

New CBA on mandatory or recommended teleworking in the context of Covid-19



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On 26 January, the National Labour Council signed a collective bargaining agreement concerning the terms and conditions for teleworking that is compulsory or recommended by public authorities in the framework of the measures taken to combat the spread of coronavirus (hereinafter "CBA 149").

First, it should be noted that CBA 149 only applies until 31 December 2021 and does not concern companies that concluded agreements on teleworking before 1 January 2021.

Second, CBA 149 sets out principles that should be taken into account in the context of teleworking. It states, amongst other things, that teleworkers should benefit from the same rights and obligations as other employees. In addition, teleworkers must be provided with information concerning the conditions for teleworking. In this context, the employer should conclude an agreement with each employee concerned regarding provision of the necessary equipment for teleworking and the costs and expenses to be reimbursed. The work schedules, monitoring possibilities of the employer and the periods during which teleworkers must be reachable or can be disconnected should also be laid down in a policy or agreement.

Finally, CBA 149 mentions the well-being of employees. Employers should in particular inform teleworkers of the measures taken to ensure their well-being and the person they can contact in this regard.