



European Foundation
for the Improvement
of Living and Working
Conditions

The tripartite EU Agency providing knowledge
to assist in the development of better social,
employment and work-related policies

Labour market regulation, effectiveness of legal rights and obligations and Safety and Health at work

High-level Conference on the Future of Work “Remote Work: Challenges, Risks
and Opportunities” - Session IV

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Eurofound

Relevant existing EU legislation

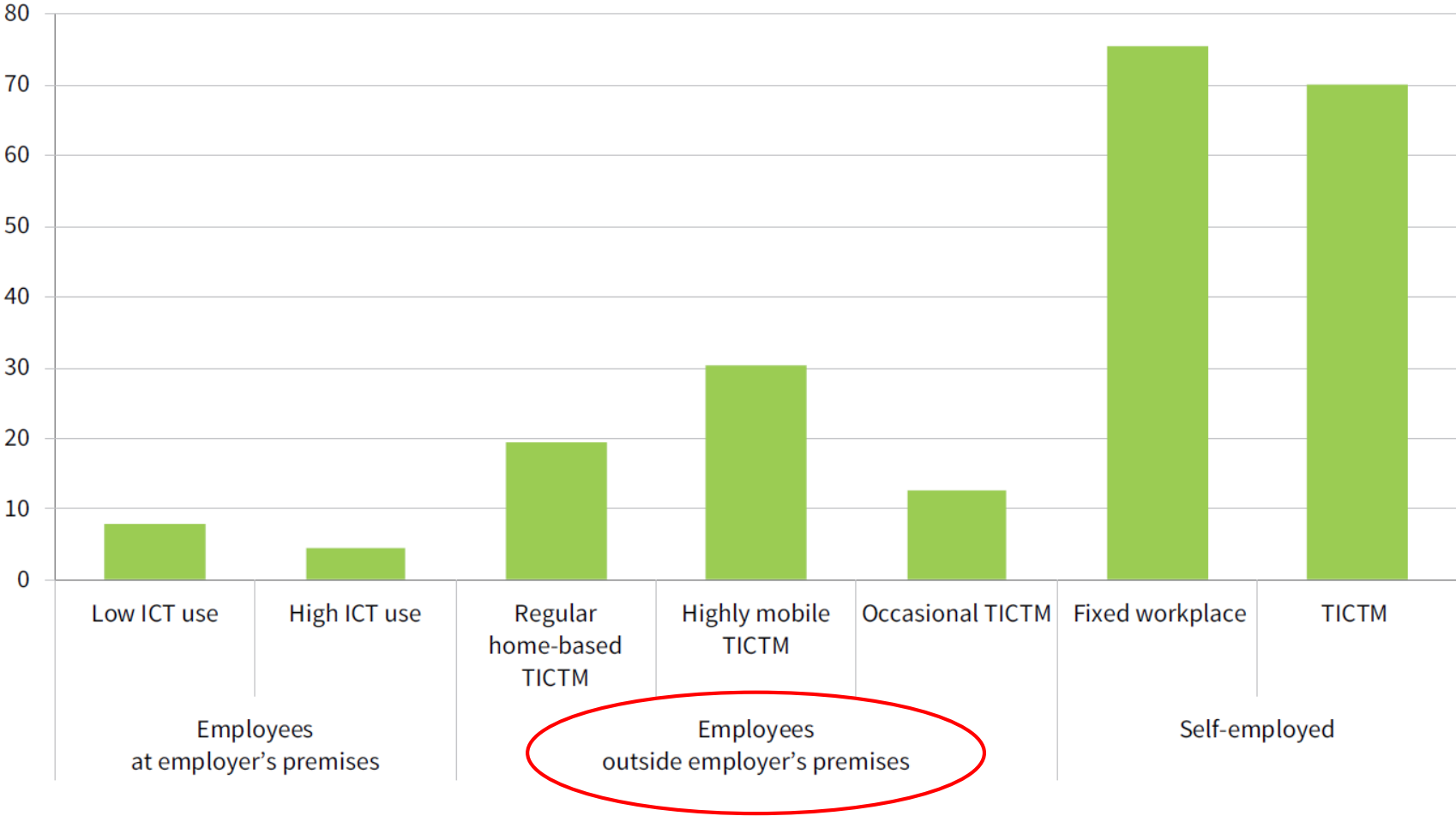
- Framework Directive on Occupational Safety and Health (1989/391/EEC)
- Working Time Directive (2003/88/EC)
 - Weekly working time limit 48 hours
 - Minimum period of 11 consecutive hours of daily rest and an additional 24 hours of weekly rest
 - Case law requires employers to record and monitor working hours
- Directive on Work-life balance for Parents and Carers (2019/1158 EU)
- Directive on Transparent and Predictable Working Conditions (2019/1152 EU)
 - States that the place of work and work patterns must be included in the information the employer provides to each worker
- Social partner agreements on telework and digitalisation

Fit for purpose?

