture is related to flexible working arrangements including telework (with similar variations by country, occupation, etc). Extended availability has increased during the pandemic.
- **Main challenges:**
  - Overtime and extended availability; work-life conflict; work-related stress
  - Isolation and new psychosocial risks (non-verbal and information overload)
  - Difficulties in risk assessment and enforcing compliance with OSH standards
  - Lack of transparency with regard to digital control systems, and concerns about workers' privacy and the protection of personal data; such system may also be detrimental to performance
  - Gender and social bias (stigma towards flexible working)
  - Administrative difficulties for cross-border teleworking
- Main opportunities:

- - Workers: saving commuting time and enjoying greater autonomy over the organisation of working hours, to accommodate one's work and private life needs and preferences, resulting in better work-life balance and greater well-being
  - Employers: positive impacts on overall efficiency and productivity, i.e. higher job satisfaction; higher retention rates; greater job engagement and increased individual performance; the opportunity to recruit workers worldwide and to save on office costs
- The experience of the pandemic offers a learning opportunity:
  - The shift to telework required large investments, which later paid off
  - There is greater awareness of the potential benefits and drawbacks of teleworking, especially with regard to an 'always-on' culture (specifically for low-status workers)
  - No evidence of falls in productivity, as managers acquired a more positive view of telework
  - Growing demand among workers for greater autonomy over when and where they work
  - Low awareness of psychosocial risks linked to the intensive use of ICT

Key points from the parallel sessions

The sessions centred around a discussion of the prevalence, challenges and opportunities of teleworking and the right to disconnect ('always-on' culture). The main questions used to guide the discussion were as follows:

- To what extent has the study captured the most relevant challenges and opportunities? Which ones are the most important in specific regions, countries, sectors and occupations?
- What additional challenges and opportunities exist?
- What should employees, employers and policymakers do, in order to make full use of existing opportunities?
- What should employees, employers and policymakers do, in order to address the challenges?

Participants' discussion points are summarised below:

- The study has managed to address the most important challenges and opportunities in relation to the aspect of European cross-border teleworking.
- It would be interesting to obtain data regarding the position of women who are mothers with young children, with the age of the children being recorded.
- The opportunities that telework brings in terms of work-life balance, as well as gender balance, are really important – but there is a risk of people working long hours. There is a need to ensure that limitations on working time are respected. Meanwhile, it is important not to limit the autonomy of social partners.
- In Portugal, there is little experience of workers' mobility, so the challenge is to enforce regulation concerning this dimension in the most efficient way.

- With regard to cross-border telework, people based in Luxembourg are returning to their home country because only residents can work two days a week, while others who are non-residents can work even fewer days. It would be good to have data on this.

- Who benefits most from EU-level policies is a good question to explore. This is a fiscal matter. We should work on social security. In Luxembourg, there may be an impact on prices, though up to now these have remained steady.

- In Austria, a survey was carried out that asked how many times workers had received e-mails outside working hours. The results did not reveal any problematic tendencies. However, no comparable data are available at EU level.

- Teleworking should be protected like other types of work. If a person decides to work outside working hours, they should be compensated for doing so. In Bulgaria, there is regulation to protect employees from working outside normal hours. Sometimes, employees may ask employers to work outside working hours due to the nature of work, deadlines, etc.

- The Labour Code in Croatia is soon to be amended to include the R2D.

- Some employers still regard it as an issue that employees who are teleworking are indeed working. It is important to not over-regulate with regard to this; the key is mutual trust.

- It can be problematic to adopt legislation concerning telework that is applicable across all sectors.

- To ensure risk assessment are met, one employer representative mentioned that in their company, employees sign an addendum to their contract confirming that it is safe for them to work from home, as they comply with all relevant requirements.

- When we talk about the right to disconnect, we are talking about the right to rest.

Session II: The EU labour acquis – tackling the challenges and opportunities of teleworking and 'always-on' culture

Key points from the presentation

- There are five main areas to be analysed in the existing EU acquis: decent working conditions, OSH, data protection and privacy, equal treatment, and geographical mobility within the EU:

1. **Decent working conditions:**

   o **The Working Time Directive** provides only a binary definition, and does not consider any grey areas. The CJEU acknowledges the possibility to work during the rest time, within certain limitations. However, the definition of standby time at national level remains a gap:

   o **The recording of working time** aims to ensure the implementation of the limits on working time set by the Working Time Directive. However, one gap is that Member States must require employers to apply a system for recording working time that is "objective, reliable and accessible". Telework does not change the nature of an employment relationship: employees are simply able to work in a flexible way. However, such flexibility does not immediately classify them as autonomous workers.

