



TWING PROJECT

Case Studies Report

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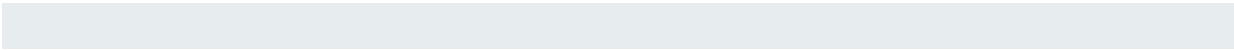


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1. ICT Consultancy

1.1 Introduction

This study examines a telework agreement within a global ICT consulting firm based in Spain. Although the firm had established telework protocols prior to the pandemic, the adoption rate was minimal. In the aftermath of the pandemic, the incidence of telework increased, leading to a series of negotiations following the enactment of Spain's telework legislation (Royal Decree-Law 28/2020). The data for this case study were sourced from an interview with an employee who is part of the legal representation of workers, as well as desk research from the company's website and all the company-level trade unions involved in telework negotiations.

1.2 Contextual and company information

This firm delivers ICT consultancy services within sectors such as transport, defence, energy, telecommunications, and financial services to customers, including both private and public organizations. Originating from a conglomerate of companies in 1992, it expanded its operations in 2007 through acquisitions. As of 2023, it employed approximately 60,000 individuals. Initially under public ownership, the group has experienced a shift towards privatization over the past two decades.

The company's structure is delineated into four primary business segments: (1) transport; (2) air traffic; (3) defence and security; and (4) ICT consultancy coupled with software development. The focus of this report is on the ICT consultancy division, which emerged from the consolidation of the company's IT departments and the assimilation of other tech firms.

Positions within the ICT consulting sector of this company are generally characterized by a significant potential for telework. A substantial portion of the workforce is both highly qualified and technologically proficient. The organization adopts a results-oriented approach, prioritizing the completion of tasks within established deadlines. Thus, employees utilize a tracking system to monitor the time allocated to each task within projects. According to a trade union representative, employees often benefit from a certain degree of flexibility in their working hours, which helps mitigate the extensive amount of working time.

The company's primary commitment is to provide services to customer organizations, which means that work organization is largely influenced by contractual agreements with custom-

er organizations. Employees are allocated to projects, usually tied to the company's contracts with customer firms. Consequently, certain aspects of employment conditions, such as working hours and telework, are more dependent on the customers' stipulations than on the employer's policies.

Upon the conclusion of a project, employees are deemed "unassigned" until reassigned to a new project, unless there is a pre-existing agreement for automatic reassignment ("Service Specific Agreements"; "Acuerdos a Nivel de Servicio"). Extended durations of non-assignment are atypical due to the volume of ongoing projects. Notably, the interviewee highlighted that terminations could occur.

The company adopted some telework practices prior to the pandemic. In 2015, under "easy working" schemes, certain employees were allowed to work from home for 2-3 days per week. These arrangements were generally informal and did not require a formal telework contract. Only the most extensive telework schedules, not exceeding 80% of work hours, were formalized through agreements. The company subsidized internet costs.

Similar telework policies were also adopted by other recently acquired subsidiaries. Some permitted telework for up to 80% of work hours and provided various forms of financial compensation, such as an annual allowance of €200.

"Certainly, there were some telework agreements, but they were very specific. We're talking about, in my center, which is smaller, we are about... 250 or so, we could be talking about 8 to 10 teleworkers prior to that, and that's a very small part of the workforce."

1.3 Drivers and motivations for the adoption of telework

The "easy work" program was introduced in 2015 as a cost-saving measure during a period of financial strain for the company. The company representative indicated that this initiative was launched without prior consensus with the employees' representatives. These work arrangements were a response to the unsuccessful attempt to shut down an operational center despite extensive layoffs (EREs). The adoption of "easy work" implied a reorganization of labour, enabling the closure of one working centre. Notably, the trade union representative emphasized that the employer planned the shutdown of other working centers.

"Without reaching an agreement with the company, a system they called Easy Work was indeed implemented, which involved working from home some days of the week. [...] the company realized the benefits for the business, not just for the people. [...] and suddenly, they found that with Easy Work they could close the center. [...] And they prepared to close another center."

At the onset of the pandemic, the company demonstrated remarkable adaptability to transition to full-time telework, leveraging its prior experience with “easy work” arrangements.

The interviewee observed that although telework was initially implemented as a cost-saving measure, it has since demonstrated a range of additional benefits. Primarily, telework has become essential for attracting and retaining talent, especially given the increased challenges of recruitment and employee turnover. Moreover, telework has streamlined the provision of services to other companies by avoiding legal issues related to employees working on clients' premises. Additionally, telework has enabled more efficient reallocation of employees across different projects, enhancing overall operational flexibility.

1.4 Social dialogue and telework

In this corporation, social dialogue has historically been lacking, even before the merger of the constituent companies. Despite its considerable size, the company does not have a collective bargaining agreement, and many disputes have been resolved through legal action. Research and interviews reveal that initial organizational changes, such as privatization and extensive layoffs, strained the relationship between the employer and the Workers' Committee (RLT). However, the interviewee noted that the significant layoffs in 2015, along with legal requirements for public procurement processes (e.g., gender equality plans), forced management to engage in social dialogue at the corporate level, although a collective bargaining agreement is still absent. Instead, the sectoral collective agreement is supplemented by equality plans and specific agreements addressing allowances, telework, and the right to disconnect.

“An employment regulation file was already in place from the very beginning, when the company was formed. That’s where I believe the relationships became entrenched. There was never any trust. [...] in the file is when you [RLT] tell the company, you come here with a problem [massive layoffs], you want us to solve it, and you haven’t built a relationship with the RLT. [...] the company realizes that it has to [...] create agreements.”

Furthermore, the Workers' Committee experienced substantial reorganization following the merger, resulting in the consolidation of several workers' committees. Currently, eight trade unions represent the employees of this company, with four holding the majority. Additionally, a new sectoral collective agreement has been adopted. Before the merger, numerous companies operated under the sectoral agreement of the metal sector. However, since the merger, the sectoral agreement for the ICT consultancy sector has been applied universally to

all these companies, regardless of their prior sectoral regulations, now unified under the same business division of the multinational corporation.

1.5 The process of negotiation

The telework agreement under examination was ratified in November 2021. It involved 13 participants, which included 7-8 trade unions. Of these, 4 unions, representing 61% of the workforce, signed the agreement. The negotiation process spanned five sessions over five weeks. The trade unions did not form a unified platform. Instead, each union representative voiced their individual perspectives at the meetings. The interviewee indicated that progress was made towards developing a consensus proposal acceptable to all parties involved. However, the unions that abstained from signing strongly criticized the negotiation process, alleging that their suggestions were ignored and that some unions had pre-negotiated terms with the employer.

"We stated from the beginning of this 'negotiation' that everything seemed overly synchronized, and it remained so until its conclusion. [...] In the end, these processes only serve to justify the hours of the unionists released by the company, and to pay the advisors whatever they ask for or whatever they 'save' the company." (Trade union communication)

The main topics of discussion encompassed economic compensation, the option of reversibility, criteria for regularity, telework from secondary residences, and resource allocation. The unions prioritized negotiating within the scope allowed by national legislation and sought to maximize the extent of telework, particularly since telework was not widespread within the company despite previous initiatives.

Telework was categorized into three levels based on the percentage of time worked remotely: less than 50%, between 50% and 90%, and over 90%. Compensation rates were set at €8 and €17, corresponding to 33-50% and 50-100% of telework time, respectively.

Despite all parties recognizing telework as mutually beneficial, the economic compensation negotiations were particularly contentious. This became a significant point of disagreement for the non-signatory parties, who argued that telework should not impose a financial burden on employees, especially considering their efforts during the pandemic.

