



TWING PROJECT

Poland

Case studies report

**INSTYTUT SPRAW
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AUTHOR: MACIEJ PAŃKÓW



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1. Banking sector

1.1 Introduction

The subject of the case study is a large nationwide universal bank, controlled by the State Treasury (in the past it was owned by foreign capital for several years), with several thousand employees. It is among the leading Polish banks in terms of asset size. It provides services to both individual clients and businesses, including large corporations. The following analysis is based on an interview with a chairwoman of one of the trade unions present in the company, written information provided by a representative of the bank's HR services in response to questions sent (the employer provided the information in writing), and publicly available data available on websites, including the bank's website.

1.2 Contextual and company information

As indicated above, the bank is a large organisation with several thousand employees, about two-thirds of whom are women. The average age of the employees is 46 years, while $\frac{3}{4}$ of the employees have a university degree. According to the declarations of the employing party, the bank applies the work performance systems provided for in the Labour Code, taking care, among other things, to ensure that employees are able to reconcile their professional and private life. Remote work¹ is one of the tools for strengthening the work-life balance that can be used by employees who are not employed in direct customer service and who do not perform activities that require constant presence at the employer's premises. According to the trade union representative, due to the ongoing digitalisation of the company's processes and the increasing popularity of remote service channels among customers, the number of head office employees is increasing, at the expense of the number of local branch employees. They already account for more than half of the bank's total staff. Thus, there is a gradual increase in the proportion of employees who can perform remote work to some extent. At the same time, for the time being, this process has its limits: not everything can be done remotely, especially when it comes to larger transactions, e.g. related to obtaining a loan. Not all customers have an electronic signature, making face-to-face contact necessary at times.

¹ Strictly: work performed at the request of the employee or at the initiative of the employer wholly or partly at a place indicated by the employee in the territory of Poland and agreed with the supervisor on a case-by-case basis, including at the employee's home address, in varying proportions on a weekly basis depending on the position and the organisational unit.

Eight trade union organisations are present in the company. According to the trade union representative, despite their differences, they usually manage to work out a common position and are ready to cooperate with each other. The trade union representative has an overall positive assessment of the company's organisational culture, despite some reservations, mainly regarding the strong results orientation and expectations of them too high in her opinion. She also expressed some disappointment that the bank, like other SOEs, has the same management attitude as all commercial banks of “mimicking” other companies in the sector when it comes to setting various aspects of employment conditions. None wants to distinguish itself by implementing employee-friendly solutions more than the “market” minimum dictates. In her view, going out of their way to favour employees would demonstrate the social sensitivity of management, but would also benefit the company by positively influencing the motivation, and thus retention of qualified employees, and the perception of the company as running a responsible business. Overall, however, the trade unionist assesses that many managers at the bank analysed show a high degree of professionalism and orientation towards the wellbeing of employees, and that the atmosphere within the company is conducive to social dialogue.

1.3 Drivers and motivations for the adoption of telework and its regulation through social dialogue

The main reason for the significant increase in the use of remote working at the bank was the COVID-19 pandemic and the associated restrictions on social contact or mobility introduced in spring 2020. At the same time, the possibility of occasional remote work has already been introduced in 2019. According to the employing party representative, there are a number of motivations on the part of the employer to introduce remote/hybrid working. Firstly, the greater flexibility provided to the employee and the resulting improvement in work-life balance reduces absenteeism, which in turn means not burdening other employees with the tasks of the absent employee. Also important is the possibility to recruit employees without geographical restrictions – highly qualified specialists can, without moving, be recruited even from remote locations. Finally, there is the possibility of using a system of so-called virtual classes, enabling the transfer of knowledge at a distance in the form of remote webinars, which improves the organisation of employees' working time and reduces the costs associated with business trips. Also, most of the recruitment for jobs in the bank's head office is carried out remotely, which, according to the employer's representative, is well received by both candidates and recruiters.

According to the trade union representative, the move to large-scale remote working in 2020 was a spontaneous process, forced by the situation, which was, however, ultimately successful.

"The pandemic forced employers to change in terms of where the work was done, but also the work process. No one was prepared for the fact that we would come to work from home due to covidial strictures. That we would be isolated even to a large extent. There was a great deal of concern at the beginning as to whether this could be done, because certain kinds of habits played a part. (...) They were quick to change procedures, because this was also extremely necessary. (...) I was very surprised that it was possible to organise it without harming the bank and without harming the customers. These procedures, written on the fly, because we couldn't stop our banking activities, take two months off, prepare for a different kind of work. It had to be done on the fly and while maintaining business continuity. We could not cut customers off. (...) It turned out after a long time that people are responsible, that you don't need to have a manager over your head to do your job well." (trade union)

The new procedures were revised on an ongoing basis under the influence of comments from employees performing their work at home. According to the interviewee, the available technology played a big role: the success of the implementation of remote working was due, among other things, to the bank's ability to use video messaging, which allowed visual contact and conversation, making the adaptation process more bearable.

Prior to 2023, there was no formal agreement on the rules for the use of remote working between the trade union side and the employer, although the unions were involved in discussions regarding the process of implementing remote working, including the changes forced by the pandemic, also carrying out activities of a supportive nature for employees during this difficult period for them.

The company recognises the trade unions operating within it and conducts a dialogue with them, which is assessed positively by the trade union side (based on the declaration of its representative). Also the employer's representative, in the information provided, declared that the bank is guided by the principle of good faith in its cooperation with the trade union side. This is motivated by the desire to work out the best solutions from the perspective of both sides of the employment relationship. The bank declares to be guided in this cooperation by values referring to mutual responsibility for decisions taken.

1.4 Social dialogue and telework

In 2023, after the amendment of the Labour Code, the Bank, in accordance with the new legal requirements, concluded an agreement with the trade union side on the principles of remote work, regulating "the organisation and order of the remote work process and the related rights and obligations of the Bank and employees" (quoted from the information provided by the employer's representative). Remote working, however, did not become the subject of the company's collective agreement in force.

1.5 The process of negotiation

The process of negotiating an agreement on the principles for the use of remote working started in February 2023 and ended with both parties signing the document on 30 March 2023. Some issues were agreed remotely, but face-to-face plenary meetings were also organised. The starting point was the presentation of certain regulatory proposals by the employer, preceded by an evaluation of the results of the implementation of remote working during the pandemic period. To these proposals, the trade union side made comments and counter-proposals, based on the information provided by employees and their expectations. The main issues under discussion were:

- Determining the amount of the lump sum – the amount of reimbursement paid to the employee for covering remote working. The bank proposed a specific rate for each day of remote work. In accordance with the provisions of the Labour Code, electricity and telecommunications fees were to be reimbursed. The trade union side also advocated reimbursement of the cost of office equipment for the remote work station – this was particularly about suitably ergonomic furniture. The trade union representative admitted that this was quite an important issue for the social side, with practically no bank she was aware of having negotiated such a regulation. In the case of the bank analysed, the employing party responded to the demand for support in preparing the workstation by creating the possibility to borrow equipment from the company, to which the trade unions agreed. The final negotiated flat rate for a day of remote work was PLN 5 (approximately EUR 1.20). The union representative foresees the need to renegotiate the rate in some time due to a possible increase in electricity prices in Poland. At the same time, she pointed out that setting too high a lump sum could be interpreted by the tax authorities as avoiding taxation and the contribution of part of the remuneration (the reimbursement of the costs of remote work is not taxed and is not subject to compulsory contributions to health and social insurance).

