TWING PROJECT

Comparative report:

Company case studies

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1. Introduction

Previous research on telework arrangements has placed little emphasis to their regulation at company level. However, this is a crucial field for analysis considering that main policy issues related to the regulation of telework are developed at this level (EU-OSHA, 2023). In addition, there are also few studies that have focused on the analysis at company level with a view on the identification of bargaining practices that contribute to improve teleworkers' working conditions and also make telework more productive.

This report contributes to fill this research gap report by analysing 'social dialogue practices' at company level implementing telework. If focuses on four sectors which face different constrains in relation to telework (ICT, banking, chemical industry and public administration) and six countries that differ on the prevalence and ways of regulating telework, and are representative of different industrial relations regimes (Austria, Estonia, Finland, Spain, Poland and Portugal) (Eurofound, 2022, 2023).

2. Research questions, methodology, concepts and structure of the report

The aim of report is to respond the following project's research question:

- How has the experience of extended telework since the outbreak of the pandemic has been addressed in company collective bargaining and information and consultation practices in the selected countries and sectors?

With a view to respond to this research question, company mini-case studies were conducted. Four cases per country were conducted in each country (1 per sector, 4 per country, 24 in total). The case studies gathered in-depth information on the way telework has been regulated and therefore implemented. In particular, cases studies focus on the participatory schemes for employees and regulatory tools used, along with the outcomes observed of the regulation of telework. In order to gather information, a qualitative approach was followed consisting on semi-structured interviews conducted with both employers and worker's representatives in each company studied.

This report understands that telework is as a form of internal flexibility that entails changes to both the organisation of working space and working time (the number of hours and days worked per week, and the scheduling of working hours during the day). As identified during the desk research phase, this work arrangement can have both positive and negative implications for workers. As a result, several authors in the literature have called for a reframing of previous debates that put flexibility in opposition to workers' security. These authors propose new conceptual approaches that distinguish between flexibility that is driven by enhancing organisational performance and employers' goals, and flexibility that is driven by employee goals or goals related to work-life balance and well-being (Härmä and Karhula, 2020; Chung, 2022). This approach understands that employee-led flexible work arrangements (such as working time flexibility or telework) can also be beneficial for employees when exercised appropriately (e.g., well-being and work-life balance). Notably, empirical evidence suggests that workers (particularly women and young people) increasingly demand greater flexibility in their work (Härmä and Karhula, 2020; Chung, 2022).

Employer-oriented flexibility comprises all forms of flexible work that are determined by the operational requirements of the business. In this regard, telework carried out as informal overtime would be an example of employer-oriented flexibility. In contrast, worker-oriented flexibility refers to work arrangements where employees have some degree of choice or influence over their working hours (e.g., duration, timing and intensity or location of working time; Härmä and Karhula, 2020). However, there are not always clear criteria for classifying telework arrangements into these two categories.

Behavioural negotiation theory may also provide relevant insights to analyse and understand social dialogue and company-level collective practices on telework. The behavioural theory of negotiations explores how negotiators engage in workplace bargaining, and the logic and tactics of that engagement (Walton and McKersie, 1991). The study of Walton and McKersie's theory (2008) distinguished between integrative and distributive negotiation problem approaches.

The goal of distributive bargaining is to resolve conflicting issues that need a trade-off or compromise for resolution (Martin, 1992). Thus, the attainment of one party's goals conflicts with those of another party and divide limited resources. The game theory approach calls this a 'zero-sum game' or a 'win-lose process'. Issues that have an inherent degree of tension are economic items such as wages (Scharpf, 1997).

Integrative bargaining refers to bargaining focused on issues that can be described as shared problems. Accordingly, this perspective is often referred to as 'problem-based' or 'interest-based bargaining' (Mckersie et al, 2008). In this case, there is potential benefit for both parties by engaging in negotiation because of the nature of the problem. The bargaining process focuses on identifying and addressing common areas of interest or on resolving problems collaboratively, resulting in better outcomes for both parties through the expansion of possible gains which can then be shared. Scholars have proposed a set of techniques for conducting interest-based negotiations, such as gathering and sharing information to analyse problems or to generate options for resolutions (Fisher and Ury, 1981). Integrative bargaining can be utilised when parties' interests differ and when a trade-off can be negotiated to create value for both parties. For example, negotiations on work-life balance, equality and corporate social responsibility have integrative potential (the potential for integrative bargaining to be effective). Telework can also be considered a topic with integrative potential (Elgoibar et al, 2023).

However, research also shows that purely distributive or integrative negotiations are rare; most negotiations involve a mix of issues that combine both. For instance, the case study conducted by Mckersie et al (2008) shows that parties employed a combination of interest-based and traditional negotiation processes across a range of integrative and distributive issues.

Following this section, chapters 2, 3, 4 and 5 present the outcomes from the analysis of the case studies in each of the three sectors studied. Finally, chapter 6 provides general conclusions form the comparative analysis of all the cases.

3. 1. ICT sector

3.1 Company contextual information

The case studies focus on multinational companies in the ICT consultancy sector, which provide a diverse array of IT products and services and employ over 600 workers. All of these companies are global private entities, with the exception of the Austrian company, which is state-owned. In Poland, the company places a strong emphasis on market research, whereas the Finnish company is particularly active in research and development (R&D) activities.

Teleworking is common across all the companies examined, though it differs in terms of its intensity, degree of formalization, and the level of flexibility afforded to employees. Notably, all companies had established teleworking arrangements prior to the COVID-19 pandemic (with most having formal teleworking policies in place, except for the Polish company). Nevertheless, the importance of teleworking increased substantially due to the pandemic.