"The amount [...] is laughably small [...] we have requested the company to [...] adjust it according to the CPI [...] The savings that the company has made during the pandemic by having all its employees teleworking have not been compensated to us in any way." (Trade union communication)

Notably, the interviewee observed that the previous "easy working" arrangements and the employees' demands for telework weakened the trade union's position in negotiating economic compensation. Essentially, the trade union representative anticipated that an eventual higher compensation of costs would have undermined a broad implementation of telework.

"How much do those three hours cost you in terms of family life? [...] We were already aware of the benefits of not commuting for extended periods, which pressured us to finalize an agreement swiftly. It's a rather unique situation. [...] People simply wanted the option to work remotely. [...] Remote work allows you to wake up, handle personal matters, drop your child off at the bus stop, and start working right away. This pressure was present throughout the negotiation process. [...] We received panicked messages saying, 'Hey, you're being too aggressive.'"

"If you end up with an excellent agreement where remote workers receive, say, 100 euros, and those who don't work remotely get nothing, then the company will still say, 'Come to the center; it's open.'"

Interestingly, even the unions that did not sign the agreement acknowledged feeling pressure from employees who were eager for telework arrangements.

"We won't create obstacles because the majority of those who have reached out to [us] have done so to express how crucial telework is for family and social balance. [...] We hinted at returning to the offices as a pressure tactic [...] but there's also a responsibility that falls on each working individual. Without mobilization, we won't resolve anything in this company nor achieve a fairer distribution of the wealth we create." (Trade union communication)

Other issues did not imply significant debate. The provision of resources was deemed non-negotiable due to the requirements of company or client-provided security systems. Likewise, there was consensus on providing equipment such as monitors, keyboards, mice, and chairs, allowing employees to take their own chairs, especially as many centers were shutting down but still retained by the corporation.

Less attention was given to the remaining matters. Telework from secondary residences required managerial approval. The notice period for returning to the office and the implementation of reversibility were established at one month, or fifteen days, depending on the circumstances.

1.6 The process of implementation

Although specific figures are not currently available, it is evident that the prevalence of telework has surged dramatically following the agreement, resulting in the closure of multiple facilities.

"The reality today is that a very high percentage of the workforce is teleworking. [...] And we know this because of the closure of centers, eh. So many centers have been closed everywhere, the economic savings must be enormous..." (Trade union representative)

Although telework is widely valued by employees, several concerns regarding its implementation have been raised. The interviewee highlights a notable lack of oversight in the execution of telework policies. It appears that employees might be engaging in more telework than stipulated in their agreements, likely due to the company's emphasis on results-oriented work.

"What there isn't, is control. That's the problem. [...] there's no one monitoring whether you go or not. [...] But it's because of the type of work. [...] it's work that has a delivery date."

Nevertheless, the employer requires employees to return to the office when they are not assigned to any project and need to be reallocated, as mentioned by the interviewee.

Overall, no significant conflicts have emerged regarding the implementation of telework. The employer has reportedly complied with the agreed provision of resources by closing working centers. However, minor tensions have arisen from the employees' perspective because these resources remain corporate-owned.

"The issue was with the screens, keyboard, mouse, and chair. Since the company had a lot of centers with chairs and intended to close centers, it agreed to provide ergonomic chairs upon request [...] but [...] if you then leave the company, you have to return it and then you have to keep it at your home, [...] The monitors are a bit more complex because the monitors [...] are on a leasing basis [...] [but] they have been given out."

Lastly, it is worth mentioning that the interviewee emphasized that the organization of work has not changed as a result of telework due to sector-specific characteristics.

1.7 Impact of the measure on decent working conditions

The interviewee did not foresee telework negatively impacting working conditions. Instead, they believed telework has improved work-life balance. However, they acknowledged the

absence of systematic data collection on telework implementation. Company representatives depend on information from security systems, which are not designed for monitoring purposes.

Although telework benefits employees, the interviewee highlighted that its implementation is not primarily focused on enhancing work-life balance. The primary regulatory mechanism for work-life balance is the flexible working hours outlined in the equality plan. The equality plan applies to teleworkers as well, aiding them in managing the company's demanding work schedule.

"One of the elements we have included in the equality plans is flexibility in working hours, which acts as a work-life balance mechanism. We have a very extensive work schedule, with 1,800 hours per year, consistent with sectoral agreements. [...] We work intensively, 43 hours a week with Friday afternoons off [...] In addition to the 22 days of annual leave, we have 10 extra days off due to the surplus of these 43 weekly hours. With the introduced flexibility to start work as early as 7:30 am and take a break after an hour, managing work time becomes much more feasible. [...] Thus, if you're teleworking, starting at 7:30 am isn't too challenging. And if you finish at 5:30 or 6 pm because you needed a break, you're already at home." (Trade union representative)

However, telework can also be requested to support work-life balance according to national legislation (Workers' Statute). This arrangement differs from the telework implemented under the agreement under examination. According to the trade union representative, telework for work-life balance purposes may not be reversible if the reasons for the request remain unchanged.

"The agreement [...] pertains to business management... [...] It's not about reconciliation. [...] There's a provision for telework for work-life balance in the law, where it can be requested. It's an entirely different situation. [...] If you don't have telework, you can request it there. If you have reduced working hours or similar circumstances, telework is possible, if the project allows. Sometimes, if you need to be at the client's site, it's not feasible. Through this avenue, it's quite beneficial in terms of granting people considerable freedom and work-life balance." (Trade union representative)

Beyond telework regulations, the right to disconnect presents a significant challenge in the sector. According to the interviewee, the nature of the work, the sector's inherent flexibility, and the reliance on individual responsibility complicate its implementation. Notably, the

agreement on the right to disconnect was negotiated only within a specific part of the company, rather than across the entire business area.

"There isn't much to it, I believe... The truth is that the agreement doesn't elaborate beyond what the law stipulates, and ultimately, we couldn't define what constitutes... urgency? It's quite complex in this sector. [...] Or until when? [...] The company didn't want to face issues and aimed to avoid the perception of prohibiting emails after work hours. So, it's largely about educating people. First, teaching those in charge not to send messages at certain times and to wait until the next morning [...] and then teaching people that if your boss sends an email at 7 pm, it's not meant to be answered then, but the following day [...]. In the end, it's a sector with high staff turnover and significant availability. [...] After all, you carry your mobile phone, which can be called at any time. [...] It's a very intricate matter in the context of telework." (Trade union representative)

Lastly, the interviewee expressed concerns about trade union organization, attributing the challenges to the sector's high turnover rate of 15% rather than the implementation of telework.

"The only way, as we do it, is... In the centers, well, it's... The method is, first, to continue serving those you already know. And second, by conducting orientations. [...] through corporate channels, like the mailbox. Often, or through Teams. [...] It's quite challenging. [...] And then, another way is by having people in the center. [...] And then [...] Communications to the staff. And [...] a consultation mailbox." (Trade union representative)

1.8 Conclusions

This case study explores the telework agreement within a global ICT consulting firm based in Spain, detailing its progression from pre-pandemic practices to its formalization following the enactment of Spain's telework legislation. Initially, the firm, which operates across various sectors, experienced minimal telework adoption. However, the pandemic significantly accelerated the shift towards telework, necessitating formal negotiations on this form of work organization.

The firm's transition to telework was primarily driven by cost-saving measures. The introduction of the "easy work" program in 2015 in response to the financial crisis experienced in the company facilitated the adoption to mandatory telework during the pandemic. Notably, telework also became crucial for attracting and retaining talent.