- Identification of the bank's organisational units where remote working is possible for organisational and technical reasons. Here, the social side's demand was that the employer inform the trade union organisations of any change in the list of units that can perform remote work resulting from changes in the organisational structure. The employer agreed to this proposal. The unions also formulated an expectation regarding the possibility to perform remote work at the request of an employee with special needs (e.g. pregnant women, persons raising young children, caregivers of persons with disabilities). An important principle in the trade union representative's view is that the employer does not impose remote working on any employee – it is agreed with the supervisor, i.e. the head of the organisational unit. As the trade unionist pointed out, in the investment department (stock and currency transactions) the employer did not agree to remote working, and this despite the fact that no irregularities occurred there during the period of forced remote working during the pandemic.
- The issue of adapting remote workplaces to the requirements and standards required by health and safety legislation.

An important circumstance is – according to the declarations of the trade union representative – the goodwill shown by the employer throughout the process, and the desire to conclude an agreement while taking into account the demands of the social side. The employing party did not use the argument that it could unilaterally adopt the principles of remote working if an agreement was not reached within the statutory deadline – there was no time pressure.

We worked intensively but fruitfully. (...) We felt we were an actor in this process of reaching an agreement. (trade union)

1.6 The process of implementation

In implementing the principles of remote working agreed with the trade unions, the HR department was involved, whose task was, among other things, to adapt the HR system to enable the registration and monitoring of remote working, including the indication of the place of work and the need to make relevant declarations under health and safety regulations. In turn, the role of managers was – and still is – to properly organise the work of an employee working remotely. Among other things, they agree with employees on how to confirm the start and end of work and how to confirm the completion of assigned tasks.

The concluded agreement on remote working rules was published on the company intranet. In addition, as indicated by the union representative, it was possible to consult its content

with the supervisor as well as the employee relations department in case of doubts or questions from the employee. The trade unionist declared that she had not received any signals about irregularities in the use of remote working, including, for example, the manager's failure to ensure that it could be done despite the absence of technical obstacles. The employer also declares that there are no significant difficulties in implementing the remote working principles contained in the agreement.

The fact that the majority of head office employees perform hybrid work results in a limitation of the office space used. The bank has provided an application that allows an employee wishing to do remote work on a given day to book a desk at the employer's premises ("hot desk" solution). However, a system for evaluating the performance of remote working has not been implemented. According to the trade union representative, the organisation of work is strongly results-based. Employees are given a list of tasks to be completed within a certain timeframe, and the completion of these tasks is evaluated. The interviewee expressed the assumption that the bank would not agree to the use of remote working if a decrease in productivity resulting from the adoption of remote working was perceived. Presumably, specific data showing a decline would then be presented to demonstrate to the trade unions the need to move away from or reduce its use – however, this is not the case.

The process of implementing the new remote working rules was accompanied by training. The trade union representative mentioned training on the use of time recording software, organisation of working time, and labour law including health and safety regulations. There was also training aimed at managers on how to manage teams remotely. Overall, the interviewee has a positive assessment of the training programme related to the implementation of remote working in the bank under analysis.

1.7 Impact of the measure on decent working conditions

Overall, according to the trade union representative, the success of the implementation of remote working in the company has translated into improved working conditions and employee well-being. They have become accustomed to this new way of working, are able to organise the process of performing their tasks and at the same time reconcile this with, for example, caring responsibilities. It is possible to save time by reducing commuting to the office, and to work in the comfort of one's own home (if one has appropriate premises – see below) in everyday clothes, which is also a saving. It is possible to continue working when mildly ill (which, if working in an office, would involve sick leave and the accompanying doctor's appointment and paperwork). At the same time, the interviewee pointed out that we

are talking about hybrid work, combining remote work and office work during the week, which ensures that direct contact with other team members is maintained.

There are many advantages. On the other hand, you have to realise that people are herd animals, so to speak [laughs], and we need this contact with people to a large extent, and we have to take care to maintain these interpersonal contacts. (trade union)

The trade unionist recognises the socio-psychological risks arising from the exclusive use of remote working or its very high proportion of overall working time. She pointed to the problem of social isolation as detrimental to psychological well-being, also referring to the time of the pandemic, when remote working was accompanied by limited access to many services including the leisure ones, the order of social isolation, the restriction of spatial mobility, and the remote education of children.

According to the trade union representative, one of the risks associated with working conditions is also available accommodation – not every employee can comfortably do remote work, as this ideally requires a separate room, even a small one. This raises the issue of the confidentiality of the data that employees process, bank secrecy and compliance with GDPR rules. Employees had to get suitable lockable furniture, if only so that children present in the flat would not destroy important documents. Here, the assessment of the trade union side, not only in relation to the bank in question, is not positive: "What was incomprehensible in this whole process was the fact that the employers did not help the employees to furnish their offices. And this was not the case in any bank."

The employing side is also aware of the risks arising from the use of remote working. It is part of the bank's policy to use hybrid working to maintain the relationship between employees as well as their mental well-being. Employees are provided with information on health, safety and ergonomics principles when organising their workstation, which is the employer's obligation under the regulations. Employees can also receive advice from health and safety specialists. In addition, as part of the health services, a dedicated telephone psychological support line has been set up, as well as the possibility of using a mobile application to educate employees on mental health has been temporarily made. Meetings with experts on quality of life issues are also organised, ranging from sleep quality issues to meetings with doctors who educate on prevention and recognition of early signs of illnesses to education on healthy eating. Employees are also encouraged to be physically active by participating in various sporting events, which also have a charitable aspect (funds for charity donated when an employee completes a specific challenge, such as running a

certain distance). In 2023, according to the employer's declaration, around 70 health-promoting events took place, with more than 8,000 participants.

In the trade unionist's opinion, the extent of the employer's support in protecting employees from the psychological effects of performing remote work is not fully satisfactory. However, it should be pointed out that she had a broader context in mind, including, on the one hand, the traces left in the psyche by the pandemic and, on the other hand, other day-to-day problems of employees, such as those related to the intensity of work resulting in professional burnout. The union representative is critical of the issue of work intensity and believes that the use of modern technology and work partly done at home, which is more difficult to limit to the statutory eight hours a day, can further encourage work overload. She gave the example of periods of increased workload resulting from state-subsidised housing loan campaigns. This resulted in an intensive workload especially for customer service staff in the bank's branches, but also for analysts working hybrid.

1.8 Conclusions

The case analysed above is a positive example of a fair and mutually satisfactory dialogue between the two sides of the employment relationship, which – in line with the newly introduced 2023 regulations – allowed the rules on the use of remote working at a large universal bank to be clarified. Thanks to the pro-union stance of the employer's representatives responsible for the negotiation process and the constructive attitude of the trade unions, it was possible to successfully agree on a number of principles that were important from the point of view of the terms and conditions of employment and which were subsequently implemented without major problems. This also means that the new labour legislation has brought a framework for this type of negotiation and thus – although this should be approached with caution – may have contributed to the revival of social dialogue in some companies, even if not on a large scale.