Currently, all of these companies have integrated teleworking into their strategies for attracting talent, except for the Polish firm.

The practices examined are initially described, with a focus on their contributions to enhancing working conditions for teleworkers. Subsequently, the study analyzes the participation schemes, regulatory mechanisms implemented, and the various negotiation processes involved. Finally, the impact of these practices on the improvement of working conditions is discussed.

3.2 Topics addressed: description of the practice

All of the companies analysed have adopted a hybrid model for telework, allowing a maximum of 60% of working time to be carried out remotely. Full-time teleworking is permitted only under exceptional circumstances. Notably, individual or team negotiations play a more significant role in regulating telework than collective agreements across all companies. Various aspects, such as access to telework, must be negotiated with each team leader, who retains the authority to object.

The Estonian company has adopted a specific telework implementation that aligns with an "office-first" hybrid approach aiming at optimizing working conditions in the office. At the same time, it avoids mandatory on-site work, except in cases where employees may need additional mentoring or support (such as during periods of low performance or probation). According to the company-wide telework agreement, each team is required to schedule regular office days, at least once a month, for the entire team to work together. Before starting a telework arrangement, employees must complete an online training course on teleworking practices. Regular progress meetings and annual reviews are conducted as part of the company's occupational health and safety strategy, which also offers access to virtual psychologist consultations, private health insurance, initiatives to promote physical activity, and various training and informational resources. To reduce the risk of employee isolation, the company mandates that teams agree on regular office days and requires team leaders to conduct one-on-one meetings with their team members at least once a month. Performance is evaluated based on individual and team goals, with regular meetings held to monitor progress. Additionally, the company discourages meetings outside core hours (9-17h) and promotes daily planning to help employees manage their workloads effectively.

Notably, team leader at the Estonian ICT firm introduced a new practice to enhance communication and collaboration within the team. By 10 a.m. each day, every employee is required to post in the group chat: (1) a summary of what they accomplished the previous day and their planned tasks for the current day, and (2) any times during the day when they will be unavailable. This measure was implemented in response to the team leader's observation of a decline in team spirit and a growing tendency toward individualistic work approaches. The shift to telework had resulted in reduced empathy among coworkers, an increase in work-related conflicts, and more passive attitudes towards work-related tasks and team events.

Similarly, the Finnish firm is promoting telework through a cultural transformation program that focuses on career development, employee well-being, and creating a supportive work environment. The "2+3" hybrid telework model, which is part of this program, aims to enhance employee well-being and encourage collaboration. To support this initiative, the company incorporates feedback on telework practices into its broader occupational safety and health (OSH) surveys, conducted annually, which are designed to assess overall workplace conditions, not exclusively those related to telework.

While the Estonian and Finnish cases can be viewed as examples of employee-led telework regulation, the Austrian, Spanish, and Polish cases stand out for having experienced a somewhat controversial implementation of telework. The latter has been evident in the Spanish and Polish cases. Trade union representatives from both companies reported a high level of informality in telework arrangements, such as employees' uncommunicated absences on non-approved telework days, despite the presence of collective telework regulations in both organizations. Trade unionists from the Spanish company expressed concerns about the implementation of telework, suggesting that it primarily serves as part of a global cost-reduction strategy, as evidenced by the closure of many workplaces.

On the other hand, the Austrian ICT firm has implemented a flexible telework policy. At that company, employees are only required to notify their managers of their intention to work remotely at least one day in advance. Unless there are specific operational needs that necessitate an employee's presence in the office, telework requests are typically approved with minimal discussion.

3.3 Participation schemes/regulatory mechanisms and negotiation processes

In the post-pandemic context, telework involved minimal collective bargaining across all the companies analysed, except for the Austrian firm. At this company, the introduction of the new legal framework (Employment Contract Law Amendment Act, 2021) did not spark negotiations. In both the Austrian and Spanish firms, telework was already addressed in their respective collective agreements. However, in the Austrian company, trade unions did not perceive any need to renegotiate the existing telework provisions.

Despite the presence of negotiations, collective regulations on telework are notably weak in providing a comprehensive framework, particularly in the Austrian, Estonian, and Finnish companies. In the Finnish and Estonian firms, telework is governed primarily by internal guidelines[1], while in the Austrian, Polish, and Spanish companies, telework is regulated through collective agreements. As previously mentioned, individual negotiations play a more significant role in defining telework arrangements. It is also important to note that such individual negotiations are a common practice within this sector.

The most significant issue under discussion in all negotiations was the proportion of working time allocated to telework. This topic led to disagreements in nearly all the cases analysed, including negotiations at the team level, though most disputes were effectively resolved. Additional conflicts arose within the Estonian firm concerning the start time of the workday. In the Spanish and Polish companies, contentious topics included access to telework, economic compensation, and the provision of necessary resources. Moreover, in the Polish firm, employment security in cases of violations of the telework policy also emerged as a point of contention.

The Finnish and Estonian cases exemplify stood out by featuring a joint-decision process in negotiations on telework, which can be regarded as potential integrative practices. In both companies, discussions resulted in mutual agreements without any reported conflicts. At the Finnish firm, the process involved the Chief People Officer, the Human Resources Department, the shop steward, the OSH Representative, and team supervisors and managers, who collaboratively drafted the telework guidelines. Broader trade union involvement was considered unnecessary, as the negotiations focused on minor updates to the existing guidelines, with the shop steward serving as the sole employee representative. Key points agreed upon included a maximum of 60% of working time permitted under telework arrangements, the voluntary and reversible nature of telework, the employer's right to require employees to return to the office, and the responsibility of teleworkers to provide a secure internet connection and maintain safe working conditions. These telework guidelines have been appended to local agreements.