- o **The Transparent and predictable working conditions directive** (Directive (EU) 2019/1152) provides an adequate legal framework containing definitions of written agreements, redress mechanisms, penalties, place of work, etc.

- o **The Work-Life Balance Directive** (Directive (EU) 2019/1158) addresses equality, flexible working arrangements for parents, response timeframes, penalties and redress mechanisms. However, it does not create a strong and enforceable legal entitlement.

2. **OSH:**

- o The OSH Framework Directive (Directive 89.391/EEC) provides an adequate structure and regulation to address physical and mental health.

- o The Directive on the minimum safety and health requirements for work with display screen equipment (Directive 90/270/EEC) addresses issues regarding the use of technology and ICT.

- o The Directive on the minimum safety and health requirements for the workplace (Council Directive 89/654/EEC) provides a definition and regulation of the concept of a workplace.

3. **Control, surveillance and monitoring performance systems, data protection and privacy**

- o The General Data Protection Regulation (Regulation (EU) 2016/679 is the main regulation in this are, and appears adequate in this context – in particular, Articles 6 and 9. However, the exercise of a data subject's rights may become more challenging due to new technologies (lack of awareness of personal data processing, non-compliance with GDPR transparency obligations).

4. **Equal treatment and non-discrimination**

- o Article i̯ of the Directive establishing a general framework for equal treatment in employment and occupation (Directive 2000/78/EC) (Employment Equality Directive) addresses the issue of making reasonable accommodations, especially for persons with disabilities, but does not create a strong and enforceable legal entitlement.

5. **Geographical mobility, with a focus on cross-border telework**

- o Three regulations are relevant to this issue: Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I Convention); Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast) (Brussels I Convention); and Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems.

- o However, there is a great deal of complexity associated with regulation in various fields, such as social security coordination, taxes, and disputes.

- o Administrative burdens could be reduced; otherwise, there is a risk of limiting workers' freedom of movement (e.g. the case study on Michelin Italia).

Session III: National approaches to telework and the right to disconnect

Key points from the presentation

- Telework

  - **Definition**: a form of work organisation in which work that could also be performed at the employer's premises is carried out away from the employer's premises through the use of ICT. Arrangements vary in terms of patterns of intensity, location and mobility

  - **Regulatory sources**: specific statutory definition and legislation; statutory legislation and collective bargaining; collective bargaining alone; individual agreements/HRM policies; and informal practices

    - Statutory legal definitions of telework vary in terms of the location of telework, intensity and pattern, as well as mobility – the last of these is generally excluded and not specified.
    - Changes to definitions since the pandemic have been seen in Portugal, Spain, Slovakia and Romania.
    - Changes in access to telework have also taken place since the pandemic, namely in Czechia, Ireland, Germany and the Netherlands.

  - There is no clear regulation/guidance on what constitutes working time for teleworkers. In most EU countries, legislation only establishes that general working-time regulation applies. In eight countries, legislation establishes that teleworkers can organise their working time themselves (Czechia; Spain – modified in 2020; Hungary; Italy – only for agile/smart work; Lithuania; the Netherlands; Romania and Slovakia).

    - Changes in working time legislation since the outbreak of the pandemic crisis have taken place in Czechia, Slovakia and Spain.

  - In terms of OSH, **risk assessment** is a pre-condition in a few countries. Moreover, legislation in several countries aims to avoid isolation and its implications for **psychosocial** well-being.

    - Changes in working time legislation since the outbreak of the pandemic crisis have taken place in Austria, Portugal and Spain.

- R2D

  - **Definition**: the right of workers not to engage in work-related activities or communications by means of digital tools, such as phone calls, emails or other messages, outside normal working time.

  - **Regulatory sources**: statutory legislation; 'soft' law approaches (guidelines/recommendation); statutory legislation and collective bargaining/Information & Consultation, and collective bargaining (sectoral/company).