- Is existing regulation covering all aspects?
- Is existing regulation covering everyone who needs protection?
- Is compliance with existing regulation becoming more difficult?
- Is enforcement of existing regulation becoming more difficult?

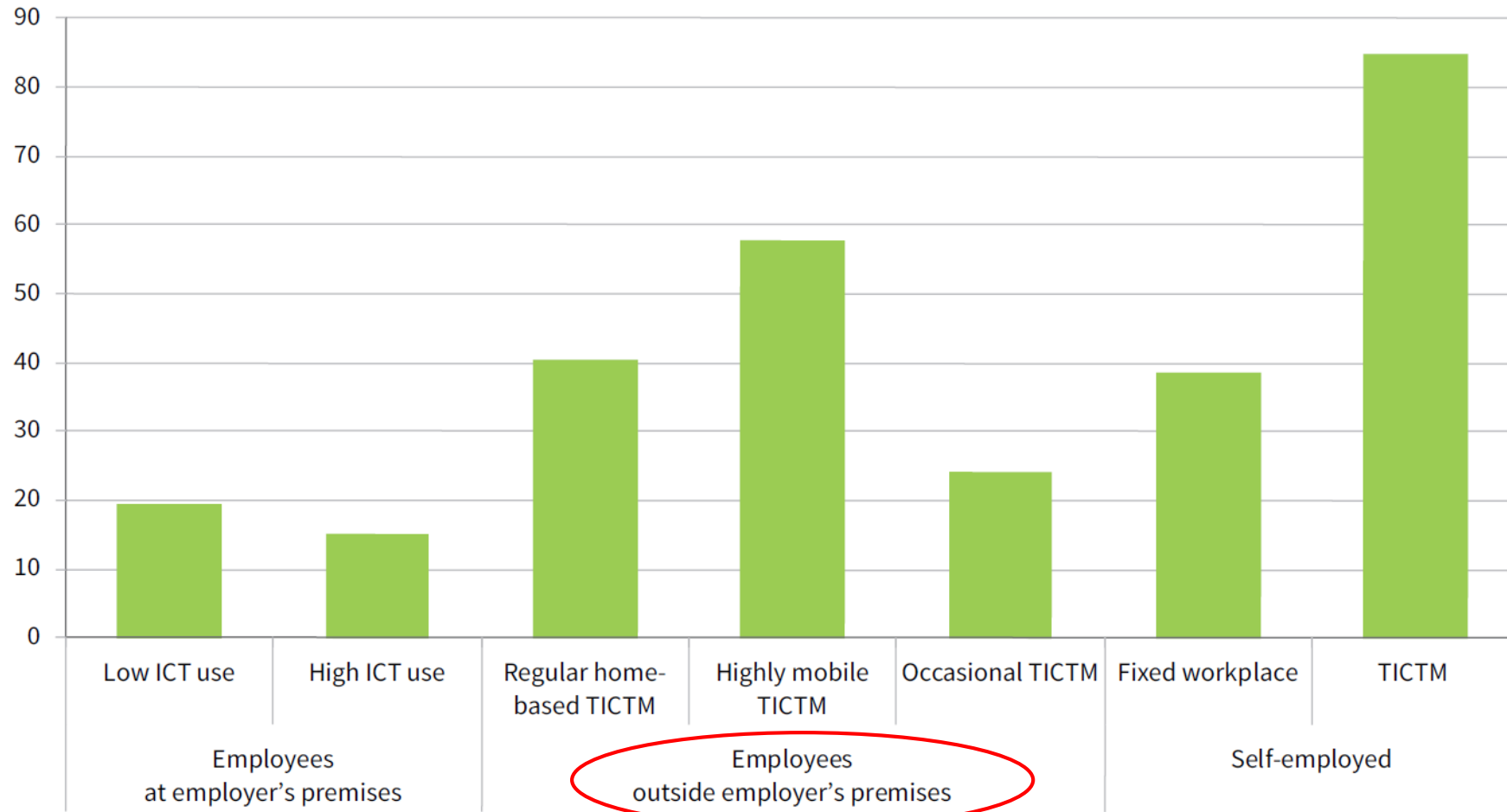
Working time

Shares of workers reporting working more than 48 hours per week (%), by work arrangement, EU28, 2015