Social dialogue, historically weak in this company, has become more relevant in the last years in spite of the absence of a company collective bargaining agreement. Negotiations on telework were driven by national legislation. Despite not being especially conflictive, these negotiations underscored the complexities of balancing the trade union demands on an economic compensation with employees' demands for telework, yet the mutual interest in adopting telework led to a consensus.

"This has been changing without difficulties in recent years. And now we have agreements, especially equality agreements. [...] to participate in public tendering, you must have an equality agreement. And a company like this wants not only the equality agreement but also the distinction." (Trade union representative)

The implementation of the telework agreement has led to a significant increase in the prevalence of telework, resulting in the closure of multiple facilities. Despite minor tensions regarding resource provisions, telework has generally been well-received, enhancing work-life balance without negatively impacting working conditions according to the trade union representative. However, challenges such as implementing the right to disconnect and maintaining trade union organization in a high-turnover sector were also identified.

Several key lessons emerge from this case study. First, the pre-existence of "easy work" arrangements facilitated the implementation of telework. Second, the negotiation process revealed that the demand for telework in the trade union side can undermine the trade union side, despite both parties acknowledging that telework is also beneficial for meeting organizational objectives. Third, sectoral logics strongly facilitated both the negotiation and the implementation of telework, since job positions usually count with a high degree of teleworkability and autonomy in the allocation of working time. Fourth, negotiations on telework focused on distributive exchanges (i.e., economic compensation), and discussions on occupational health and safety discussions were minimal. Finally, the current implementation of telework suggests it is not driven for work-life balance purposes. Rather, employees value telework highly, but work-life balance improvements are agreed on equality plans and/or other specific agreements (e.g., the right to disconnect).

"There is a strong demand and a shortage of professionals. [...] And there's turnover... [...] if you want to hire someone, if you don't offer telework, it won't work. [...] in this sector, telework, [...] companies, if they want to reverse it, will find it difficult [...] now many hires are made in provinces". (Trade union representative)

2. Banking sector

2.1 Introduction

The study explores a telework arrangement within a multinational ICT investment bank located in Spain. Despite the establishment of telework policies by the employer before the pandemic, the practice was not widely adopted until the outbreak of the pandemic. Following the legislation on telework (Royal-Decree Law 28/2020), company negotiations on telework led to a telework agreement. Despite the considerable rise in telework prevalence in the post-pandemic scenario, the employer has recently imposed new restrictions that limit the implementation of telework.

The case analysis is based on data collected from two primary sources: (1) an interview with an employee who serves as part of the workforce's legal representation, and (2) desk research, which includes an examination of the company's official website and documentation from all trade unions involved in telework negotiations at the company level.

2.2 Contextual and company information

The company under examination is a multinational investment bank and financial services corporation established in the 19th century. As of 2018, the bank's operations spanned nearly 60 countries across three continents, employing over 90,000 individuals. Corporate data indicates that in Europe, the workforce is composed of 40% female and 60% male employees, predominantly in permanent and full-time positions, with 8% of women and 1% of men in such roles. The turnover rate in the European sector is approximately 11%, according to the 2023 Annual Report.

A company representative identified two primary concerns regarding working conditions. Similar to other entities in the financial sector, trade unions have criticized the significant prevalence of informal work. The excessive workload, attributed to disproportionate managerial evaluations of employee performance and a contentious method of recording work hours, represents the core of the demands of trade unions within this firm. Additionally, branch employees, mainly engaged in sales, are more susceptible to increased work stress compared to their headquarters counterparts. The representative noted that in recent years, the provision of electronic devices such as laptops and smartphones by the employer has facilitated extended work hours, particularly for branch staff.

“In our industry, [...] there is considerable pressure, especially on sales personnel. Indeed, those in the sales department, part of the office network, are generally unable to telecommute. [...] Despite not telecommuting, [...] these individuals now possess laptops, [...] they bring them home, and it’s not uncommon for them to respond to client queries or perform counts at night. Clearly, such activities are not officially recorded. [...] The sales aspect is predominantly pressure-driven, as there is a constant push for sales and achieving targets. Those outside the commercial office network who telecommute typically do not... That is, we don’t observe... We haven’t noticed them excessively prolonging their work hours due to telecommuting. [...] Regarding time tracking, which is another contentious issue, our conflicts have primarily stemmed from this, especially within the sales division.”

2.3 Drivers and motivations for the adoption of telework

The enterprise demonstrated remarkable adaptability to mandatory telework during the COVID-19 pandemic. In 2021, the employer presented a manifesto committing to various workplace modifications. The objectives included establishing a hybrid work arrangement, revamping physical office spaces, furthering digital transformation (e.g., through cloud-based platforms), and ultimately revolutionizing the organizational culture. The hybrid model proposed implementing telework for 40-60% of work hours while fostering “a culture of trust and robust, output-based performance”. The manifesto also outlined additional goals, such as cost savings, enhancing talent acquisition and retention, diversifying the employee base, and “fostering a more committed and autonomous workforce.” This strategy is being implemented globally, with adjustments made to comply with each nation’s telework regulations. In Spain, the company’s telework policy was shaped by the enactment of Royal-Decree Law 28/2020 and the Banking Sector’s Sectoral Collective Agreement of 2021.

Interestingly, the interviewee emphasized a convergence of interests between the employer and employees. The compulsory telework experience during the pandemic led the employer to recognize the advantages of telework in achieving organizational goals and an increased telework demand among employees. As the interviewee noted, “Well, with the pandemic, we found that we had to do it, didn’t we? And then they saw that it could be done, that it was feasible.”

“Well, with the pandemic we found that we had to do it, didn’t we? And then they saw that it could be done, that it was feasible.”

2.4 Social dialogue and telework

The workforce is organized into three trade unions, with one union holding a 67% majority in representation, while the remaining two share the other 33%. The company's collective agreement is typically renegotiated biennially, and additional specific accords have been reached on matters such as work time recording (2019), the right to disconnect (2019), telework (2016 and 2021), service provision to other entities (2022), and equality plans.

According to the interviewee, the main demand of the trade unions is the enhancement of the workday recording system. Despite the company's adoption of a time registration system that compensates extra work hours with time off, reports of excessive work pressure have persisted across all trade unions engaged in social dialogue. Moreover, certain employer practices that encouraged unsocial working hours have been legally challenged. Although a company representative noted improvements over the past four years, this issue remains pertinent within the company.

"Should the workday need to be extended, we encounter no issues. A system is in place to offset additional hours with time off. However, it's acknowledged that certain groups, particularly within the managerial office network, have suggested staying longer without recording this time officially. The underlying issue? We aimed to formally acknowledge what was already known—an understaffing problem, meaning there was an excess of work relative to the number of employees. This led to some disputes, but ultimately, an agreement was reached with the bank. We proceeded to SIMA, where an annex was signed, committing to the cessation of such pressures. The situation has somewhat improved, but challenges remain."

Regarding telework, the company had been hesitant to adopt telework arrangements until the pandemic's despite the ongoing digital transformation experienced in the company. Initial telework trials before the pandemic for IT specialists did not meet the employer's expectations. The union representative interviewed indicated that managerial trust in telework was lacking, with a strong inclination towards in-person work culture. Thus, it was not until the commitment of the multinational company to implement telework arrangements that a real implementation of telework began.

"There were efforts to initiate certain projects, but as I mentioned, perhaps the traditional management, right? The executives, I mean, were not too confident in this approach, were they? They often expressed a preference for having employees physically present to monitor their activities."