2. ICT Consultancy

2.1 Introduction

The following case study covers an example of the implementation of remote working rules in a large (more than 1,000 employees in Poland) company operating in the field of market research, although the full list of fields of activity in accordance with the Polish Classification of Activities (corresponding to NACE rev. 2) also includes activities in the field of IT (in

practice, software development and related activities are an essential part of the activities of a large research company). The company is part of a transnational corporation with a history of more than 100 years. The analysis was conducted on the basis of information available on the Internet and an interview with a representative of a representative trade union – a member of its management board – operating in the Polish branch of the company. It was decided not to contact the employers' representative due to the company's bad relations with the social side, as described below – the company is strongly anti-union, takes action against this and other such organisations and has tried, as will be described in more detail, to ignore the position of the social side in the process of setting the rules of remote work, which resulted in the union putting the issue on the agenda of a collective dispute. In view of the management's clearly conflicted approach and its contestation of the unions, the attempt to talk to the employing party's representative seems unjustified and doomed to failure. At the same time, no positive examples of negotiating/consulting the regulations on remote work with the trade union side were identified in the IT sector during the TWING project research in Poland, and the following one is interesting because of the determination of the union, which decided to enter the formal path of the collective dispute, which eventually brought some positive results – the employer had to take into account the union's position, although the results of the dispute containing the rules of remote working are rather limited.

2.2 Contextual and company information

As indicated above, the company has more than 1,000 employees in Poland and is involved in a wide range of market research activities. The full list of fields of activity (according to NACE rev. 2 codes) includes, among others, the following classification units: 73.20, 58.29, 62.01-03, 62.09, 63.11, 63.99). The company employs IT analysts, both highly qualified and those with lower qualifications and/or experience, who deal with relatively simple data entry and processing activities. The former in a serial position earn salaries close to the average salary in the national economy, the latter can count on a lower salary, not much higher than the statutory minimum wage in Poland. Three trade unions are present in the company, but apart from the one whose representative was interviewed, they have not yet been involved in the dispute around remote working. In the case of one of these organisations, there is a lack of proper resources, it is a small organisation which, in the opinion of the interviewee, does not show significant activity. The other union, on the other hand, mainly covers employees who collect data in the field, making it impossible for them to work within the framework of typical remote work – so they are not interested in the issue of company regulations regarding its performing.

2.3 Drivers and motivations for the adoption of telework and its regulation through social dialogue

Given the non-involvement of the employing party in the study, the analysis in this chapter will be based on the general knowledge of the company available online and the views of the union representative as to the benefits the company achieves by offering employees the possibility to work remotely. In general, the company belongs to a sector with high teleworkability: a large proportion of the jobs involve tasks that can potentially be performed entirely outside the employers' premises. In turn, according to the trade unionist, such a possibility translates into higher employee productivity, thanks to the possibility to perform tasks in a comfortable home environment and the lack of distractions typical of office work.

People work much more efficiently than in offices because they don't talk in those social rooms, they don't spend a lot of time making that community coffee, they don't spend time interacting in the office. Instead, they want to do what they have to do as quickly as possible and nothing distracts them. (trade union)

Employees are more motivated and productive, as their work-life balance and general well-being improves, although this depends on the scope of responsibilities – this, however, is in the interviewee's opinion reasonable in the case studied, so that there is no expansion of typical working hours. Instead, the employee gains time savings through reduced commuting. This also involves a reduction in costs, although working from home – on the other hand – generates costs for the employee in the form of utility consumption (electricity, heating, water). These costs are at the same time a saving for the employer – In the trade unionist's opinion, thanks to the spread of remote working, the company's energy consumption is "dramatically" lower. However, the same interviewee believes that the introduction of the obligation to reimburse part of the employee's costs after the amendment of the Labour Code has reduced these benefits. He also believes that a typically large saving for the employer is the reduction in office space that the company can afford due to a much smaller number of employees being on-site at the same time. However, this was not the case in the analysed company: despite pressure from the international headquarters for such a reduction, the management in Poland maintained the existing office space.

In turn, employers may be deterred from using remote working (on a wider scale) by concerns about managers effectively managing their teams. There may also be concerns about managers' effective supervision of the work process, and about the employee wasting work time on other activities, such as domestic duties. This argument was used when - some

time after the principles of remote working were established – its scope was somewhat restricted, as will be described below.

Interestingly, the interviewee representing the trade union is not concerned about the socio-psychological effects of doing remote work to a large extent on workers. He believes that the workplace does not necessarily at the same time create conditions for the socialisation of employees, while he himself comes to work to perform his tasks and earn an income. This should, of course, be considered his personal opinion, which need not be shared by other employees in the company. However, the significant proportion of young people among the workforce, with a social life both in virtual spaces and in meeting places other than work in the big city where the company under analysis is located, may mean that the interviewee's expressed view of the role of work in life is not so isolated.

In general, the employing party has so far shown no motivation to hold a social dialogue on both remote working rules and other aspects of employment. Trade unions have been ignored and disregarded in various decisions affecting employees. In the end, there have been – as will be described below – some sham activities of a consultative nature, under pressure from a public institution (the National Labour Inspectorate – PIP), taking into account the few, secondary demands of the trade union side. Thus, we are dealing only with a “pretentious” approach to social dialogue in order to avoid possible legal consequences for violating trade union rights.

2.4 Social dialogue and telework

Social dialogue in the company is virtually absent, with trade unions barely tolerated by the employer. The representative of the social side described some practices of obstructing union activities and discouraging workers from associating, not to mention engaging in all kinds of discussions with the employing party. Union activists faced threats of disciplinary dismissal for, among other things, holding an information meeting for workers in the social room during working hours and distributing leaflets – the employer accused them of “violating the negative freedom of association” of workers. In response to the initiation of a collective dispute over pay issues, the company began to use the services of a law firm specialised in fighting trade unions and to do everything possible to delay entering the dispute. Steps were taken to make the process as protracted as possible. Then, when the new labour legislation came into force requiring consultation of the remote working rules with the company trade unions, the social side was ignored (see section “the process of negotiation”). The employer sought to omit the role of the trade unions in setting any rules for remote working, and it was only by including the issue in the subject matter of the collective

dispute and the intervention of the PIP that these intentions were thwarted, albeit only partially.

2.5 The process of negotiation

As indicated above, the starting point of the remote working rules discussion process was the employer's reluctance to involve the unions in the dialogue. After the Labour Code amendment came into force in spring 2023, the union represented by the interviewee – which was a recently formed organisation at the time – received draft remote working rules by email. As the interviewee acknowledged, this was one of the first matters of negotiation or consultation to be dealt with by his young union organisation under the current collective labour legislation. At the same time, the employer had not come out with any offer to meet and hold discussions on the matter. Moreover, according to the trade unionist, the draft contained significant gaps – it did not specify, among other things, the share of remote work per week, the list of positions for which remote work is possible or the reimbursement rates for remote work². The union asked by email three times to organise a meeting and initiate a consultation, at the same time providing critical comments on the content of the draft. It appeared that the employing party was not interested in receiving any comments from the union side on the draft submitted – no email was responded to. Subsequently, the employer ruled that, in the absence of feedback from the unions, the agreement on the rules for the use of remote working would be adopted as proposed by the employer.

