

New collective agreement on telehomework during COVID-19 crisis published



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On the 26th of January 2021 the National Labour Council (NAR) concluded a national interprofessional collective agreement on telehomework during the COVID-19 crisis, which provides a clear framework for the minimum arrangements to be made at company level.

The new collective agreement applies to government-recommended or compulsory telehomework to prevent the spread of the coronavirus. The CBA is concluded for a fixed term until 31 December 2021 and is mainly aimed at forcing companies that do not yet have a solid framework for telehomework to make agreements on this now.

For whom?

The CBA applies to telework that is required or recommended by the government as part of the fight against the spread of COVID-19 and applies to companies that have not yet developed telework regulations by 1 January 2021. Thus, the schemes created before this date are not affected. Nor does the CBA prevent more sustainable schemes from being developed.

How?

In order to comply with the obligations of the CBA and to clarify the rules within the company, collective bargaining agreements can be concluded at company level, work regulations can be amended, policies can be drawn up or individual agreements can be concluded. We advise to draft a policy (if not already in place) because of the flexibility of this instrument.

The rules contained in the aforementioned instruments must be clearly communicated, towards the employees but can simply be communicated via email or intranet.

What?

In accordance with the CBA, the following principles apply and need to be agreed and communicated in every company who are doing telehomework:

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Principles

The teleworker enjoys the same rights and obligations during telework as during

Arrangements must be made regarding:

Terms of employment

- the provision of equipment and technical support;
- the use of own equipment and the reimbursement or payment by the employer;
- about the additional connection costs.

Organisation of employment

The teleworker organises his/her own work, while respecting the agreed working

The workload and performance standards remain unchanged.

Consideration must be given to the possible adjustment of the timetable, the most appropriate assessment criteria and the (un)accessibility of the teleworker. Agreements could

Control

The employer shall exercise control over the work of his employees in an appropriate manner, taking into account the rules on the protection of personal data (GDPR, Collective Bargaining Agreements) and be informed accordingly.

Collective rights

Teleworkers have the same collective rights as when they work at the company. Trade union representatives must have the possibility and right to keep communicating with teleworkers.

Wellbeing at work

The teleworkers are informed about the company's policy on well-being at work and the measures taken to ensure it.

The teleworkers are informed of the persons responsible for implementing this policy (e.g. safety officer, confidential advisor, etc.). Teleworkers must be able to contact these people.

If necessary, an adjustment of the work post is proposed.

The employer must ensure that the teleworkers are connected to their colleagues and that vulnerable teleworkers are supported.