2.5 The process of negotiation

The telework negotiations spanned 3-4 months and culminated in 2021 with an agreement applicable to all the working centers in Spain. According to the interviewee, negotiations were relatively non-contentious, with both parties eager to finalize the deal, in contrast to more contentious negotiations on equality plans and work time recording. Challenges arose concerning economic compensation, equipment provision, and the possibility of physical inspections of home offices.

Regarding contentious points, the interviewee stressed that the union's objectives were not fully met. Specifically, they were unable to secure higher compensation than what the sectoral collective agreement specified and did not obtain approval for physical inspections. Instead, an alternative self-reporting method was adopted.

“They initially only said that they wanted to pay what was stipulated in the contract, simply what the [sectoral] collective agreement says. [...] initially we thought that it would be a bit complicated to send occupational health delegates to the homes of all the people, it was a bit complicated. Indeed, we have finally resolved the issue of granting access to an employee's home, regardless of whether it is necessary on a case-by-case basis, by requiring the employee to provide a self-declaration certifying that they are complying with the necessary requirements. [...]. It is true that the bank provided ergonomic chairs to each employee, and the employee's home is set up as they see fit. However, this was a topic that also caused some difficulties, as I recall.”

The employer's primary concern was the impact of telework on productivity. To address potential misuse of telework by employees, a performance evaluation mechanism was agreed. Thus, if an employee's output is unsatisfactory, his/her telework arrangements can be discontinued.

“This is something they told us to put in place as a precautionary measure, in case any employee [...] might have a little bit of nerve, right? And since I'm at home, I take advantage of it and go out for two hours [...] they told us to put this clause for cases of people who, when their assessment was made and they saw that it was bad, they could withdraw them, that is to say, not to renew their teleworking, ok? So, with this it was already solved. [...] We are not aware that this has occurred either. ”

Despite these issues, the negotiation outcome was deemed positive by both parties. Employees received a monthly compensation of €55, along with ergonomic equipment or reim-

bursement for related expenses. Additionally, a joint monitoring committee was established to oversee telework implementation and resolve any emerging disputes. However, some union objectives, such as higher compensation and approval for physical inspections, were not met.

2.6 The process of implementation

Both parties considered that telework implementation has been straightforward. The interviewee highlighted the role of the monitoring commission in facilitating telework implementation. According to the trade union representative, this commission has enabled unions to be better informed about telework implementation, as well as it contributed to prevent employer practices that could have limited equal access to telework.

“One positive aspect is that there is a monitoring commission, which means that if there are any issues or problems, we can always sit down to discuss them. However, we have not encountered many problems. [...] Each year, the agreements must be renewed, and individual conditions must be fulfilled. [...] It cannot be said that telework is being taken away without any reason [...] at a more personal level.”

Moreover, the union has been able to mediate conflicts effectively. Interestingly, the company representative reported almost no conflicts, with only three cases over three years, two of which pertained to work-life balance and were resolved under existing legislation. The sole telework-related dispute involved a manager denying an employee the option to telework.

“Once there was a colleague who wanted to do telework and they considered that she could not do it because of her job, so she met with her managers, that is, they told her no. In the end, we intervened and acted as intermediaries and it became clear that this person could indeed telework. What was behind it, in reality [...] is that perhaps the managers did not trust this person very much and they considered that if he teleworked he was going to swing, that he was not going to perform well enough. Well, that could be solved.”

The interviewee expressed concerns about access to telework, noting that some employer practices still favor certain job positions over others, even when telework could at least be practised once a week and laptops have been already provided by the company.

Recently, there has been a regression in telework policy. The company denounced the agreement just before the interview and unilaterally reduced telework days for most eligible positions, particularly in IT, to a maximum of two days per week, affecting even those living far from the office who previously could telework up to four days. Additionally, telework is

now prohibited on Mondays and Fridays. Trade unions warn that if the company's collective telework agreement collapses, sectoral telework regulations would apply, significantly deteriorating current working conditions.

"It's a step backward in reconciling the workforce. Despite this, it's crucial that the Telework Agreement remains in effect with the participation of all parties, as there's a risk that without the union's signature, the entity might end up applying the Telework conditions of the Banking and Offices and Desks Agreement [...], severely worsening our current conditions. [...] We hope that this way of acting by the Bank is temporary and does not become their standard practice from now on, as we wish to continue in a 'cordial understanding' within a constructive environment."

2.7 Impact of the measure on decent working conditions

The interview and desk research have not indicated any negative effects of telework on working conditions. On the contrary, telework is said to have enhanced work environment and working conditions. The company representative underscored a growing preference for more extensive telework options within the organization.

"Even after we signed it, they were asking if it was possible to do three days of remote work."

The trade union's perspective highlights several advantages of telework for employees, particularly in terms of work-life balance and working hours. Telework enables time savings (e.g., reduced commuting) and promotes a performance assessment approach based on goals rather than strict time constraints. According to the interviewee, telework has been a longstanding demand within the company.

"Well, on the one hand, I believe that this is a positive development. It breaks the trend of physical presence, which seemed to be the norm before. [...] it can help many people with the issue of work-life balance. [...] They can also disconnect in the evening. After all, if you now have a fixed schedule, [...] if the employee is happy, that is, if they are satisfied, I believe they will perform better [...] the truth is, we have been demanding it for a long time, and in general, it has had very good acceptance. [...] the whole machine will be much better, won't it? [...]"

However, trade unions have raised concerns about potential risks associated with telework, such as unreported workday extensions and occupational health and safety, despite positive feedback on the impact of telework on work-life balance and performance. Interestingly, having access to corporate resources, the company representative expressed minimal apprehension about telework implementation.

“Even though we know that all employees are familiar with the rules, as we discussed in this course, how to be positioned to work, then accidents happen. [...] Another risk is [...] the possible undeclared extension of the workday. They might be working at home and say, “Look, I’ll stay here until this time working.” Perhaps that is the greater risk.”

Informal working time patterns were not related to telework, as reported by the interviewee. Working time extensions existed prior to telework implementations and stem from job pressures, especially in branch office roles, as reported by the interviewee. These job positions typically are not eligible for telework due to their in-person requirements. However, these employees often engage in overtime, sometimes using corporate electronic devices at home.

As reported above, the trade union’s primary demand is proper working time register. During negotiations, they proposed an automatic time-tracking system linked to trade union services, although this proposal was not ultimately accepted.

“Our telework agreement, although it was a great triumph, and the truth is that thanks to it we were able to implement it, from the beginning we would have liked it not to be a self-declaration. That is to say, that the same system, the fact of connecting you, I am teleworking and when I disconnect, that can be done perfectly. But well, the bank is always very reluctant, no, I don’t know what, this is a lot of money, to implement it, IT, well, the whole thing. So, they never wanted to do it. So, of course, it is a self-declaration.”

Despite positive employee feedback, it’s worth noting that telework does not inherently provide flexibility or autonomy in working hours. While the trade union advocated for flexibility, the company adheres to fixed schedules regulated through other mechanisms, such as equality plans and national legislation.

“We would have liked to apply what you say, a certain flexibility, i.e., if I have to take my child to school and it is better to start at 9 o’clock, then we could do it from 9 to 6. Well, there is not much of a problem, because it is true that we do have a flexible entrance for some groups, which is from 8 to 5, so from 9 to 6, right? [...] Well, the bank also refused to do that, that is, the same timetable had to be followed, right? “

2.8 Conclusions

The transition to telework has been largely seamless for both the employer and employees, except for a recent impediment introduced by the employer. Negotiations on telework were successfully due to the alignment of interests between both parties, especially if compared

to other discussions such as those concerning the working time register and equality plans. However, negotiations involved some distributive bargaining, particularly regarding economic compensation and occupational health provisions.