[1] The Finnish company does have a telework agreement, but it is used under special circumstances, i.e., full-time telework.

At the Estonian company, the working environment representative, the work environment and well-being manager (representing the employer), and team leaders collaborated to draft the telework agreement, with a primary focus on occupational health and safety issues and the creation of comprehensive remote work guidelines for the organization. As in all the companies analysed, individual and team-level negotiations were central to regulating telework. Notably, the Estonian firm employed robust participatory mechanisms through direct social dialogue in team-level negotiations. Team leaders actively involved employees using various approaches, including in-person meetings, individual discussions, voting mechanisms, and anonymous virtual feedback tools, fostering an inclusive decision-making process.

Social dialogue practices concerning telework were considerably more contentious within the Spanish and Polish companies, particularly in the Polish case. In both companies, industrial relations are notably strained. In Spain, trade unions have historically reported poor relations with the employer, although a slight improvement has been noted in recent years. In contrast, social dialogue in Poland is virtually non-existent, with trade unions receiving minimal recognition and being scarcely tolerated by the employer.

Although negotiations on telework in the Spanish company were not particularly contentious—especially compared to other negotiation processes within the organization— trade unions reported asymmetries. The most contentious issue, economic compensation, was agreed upon at a minimal level[2]. In this context, employees' demand for telework weakened the trade union's bargaining position, as adopting a firmer stance might have impeded the implementation of telework. Notably, it was the national legislation (Royal Decree-Law 28/2020) that compelled the parties to reach an agreement on telework. Other key issues agreed upon included the provision of resources, such as monitors, keyboards, mice, and chairs—a process facilitated by the closure of some company facilities, which allowed employees to take their chairs, although these remain the property of the corporation. Additionally, the notice period for returning to the office and the terms of reversibility were set at one month or fifteen days, depending on the circumstances.

[2] The telework regime is divided into three levels based on the percentage of time worked remotely: less than 50%, between 50% and 90%, and over 90%. These levels correspond to two different compensation rates: €8 for 33-50% of telework time and €17 for 50-100% of telework time.

The social dialogue process in the Polish company was characterized by a lack of willingness on the part of the employer to negotiate on telework. As in the Spanish case, changes in the regulation of telework were driven by national legislation (Labour Code amendment, spring 2023). However, instead of initiating discussions, the employer unilaterally sent draft remote working rules to the trade unions. The unions' repeated attempts to engage in dialogue via email were ignored. Following a ruling against the employer by the State Labour Inspectorate, the unions initiated a collective dispute in response to the unfavourable provisions outlined in the proposed rules. Supported by a law firm, the employer prolonged the negotiation process through infrequent meetings and unnecessary delays. Although unions were able to include the removal of some controversial provisions concerning equipment and dismissal threads, a collective agreement on telework has not been reached. Under the current regulation, telework is permitted up to three days per week—a reduction of one day from the previous regulation. Additionally, a minimum notice period of four days is required if the employer needs employees to report to the office, and the reimbursement rate remains approximately €19 per month.

3.4 Impact of the practices

In all the companies analysed, no negative impacts on working conditions or work performance due to telework have been identified. Employees generally experience benefits such as reduced commuting time and expenses, greater autonomy in managing their working hours, and an improved work-life balance. However, it is notable that occupational health and safety have rarely been a primary concern for trade unionists in most of the companies (Austria, Poland, and Spain). Nonetheless, they have frequently expressed concerns about the potential downsides of telework, particularly the blurring of boundaries between work and personal life, as well as the increased risk of overtime.

In the Austrian company, trade unions have expressed concerns regarding the practice of "workation" (working while traveling or on holiday). They are also concerned about the lack of secondary equipment for home use, as all work equipment is designed for mobility rather than for a stationary home office setup.

In the Estonian company, some team leaders have reported challenges related to communication, occupational health, and overtime resulting from telework. Issues such as employees being unavailable during working hours without prior notice have also arisen. However, it is noteworthy that there has been no critical feedback regarding the telework agreement itself.

In the Finnish company, supervisors and team members have observed that employee satisfaction tends to be higher among those who have been employed for several years. In contrast, newly hired employees—typically younger individuals—have found hybrid working arrangements more challenging, frequently citing a lack of interaction with colleagues. Additionally, the Chief People Officer noted that supervisors often struggle to enforce boundaries on employees' working hours, resulting in situations where employees, particularly senior or expert workers, may work overtime. The Chief People Officer also identified a negative impact on the exchange of tacit knowledge between coworkers, a challenge that particularly affects newly hired employees.

In both the Polish and Spanish companies, trade unions have voiced significant concerns about employer-oriented regulations on telework, especially in Poland. Despite these concerns, trade union representatives in both companies maintain that telework is highly beneficial for employees. They have not observed a deterioration in working conditions due to the implementation of telework; on the contrary, they have generally noted improvements.

In the Polish company, the trade union representative raised concerns about a potential inequality between employees in highly skilled positions and those in lower-skilled roles, such as data collection or basic analysis. This issue is particularly pertinent given the company's focus on market research, a sector where telework is less feasible. As a result, the trade unionist expressed apprehension that the employer might attempt to reduce the extent of telework arrangements.