All these letters were literally ignored. They didn't write back that they wouldn't, they didn't write back that they would later, (...) they just ignored them. (...) After a month, they brazenly sent us a message saying that as the union had not made any proposals, they would enact the regulations as they had presented a month ago. (trade union).

The interviewee admitted that the situation had caused frustration among the trade unionists. They decided to file a complaint with the State Labour Inspectorate (PIP), which ruled that the employer had unilaterally introduced remote working regulations in violation of labour legislation. The trade unionists, moreover, decided to initiate another collective dispute. They were prompted to do so – in addition to being ignored by the employers – by specific unfavourable provisions of the regulations, which they demanded to be amended. In addition

² However, such reimbursement under the new legislation has been introduced and is in force, although the rates are unsatisfactory in the trade unionists' view (around €19 per month for remote working four days a week).

to the low rate of reimbursement of remote worker costs applicable in the company, income tax and compulsory social security contributions were unjustifiably deducted from the reimbursement payments, which was brought to the attention of the PIP. The institution ordered the reimbursement of the amounts withheld (a total of approximately €20 per employee for a period of several months when contributions and tax were paid). In addition, a provision was introduced – vague and potentially dangerous in the union's view – on the possibility of terminating the employment relationship with an employee who violated the remote working rules, and an obligation for the employee to service the entrusted equipment (admittedly at the company's expense, but the employee would be responsible for this issue, even though the company has its own IT department).

The employer, with the support of the law firm³, dragged out the dispute process, rarely holding meetings with the trade union side (justifying this on the grounds of lack of time) and weaving additional activities into the case that were unnecessary in the trade unionists' view.

We meet with them every two months because the bosses cannot find the time to negotiate. (...) Then another two months, because they have to consult with the headquarters. Then two months because they have to do some audit, because they want to compare the rules with another company (...) then they want to extend the audit. (trade union)

Despite the above, the negotiation of the remote working rules ended in partial success for the union side: the employer withdrew the controversial provisions of the rules charging the employee with the obligation to ensure that equipment is serviced and threatening to dismiss the employee if the remote working rules were breached. It also increased the time that must precede a manager's call to the employee's office (to four days). However, the reimbursement rate for remote working has not been increased.

At the time of writing, the collective dispute initiated by the union was still ongoing, being at the mediation stage. However, the union withdrew the principles of remote working from the content of the dispute, leaving other issues.

2.6 The process of implementation

The process of implementing remote work was spontaneous, originally triggered by the pandemic and the resulting restrictions, and preceded the formal introduction of remote working rules in 2023 enforced by the amendment of the Labour Code. It is likely that hybrid

³ The union also has some legal support from its national-level structures, although in the interviewee's opinion this is much weaker compared to what the employer can count on.

working had already been used prior to the pandemic on a smaller scale as a form of non-wage benefit, although the interviewee does not know the details – he was not employed by the company under review at the time. As late as 2023/early 2024, the typical ratio between remote work and office work was 4:1 and so we are talking about a significant proportion of remote work. In addition, the interviewee pointed to the often flexible approach of managers, turning a blind eye to an employee's absence from the office on a day when they should be performing their tasks at the employer's premises. Generally, supervisors in his view manage teams efficiently remotely and this does not create significant organisational problems. All the more incomprehensible to the trade unionist is a certain tendency – initially only expressed verbally – to restrict remote working. After all, in the spring of 2024, the employer sent the trade union for consultation a draft amendment to the remote working regulations including, among other things, limiting the number of remote working days per week to three. The union's negative position on this issue was then ignored and this reduction was implemented. Thus, the consultative role of the social side is still only pretended by the employing party.

2.7 Impact of the measure on decent working conditions

As indicated above, the perception of trade unionists is that remote working as practised in the company (and therefore a significant proportion of it – previously generally four days a week, now three) has a positive impact on the wellbeing of employees, providing time savings through reduced commuting and thus a better work-life balance.

If people are not exceptionally overloaded with work, if they have such a reasonable scope of what they have to do, then in fact remote working is a very good solution that allows you to complete everything you need to do in your job in the comfort of your own home, without leaving your home, without spending money on commuting.
(trade union)

At the same time, the trade union representative does not see as a significant risk the weakening of social ties between employees, the feeling of isolation and other socio-psychological consequences of the large-scale use of remote working that occurs in the case under analysis. However, it cannot be ruled out that some employees may experience such negative effects, but this was not further explored during the interview – as well as possible company measures to mitigate these effects, especially since it was not possible to interview a representative of the employing party. Instead, a potential new dimension of inequality between employees in highly skilled positions and the lower ones, including collection or simple analysis of data was indicated during the interview. The interviewee

expressed concern that for the latter in particular, the employer might effectively seek to reduce the scale of remote working, against which – due to their weak bargaining position – they would not be able to defend themselves. However, time has verified this concern in such a way that the number of remote working days per week has been reduced for all positions.

2.8 Conclusions

The TWING study in Poland found no positive cases of remote working rules being consulted by trade unions in the IT industry. The sector is characterised by a very low level of unionisation, a reluctance of workers to unionise (many of whom do not work under a contract of employment, but on a B2B basis or under civil law contracts), a lack of collective agreements and the presence of weak, generally young and impermanent trade unions. As the interviewee pointed out, due to the often typically corporate climate prevailing in such companies, there is also a complete lack of potential for employees to engage in industrial action – organising a strike is something unimaginable. Hence, the case analysed above should be singled out as exceptional in the sector for the determination of trade unionists who managed to negotiate a change to some of the company rules governing the use of remote work despite being ignored by a very dialogue-averse employer. Support was also shown by a public institution such as the PIP, and this despite the limited means of labour law enforcement at its disposal.

3. Central Public Administration

3.1 Introduction

This case study concerns the implementation of remote (hybrid) working principles in a central public administration, and strictly in one of the ministries of the Government of the Republic of Poland. In common with other public institutions, remote working began to be used on a larger scale in this ministry as a result of the COVID-19 pandemic and associated restrictions. However, the model of working in a combination of in-office and out-of-office work (generally from home) has taken hold for a significant proportion of positions, and in 2023, following the amendment of the Labour Code introducing permanent provisions on the use of remote working, it was – as in a number of others – regulated in this ministry. A relatively strong employee representation – the trade unions – was able to successfully

negotiate some detailed rules for the use of remote working and the agreement provided for in the new labour law was concluded.