Source: EWCS 2015

Shares of workers reporting a reduced rest period (%), by work arrangement, EU28, 2015



Note: The EWCS question asks whether, in the last month, the respondent had a rest period of less than 11 hours between two working days

Source: EWCS 2015

Recording working time

- EU Working Time Directive: requires employers to record the working hours of those workers who have opted out of the 48-hour maximum working time provisions.
- National legislation: requires working hours to be recorded for all workers, but few have specific provisions on recording working time while working remotely
- Tracking the working hours of TICTM workers more difficult
- Concerns about data protection implications of monitoring arrangements
- Legislation considers working time as binary

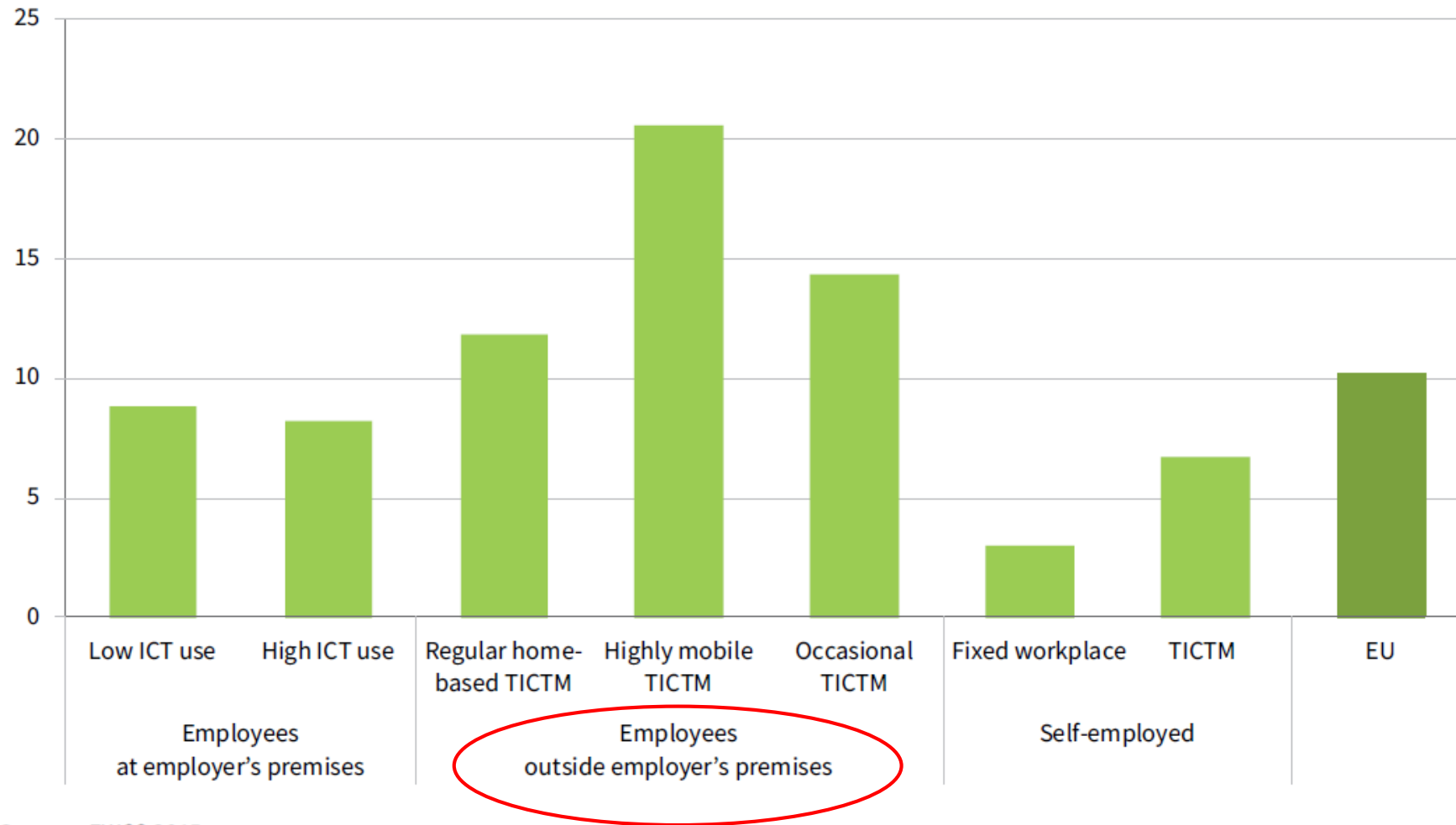
Health and safety concerns

Shares of workers reporting fatigue, headaches and eyestrain, and anxiety (%), by work arrangement, EU28, 2015



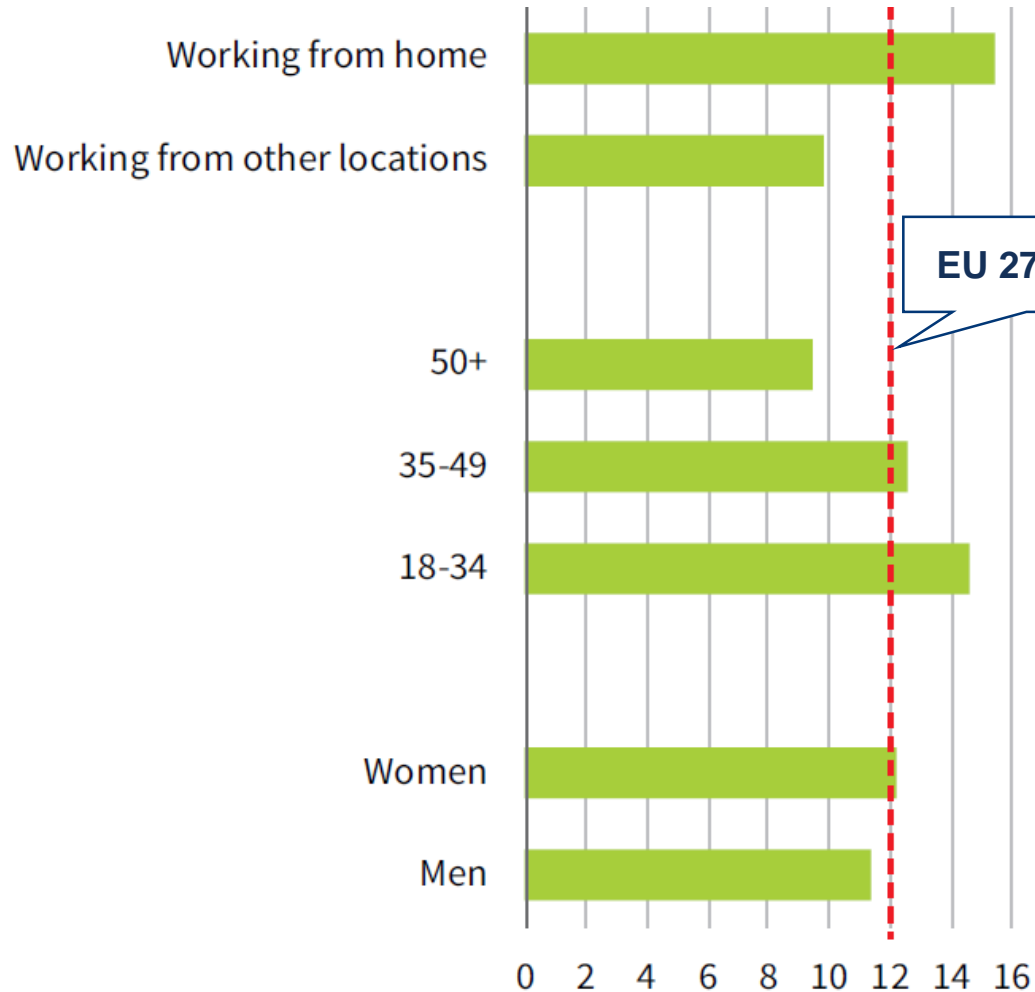
Source: EWCS 2015

Shares of workers who rarely or never have enough time to do their job (%), by work arrangement, EU28, 2015