In the Spanish ICT firm, the primary concern of trade unions is the prevalence of informal telework. The interviewed trade unionist emphasized a lack of control over telework implementation, specifically regarding minimum physical attendance requirements. To address the current state of telework, trade unions seek to regulate access to telework for caregiving responsibilities and flexible working hours through equality plans. Unlike telework regulations, which can be unilaterally imposed by the employer, equality plans must be negotiated and signed with employee representatives and are highly valued by the employer in tendering processes.

4. 2. Financial sector

4.1 Contextual information

The five practices examined are related to global multinational banking corporations operating in the financial sector, offering a wide range of financial products and services. All of these entities are privately owned, with the exception of the Polish bank, which is controlled by the State Treasury. These corporations have undergone technological transformation processes that are relatively common within the financial sector, which have, in part, enabled the adoption of flexible work arrangements. Even before the COVID-19 pandemic, ongoing digitalization trends in this sector had made flexible work practices a pertinent topic in social dialogue. However, examples from Austria, Poland, and Spain demonstrate that a significant portion of the workforce, particularly those in branch offices, continues to follow more traditional work organization methods. Additionally, contemporary management practices have been introduced in nearly all of these companies, thereby substantially increasing the importance of middle management.

In all the companies analysed, the COVID-19 pandemic led to a significant increase in the prevalence of telework[3]. Arguably, the successful implementation of mandatory telework during the pandemic played a crucial role in promoting its wider adoption, as it helped to alleviate initial concerns held by employers in the Estonian, Polish, and Spanish companies. While the Austrian, Estonian, and Finnish companies had some regulations regarding telework before the pandemic, its use was relatively limited and primarily restricted to specific job roles. In contrast, there were no telework regulations in place in the Spanish and Polish companies prior to the pandemic. In the case of the Spanish company, some pilot telework programs were attempted before the pandemic but failed to meet employers' expectations, reportedly due to a lack of trust in the telework model.

The practices studied are first described, highlighting their contributions to enhancing working conditions for teleworkers and those engaged in telework. It then analyses the participation schemes, regulatory mechanisms, and various negotiation processes that were implemented.

[3] Available data from the analyzed companies indicate that in the Austrian company, over 30% of the workforce engages in telework daily, specifically within teleworkable subunits. In the Estonian company, approximately 60-70% of employees are teleworking each day.

Finally, the discussion focuses on the impact of these practices on enhancing working conditions.

4.2 Topics addressed: description of the practice

In all the companies analysed, telework was generally implemented using a hybrid model that combines both physical presence and remote work, with full-time telework being strongly discouraged[4]. This approach followed efforts to change the organizational culture and modernize work organization. Few cross-national differences were observed among the companies. All companies provided digital equipment (such as laptops and secure access to company systems), guidelines, financial compensation, and training (including the use of communication systems and OSH practices).

The Austrian and Polish cases adopted a similar approach to telework implementation, primarily based on a hot-desking strategy. The Austrian bank introduced telework as part of an "open office" design—a process that began in previous decades—with the initial goal of enabling at least 30% of the workforce to work remotely for up to 50% of their working hours from their primary or secondary residences.

The Polish company also adopted this teleworking model, thus requiring employees to book desks through an application whenever they need to work on-site. The work organization in this company is heavily results-oriented, with employee performance being assessed based on task completion within specified time-frames. Additionally, a dedicated telephone line for psychological support has been established to assist employees.

The cases studied indicate that the specific organization of telework is largely determined by middle management, particularly regarding access to telework. Team leaders are responsible for implementing and managing telework agreements and have the authority to require teleworkers to attend the office, often based on performance objectives. In this context, the Spanish company stands out for establishing a joint monitoring committee to oversee the implementation of telework (three days per week) across the entire organization. This initiative successfully ensured equal access to telework, which had previously been mainly at the discretion of middle management—a significant challenge in the Austrian, Polish, and Spanish companies. Moreover, this approach allows the company to address any issues

[4] All companies limited telework arrangements (half of the working time in Austria, two days in Finland, and two days in Spain), except the Estonian firm.

related to the broader implementation of telework, thereby enabling social dialogue to manage problems that may arise from individual or team negotiations.

In contrast, the Estonian and Finnish companies placed a strong emphasis on the importance of face-to-face interactions to maintain team cohesion and collaboration in their telework practices. In the Estonian firm, there is no set limit on the intensity of telework arrangements; the only requirement is that employees must be available during core hours (9-17). To foster team connections, regular in-person meetings are actively encouraged through informal agreements, such as designating one day per week for the entire team to be in the office, although this is not strictly regulated.

Similarly, the Finnish company implemented a “2+3” hybrid model, developed through a "competence development method" aimed at enhancing individual development and addressing potential skill needs for employees. This model mandates two days of office presence each week, which are typically reserved for tasks that require a high level of data protection and security, such as signing loan agreements.

4.3 Participation schemes/regulatory mechanisms and negotiation processes

All of these companies have recently engaged in negotiations regarding telework, resulting in collective agreements in the Austrian, Polish (in the form of a formal document rather than a collective agreement), and Spanish companies. The Estonian company adopted a goodwill agreement, which is appended to each telework arrangement, while the Finnish company established some guidelines through their negotiations.

It is noteworthy that all the companies had well-established social dialogue mechanisms. In particular, the shared interest in implementing telework between management and employee representatives resulted in fewer disputes compared to other company negotiations, particularly in the Spanish and Polish companies. Additionally, some negotiations built upon existing telework arrangements: the Austrian company revised an existing telework agreement, while the Estonian company formalized “existing telework practices”.