The following analysis is based on generally available information on the internet and an interview with a representative of a representative trade union present in the Ministry. However, it was not possible to obtain permission for an interview with a representative of the employing party – here we received a firm response accompanied by the blunt suggestion that the issue under investigation was not worth the time for any representative of the employing side. This can partly be explained by the specific period in the life cycle of government administration, shortly after a major political change and the replacement of the entire leadership of the ministry – including those responsible for institutional management and HR issues. It should be remembered that the negotiation of remote working rules took place even before these changes, last spring (the parliament election took place in the autumn).

3.2 Contextual and company information

According to the most recent data from 2022, the ministry under analysis employed more than 700 FTEs⁴. It has a complex organisational structure due to the multiplicity and diversity of tasks performed. However, according to the trade union representative, there are no significant differences in remote work practices by organisational unit, or at least it is not formally defined at their level – this parameter is differentiated for specific positions. Drivers or maintenance and reception staff, for example, cannot do remote work. There are also some positions where the possibilities for out-of-office work are so severely limited that only occasional remote work is used in practice⁵. This is the case, for example, for secretaries, with supervisors more or less willing to allow them to do some remote work. Some of them have a strong preference for continuous presence of their subordinates, especially in organisational units serving a significant number of clients.

Two trade unions are present in the ministry, with a total of more than 100 employees. As declared by the representative of the trade union side, they are able to agree on their position, which was the case, among other things, with regard to the negotiated principles of remote work.

⁴ The figures are taken from the ministry's response to a parliamentary question on the size of the ministry's workforce.

⁵ Remote work performed at the employee's request for a maximum of 24 days per year, bypassing most of the Labour Code's regulations on remote work.

3.3 Drivers and motivations for the adoption of telework and its regulation through social dialogue

The immediate motivation for the introduction of remote work was the COVID-19 pandemic and the resulting sanitary restrictions. In the spring of 2020, the ministry, like a number of other public institutions, was forced to introduce the use of remote working on a large scale in order to reduce the number of people simultaneously on the institution's premises. The interviewee was reluctant to express opinions from an employer's perspective, but acknowledged that supervisors – heads of organisational units – had differing attitudes about the need to provide remote working. Some were reluctant, as the process of introducing a new work organisation was cumbersome, requiring the change of certain procedures and habits. Also, once remote working has been implemented and regulated internally, different attitudes persist: some supervisors prefer to have an employee “on hand”. On the other hand, in the opinion of the trade union representative, in general the possibility of remote working has been accepted and is not a source of organisational problems or tensions between employees and their superiors.

Virtually none of the directors... I haven't heard any complaints (...) the beginnings are always difficult, but now it's starting to function reasonably smoothly, without complaint.
(trade union)

As for the motivation to put remote working principles on the social dialogue agenda, this was determined by an amendment to the Labour Code, which came into force in spring 2023, obliging employers to negotiate (consult) detailed remote working principles with employee representation. The Ministry has two relatively strong trade unions present in terms of membership, which the employing party recognises and takes into account in the consultation procedures provided for by law – hence the new obligation under the Labour Code to consult the detailed rules of remote working was also taken into account.

3.4 Social dialogue and telework

Prior to the introduction of the formal obligation to consult on the principles of remote working, it was not the subject of social dialogue in the Ministry. The obligation was introduced by an amendment to the Labour Code, which came into force in spring 2023. At the time this occurred, the institution under analysis already had experience with the use of remote working acquired during the pandemic and, in the opinion of the trade union representative, employees were used to it, preferred this solution and had quite high expectations regarding the number of days per week on which it would be possible to perform their duties from home. On the other hand, not all ICT solutions for handling remote

work (including formal handling) were ready and implemented yet, and the employer - despite knowing the employees' preferences – was inclined to limit the number of days of remote work. The interviewee even declared that the initial position of the employing party was essentially to ensure that occasional remote work could be carried out, and therefore to a very limited extent. At the same time, both parties were willing to dialogue and agree on their positions. The fact that there were differences was acknowledged, but there was also a good will to come to an agreement – despite awareness on the part of the unions that there is a statutory time limit within which an agreement should be reached, after which the employer can unilaterally introduce remote working rules. Overall, however, agreement was reached and the consultation process – as described below – was relatively short and efficient.

3.5 The process of negotiation

The process of consultation/negotiation of the rules on remote working in the Ministry under scrutiny lasted less than the statutory 30 days. The employing party was open to dialogue and reaching an agreement, among other things – in the opinion of the trade union representative – because the issue of introducing detailed regulations on the use of remote work was something new and the employer had no experience in this area. There was, therefore, an openness to work out joint solutions with the trade union side that were optimal for all. Also on the trade union side, there was a willingness to agree and caution, both due to the novelty of the topic and the aforementioned possibility of the employer introducing regulations unilaterally if the statutory deadline was exceeded. The union acted “spontaneously”, adapting its negotiating actions to the current situation.

We were operating a bit in the dark. (trade union)

As already mentioned, initially the social side – listening to the needs of the employees – sought to set a high weekly share of remote working. However, the starting point for the employer's position assumed, on the contrary, very modest remote working opportunities, amounting to occasional remote working (with a limit of only 24 days per year, i.e. two days per month). This issue was eventually resolved in a way that was relatively favourable to employees, although still below their expectations: in positions where this is possible, off-site work is carried out for two days a week. This does not apply to the secretaries already mentioned, but also to departments directors, who generally can work outside the office for one day a week. On the other hand, employees with special needs listed in the Labour Code (e.g. parents, carers of persons with disabilities) may request more working hours. Such a request is granted if there is adequate organisational capacity for the particular job. The

interviewee acknowledged that the scope of application of remote working was a topic discussed for a relatively long time, as certain elements of the content of the regulations proposed by the employer were unclear and could lead to misinterpretations in practice. This was due to the methodology adopted initially, which included defining the number of hours rather than days of remote work per week. However, an agreement was eventually reached on this issue.

There could have been any interpretation by the bargaining unit directors, so there was a bit of attrition here, but it's hard to say that it was difficult to get through (...) or that either side was very used to their version and didn't want to give way. (trade union)

Reimbursement rates for employee costs incurred for remote working were also negotiated. This issue was not particularly important to the unions and was not prioritised, as it was also not given importance by the majority of workers. In addition, the unions present at the Ministry did not have the possibility to make precise calculations of the electricity and telecommunication fee costs actually incurred by the remote worker. In the end, the employer's proposal was agreed to – it was considered that it had provided a fair and market-compatible calculation (the majority of employees agreed on that, with isolated voices indicating incomplete satisfaction with the negotiated rates). In principle, the rules concerning the sphere of health and safety or the remote monitoring of the performance of remote work were not negotiated more than those resulting from the Labour Code. However, an obligation on the employer to provide appropriate health and safety training in the context of off-site work was included in the agreement.

In summary, according to the trade union representative, the negotiation process was smooth, both sides did not stand firm on their positions, and there was a sense on both sides that remote working (and especially its detailed regulation at workplace level) represented a certain novelty. Initial expectations, especially about the scale of the use of working outside the employer's premises, diverged, but a compromise was found. The employer approached the process diligently and did not drag it out, nor did it apply pressure related to the applicable statutory deadlines – although the trade unionists themselves felt that an agreement had to be reached within a reasonable time, as any prolongation of the talks could turn against them. At the same time, the interviewee criticised the new statutory regulations, pointing out both what he considers to be some overly broad room for manoeuvre for the employer to grant remote working to employees, and the non-compulsory nature of reaching an agreement with the trade union side, which he believes, in the case of

workplaces where the employer is not ready for dialogue, could lead to the new rules being ineffective.