“Negotiations have been more challenging in other contexts... We all shared a keen interest in finalizing this agreement. Formalizing these terms in an agreement is advantageous as it encapsulates all specifics. Moreover, the establishment of a monitoring committee is beneficial... Without this agreement, the bank could have unilaterally dictated telework policies. Our goal was to ensure equitable conditions for all staff, and the bank, presumably, sought to maintain industrial harmony.”

Initially, employees advocated for telework, yet the employer hesitated to adopt it until the global commitment of the employer. Subsequently, the company adhered to sectoral and national regulation on telework.

Trade unions reported general satisfaction with telework among employees, though there are concerns about its implementation. The primary focus for employees and unions is expanding access to telework arrangements, particularly for less teleworkable job positions. Notably, telework has not been associated with informal labour practices, which is a pre-existing sectoral challenge.

The establishment of a joint commission has enabled unions to participate in telework implementation, and has played a crucial role in ensuring fair telework practices. Actually, trade unions stated that reaching an agreement was crucial to achieve a fairer implementation of telework. Reflecting on the possibility of not reaching an agreement, the interviewee stated, “Had we not established this new agreement, we might have faced grievances from the workforce over potential losses. While there are always exceptions, the negotiation process was not exceedingly difficult overall.”

Finally, it is noteworthy that recent unilateral changes by the company have raised concerns among trade unions and employees about telework implementation in the company.

3. Chemical industry

3.1 Introduction

The organisation covered as case study is a major global pharmaceutical company focused on skin health and based in Barcelona (Spain). The primary activity of the company is the

wholesale of pharmaceutical products (NACE 4646), although it allocates significant resources into research and development (R&D) initiatives. Established in the early 1940s, the company went public on the main stock exchange index in Spain (IBEX35) in 2007. Throughout its history, the company has been managed by successive generations of the founding family, who still holds the majority of its shares through two family offices.

The unit of analysis of the case study is the company's headquarters, and this report is based on an interview with an employer representative, and an interview with an employee' representative.

3.2 Contextual and company information

The company has presence in 20 countries through 15 subsidiaries mostly located in Europe, the UK, and the United States. As of 2022, the company had a total of 1,845 employees worldwide. Nearly 80% of company's total staff is concentrated in company's facilities at Spain and Germany, with 1,187 and 306 employees respectively. The company has a total of five establishments in Spain, with three production facilities and one R&D Centre situated in various municipalities on the outskirts of the city of Barcelona, where the company's headquarters are based. Of the company's total staff in Spain, nearly half work in the three production plants, while the remaining half is split between the head office (approximately 350 employees) and the R&D Centre (230 employees).

The organisation's head office encompasses all the administrative departments of a global scale, including industrial operations, finance, human resources, legal, and marketing, as well as the respective departments for the Spanish subsidiary. The company staff is characterised by high-level technical and scientific qualifications and stable employment conditions, with nearly all employees working in open-ended and full-time positions, and slightly higher share of women. They normally operate in a highly internationalised environment.

The organisational structure in the company varies depending on the size of the respective areas but typically comprise two hierarchical levels between employees and top-executive managers. Work organisation also varies across departments and job roles, but prevalent methods and practices as described by the participants pivot on a project-oriented approach characterised by teamwork and cooperation between different departments to achieve established goals or milestones within a specified timeline.

3.3 Drivers and motivations for adopting telework

The organisation is currently in the process of a cultural transformation which aims at implementing new ways of working that are intended to “unlock employees’ potential” and to foster a results-driven work culture aligned with corporate values. The implementation of the flexible working practices and initiatives discussed in the case study is framed as part of the ongoing cultural change.

More specifically, the implementation of flexible working arrangements within the organization is influenced by a confluence of external and internal factors. On the one hand, a key factor that has influenced the company’s decision to implement a hybrid work model is the need to align its incentives with those of its competitors, in order to attract and retain qualified staff, in a tight labour market with an increase in staff turnover.

“Ultimately, our aim is to create a more competitive and attractive company. Top companies are currently offering flexibility and hybrid work arrangements, and we must adapt if we want to remain competitive in the market and attract the best talent. The market is pushing us in this direction”. (Company representative).

“The truth is that, for the first time, long-term employees with 20 years of tenure have left the company.” (Trade union representative)

On the other hand, the company has experienced changes in the staff composition over the past years which were characterized as a 'generational shift'. The incorporation of younger workers with different mindsets and expectations about work and work-life balance also fostered the integration of a hybrid work model. According to the company’s representative, the aim of these changes in working practices is to ‘unlock employees’ potential’ by providing them with greater flexibility and fostering a sense of responsibility for achieving their objectives.

Although the company had already taken steps towards the implementation of hybrid working, the experience of the pandemic was a crucial factor in altering the company’s perspective on the feasibility of this arrangement. The company was allowed to maintain its activity in the production of pharmaceutical products as an essential service provider. The performance of the company during the health crisis gave new impetus to the demands of workers and their representatives for increased flexibility and work-life balance.

3.4 Social dialogue and telework

Industrial relations in the company were assessed as 'fluent and cordial' by the workers' representative. However, it was noted that the company typically relies on 'cultural ambassadors' to liaise with staff, rather than utilizing workers' representatives for this purpose. 'Cultural ambassadors' refers to employees from various areas and positions who have been established to support and guide staff through the change process and to facilitate the ongoing cultural transformation.

According to union representatives, the company had historically been reluctant to hybrid work, but it was only after the experience of the pandemic that it agreed to enter negotiations on the issue. However, prior to the pandemic, the company carried out a brief pilot project at their facilities in Spain and Germany in 2019. In Spain, 35 employees from two different company areas were allowed to work from home for one day per week between Tuesday and Thursday. This pilot experience coincided with the start of refurbishment project for the office spaces at the company's headquarters in the city of Barcelona (which extended up to 2021). The project aimed at the implementation of an open workplace through the removing of walls and the creation of new open spaces and meeting rooms adapted to flexible working, such as tables shared between different people and specific rooms adapted for meetings or making calls (phone booths). These changes pursued the removal of physical hierarchies or distinctions between job roles and functions, while facilitating communication and cooperation between working teams.

3.5 The process of negotiation

Negotiations between the two parties extended from June to November 2022, but both sides agreed that the process was not particularly challenging since there was a shared interest in reaching an agreement. The company's management was dedicated to adapting to the new legal provisions on hybrid work, and the union saw this as an opportunity to meet employees' demands for improved flexibility and work-life balance. The agreement applies to all employees working at the company's Head Office and the R&D Centre in Spain, and the company's facilities in Germany. The agreement stipulates a maximum of two days of telework per week and it also introduces a small but significant change to the company's working time flexibility policies

Without us, the company would have done whatever it wanted, and would have used it [right to telework] as a bargaining chip: 'If you are good I will give it to you, but if you don't I will not',

because this is the way it works in many companies. Our aim was to develop a regulatory framework. Legislation is helpful because it showed us the way, but ultimately having bargaining power is crucial. (Workers' representative).

We were confident that an agreement would be reached, as it was in the best interests of both the company and ourselves. Our primary focus was on achieving an agreement, rather than discussing on the number of days [on remote], in order to negotiate for further improvements (Workers' representative).

Negotiation encompassed two main topics, i.e., telework and working time flexibility. Telework was addressed as a hybrid work model, and working time flexibility was regulated for every employee regardless of whether they are eligible for telework.