All collective negotiations covered key topics including eligibility criteria, limits on telework intensity, performance and monitoring evaluation, and occupational health and safety issues. In the Austrian company, additional recommendations were also agreed upon, such as the prohibition of contact outside regular working hours.

In the Austrian, Estonian, Finnish, and Polish companies, the negotiations can be potentially viewed as integrative. In the Estonian company, the negotiations involved management, HR personnel, team leaders, and trade union representatives. In addition to the previously mentioned topics, the discussions also covered the flexibility for employees to choose their work location and hours, with the condition that they remain contactable during standard working hours.

In the Finnish company, the shop steward, the OSH representative, the HR representative and two commercial representatives (leader for client services and leader for the ICT unit), participated in internal discussions (no formal In the Finnish company, internal discussions involved the shop steward, the OSH representative, the HR representative, and two commercial representatives (the leader for client services and the leader for the ICT unit), although there were no formal negotiations. Additionally, the company consulted with the Employer Union for Service Sectors of Finland to seek advice on unclear topics. The discussions also addressed insurance coverage for remote activities, responsibilities related to occupational health and safety, and performance evaluations.

In contrast, negotiations in the Polish and Spanish companies primarily involved the exchange of comments and counterproposals between management and unions. The main issues addressed included economic compensation, provision of resources, eligibility criteria, and OSH compliance. Both companies have implemented applications to register and monitor telework, including the location of work, and have established training programs and guidance on OSH. Negotiations in the Spanish company were relatively smooth compared to other negotiations, though some union proposals were not accepted. For instance, the trade union representative suggested tracking employee data usage to determine the amount of working time spent, but this proposal was not accepted by the employer. Overtime concerns appear to be a significant issue within the company.

In the Polish company, negotiations were more straightforward. Notably, the employer did not unilaterally adopt a telework regulation, and trade union representatives highlighted the employer’s commitment to social dialogue in the implementation of telework. In contrast, trade unions in the Spanish company expressed concerns about unilateral changes to telework regulations made by the employer.

4.4 Impact of the practices

In all the companies analysed, telework has not been associated with a decline in working conditions. On the contrary, employees generally experience improved work-life balance and increased autonomy over their working hours.

However, a notable challenge observed in the implementation of telework is access to it. The role of middle management in telework implementation has been particularly challenging in companies where telework is not yet widespread. The discretion exercised by employers regarding access to telework has proven somewhat controversial. For instance, employees in roles or locations where telework is not feasible (e.g., branch offices) are excluded from telework policies, particularly in the Polish and Spanish companies.

On the other hand, some trade unionists—particularly in the Polish and Spanish companies—have expressed concerns about informal telework arising from increased workloads. Specifically, a Spanish trade unionist in the banking sector reported that informal telework is often perceived as a form of overtime. Employees who are more prone to working overtime and engaging in informal telework are typically less likely to hold positions that officially permit telework.

5. 3. Chemical sector

5.1 Contextual information

The case studies examine multinational companies operating within the chemical sector. Each focuses on subsidiaries or branches of these companies that are engaged in diverse activities[5] and employ between 350 and 1,600 individuals[6]. Despite the typically low potential for telework in the chemical industry, all the cases presented involve a highly technologically advanced workforce, characterized by numerous white-collar positions and highly qualified employees. Furthermore, work is organized into teams and is geared toward output-based performance evaluation. Notably, recent advancements in digitalization have been crucial for implementing telework across all these companies, especially in the Polish firm.

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5 The Austrian company is devoted to global chemical, pharmaceutical and cosmetics, the Finnish company is an international provider of advanced polyolefin solution, the Estonian company focuses on shale oil mining refinement, heat and power production (as well as production and marketing of fine chemical products), the Polish and Spanish company focus on the pharmaceutical sector.

6 The headquarters analysed in the Spanish company covers 350 employees, 300 employees in the Polish company, 1600 employees in the Estonian company, 1000 employees in the Finnish company, and more than 100 employees in the Austrian company.

Telework has recently become prevalent across all the companies. Only the Austrian company had telework arrangements prior to the pandemic, but these were interrupted between 2017 and 2019. Notably, in most companies, telework was implemented in response to employee demands after they experienced mandatory telework during the lockdown.

First, the practices studied are described, emphasizing their contribution to enhancing working conditions for teleworkers. Next, the implemented participation schemes and regulatory mechanisms, along with the various negotiation processes, are analyzed. Finally, their impact on the improvement of working conditions is discussed. In general, the limited teleworkability in this sector somewhat hindered the implementation and regulation of telework.

5.2 Topics addressed: description of the practice

Overall, telework practices in this sector were partly hindered by the low teleworkability of this sector. Generally, all the companies under consideration allow some employees to telework up to two working days per week —up to three days per week in the Finnish company. Telework is typically restricted to very specific and/or highly teleworkable job positions. Particularly in the Estonian company, telework is rather limited and only permitted under very special circumstances. Although most workers at this company can opt for telework on a temporary basis (due to family or health-related special circumstances), mostly highly qualified specialists and top management do telework — these workers represent 40 employees, which contrasts to the 160 office employees engaged in mandatory telework during the pandemic.

At the Austrian company, employees must prearrange specific teleworking days with their managers. Notably, the company has explicitly stipulated that if an employee is required by their superior to come to the office on a previously agreed telework day, the time spent travelling is considered working time.

Regulations concerning employees' autonomy over their working time often remain separate from telework policies. The Spanish company has implemented a "hybrid work" approach that effectively combines flexible working hours with teleworking. Notably, the employer has intended to change the organizational mindset to “unlock” employees’ potential and retain talent. At this company, all employees are required to be available during core hours but can organize the remaining hours themselves, irrespective of whether they are teleworking or working on-site. Notably, the employer has shifted to a results-oriented approach to tracking working hours and individual performance assessment.

