

## 2nd E- LEAFLET – CROATIA : “Workers’ participation in introducing teleworking in the company”

### What is telework?

Telework is using information technology (IT) and telecommunications to replace work-related travel. Telework allows employees work at home or at a local telework center one or more days per week using communication tools, such as such as phone, fax, modem, Internet teleconferencing, e-mail or IM, to perform work duties from a remote location.

### Telework raises several labour-law related issues

Some of the elements of the employment relationship are rather formal hence require different approach. Issues related to working hours and occupational health and safety are just some of them. Different approach to working hours and occupational health and safety is necessary, but such approach still has to ensure proper standards of teleworkers’ protection.

### Introduction of novelties requires wide consensus

Legislation does not always provide all the answers, especially in regard to newly introduced labour approaches. In the process of finding the proper solution to the challenge, wide consensus is required. Whereas trade unions can be valid partner at promoting telework and at co-creating sound legal solutions, telework has to have a solid support at company level as well.

### Workers’ council as an employer’s partner in teleworking introduction at company level

In accordance with the national legislation, the workers’ council has an active role in several elements of employment relationship that are directly related to telework:

The employer is responsible for the **protection of the occupational health and safety** of the teleworker in accordance with Directive 89/391 and relevant daughter directives, national legislation and collective agreements. *Zakon o zaštiti na radu* defines employer’s obligation to include workers’ councils into matters related to occupational health and safety.

Within the framework of applicable legislation, collective agreements and company rules, the teleworker manages the organization of his/her **working time**. In accordance with *Zakon o radu* working time is a matter of further regulation in “Labor agreement act” (*ugovor o radu iz 17 članka Zakona o radu*), concluded between employer and workers council.

There is an undeniable link formal between the roles of workers’ council and introduction of telework in the company. An actual link has to be further established in order to provide a sound solutions for the actual introduction of telework.