With regard to negotiations on telework, the most conflictual topics were eligibility criteria and places of work. Currently, about 95% of total employees benefit from the possibility of hybrid working at these two establishments. The only exception is a small group of employees in roles that require physical presence (e.g. receptionists) and certain roles in the R&D Centre, namely a group of around 20 lab assistants who had previously worked from home one day a week during the pandemic but have since seen their options restricted. The company representative stressed that this was the most challenging issue in negotiations, because of widespread expectations to keep with telework after the pandemic.

"The main challenge we have faced is determining which roles are and are not eligible for telework. As everyone wants to work remotely. (...) This issue still remains on the table as we want to see how it can be extended to more people." (Workers' representative)

The agreement permits employees to work from any place within the national territory as long it meets minimum standards in terms of security and connectivity. According to workers' representatives, the company may advise employees against working in some places mostly for data security issues but it does not carry out control on the places where hybrid workers work. The main reason for setting this limitation of hybrid working from other countries is related to tax and social security regulations, as well as the company's liability in the event of an accident. Additionally, union representatives also pushed for the inclusion of this limitation on cross-border telework to mitigate risks of social dumping.

"As a trade union, we also aimed to restrict this [cross-border telework] because it may lead to a situation where we allow workers to work in the Bahamas instead of hiring individuals locally. There are certain key roles within the company that are based in Germany. (...) Our main con-

cern, as a union, is that some companies may hire workers who are not even based in the country and allow them to work remotely.”

Other aspects of the regulation of hybrid work arrangements in the company, such as the provision of equipment, economic compensation, risks assessment, and prevention strategies, were not the subject of significant discussions. Both parties had the reference of sector-level agreement for the economic compensation. In addition, workers’ representatives gave priority to the conclusion of an agreement which allowed employees to telework rather than pressing on specific demands that could be addressed in future negotiations or renewal of the agreement. Workers’ representatives initially advocated for a more flexible formula that would have allowed for the accumulation and distribution of teleworking days from one week to another. They had also asked for additional office equipment (ergonomic chair or screen) but they curb these demands in order to ease the conclusion of an agreement.

The second component of the agreement is concerned with the extent of working time flexibility and applies to all employees. Prior to the 2022 agreement, employees in the company already benefited from a ‘flexitime’ scheme which allowed them to decide when to start and finish work, within certain limits, according to their personal needs. Entry times were established between 7:30 and 9:30h, and exit time was established from 16:30h (with a minimum 30 minutes break for lunch).

The agreement provides for an extension of flexitime schedules through the reduction of the mandatory daily work hours from 10:00h to 16:00h, which are the core hours in which employees are required to be available for work, either at the office or on-remote. The purpose of this modification was to accommodate the needs of employees that have children to drop off and pick up from school. In addition, the agreement stipulates that offices shall be open at 6:30h to facilitate greater flexibility in the time of entry. Furthermore, the agreement outlined a schedule from 10:00 to 14:00 on all working Fridays throughout the year (previously, this provision was limited to the period between January and October).

“With this flexibility, people can come in very early and leave at 16:00h to meet their family duties, or they can go online later and finish the work they were unable to do until 16:00h (Company representative).”

Employees are free to choose when and where to complete the rest of their working hours with flexibility. This means that employees have the possibility to combine on-site and remote work within the same day, with the only condition of meeting this minimum working schedule.

3.6 The process of implementation

Once the COVID-19 pandemic restrictions were lifted, the company started adapting to the new normal by allowing employees to work from home for two days a week from the beginning of 2021 up to July 2021, when the option for remote work was limited to one day per week. This arrangement continued until November 2022, when the company agreement was reached that established the current hybrid work model.

The agreement in question does not impose any limitations on the length of the working day and instead places a strong emphasis on the role of individual responsibility and self-regulation in fulfilling the annual working time and legally mandated breaks. Employees are allowed to recoup any surplus hours worked during the year over a four-month period in the subsequent year, provided that these hours are not accumulated into days-off. A joint committee comprising workers and company representatives has been established to supervise working time records in the organisation.

"The organisation understands that these roles [lab technicians] require a 100% in-person presence. However, I am aware that some colleagues have informally agreed upon with their supervisors to telework one day a week. (...) The company opposes because they say 'you are deferring a task than can be accomplished today to another day when working remotely, but why postpone it if you can do it now?'"

The implementation of hybrid work in the company was also facilitated by the existing digital infrastructure within the organization, which eliminated the need for additional investments in support of remote work.

"I think that the company's choice was significantly influenced by market trends (...) Moreover, the pandemic altered our priorities in terms of work-life balance (...) people finally got what they had been looking for a long time. (Workers' representative 3). "

Currently, 95% of total workforce in these two establishments are covered by flexible working agreement. A particular group of workers, namely the lab assistants stationed at the R&D Centre, are currently excluded from this policy because of the nature of their tasks, although some informal exceptions are being made on an ad hoc basis. This selection is based on the fact that these two workplaces have consistently implemented the flexible working policy agreed at company level.

The company conducts annual staff surveys to gauge employee's opinions and their satisfaction with the job.

3.7 Impact of the measure on decent working conditions

Overall, the hybrid work model has had a positive impact on decent working conditions within the company. Employees have benefited from increased flexibility, improved work-life balance, and stressed having saved costs. The company's approach to managing this transition, with an emphasis on mutual trust, support, and clear communication, has been crucial in ensuring these positive outcomes.

The hybrid work model has significantly improved employees' work-life balance. The reduction in mandatory office hours and the extension of flexitime schedules have enabled employees to better manage their personal and professional responsibilities. For instance, the core mandatory working hours were reduced to 10:00 am to 4:00 pm, which accommodates employees with children and other personal commitments. Employees have expressed that the flexibility to start and finish work within a broader timeframe and the option to work from home has resulted in substantial time savings on commuting and reduced stress levels. This flexibility has also allowed for a more individualized approach to work, where employees can adjust their schedules according to their productivity peaks and personal needs.

The transition to a hybrid work model has necessitated changes in performance management and monitoring practices. The company has shifted towards a more results-oriented approach, focusing on outcomes rather than hours worked. This has empowered employees to take greater responsibility for their tasks and has promoted a culture of trust and accountability. Regular virtual meetings and the use of collaborative tools have facilitated communication and coordination among teams, ensuring that performance standards are maintained. However, it has also been important to strike a balance to avoid excessive monitoring, which can lead to stress and a sense of mistrust among employees.

"The truth is that with teleworking we have all gained a lot, because with the current salaries and inflation rates it is a form of compensation at zero cost for the company. This arrangement not only saves you time but also eliminates the cost for travel." (Workers' representative)

3.8 Conclusions

The company's decision to implement hybrid work arrangements was driven by a combination of cultural transformation initiatives and external market pressures. In this regard, the pandemic acted as a catalyst, demonstrating the feasibility of remote work and accelerating its adoption. The negotiation process between company management and workers' representatives was relatively smooth due to shared interests in adapting to new legal provisions

and meeting employees' demands. The agreement was comprehensive, covering both telework and broader working time flexibility, and was implemented with minimal friction due to pre-existing digital infrastructure and a gradual adaptation period post-pandemic. While there are areas that require ongoing attention, such as inclusivity for all roles and continuous support for remote work infrastructure, the overall impact has been highly beneficial for the workforce.

One of the main challenges during negotiations was determining eligibility for telework. Some roles, particularly lab assistants at the R&D Centre, were excluded due to the nature of their tasks, though informal agreements for limited telework were made in some cases. The agreement introduced significant changes to working time flexibility, reducing core mandatory hours and extending flexible working arrangements to accommodate employees' family duties. The hybrid work model has positively impacted employees' work-life balance and overall job satisfaction. It provided a cost-effective means of compensation in the face of rising living costs and inflation, primarily through savings on commuting time and expenses.