We had this willingness [of the employer] to make [an agreement]. They didn't have to the employer at all... of course we wrote to the Director General that we wanted to negotiate on this due to the provisions in the Code coming into force. And after all, the employer could have not reacted to it at all, waited until the middle of the month, left two weeks, and at that point we would have been up against the wall, with no possibility of pushing through any demand. And yet [the employer] started these negotiations right after the legislation came into force, after our first intervention. (trade union)

3.6 The process of implementation

As indicated above, remote work, or more precisely hybrid work, had already been introduced in the institution under analysis before the agreement with the trade union side was concluded in accordance with the new regulations, but the signing of this agreement made it possible to maintain the relatively high proportion of remote working within the weekly working hours of a large proportion of employees, as well as to regulate specific rules concerning, among other things, the reimbursement of the costs of the remote worker or to ensure that employees were duly trained to facilitate the implementation of remote working in accordance with health and safety rules. Such training took place in accordance with the content of the agreement.

As part of the implementation of remote working, certain rules have been introduced to streamline the ministry's operations and rationalise costs. Among other things, a remote/office working schedule is being drawn up for each department, so that there is always an employee present in the office, thus ensuring service to the department or smaller organisational unit. In addition, one day a week has been designated as a compulsory office attendance day for all employees, with the aim not only of ensuring more efficient operation of the institution (better communication, exchange of information, circulation of documents), but also of strengthening bonds between employees, building teams.

3.7 Impact of the measure on decent working conditions

According to the trade union representative, the overall impact of remote (hybrid) working on working conditions and employee well-being is overwhelmingly positive. This is particularly influenced by the reduction in commuting, which is important in the context of the location of the analysed institution (as well as other ministries) in the centre of Warsaw, where there is a

shortage of parking spaces and frequent traffic jams. Employees living near Warsaw or in its outlying districts benefit in particular, especially as there is currently a great deal of travel impediment due to investments in road and rail infrastructure. Thus, work takes as much time as is required by law – the employee saves even two or more hours, which improves work-life balance. There is also greater working comfort due to the lack of distractions that occur in the office.

Working time is maximised, those eight hours in front of the screen at home, and at the same time (...) not having time lost to commuting, it also makes combining these non-work duties easier. Because at the moment we are eight hours [at work]. (trade union)

Switching on that computer in the morning when I start work, practically for those eight hours, apart from making myself a coffee etc., I don't want to walk away from that computer, I sit all the time and complete my tasks. (trade union)

On the side of disadvantages of working remotely, a trade unionist pointed to possible negative psychosocial effects, but in the case of the ministry analysed, rather mitigated thanks to the relatively high proportion of office work. However, a sense of isolation and loneliness, could arise – and certainly did during the lockdown period. The interviewee also pointed to a possible deterioration in physical fitness due to reduced movement, as well as problems communicating with colleagues. When email exchanges predominate, it is easier to misunderstand your colleague or unintentionally offend someone. Finally, there may be technical problems, while getting ICT support remotely is more difficult than at the employer's premises. This in turn leads to stress, sometimes even "panic" – also because in such a situation the supervisor may call the employee to the office.

There is no contact with a live person, sometimes it is good to talk. So that isolation can get annoying. (trade union)

3.8 Conclusions

In the analysed institution, with a generally favourable attitude of the employing party towards trade unions, there was a thorough process of consultation on the principles of remote working in 2023, after such an obligation was introduced by an amendment to the Labour Code. It was efficient to introduce detailed rules for remote working and to find a compromise on the scale of its use. Both parties were ready for an agreement, feeling that remote working was a new issue and seeking mutual support for its regulation and implementation of new, this time permanent (as opposed to pandemic) rules.

Chemical sector

4. Chemical sector

4.1 Introduction

The following case study concerns the implementation of remote (hybrid) working principles in one of the production branches of one of Poland's largest and long-established pharmaceutical companies. In the past, the company was a state-owned enterprise and was later privatised by Polish capital. It is present on both domestic and foreign markets. In the analysed branch of the company, remote work (including mainly hybrid work, but mostly with a high proportion of work outside the employer's premises) is a relatively new phenomenon, introduced on a larger scale only as a result of the COVID-19 pandemic and related sanitary restrictions – but also applied relatively widely for this branch of the industry (according to the estimate of the interviewee representing the trade union, it is about 30% of the staff, most of whom perform hybrid work). The following case should be considered positive in terms of the quality of the social dialogue and its outcome in terms of the content of the agreement on the rules for the use of remote work in the company. The analysis is based on publicly available data obtained online and an interview with a representative of the only trade union present in the company. The interview with the representative of the employing side, despite very many attempts to contact them, was unsuccessful. This may be due to the fact that we are dealing with a territorial unit within a large company – a single plant whose management is not numerous. The director of the plant was constantly absent, being on business trips, often abroad.

4.2 Contextual and company information

The analysis covers one production department employing just under 300 people, which is one of several branches scattered in different regions of the country and employing a total of several thousand people. The workforce is made up of both non-remote workers (production, warehouse and laboratory staff) and those with a quite frequently high level of teleworkability (quality control, order department, customer relations, finance and reporting). The latter category makes up a relatively large proportion of the branch's staff.

Only one trade union is present in the branch, but it has a very high membership for Polish conditions (over 50% of employees) and is respected by the employing party. At the same time, the interviewee admitted that in the past it had a much smaller membership – about 10% of the workforce 10 years ago. As will be shown below, this organisation has been able successfully, despite the protractedness of certain negotiations, to get the employer to

introduce certain facilities for workers. Other trade unions than the one of which this organisation is a part are also present in other branches of the company. In the opinion of the interviewee, these organisations are in constant contact and able to cooperate with each other.

In the context of remote work, it is important and interesting to note that the plant is located in a small town, in addition to being at least a few dozen kilometres away from larger cities. Therefore, the staff is almost exclusively made up of employees who commute from different directions and considerable distances. This creates additional interest in the possibility to work remotely for a significant amount of time, representing, from the perspective of the candidates, a significant asset for the company and, from the perspective of the employer, an opportunity to attract talent from outside the local or even regional labour market.