  - **Content of statutory legislation**:

    - Definition: "Right to discuss within the health and safety committees" in Belgium. Broad definition in France, Italy and Ireland. In Greece, the definition resembles the wording used in the European Parliament definition (2021). In Portugal, the right to disconnect is defined as the duty of an employer to abstain from contact (Pinto Ramos, 2022), even though the term 'right to disconnect' is not explicitly mentioned – though

this must be understood in combination with other provisions that create regulation that specifically addresses R2D.

- Formal coverage: teleworkers (Greece, Italy and Slovakia) vs. all workers (Belgium, France, Ireland, Portugal and Spain).
- Implementation methods: consultation with health and safety committees (Belgium); Collective bargaining (Spain and France); individual agreements (Italy); and company policies (Ireland).
- Enforcement mechanisms: regulation only includes sanctions or new enforcement actions in Spain, Greece and Portugal.

o **Collective bargaining**: research on collective bargaining and the right to disconnect is particularly scarce. There is a trend towards 'soft' regulatory approaches, and against trade unions' preferences for hard law.

- Around half of employers (49%) state that some kind of arrangement is in place in their organisation. Similar results are reported by employees (45% say such an arrangement exists in their workplace).

o The topic of the right to disconnect is currently under discussion by social partners and/or policymakers in Cyprus, Croatia, Germany, the Netherlands, Romania and Luxembourg.

Session IV: the future of telework – scenarios and likely impacts

Key points from the presentation

- **Challenges for a future-looking analysis:**
  - o Forecasting typically relies on past trends, but the pandemic produced significant discontinuities;
  - o No data for 2022 are available. The most recent micro-level data available are for 2020
  - o A large number of non-representative, real-time surveys suggest a significantly higher uptake of telework than in the Labour Force Survey (LFS)
  - ➔ Hence, significant uncertainty surrounds the current and future levels of the prevalence of telework.

- Approaches and methods used to generate the analysis include: literature reviews, Delphi survey, ARIMA models using LFS micro-data and CEDEFOP forecasts,

- **Scenario 1: Baseline**
  - o Drivers: Short-term: back to the office
    - Medium-term: "learning effects", i.e. employees appreciate the benefits of teleworking, while the worst fears of employers have not materialised
    - Long-term: changing the structure of EU economies
  - o Results:
    - A 'snap back' in the short term
    - Continuous growth in the medium-to-long term

- **Scenario 2: Back to the office**
    - Drivers
        - Short-term: back to the office in 2022 plus stagflation
        - Medium-term: non-supportive management practices and culture
        - Long term: flexibility stigma and negative career outcomes

    - Results
        - Overall lower than in the baseline scenario
        - In the short term: snap back to pre-pandemic levels
        - Medium-to-long term: the same pace of growth as before the pandemic
        - Most workers teleworking 'sometimes'

- **Scenario 3: Flexibilisation (work from anywhere, anytime)**
    - Drivers
        - Short-term: limited return to the office
        - Medium-to-long term: the demise of the office
        - Long-term: increased teleworkability of jobs due to new business models and technologies

    - Results
        - Limited snap back in the short term
        - Prevalence of telework likely to exceed the pandemic peak in 2026
        - Increasing share of employed teleworking 'usually'

- **The 'convergence hypothesis'**: over time, the prevalence of telework in different Member States will become similar, because: a) there are "natural limits" to growth; and b) low-prevalence countries have significant room to catch up, as employees and employers learn the benefits of teleworking and develop the capacity to deal with its challenges.

- However, there is more evidence for the **limited catch-up hypothesis**: namely, that large differences will remain between Member States. Key factors in this are that: a) past and current differences between Member States can be explained by the different structures of their economies and of employment, work organisation practices and culture – these will not change dramatically over 5-10 years; and b) the impact of the pandemic shock on convergence was mixed: in percentage terms, the prevalence of telework grew most in those countries with limited past experience of working from home, but significant differences remained.

- **Projections for 2030:**
    - The forecasted share of teleworkers in 2030 shows that under all three scenarios, existing differences between MS are likely to remain

    - When it comes to the prevalence of telework by occupation, under all three scenarios, managers and professionals are likely to be the largest groups teleworking in the future.

