



# ADVANCES TELEWORK GENERAL MEETING 2021





Drawing lessons from the historic and unprecedented experience of forced telework in the European institutions, USB debated the issue at its General Assembly on 1 July 2021. The elements of analysis and reflection resulting from this debate are included in this document with a view to negotiations on new telework conditions in the different institutions.

Recognising that telework needs and situations may vary from one institution to another, the section committees will be at the forefront of negotiations on an institution-by-institution basis. Nevertheless, some trends and guidelines can be identified to guide the negotiation work which, while taking into account the specificities of each institution, should follow some basic principles to ensure the well-being of workers but also a certain balance between the institutions of the European civil service.

## DURATION OF TELEWORKING BY TYPE OF FUNCTION/POST

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Telework has always been a possibility for the worker and this possibility was subject to authorisation on a case by case basis and taking into account the needs of the service. During the pandemic, we witnessed for the first time in the history of the civil service a long term, almost general and compulsory teleworking. The unique health situation persuaded us to adapt to this situation and we did.

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As the health situation improves, we are now looking at a return to normal, but the European civil service must learn the positive lessons from the experience. In any case, for USB, telework will remain an option for officials and the general closure of offices should remain a unique exception in history. USB will not accept that, usually, telework should be made compulsory for service reasons.

Not all functions and services have the same requirements of physical presence at the place of employment, the job description should clearly indicate if telework is not possible. For other posts, by default, USB claims the right to telework for at least 40% of the monthly working time.

When the possibility of telework was systematically refused for service reasons and the situation in 2020 and 2021 related to the pandemic proved that telework was indeed technically and functionally possible, staff representatives should be able to demand a revision of the evaluation of the possibility of telework in this service.

The job description and the vacancy notice should mention the possibility of telework for the post.

## TECHNICAL ASPECTS OF TELEWORKING

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The technical aspects of the implementation of telework must be documented in a regulatory text. This document should be negotiated with the staff representatives and should specify the equipment to be made available (such as screens, keyboards, etc.).

Financial compensation for working at home should be considered when telework is not a one-off. This should compensate for additional costs other than equipment that the employer can provide to the teleworker: electricity, heating, high speed and high capacity internet, etc.

Prevention and protection of the teleworker must be given new attention, especially with regard to the ergonomics of the workstation.

The teleworker should not be subject to controls on his or her activity other than those put in place when present in the office. Any attempt at meticulous hyper-monitoring of the teleworker should be avoided.

The ecological impact of telework must be part of the institution's reflection on its environmental footprint.

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# TELEWORKING BALANCE/PRESENCE IN THE BUREAU

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As a general rule, the USB calls for the right to telework for at least 40% of the monthly working time.

Given the positive aspects of the experience of telework during the pandemic, the maximum number of days of telework allowed per week will probably be increased in the regulations, as this is a demand that is felt by both the employer and the officials.

In these negotiations, the USB defines as a red line that any job of European civil servant will always require a minimum presence at the place of employment. In other words, 100% telework throughout the year is not possible for an official's job.

Indeed, recent experience has shown us that creativity, team spirit, motivation, a sense of participation in an overall objective, etc., require informal interactions which are only possible if the teams are present together at the workplace. The future workplace will therefore have to be attractive to the official and organised in such a way as to facilitate tasks requiring a high degree of concentration, while at the same time offering places for exchanges with colleagues.

The work of the European civil servant will not be reduced to a transactional relationship where one only comes to the office to define a series of tasks which one can then carry out in isolation at home and only interact with colleagues through virtual and planned meetings. De-socialisation, dehumanisation, distancing and a transactional approach to work are incompatible with working as a civil servant in the European public service.

In the search for the right balance, it should also be taken into account that many have discovered a productivity gain on certain tasks when teleworking. Saving time on transport, the possibility to isolate oneself to stay focused, limiting interruptions are all positive aspects of telework that have been revealed by this unique experience we are living. For limited and well-defined tasks, telework can be more productive and therefore more rewarding for the worker himself. Telework is no longer perceived as a domestic facility to be at home to receive the plumber for example or to look after the children, it is perceived as allowing a gain in productivity for certain well-defined tasks.

This balance will have to be reviewed in each institution, taking into account local specificities and in consultation with the social partners, but it should not depend on the discretionary power of the hierarchical superior, who should not be able to invoke the interests of the service without control to refuse telework. This balance must also be able to take into account the personal situation of the official. In certain cases, such as the need to care for a seriously ill spouse or child, telework should be considered rather than part-time work or leave on personal grounds.

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# ON THE PLACE OF TELEWORKING

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In this experience of long office closures, some have discovered working at a distance, sometimes even very far from their place of employment. This telework was often done at a distance from one's place of residence as well. Since the offices were closed to all, telework could be organised far from the place of employment and far from the place of residence.

But when it will again be possible to come to the office, it will have to be better defined to what extent these periods of teleworking at a great distance from the place of employment will remain a possibility for the official.

The question is not whether telework from abroad will be a possibility, the question is how far away from the place of employment the telework place could be established and what impact the geographical distance between the telework place and the place of employment may have on the requirements of the service.

As a general rule, USB considers that the obligation not to be hindered in the performance of one's duties expressed in Article 20 of the Staff Regulations for the establishment of the place of residence will also apply to the place of telework. The assessment of distance is necessarily different for the place of residence than for the place of telework.



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As a reminder, Article 20: "An official shall reside at his place of employment or at such distance therefrom as not to interfere with the performance of his duties. He shall inform the Director General of his address and notify him immediately of any change in it.

In all circumstances :

- No business meetings will be held in person at the telework location. All professional meetings involving the teleworker will be conducted remotely through a telecommunication tool provided by the administration.

In normal circumstances :

- The place of telework is chosen by the teleworker, it does not necessarily have to be the place of residence.
- The place of telework is located at a distance from the place of employment which allows the teleworker to reach his/her place of employment within a reasonable time in case of technical impossibility to work remotely (power cut, telecom cut, etc.).
- The circumstances in which the teleworker may be required by his/her superior to return to the office within a reasonable time should be regulated. The simple organisation of a meeting of the usual type in the office which can be followed virtually is not such as to justify such on-call duty.

Moreover, for a limited period of time during the year, the maximum duration of which is defined in a regulation:

- The place of telework may be located at a distance from the place of employment which does not allow the teleworker to reach his or her place of employment during the day of telework.
- This limited period over the year may be extended to take account of a personal situation of the official such as the serious illness of a parent or child.

## TIMESLOT DURING THE DAY TO TELEWORK

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As a general rule, the timing of telework will follow the same rules as the timing of office work. The flexibility offered to the civil servant to be able to modulate his or her working hours over a day is the same whether the work is done in the office or in telework.

On the one hand, in order to ensure team cohesion, the teleworker will be required to be available during the time slots stipulated in a regulation negotiated with the staff representatives (core time).

On the other hand, to ensure the teleworker's right to disconnect, he/she will not be required to participate in a meeting beyond a certain time slot (flexi time).