4. Public sector

4.1 Introduction

The case study organisation is a public entity governed by private law (i.e., an institution with its own legal personality, created by public law, and mainly providing public services), which was established in the year 2000. It falls under the Culture Department of the Catalan Regional Government, and its primary function is to implement and manage policies in support for the development of the cultural sector in Catalonia. The organisation provides financial aid and support to professionals and companies working in the fields of performing arts, visual arts, audiovisual, digital culture, publishing, and music. Furthermore, it offers services in support for internationalisation and entrepreneurial growth.

The organisation's premises are found in the Barcelona city centre, where its head office and two cultural establishments are located. The unit of analysis for the case study focuses on the organisation's head office, which is in a listed historical building owned by the Cultural Department. According to HR manager's estimates, nearly 90% of total staff are entitled to three non-cumulative days of telework per week. The only job positions which are excluded are those requiring physical presence.

The fieldwork consists in an interview with a human resource manager responsible for the implementation of telework in this company and an interview with a company's representative. We also conducted desk research by gathering information from legal resources and their website.

4.2 Contextual and company information

The Catalan public sector consists of entities that are primarily owned directly or indirectly by the regional government. These entities are characterized by their distinct legal personality, which can be either public or private law. As a private law public entity, the organization covered as case study is fully owned by the regional government, but employment relations are governed by general labour law legislation (i.e., private sector). Noteworthy, public sector entities of this nature typically have a moderate level of autonomy in making decisions, as their budget and management are ultimately contingent upon the relevant government department decisions and therefore subject to political changes.

The organisation under analysis has experienced a steady increase in both the budget allocated to it and employment levels since 2020. It is worth noting that the approved budget managed by the organisation increased by 47% between 2019 and 2022. Around 70-80% of the organisation's budget is derived from contributions of the Catalan government. Staff numbers increased by 23% during the same period further to a total of 194 employees.

The workforce comprises predominantly of technical professionals and individuals with high levels of education, with almost 80% of total employees occupying positions that necessitate a university degree. 71% of employees are women, and 29% male employees. Interestingly, job positions have a relatively high level of autonomy in the organization of their work, and require little coordination among co-workers.

4.3 Drivers in the adoption of telework

According to the HR manager interviewed, the early adoption of hybrid work in the organisation under study was mostly motivated by the desire to explore new ways of working, especially after the increase in staff in the last years. However, further institutionalisation of this work arrangement was hindered by successive changes in management, with diverging views on the matter. Ultimately, it appears that the primary motivation behind telework implementation was connected to the need for optimizing the available office space, especially considering the expansion experienced by the organization in recent times.

The experience of the pandemic was highlighted as a crucial factor contributing to reinforcing workers' demands for hybrid working in the context of collective agreement negotiations. The workers' representative noted that most of the staff consented to telework during confinement despite not being classified as essential workers to process all the financial aid and support for mitigating the impact of the health crisis on the cultural sector.

All the staff kept on working voluntarily and remotely using their own means and resources, demonstrating a strong level of commitment, as people showed that they work endless hours if necessary to get the job done. I think this was a sign of mutual trust between the staff and the company. (Workers' representative).

4.4 Social dialogue and telework

As state above, employment regulation for the private sector applies (i.e., Workers' Statue) despite being a public-owned entity. Employees working in this public sector organizations are left out of the scope of the collective agreement for employees outside of the civil service in the regional administration (Decree 77/2020). Nonetheless, this agreement and related laws for the public sector still provides a reference framework for the governance of employment relations within these organisations, when agreed by their governing bodies or by existing collective agreements. Worth noting, the first collective agreement for the organisation was signed in 2022 and it is currently in force.

The organization has a long tradition of telework arrangements, which can be traced back to 2012. Initially, the organisation offered the possibility to telework one day per week for nearly a half of the total staff, without any specific regulation or equipment provision. According to the HR manager interviewed, several pilot implementations have been carried out until the outbreak of the pandemic. Nonetheless, successive changes in management hindered the implementation of telework, since managers had diverging views on the matter.

The current the regulation of telework for the employees of the Catalan Regional administration and its autonomous entities was established by Law 77/2020, enacted on August 2020. If compared with the telework agreement in this organization, the agreement provides for a comprehensive regulation of telework and flexible working time arrangements, which stands out among other similar organisations in the Catalan public sector, as acknowledged by various interviewees. Notably, the organisation is recognized for permitting telework up to a maximum of three days per week, exceeding the average of two days per week in most Catalan public administrations.

4.5 The process of negotiation

Negotiations for the collective agreement currently in force initiated in 2020 (before the pandemic) and concluded in January 2022. At the time, most employees were already teleworking for three days per week. Arguably, the agreement was a result of the experience accrued during the pandemic.

The negotiation of a three-day telework agreement was not a straightforward process due to the initial reluctance from management. In the view of workers' representative, this position intended to prevent potential comparative grievances with other regional government employees and civil servants, and specifically those in the Culture Department, who usually have access to two days of telework.

According to the HR manager interviewed, this position was strongly contested by the trade union side, who called for more intensive telework arrangements (three days per week). Interestingly, the HR manager insisted that within the organisation they would not have had any objection in allowing more intensive telework arrangements, because of the experience of the pandemic and their plans with regard to hybrid work implementation.

With employees having worked from home for over two years, it's difficult to argue for their return to the office on daily basis. After all, productivity hasn't dropped, there have been no complaints from users, and everyone has been working just as hard as before. So, what is the reason to get them back? (Company representative).

However, as stated by the HR manager, they had to adapt to the requirements of the management and negotiated on an "hybrid approach" which accounted for "half of the third day of telework". Thus, they agreed to regulate on two days of telework and the combination of on-site and on-remote work in one day in the same working day, as long as the minimum daily on-site presence requirement is met and recorded according to the company's instructions. Interestingly, this provision is not included in the regional regulation neither several regional regulations, according to the HR manager.

Interestingly, the management's reluctance on allowing more intensive telework arrangements stems from potential concerns about creating disparities when compared to other government entities, even though different labour laws are in place. Furthermore, according to the HR manager, recent laws have led to a reduction in the corporation's independence regarding both employment and financial governance.

The agreement does not establish further limitations to the selection and the distribution of these days, which is to be agreed within each department or unit. In addition, employees can agree with the line manager to change the teleworking days for another one that was not previously scheduled, under special circumstances. Teleworking days are subject to the same schedule established for on-site work and the same rights and obligations with regards to employees' availability.

The agreement outlines the conditions for calculating working hours, which are measured on a monthly basis, but can be adjusted annually. Therefore, employees are required to meet the minimum and maximum work hour requirements, provided that the annual total is fulfilled. Core working hours during which employees are required to be available for work either on-site or remotely, are established from 9:00 to 14:00h, while the flexible working hours are set from 7:30 to 9:00 and from 14:00 to 19:00h. Employees are allowed to work on-site during core-working hours and to complete the rest of their working day remotely. However, whether they work on remote the full day or combine on-site, the working time recording system automatically records the maximum working day (7.5 hours). This provision in the collective agreement aims to simplify the reconciliation of the total monthly hours, while also reducing the risks of accumulating excess hours.

What we do not allow is to record more than the maximum permitted working day when working on remote. That is, regardless of what you do during telework days, you are only allowed to record seven and a half hours of work, because the day you work fewer hours, you will neither record them, nor will I ask you to do so. (Company representative).

