

Workers participation in management in implementing telework

On telework

On 16 July 2002, European social partners (ETUC, UNICE/UEAPME and CEEP) signed a framework agreement on telework. The agreement recalls that teleworkers benefit from the same legal protection as employees working at the employer's premises and defines a general framework for using telework at the workplace, in a way which corresponds to employers' and workers' needs. It concentrates on the aspects which are specific to working at a distance from the employer's premises and highlights key areas requiring adaptation or specific attention such as employment conditions, data protection, privacy, equipment, health and safety, work organisation, training, and *collective rights*.

Telework is defined as a form of organising and/or performing work, using information technology, where work, which could also be performed at the employers' premises, is carried out away from those premises on a regular basis.

Teleworkers' collective rights - workers' participation in management rights

Teleworkers have the *same collective rights as workers at the employer's premises*. No obstacles are put to communicating with workers representatives. The same conditions for participating in and standing for elections to bodies representing workers or providing worker representation apply to them. Teleworkers are included in calculations for determining thresholds for bodies with worker representation in accordance with European and national law, collective agreements or practices. The establishment to which the teleworker will be attached for the purpose of exercising his/her collective rights is specified from the outset.¹

Role of works council in telework

The agreement states that worker representatives are informed and consulted on the introduction of telework in accordance with European and national legislations, collective agreements and practices.

Hence, the role of works council is basically defined in the agreement, but it needs to be developed at the company level in order to put telework in actual use. Telework relates to several labour law institutes, such as health and safety, basic conditions of work, organizational issues and other similar issues related to the legally defined role of works councils.

¹ Article 11 of European Framework Agreement on telework