Source: EWCS 2015

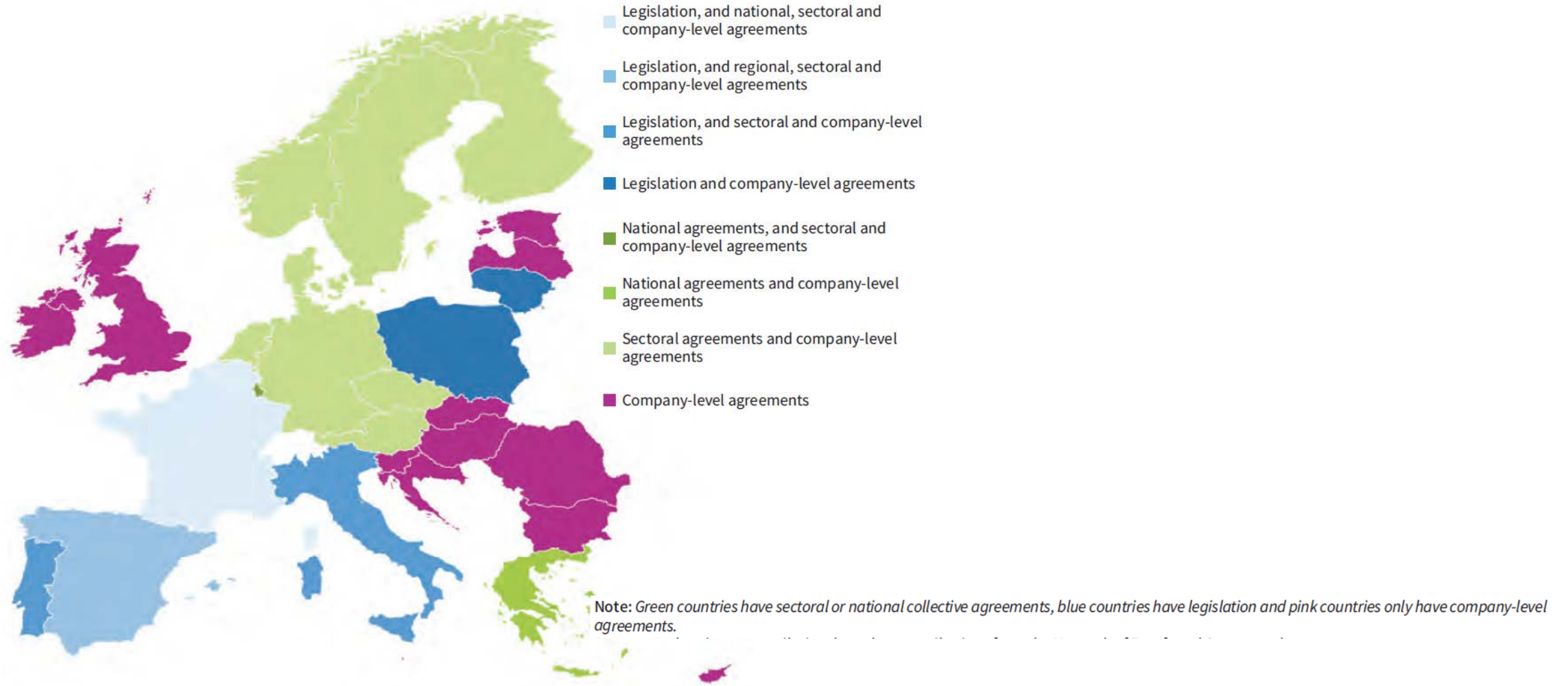
Employees reporting feeling isolated while working during the pandemic, EU27 (%)



Note: Proportion replying 'always' or 'most of the time' to the statement 'You feel isolated when working'.

Legislation or collective bargaining?

Highest level of regulation linking remote work and work–life balance, by Member State



Concluding remarks

- Several EU-level provisions address the potential challenges for decent working conditions of remote workers
- A wide range of national level regulation exists – through legislation and/or collective agreements – but only some of these explicitly include the aim to promote work–life balance
- Gaps remain and issues arise around compliance, enforcement and coverage
- Regulations aim to protect employees – remote workers classified as self-employed do not benefit
- Remote working can contribute to the intensification of work and to isolation thus increasing psychosocial risks not included in OSH regulation