Similarly, the Austrian company offers several benefits related to working time flexibility in cases of inhibiting factors such as illness or caregiving responsibilities.

The Polish company slightly deviates from the Austrian and Spanish in the flexibility of telework arrangements. Although most employees at this company work two days remotely and three days on-site, they can request extra telework days for tasks requiring focus. Notably, 10% of employees in teleworkable job positions work almost entirely from home.

The Finnish company implemented telework for senior-level managers and employees in expert positions, such as divisional engineers. Telework arrangements follow a “3+2” working model that recommends three remote working days and two office days per week. Employees must sign a telework contract with the employer in advance, in order to ensure that their roles are suitable for remote work. Notably, the Human Resources department, shop steward, and OSH representatives have decided to monitor working hours on an annual basis to identify potential excessive working hours, since signs of burnout have been observed.

5.3 Participation schemes/regulatory mechanisms and negotiation processes

Minimal attention has been given to telework in social dialogue across nearly all analysed companies in the chemical sector, despite company-level collective bargaining was established in these companies – in the Estonian company, there was no social dialogue on telework at all. Telework negotiations were typically indirect, involving employee representatives and management. In the Finnish company, HR, a contract negotiator from the sectoral trade union, the shop steward, and OSH representatives participated in negotiations.

Generally, these negotiations proceeded swiftly and without controversy, with goodwill from both parties. Negotiations resulted in collective agreements, except in the Finnish company where only some guidelines were established. In this context, telework regulations rarely extend beyond general workplace policies. Actually, individual and team negotiations play a more significant role in regulating telework arrangements than collective regulations.

Access to telework arrangements and the intensity of telework arrangements were the core of the debates in all these negotiations, with employees demanding more intensive telework arrangements. In the Austrian company, negotiations concentrated on continuing telework practices following the COVID-19 pandemic. Management aimed to limit teleworking to a maximum of two days per week to ensure that the sense of connection and loyalty among employees to the company would not be compromised.

The Polish and Spanish companies underwent more complex negotiations. In the Polish company, negotiations were intensive, on a daily basis, and covered a wide range of issues such as economic compensation, access to telework, and OSH. Notably, both parties were committed to finding a solution that would be mutually beneficial – trade unions emphasized the employer's goodwill in negotiating since national legislation allows employers to unilaterally impose telework regulations if no agreement is reached within 30 days. This agreement included a provision necessitating an agreement with the trade union before the employer can mandate a larger group of employees to work remotely (e.g. due to a laboratory overhaul). Some compensatory provisions were agreed upon for employees whose roles were not suited to teleworking, such as granting two hours of weekly time off for non-teleworkers which can be used for attending training courses or meeting with colleagues. Moreover, the negotiations on telework resulted in an agreement to reimburse travel expenses and subsidize meals — both of which have been long-standing demands from the trade union and are particularly relevant to non-teleworkers.

In the Spanish company, the primary subjects of negotiation were telework and working time flexibility. As in the other cases, access to telework emerged as the most contentious issue particularly because of the high employees' expectations generated by the high prevalence of telework during mandatory telework (COVID-19 pandemic). Thus, workers' representatives prioritized reaching an agreement that would permit telework, rather than insisting on specific demands that could be revisited in future negotiations. Initially, they advocated for a more flexible arrangement that would allow for the accumulation and distribution of teleworking days across weeks, and requested additional office equipment, such as ergonomic chairs or screens. However, these demands were moderated to facilitate the conclusion of an agreement.

5.4 Impact of the practices

All case studies under analysis reported several positive outcomes concerning telework, despite the absence of collective regulations. The low intensity of telework arrangements, combined with the limited benefits regarding working time autonomy within the sector, may partially mitigate the drawbacks associated with informal telework.

However, some risks were identified in the analyzed case studies. In the Austrian company, the works council reported a reduction in the number of sick days taken following the implementation of telework, which suggests that employees may continue working from home even when they are feeling unwell.

Furthermore, access to telework created tensions in the Austrian, Polish, and Spanish companies. The experience during the COVID-19 pandemic meant that employees in roles deemed “non-teleworkable” had their telework arrangements discontinued, which, in turn, heightened feelings of unfairness among non-teleworkers.

Other negative outcomes associated with telework included a strong demand for telework access from employees. Notably, in the Polish company, although employees generally resisted full-time telework to avoid losing social connections, they were reportedly reluctant to request special accommodations, such as psychological support.

6. 4. Public sector

6.1 Contextual information

Identifying similar regulatory contexts for telework in the public sector across different countries has proven to be challenging. As established during the first scientific meeting, most case analyses are situated within the General State Administration (GSA). In this sense, the Austrian case involves a federal ministry employing several thousand employees. The Estonian case study pertains to an organization affiliated with the Ministry of Climate, which operates under its own distinct regulations, separate from the ministry itself. Meanwhile, the Finnish case involves a Social Insurance Institution with approximately 9,000 employees. Lastly, the Polish case focuses on a central public administration within one of the ministries of the Government of the Republic of Poland.

However, the case studies from Portugal and Spain slightly deviate from this criterion due to difficulties in identifying cases which have negotiated telework implementation (see Spanish Fieldwork Report of the TWING project for more details on the exceptionality in current telework regulation in the GSA). Specifically, the Portuguese case involves a self-sustaining public company whose primary mission is to manage, protect, and promote the cultural and natural heritage of a region, including landscapes, palaces, gardens, and forests. In contrast, the Spanish case focuses on a public company under the Catalan regional government, which operates under a unique legal framework where some private sector regulations apply, despite the company being publicly funded.