The organization has implemented the same working time monitoring system in use by all employees in the regional public administration. It consists of an on-line application which records any absence from work due to holidays, leaves or any other issue. Any differences arising from employees' actual working hours, whether exceeding or falling short of their regular hours, are balanced within flexible working time slots in the same year.

The agreement also included other provisions which were not contentious in the negotiations. With regard to the provision of means, a laptop, a dock station (set of connectors), Internet connection, a keyboard and a mouse, a 22-inch screen, and headphones and a microphone are provided to teleworkers. Conversely, chairs cannot be provided because they are numbered (i.e., public administration regulation). Risk assessment is agreed to be implemented through a declarative approach, as well as trainings on occupational health. In a

similar vein, the digital disconnection is being enforced through training and managerial control on working practices (e.g., e-mail outside working hours).

Other relevant issues which were not relevant in the negotiations agreed are the criteria and/or procedure for accessing to a telework arrangement, which consists in a workplan with a proper evaluation system based on objectives.

4.6 The process of implementation

According to the interviews, both parties assured that the implementation of telework has been straightforward. Interestingly, trust between the two parties for the organization of the work has been key in the implementation.

Working time dedication is not utilised as a measure for individual performance. As observed by the HR manager, 'a person may be very effective and complete a task within five hours instead of seven and a half (...) this approach to timekeeping complicates the message that we do not work by hours, but rather by responsibility, and results. Thus, our assumption is that everyone takes responsibility for their work and completes it without needing to be monitored'.

Indeed, the core tasks performed within the organization allow for a great degree of self-organisation. Since they are mainly based on processing and assessment of applications, they can be performed independently and do not necessitate extensive collaboration with co-workers. Furthermore, the completion of tasks or work processes are generally set within pre-established deadlines, which helps in the self-organisation of working teams.

Whereas the organisation does not see the need for the introduction of new performance monitoring practices in adaptation to hybrid working, the HR Manager showed some concerns about the implications of this work arrangement on employees' engagement, particularly in the light of the organisation recent expansion. Specifically, there is a concern that the absence of face-to-face interactions may result in the 'disaffection' of employees with the organisation, leading to a loss of perspective on the entire work process or the context in which individuals carry out their work. While this may not necessarily result in reduced organisational performance, it is recognised that face-to-face interactions (formal and informal) play an important role in fostering stronger links among staff members, which in turn contributes to smoother coordination within the organisation.

There is an important aspect of empathy, of understanding others, because when writing an email it can be more straightforward to request a report that you have been expecting for a

week, but perhaps three months have passed since you had the last conversation with the individual responsible for it, and during this time they may have been caring for a sick child or are overwhelmed with work or have not received the data for the report. Therefore, if I see you, it is easier for me to understand why you have not delivered the report I was expecting. (Company representative).

The HR Department has provided guidance and advice to supervisors on the management of remote working teams, with a view to ensure that a minimum social interaction in the workplace. However, the ultimate decision rests with the individual line managers. Collective agreement provides for flexibility for the selection of the three teleworking days but adapted to the needs of each unit or department. Typically, working teams agree on a day in which all members are required to work on-site to meet face-to-face, but employees are free to select the remaining three days for teleworking on a regular basis.

The most significant influence of hybrid working on organisational performance is its impact on optimising office space. As the HR Manager points out, the organisation is facing difficulties in accommodating all of its employees within its premises. Thus, the organization is considering the implementation of a hot-desking system, with specific rooms enabled for meetings, which is intended to optimise available office space.

The workers' representative pointed that the absence of designated workspaces led to tensions in some areas whose job involve frequent meetings due to the 'interference' created by other workers nearby. This is also a reason why she disliked hot-desking and found that telework offer greater privacy and focus, which are lacking when working in current office settings.

The organisation has implemented teleworking shifts and is currently undergoing a refurbishment project to create open office spaces with designated meeting spaces and hot desking in specific areas. These changes and other measures aimed at reducing paperwork are expected to result in a growth of between 30% and 40% of office space available, according to estimates by the HR Managers.

Since 2015, the organisation implemented risk assessment procedures and it also organize different training activities in support of hybrid working. Risk assessment is carried out by an external provider and consist on a self-assessment procedure in which each employee verifies that their home workstation meets OSH standards. The Human Resources Manager indicated that the organization provided for the possibility to conduct home visits upon employees' request, but no employees made such request. While the provision of office equip-

ment is not included in the collective agreement, some participants in the focus group reported that they had the opportunity to request an office chair during the pandemic but had not yet received it. The topic of ergonomics and risk prevention is addressed through training activities for hybrid workers, covering areas such as lighting, rest breaks, screen adjustments, chair and table height, and visual health, as well as other relevant topics such as data protection and effective work organisation.

4.7 Impact of the measure on decent working conditions

According to the interviewees, telework implementation has implied an improvement on working conditions in the organisation. None of the interviewees informed about the existence of any health issue in connection with hybrid working and expressed no concerns about the potential risks associated to this work arrangement. However, some drawbacks have been raised by both the workers' representative and the HR manager.

The HR manager interviewed observed that the implementation of hybrid working arrangements has led to an extension of the hours during which employees are accessible for job requests, thereby resulting in improved user service, particularly when the deadlines for application submission are imminent, and users require assistance with last-minute issues.

I think that allowing employees to work from home increases the number of hours they are available, but it does not necessarily mean that they work longer hours. You may work until 15:00h but you choose to respond to an email you were awaiting at 17:00h. Previously, when you finished work at the office, you would turn off your computer and leave. (Company representative).

The implementation of hybrid working presents several advantages in terms of performance, as employees are more available to provide support to users or solve issues at any time. However, it has also led to more irregular working time patterns, which can be observed in occasional overtime during peak workload periods, and other issues that affect employees' ability to disconnect from work. As stated above, the HR Department places greater emphasis on employee self-responsibility for managing their working time and their ability to compensate for any additional hours worked within the designated flexibility hours.

I have often found people connected on Saturdays and Sundays, although I now try to avoid working on weekends, but I saw that I was not the only one and that there were people working on weekends to meet deadlines. (...) I know the hours it takes to resolve a grant application in

two months, so I know that no one is deceiving me and that the work has been done (Line manager).

Employees have some autonomy to decide on the type of tasks to be done when working from home. Typically, the days dedicated to on-site work are used for team meetings. The interviewees expressed that tasks requiring greater focus and concentration are preferably carried out on days of remote work.

Although the organisation has not conducted climate surveys for several years, the HR Manager observed that hybrid working arrangements have been a source of great satisfaction for employees.

I believe that the things that people value most when working for this company is flexible working, that is the combination of both telework and flexible hours. (Company representative)

4.8 Conclusions

Negotiations on telework have been predominantly integrative. The principal challenges stemmed from management constraints, yet the mutual interest in adopting telework led to a consensus. Notably, this organization had not only previously engaged in telework but also sought its application for achieving organizational goals.

The consensus on a hybrid model facilitated a decrease in mandatory presence while adhering to management's stipulation against a third day of 'full-time' telework. Telework practices in this firm are uniquely merged with adaptable scheduling, hinging on the self-management of employees and granting them complete control over their work hours. This method stands out in regional public administration, as both respondents view the majority of regional public administration telework policies to be more anchored in time than in outcome-oriented implementation.

The adoption of telework has proven beneficial for both management and staff. The management reported enhancements in productivity, optimized space utilization, and diminished absenteeism. The trade union representative highlighted that employees experienced an improvement in work-life balance and job satisfaction. Nonetheless, the implementation has encountered some obstacles, such as extended working hours, insufficient physical work-space, and in certain instances, a decline in employee engagement.