    - With regard to its prevalence by sector, the sectors standing out are a) information and communication, and b) the activities of extraterritorial organisations

- o Prevalence by size of the organisation shows that smaller organisations (1-10 people) are the most likely to experience each of the three scenarios to the greatest extent
- **Ongoing discussions** are taking place with regard to the extent to which key impacts of a high prevalence of telework have already materialised:
  - o Hypothesis 1: employers and employees have already adapted to the new realities, and no significant impacts in 2030 (as compared to 2021) should be expected;
  - o Hypothesis 2: significant impacts should be expected, because employers and employees treated lockdowns as a temporary state. In other words, employers and employees may have downplayed the OSH risks in the face of the pandemic

    → This study takes into consideration both of these hypotheses: a small increase in telework is unlikely to produce significant changes (due to H1), but further growth in telework should produce substantial changes (due to H2).

- **Negative *economic* impacts**
  - o The administrative burdens faced by SMEs (due to the lack of legal certainty in determining eligibility for teleworking, compliance with working time and OSH regulations for teleworkers, dealing with the tax and social security implications of hiring cross-border teleworkers and when compensating the costs incurred by teleworkers)

- **Positive *economic* impacts**
  - o Costs savings for employers (due to reduced office space) and employees (due to lower costs of commuting).
  - o Opportunities to hire talent worldwide
  - o Workplace innovation and digitalisation
  - o Economic development of non-metropolitan areas

- **Negative *social* impacts**
  - o Physical safety and health (particularly among lower-income teleworkers)
  - o Psychosocial safety and health (e.g. burn-out)

- **Mixed *social* impacts**
  - o Work-life balance of employees
  - o Gender equality in the labour market

- **Positive *social* impacts**
  - o Higher levels of overall employment
  - o Access to the labour market for disadvantaged persons

Key points from the Q&A

- o It would be interesting to see the differences in these projections when it comes to private vs. public companies.
- o There should be a limitation in terms of the weighting of the Labour Force Survey with regard to the composition of employment within micro-companies.

- o Clarification is required as to whether the assumption used for the projection exercise takes into consideration trends in labour migration, especially from third countries.

Key points from parallel sessions

These sessions explored likely scenarios for the evolution of telework, as well as the likely future socio-economic impacts of the high or low prevalence of telework. The main questions used to guide the discussions were as follows:

- How likely are the different scenarios? Why (key drivers)?

- What socio-economic impacts might emerge in the future? What are the main challenges to address?

Participants' discussion points are summarised below:

- Representatives from **Portugal, Greece, Czechia, and Austria** agreed that the baseline scenario is the most likely in their countries.
  - o The drivers of telework, specifically the learning effect, are especially relevant
  - o Other key drivers in the case of Portugal are that the new regulation is far more protective and is better able to foster the regulation of telework, in particular in the case of working mothers with caring responsibilities
  - o In Czechia, regulation does not anticipate compensation that would discourage telework, especially in the face of growing electricity prices
  - o The main challenges relate to wages and compensation in the context of the higher prevalence of telework. Employers might be tempted to reduce wages, since workers would no longer have to come into the office

- Representatives from Czechia, Austria, the Netherlands, Italy and Bulgaria mentioned that the role played by the sector in which a firm operates and its knowledge intensity might change the scenario in a given country.
  - o Czechia and Bulgaria both appear to have relatively large manufacturing sectors, so the share of remote workers is not high. But structural change is likely to happen and will be important for the future, specifically due to technological advancements in such manufacturing factories
  - o A cultural issue exists, specifically in the cases of Italy and Bulgaria. Even now, people are not used to remote working. In Austria, differences exist between companies, while in the Netherlands, employers are encouraging their employees to take up teleworking opportunities.
  - o In terms of working time, one trade union representative mentioned that it is more difficult to organise people when they work from home
  - o Sometimes, companies might say they have agreed arrangements and the goals/organisation of work with their employees while giving less regard to the intensity of their ICT use.

- Among the participants from Slovakia, Malta and the Netherlands, some mentioned that the flexibilisation scenario appears most likely, though this is not applicable to all.
  - o The participants from the Netherlands mentioned that flexibility and the way in which time is managed could be a challenge in terms of equality

- o If telework is likely to be further linked to mothers with caring responsibilities, this could produce negative outcomes –solutions need to be created that can avoid such gender traps

- o One question that remains open is the extent to which telework will continue to be stigmatised

- o The impact of telework on productivity, according to some surveys in Slovakia, appears to be positive

- o Another challenge is the legal administrative burden of covering the costs and compensation for employees who telework –implementation mechanisms, taxing specific allowances, and so on

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