All the companies initially adopted telework in response to the pandemic, which served as a primary catalyst for its recent implementation. Only the Finnish and Spanish companies had attempted to regulate on telework before the pandemic.

6.2 Topics addressed: description of the practice

All the companies analyzed have adopted telework arrangements that primarily focus on a hybrid model – combining mandatory on-site work and telework. This approach has involved relatively lower levels of regulation and has gained more popularity compared to more intensive telework arrangements. The Austrian, Estonian, and Finnish companies exemplify the coexistence of high-intensity (and more formalized) telework arrangements alongside hybrid models. In contrast, the Polish, Portuguese, and Spanish companies have implemented a uniform telework regime applicable to all employees.

The telework regime at the Austrian federal ministry is organized around both regular and ad-hoc telework arrangements, which can be implemented concurrently. Ad-hoc telework allows for up to two days of telework per week without being restricted to specific days, enabling employees to schedule these days on short notice through verbal or written agreements. In contrast, structured telework arrangements permit a maximum of three fixed telework days per week and require a formal agreement with the HR department. In both arrangements, employees must consult with their immediate supervisor and department manager. Currently, approximately 90% of employees utilize ad-hoc telework arrangements, while about 28% have formal agreements for regular telework.

The Estonian company differentiates between predominant remote workers, who work remotely for more than 50% of their working time under a formal agreement; and hybrid workers, who do not follow a fixed pattern and are subject to more informal regulations. While each team independently determines the specificities of telework arrangements, employees generally enjoy considerable autonomy in deciding their working hours based on their professional responsibilities and personal preferences. In this sense, the employer has highlighted that trust is the “cornerstone” of its telework regime. To support effective telework setups, the organization provides equipment such as monitors and office chairs for home use.

The Finnish company has adopted the most flexible telework approach. At this company, most employees are allowed to telework with minimal restrictions and only required to work on-site one day per month – if tasks are teleworkable. Thus, formal telework agreements are only meant for employees who exceed this threshold. Notably, the company has implemented an “early intervention model” to address mental health concerns and self-management challenges among teleworkers. Through online training for both managers and employees, the company aims to enhance self-management skills and improve managers' ability to recognize early signs of burnout or exhaustion. Additionally, virtual gymnastics sessions and wellness chats are offered to promote both physical and mental well-being.

The Polish company has established a general policy aimed at balancing employee preferences with organizational needs. Eligible employees are allowed to telework up to two days per week, with the option for those with special needs, such as parents and caregivers, to request additional telework hours. Importantly, telework arrangements are structured to ensure that at least one employee is always present in each department. Additionally, the employer designated one mandatory on-site working day per week for all employees to foster team cohesion, facilitate communication, and streamline operations. The company provides training on OSH during telework, and reimburses telework expenses for electricity and telecommunication on the basis of negotiated rates.

The Spanish public company has implemented telework arrangements as part of a strategy to address the shortage of physical space resulting from increased occupancy. Around 90% of employees are allowed to telework up to two days per week – excluding those job positions requiring physical presence. Additionally, employees may allocate up to four extra hours of telework per week according to their personal preferences (during the same week). Employees have a degree of autonomy over their working hours, and are required to work during core hours (9–14 and 14–19). Working hours are recorded automatically, with a cap of 7.5 hours per day, to simplify timekeeping and manage overtime effectively. This approach is designed to foster self-management and accountability for outcomes. The organization provides essential equipment, i.e., laptops, docking stations, internet access, keyboards, mice, 22-inch monitors, headphones, and microphones. Additionally, the company supports risk assessment and OSH through online training and resources.

Regarding the Portuguese company, it has transitioned to a hybrid model allowing eligible employees to telework from home for up to three days per week. In accordance with national legislation, employees must remain available to report to the company's physical location when necessary, provided they receive at least 24 hours' notice. Employees are also responsible for maintaining occupational health standards in their remote work environments and are expected to adhere to standard working hours.

6.3 Participation schemes/regulatory mechanisms and negotiation processes

All the companies analyzed in the public sector engaged in negotiations with employee representatives. Collective agreements resulted in the Polish, Portuguese and Spanish cases; while internal guidelines were established in the Austrian, Estonian, and Finnish cases[7]. In all instances, the negotiations proceeded smoothly and in a positive atmosphere, except in the case of the Portuguese company. In the other companies, only minor differences arose regarding the provision of resources and compensation of costs, specifically in the Austrian and Spanish companies.

In the Estonian company, a working group was formed within the collective to propose enhancements to the principles of remote work. No difficulties were encountered during the negotiation process, and individual negotiations have served as the primary regulatory approach within the company.

Negotiations in the Spanish public company were characterized by a mutual interest shared by both management and employee representatives, with the experience of the pandemic serving as a key motivator for discussions on telework. The most contentious issue during negotiations was management's reluctance to implement more intensive telework arrangements, driven by concerns over potential grievances from other regional governments. To address this, both parties agreed on a compromise of 4 hours of hybrid work per week (combining remote and flexible working time), equivalent to a "half working day." Trust and management's expectations of employees' self-commitment were crucial factors in the success of these negotiations. Additionally, some negotiators were particularly supportive of telework arrangements, having already implemented them before the pandemic. It is also worth noting that the specificity of this regulation, compared to other regional administrations, can be attributed to the organization's unique status, characterized by its relative independence and autonomy.

