



TELEWORK

Framework Agreement (2002)

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Framework agreement on telework

- Adopted in 2002
- Signatory parties: ETUC, UNICE (now BusinessEurope), UEAPME (now SMEUnited), CEEP (now SGIEurope)
- Agreement to be implemented by the members of the signatory parties



The image shows the cover page of the 'Framework Agreement on Telework'. The title is prominently displayed at the top right. Below the title, there are logos for the European Trade Union Confederation (ETUC), UNICE (now BusinessEurope), UEAPME (now SMEUnited), and CEEP (now SGIEurope). The main body of the page contains the text of the agreement, starting with 'I. GENERAL CONSIDERATIONS'. The text discusses the context of the European employment strategy, the invitation to negotiate, and the objectives of the agreement. It also defines telework and states the purpose of the agreement.

FRAMEWORK AGREEMENT ON TELEWORK

 EUROPEAN TRADE UNION CONFEDERATION

I. GENERAL CONSIDERATIONS

IN THE CONTEXT of the European employment strategy, the European Council invited the social partners to negotiate agreements modernising the organisation of work, including flexible working arrangements, with the aim of making undertakings productive and competitive and achieving the necessary balance between flexibility and security.

The European Commission, in its second stage consultation of social partners on modernising and improving employment relations, invited the social partners to start negotiations on telework. On 20 September 2001, ETUC and the business committee EUROCAHRES/CEC, UNICE/UEAPME and CEEP announced their intention to start negotiations aimed at an agreement to be implemented by the members of the signatory parties in the Member States and in the countries of the European Economic Area. Through them, they wished to contribute to preparing the transition to a knowledge-based economy and society as agreed by the European Council in Lisbon.

Telework covers a wide and fast evolving spectrum of circumstances and practices. For that reason, social partners have chosen a definition of telework that permits to cover various forms of regular telework.

The social partners see telework both as a way for companies and public service organisations to modernise work organisation, and as a way for workers to reconcile work and social life and giving them greater autonomy in the accomplishment of their tasks. If Europe wants to make the most out of the information society, it must encourage this new form of work organisation in such a way, that flexibility and security go together and the quality of jobs is enhanced, and that the chances of disabled people on the labour market are increased.

This voluntary agreement aims at establishing a general framework at the European level to be implemented by the members of the signatory parties in accordance with the national procedures and practices specific to management and labour. The signatory parties also invite their member organisations in candidate countries to implement this agreement.

Implementation of this agreement does not constitute valid grounds to reduce the general level of protection afforded to workers in the field of this agreement. When implementing this agreement, the members of the signatory parties avoid unnecessary burdens on SMEs.

This agreement does not prejudice the right of social partners to conclude, at the appropriate level, including European level, agreements adapting and/or complementing this agreement in a manner which will take note of the specific needs of the social partners concerned.

 UNICE
The Union of Industrial and手工艺 Businesses

 UEAPME

 CEP

Definition and scope

- **Telework** is a form of organising and/or performing work, using information technology, in the context of an employment contract/relationship, where work, which could also be performed at the employers premises, is carried out away from those premises on a regular basis.
- **This agreement covers teleworkers.** A teleworker is any person carrying out telework as defined above.

VOLUNTARY CHARACTER

TELEWORK is voluntary for the worker and the employer concerned. Teleworking may be required as part of a worker's initial job description or it may be engaged in as a voluntary arrangement subsequently.

- In both cases, the employer provides the teleworker with relevant written information.
- If telework is not part of the initial job description, and the employer makes an offer of telework, the worker may accept or refuse this offer.
- The passage to telework as such does not affect the teleworker's employment status.
- If telework is not part of the initial job description, the decision to pass to telework is reversible by individual and/or collective agreement. The modalities of this reversibility are established by individual and/or collective agreement.

Employment conditions

- Teleworkers benefit from the same rights.
- However, specific complementary collective and/or individual agreements may be necessary.



Data protection / Privacy

- The employer is responsible for taking the appropriate measures, notably with regard to software, to ensure the protection of data used and processed by the teleworker for professional purposes.
- The employer respects the privacy of the teleworker.



Equipment

- All questions concerning work equipment, liability and costs: defined before starting telework.
- As a general rule, the employer is responsible for providing, installing and maintaining the equipment.

Health and Safety

- The employer is responsible for the protection of the occupational health and safety of the teleworker

Organisation of work

- Within the framework of applicable legislation, collective agreements and company rules, the teleworker manages the organisation of his/her working time.

Training

- Teleworkers have the same access to training and career development opportunities as comparable workers at the employer's premises and are subject to the same appraisal policies as these other workers.



Collective rights issues

- TELEWORKERS have the same collective rights as workers at the employers premises. No obstacles are put to communicating with workers representatives.

ETUC 6 Priorities

1. Voluntary dimension:Telework is the workers' choice!
2. Equal Pay and Treatment for Teleworkers
3. Telework Support Payments
4. End to privacy invasive surveillance
5. Work life balance (including the right to disconnect)
6. Health and Safety (including on-line harassment)



Covid-Watch, lessons learned and next steps

- **Telework is by no means a new issue!**
- **But... Consequence of the pandemic:** a massive increase in the number of the people working from home
- **Necessity to ensure good lessons** are learned from the huge efforts made by workers
 - Workplaces which already had telework arrangements embedded in collective agreements have been best placed to adapt to the challenges during the lockdown
 - Collective bargaining is fundamental to allow telework to facilitate a safe return to work and a quick and fair recovery
- A new **Framework Agreement on Digitalisation (2020)**: the commitment to a negotiated and agreed change to the use of ICTs!
- **Possible next steps...**



THANK YOU!