If we relied on the local labour market, well, our situation would be difficult. (trade union)

4.3 Drivers and motivations for the adoption of telework and its regulation through social dialogue

As indicated above, it was only the COVID-19 pandemic and the associated sanitary restrictions that forced the plant management to implement remote working. This was an emergency and exceptional situation, especially as employees who could not work remotely were also subject to a number of restrictions. It was necessary to implement a strict sanitary regime, separating shifts (within a three-shift working time system) so as to minimise the risk of workers from different shifts infecting each other. It was also necessary to examine every employee entering the company premises on a daily basis to rule out their COVID infection. This was accompanied by a wider crisis situation caused by the increased demand for medicines, massive buying up of them on the market and the breakdown of supply chains, making it difficult or even impossible at times to source certain active substances as ingredients for medicines. Despite this, the company managed to maintain proper production processes and the transition to remote work itself proved to be a relatively easy process with no significant problems, according to the interviewee. This was due, among other things, to the fact that they were already familiar with various IT solutions, such as videoconferencing software – before the pandemic, such solutions were already being used to communicate with the head office and other branches. Employees were therefore well acquainted with them, which alleviated the difficulties encountered due to the sudden transition to work from home, allowing for smooth communication within teams. The interviewee even admitted that there were times when this early digitalisation of the company was seen as a kind of

exaggeration, especially as it was accompanied by the employer's support in terms of electronic equipment (laptops, smartphones), but this paid off when the COVID-19 crisis broke out.

4.4 Social dialogue and telework

The union was involved on the basis of making specific interventions for workers in the early stages of the implementation of remote work in relation to the pandemic, although the interviewee was able to give examples of activities mainly concerning the implementation of the sanitation regime. Either way, it was a difficult period for the company and involved many challenges for the union. In the past, the union had actively attempted dialogue on issues related to employment conditions, which included initiating several collective disputes with the employer (one such dispute was suspended by the union when the pandemic crisis began, in order to show goodwill and willingness to cooperate in overcoming difficulties). For several years, among other things, the organisation has been pushing for the payment of allowances to cover the costs of employees commuting to the company from more distant locations. During the pandemic period, as the interviewee acknowledged, the willingness for dialogue and various agreements on the employer's side was also greater – both sides tried their best to cooperate in the face of the crisis.

The employer during the pandemic was very thankful [for the cooperative attitude], but after the pandemic they forgot [laughs]. (...) As the need arises, however, the other side is able to make some concessions and reach an agreement, but when the threats are over, self-interest dominates and so it is no longer so nice. (trade union)

Subsequently, a consultation on the principles of remote working was undertaken in spring 2023 and a relevant agreement was concluded between the employing party and the trade union based on the new labour legislation.

4.5 The process of negotiation

Due to the coming into force of the amendment to the Labour Code introducing rules for the use of remote work and the obligation to consult detailed rules at company level, a meeting between the union and employer representatives already took place for the first time on 16 March 2023 (while the aforementioned amendment came into force on 7 April). The interviewee had already reminded management of the upcoming change in the rules in autumn 2022 and participated in training sessions, so we are talking about a committed and proactive attitude on the union side. From 16 March 2023 onwards, intensive discussions took place for about two weeks – the union representative declared that meetings were

organised practically every day and particular issues were discussed "piece by piece". According to the interviewee, however, the employer was already prepared in substance and had a draft agreement.

Among the more problematic issues were the reimbursement rates for remote working. The difficulty was related to the multiplicity of electricity suppliers – given the different electricity rates on the market, it was necessary to choose the tariff of a particular energy seller as a reference point for the level of reimbursement as well as the subsequent valorisation of rates. However, an agreement was reached fairly quickly on this issue. There is a general monthly refund rate (PLN 120 = approx. EUR 28), divided by the number of days in a given month and then multiplied by the actual number of days spent working remotely. According to the interviewee, it is not very high, but it covers the actual costs incurred. He pointed out that the employer was generous when it came to reimbursing the cost of equipping the workstation: both electronic equipment and ergonomic furniture were reimbursed in the case of employees reporting the need to use them. However, even in the face of these favourable conditions, some workers expressed dissatisfaction and wanted more. The interviewee has some distance to such complaints – sometimes he even used to joke in response, suggesting that the union would report to the employer that they did not agree to remote working in the company, which would solve all problems. This usually silenced the disgruntled.

The consultation also covered the rules for referring employees for remote working. The agreement included the possibility for the employer to refer employees for remote work with their consent, as well as for the employee to request the possibility of remote work. If a larger group of employees is directed to work remotely (e.g. in connection with a laboratory overhaul), the trade union must agree to this.

The interviewee acknowledged that the rules for controlling the process of remote working, including health and safety, were not clarified in detail. The employer was inclined to "blame" the employee for any potential incident and not to take responsibility for the health and safety sphere in the case of working from home, but its attitude has changed under the influence of information appearing in the specialised press on the interpretation of the new regulations and the jurisprudence of the courts. A separate issue is controlling whether the employee reliably fulfils his or her duties during the agreed hours. Here, the interviewee himself agrees that the work should be done conscientiously, yet it is the employer which is reluctant to do too much remote controlling, as it is burdensome and time-consuming for supervisors. However, managers have managed to implement themselves in the new procedures.

If someone is on home office, if someone delegates some duties and tasks to them, they have to hold them accountable. I will honestly say that this was more to the employer's dislike, because the supervisors of these people automatically had more work to do. (trade union)

Within negotiated individual remote work arrangements, the most common pattern of remote working use is a hybrid work arrangement involving two days working from home and three days in the office. A small group (around 10% of those who can do remote work) work (almost) entirely from home. In addition, employees for whom remote work is technically possible may request additional remote work (outside of the agreed timeframe) during periods when they are performing tasks that require focus, which are better completed in the comfort of their home environment.

Overall, the interviewee assessed the negotiation process as fair. Interestingly – this is the first such opinion obtained from interviewees throughout the TWING project in Poland – he considers it an important principle that the employer should include in the remote working regulations the issues agreed with the union during the consultation, even if no final agreement was reached. Rather, most of the other interviewees in the project emphasised that, in the absence of the employer's goodwill, unions cannot significantly influence the content of the regulations, and the employer is left with a free hand already in the situation of failure to reach an agreement within thirty days. At the same time, the interviewee is aware that many unions may not have sufficient negotiating power to implement the aforementioned principle. Sometimes they are not even able to get the opposing side to write down the minutes of the talks, *de facto* leaving a dialogue-averse employer free to establish rules for remote working. In the case under review, the employer was open to negotiation, also in view of the fact that the detailed regulation of remote working rules was a new issue – the support of the trade union side was therefore sought in the search for optimal solutions for both sides. At the same time, the interviewee acknowledged that the shape of the rules created some time pressure under which discussions had to be conducted. However, he believes that he is “lucky”, as he knows of cases in non-unionised companies where decisions that are disadvantageous to employees (for example, even the non-establishment of a company social fund) are taken by the employer after fictitious consultations with a self-appointed employee representative who is in fact his relative.

4.6 The process of implementation

As described earlier, remote working was already implemented during the pandemic, while the process of implementing the detailed rules took place in 2023, involving the HR

department, responsible for, among other things, preparing the documents necessary for outsourcing remote working, the IT department, responsible for preparing the necessary IT solutions, and managers. Necessary training and webinars were also organised for employees, e.g. on how to apply for funding for equipment used in remote working. An interviewee representing a trade union acknowledged that the early stage of the implementation of remote working under the conditions of the pandemic crisis, but also its subsequent operation before the implementation of detailed rules as a result of the amendment of the Labour Code, was a time of uncertainty and growing misunderstandings due to the inability of a part of the staff to conduct remote work (see section 7). The uncertainty, in turn, was related to the temporariness, general nature and narrow scope of the rules in force at the time, allowing remote working mainly as a countermeasure against the spread of COVID-19.