Unlike the other cases analyzed, the Polish public company first negotiated telework arrangements in a post-pandemic context. The company engaged in a formal negotiation process between the ministry and two influential trade unions representing over 100 employees. Although Polish legislation allows for the unilateral regulation of telework if

[7] It is worth mentioning that public sector employees in Austria are formally excluded from collective bargaining.

negotiations exceed 30 days, the negotiation process was marked by mutual goodwill and trust from both parties. The primary point of contention was the amount of occasional telework, with the employer initially proposing a maximum of two telework days per month.

By contrast, negotiations in the Portuguese company were significantly more controversial. Initially, the management was reluctant to include telework in a collective agreement, but they were ultimately persuaded by the HR director to come into negotiations. This process featured strikes and protests from employees demanding more favorable terms. Notably, trade unions were invited to participate in the negotiations at the company's request, despite the absence of unionized employees within the organization.

6.4 Impact of the practices

In all the companies analysed, telework has not been associated with a decline in working conditions. On the contrary, employees have generally experienced an improved work-life balance and greater autonomy over their working hours. Notably, many workers in these organizations already enjoyed a high degree of autonomy in organizing their work, and telework had been a topic of social dialogue (except in the Polish company) even before the COVID-19 pandemic.

In the Finnish company, there has been continuous monitoring of the effectiveness of the hybrid model, with 92% of employees reporting that they can successfully balance work and private life, and 84% expressing overall job satisfaction. Employees have also indicated satisfaction with their ability to influence their work and management practices.

In a similar vein, the Austrian company launched questionnaire surveys among the employees, which suggests an increase in employees' satisfaction. However, they also showed that younger employees (especially those with children) are more satisfied with telework than older employees in terms of work-life balance, who tend to see the disadvantage of isolation within telework arrangements more pronouncedly. Many employees also feel cut off from the flow of information when teleworking. The evaluation also showed that sick employees, who would otherwise not come into the office, tend to work from home even when they are ill.

The Spanish company acknowledged the potential drawbacks of reduced face-to-face interactions and has encouraged departments to maintain regular in-person meetings. Additionally, the implementation of an automatic system for registering working hours has led to an increase in working time, despite employees having the flexibility to organize themselves. Nevertheless, this flexibility has enhanced overall employee satisfaction.

7. Conclusions

The report aimed to analyse how telework is regulated at the company level through social dialogue practices in four distinct sectors—ICT, banking, chemical, and public administration—across six European countries. The methodology used in this study involved 24 mini-case studies (one per sector per country). This approach allowed for examining the diverse impacts of telework on working conditions across different sectors and national contexts.

In the ICT sector, telework was primarily managed through hybrid models, with regulations and flexibility varying by company and country. Many ICT firms adopted individualized telework arrangements negotiated with team leaders rather than collective agreements. Finnish and Estonian companies illustrated a collaborative approach emphasizing occupational health, training, and a balanced work-life culture. In contrast, the Spanish and Polish ICT firms faced challenges due to informal telework practices and inadequate social dialogue.

For the financial sector, hybrid telework was also the predominant model. Here, telework arrangements were largely influenced by middle management, who managed employee access to telework based on performance requirements. Austrian and Polish banks adopted "hot-desking" and established policies for task-focused telework, while Estonian and Finnish firms prioritized team cohesion through regular in-person meetings. Although these companies experienced fewer disputes over telework, issues such as overtime and limited flexibility for branch employees highlighted the need for fair telework access across different job roles.

In the chemical sector, telework practices were more limited due to low teleworkability of many roles. Most companies allowed telework only for specific positions or under exceptional circumstances, and/or with a comparatively lower intensity (e.g, two-day per week in the Austrian and Polish companies). Employees in the sector prioritized access to telework, particularly due to their high expectations on telework created by mandatory telework during the COVID-19 pandemic.

In public administration, the sector primarily implemented telework as a hybrid model. All public sector companies engaged in effective social dialogue, leading to positive outcomes for employees, though the Portuguese case was marked by strikes and protests due to initial managerial resistance to telework regulation. Employee autonomy over working hours and job satisfaction were generally high across these organizations, although isolation and the lack of face-to-face interaction were recurring concerns.

The findings of this report underscore the impact of sectoral particularities on telework practices. Although telework has generally contributed positively to work-life balance and autonomy, its effective implementation and regulation rely on two crucial factors: teleworkability and the framework for social dialogue. The study revealed that sectors with a higher prevalence of digitalization and flexible work practices, such as ICT, finance, and parts of public administration, are better positioned to integrate telework into their operational models. Conversely, the chemical sector, where teleworkability is lower, faced greater challenges in applying more intensive telework arrangements and meeting employees' expectations regarding eligibility criteria. Notably, regulatory frameworks in the chemical sector were significantly weaker than in the other three sectors.

All sectors showed a stronger reliance on individualized telework arrangements rather than collective agreements. Many employee-led regulations on telework involved very limited discussion and resulted in much weaker collective regulations, particularly in some Estonian and Finnish companies within the ICT and finance sectors. In companies with established social dialogue, such as those in finance and public administration, telework agreements led to relevant integrative bargaining settings. In the Spanish finance sector, for instance, a monitoring committee partially alleviated tensions arising from managerial discretion over telework access.

However, telework regulation continues to spark controversy in the identified industries. In many companies across all sectors covered, issues such as access to telework, informal telework arrangements, and limited equipment provision have been relevant concerns in telework regulation. In this regard, it is noteworthy that employees' demand for telework may impact bargaining positions within negotiations.

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