Everyone realised, both superiors and those who work like this (...) that there is no legislation that is unambiguous. It was impossible to rely on this [former] teleworking regulations, and the anti-COVID law could not be relied on indefinitely either. A lot of people were asking: I'm at home, I use my electricity (...). And things started like that... because the manager allowed this one a home office, this one didn't, and on what basis, it was all starting already. (...) You could see the need for legalisation. (trade union)

It went over very smoothly, (...) really, because I don't remember the transition from that period of time... this free-for-all, that there were any comments... there were no complaints from the staff. (...) They knew that there were [new] rules and regulations, that it was established, it came from the regulations. (trade union)

As indicated above, controlling the performance of remote work has been somewhat of a challenge for managers, but they have managed to get used to new ways of controlling remote work. At the same time, certain jobs do not pose significant problems because they offer a high level of autonomy and it is easy to account for the results of the work done. It is evaluated on a task-based system.

An interesting consequence of the introduction of the reimbursement of part of the employee's costs as one of the principles of remote working was that employers accepted the idea of reimbursing the travel expenses of employees commuting to the company, which the union had been pushing for about three years. It seems that the fact of the mandatory payment of the allowance for remote working costs had a positive effect on the employer's attitude. However, of particular relevance here may have been the issue of certain tensions caused by unequal access to work from home for employees – those, for example,

representing the production department, sometimes expressing dissatisfaction at not being able to work remotely. The payment of a commuting allowance is a kind of tribute to employees who have to constantly perform their duties at the company's headquarters. Hybrid employees commuting to the company from other locations receive both allowances in proportion to their share of remote and on-site work.

4.7 Impact of the measure on decent working conditions

In general, remote work has a positive impact on the employment conditions and well-being of employees, especially in the context of the company's peripheral geographical location, which makes the already negotiated extent of remote work employees are willing to “fiercely defend”, according to the interviewee.

Among the advantages of remote working, which have a positive impact on employees' wellbeing, are the time savings resulting from reduced commuting. This, in turn, influences the attractiveness of employment with the company: in the interviewee's opinion, for some candidates, given comparable other working conditions, the possibility of working partly from home is a decisive argument for taking up employment with the company in question. It is simply convenient, as it allows, for example, to do certain things during working hours – doing a bank transfer from a second computer is not a problem.

The employee doesn't have to spend money to commute, he doesn't have to get up... well I commute almost 30 km, to get there on time I have to stand up at 5:30 a.m. If I would start at 7, I would get up at half past 6. [The employer] knows that this is good for the employee. (...) I don't even have to shave. (...) These are small things that nevertheless matter. (trade union)

Those 150 km every day [commute]... well he decided, even if he was earning similar money, if his responsibilities were similar, well there he had to be five days a week at work, here he has two, and he will do the rest at home. (trade union)

A negative aspect of remote work can be the weakening of social ties, the lack of regular contact with work colleagues, and social isolation. The interviewee assessed that those working hybrid do not want to switch to full remote working at all, as they appreciate the opportunity to meet other employees in the workplace and also want to be “up to date” with the current situation in the company.

For them it's important to have that contact, what's going on here. To keep up to date, from home they wouldn't know that, even though they could. But they prefer to come to

work for those two or three days. Those tasks that require more focus and don't need to be at work, they just do them at home. (trade union)

According to the interviewee, working completely remotely leads to a strong alienation of employees – they stop recognising their work colleagues, while the latter often think that they have ceased to be employees of the company at all. Even during team-building events, which are organised by the employer from time to time, these people do not join in common activities and integration – they are strongly withdrawn. A trade unionist even assessed, using not-so-subtle words, that such employees are “running wild”. Another problem is the exclusion from the company's information flow, which he himself experienced when he was absent from the office for a longer period of time: it is very difficult to properly absorb current news when you only occasionally come to the company's headquarters, and you feel overloaded by it. He believes that breaks from remote working should be introduced - e.g. according to an alternating scheme: one month working from home – one month working in the office. When asked how he would rate the idea of one day of compulsory office work per week for everyone, he also supported such a solution. At the same time, the interviewee acknowledged that the employer has so far not offered psychological support to those experiencing difficulties resulting from long-term remote working, although he believes that if such problems were reported, the company – which has a compliance department - would provide such support. The question is, he noted, whether employees would be willing to admit to such problems. The interviewee concluded that it would be worthwhile to conduct an anonymous survey on that issue and then bring the problem to the employer's attention.

As already pointed out, the varying access to remote working can cause frustration for those employees who cannot do it. The interviewee acknowledged that he sometimes instructs his colleagues whose positions allow remote working to refrain from suggesting that remote working represents an opportunity for them to do other things during working hours, run some errands, or avoid sick leave (associated with an 80% pay cut) in the event of a mild illness.

They do themselves wrong sometimes, because they say: I have something to do there, I'll take the home office. (...) Someone on the side listens and says: well, what are you doing in your home office? (...) And the truth is that in the morning I'm given a number of tasks to do (...) and if I don't really get my act together, I can't even set aside an hour to do something. (...) I always say: don't say such things, there are people who cannot do remote work. (...) He will be accounted by his supervisor at 2:30 p.m., which is really 30 minutes, and the time saved for the commute (...) But it sounds different to say to a colleague who cannot have a home office, (...) he works at a

forced pace. (...) Well it's not like he's on home office and he's doing himself in the garden. (...) I miss the explanation [of these issues] by the employer. (...) I explain it, but it is not my role. (trade union)

This lack of equality of access even led to demands made to the union by employees unable to carry out remote work not to agree to the use of remote work in the company(!). They simply felt discriminated against in relation to this issue. In response to this problem, the union managed to negotiate two hours per week of time off work for employees not using remote working as part of their standard working hours, which could be spent attending training courses and meeting with colleagues. According to the interviewee, this has brought new opportunities for employee integration, for members of different teams to get to know each other. Undoubtedly, some compensation for having to work exclusively in the office is also the reimbursement of commuting expenses to the company, mentioned earlier, as well as subsidised meals.

4.8 Conclusions

The case analysed above concerns the successful negotiation of an agreement on the detailed rules for remote work between a trade union and management in a large company in the chemical (pharmaceutical) sector, where hybrid working, or even total remote working, can be conducted by a relatively large proportion of staff. An agreement was reached thanks to the negotiating strength of the trade union, but also the goodwill of the company's management, which was open to dialogue. Undoubtedly, the dialogue is facilitated by the specific location of the plant, forcing the search for a significant number of candidates outside the local labour market, who are particularly interested in the possibility of (partial) remote work. An interesting theme that emerged in the course of the study - which was also mentioned in other interviews with trade union representatives in the chemical industry conducted as part of the TWING project – is the sense of deprivation among employees unable to perform remote work for organisational and technical reasons. Interestingly, for them too, the union managed to negotiate some facilities, partly compensating for the lack of access to the home office and having a positive impact on job satisfaction.