

COLBAR-EUROPE

**Early adoptions of remote work in Italian collective bargaining agreements:
from flexible working time to the risk of surveillance and unpaid overtime.
*Lessons for the post-Covid agenda.****

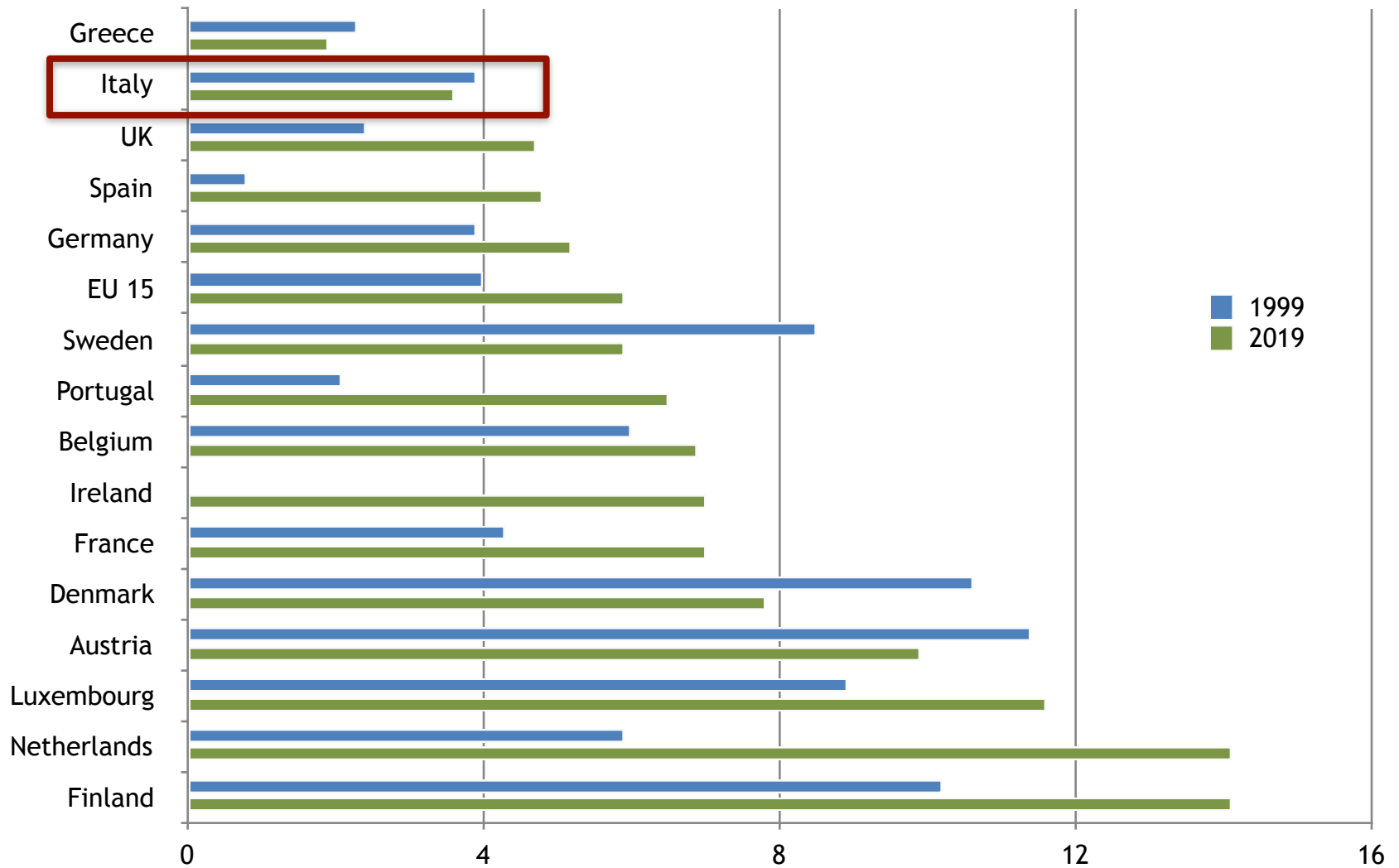
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The rediscovery of remote working during the Covid-19 pandemic (1)

- The outbreak of the pandemic has caused a disruptive re-organisation of the entire world of work.
- Practices of remote working have been massively introduced in order to reduce the spread of the virus and ensure the continuation of production and service activities.
- According to several surveys, in Italy between 6.5 million and 8 million of workers have switched to telework in Spring 2020.
- According to OECD, 2 out of 5 workers in the world have been working from home during the current pandemic crisis.

The diffusion of work from home before 2020



Italian regulation on remote working

From the European Agreement to the law decrees during the pandemic

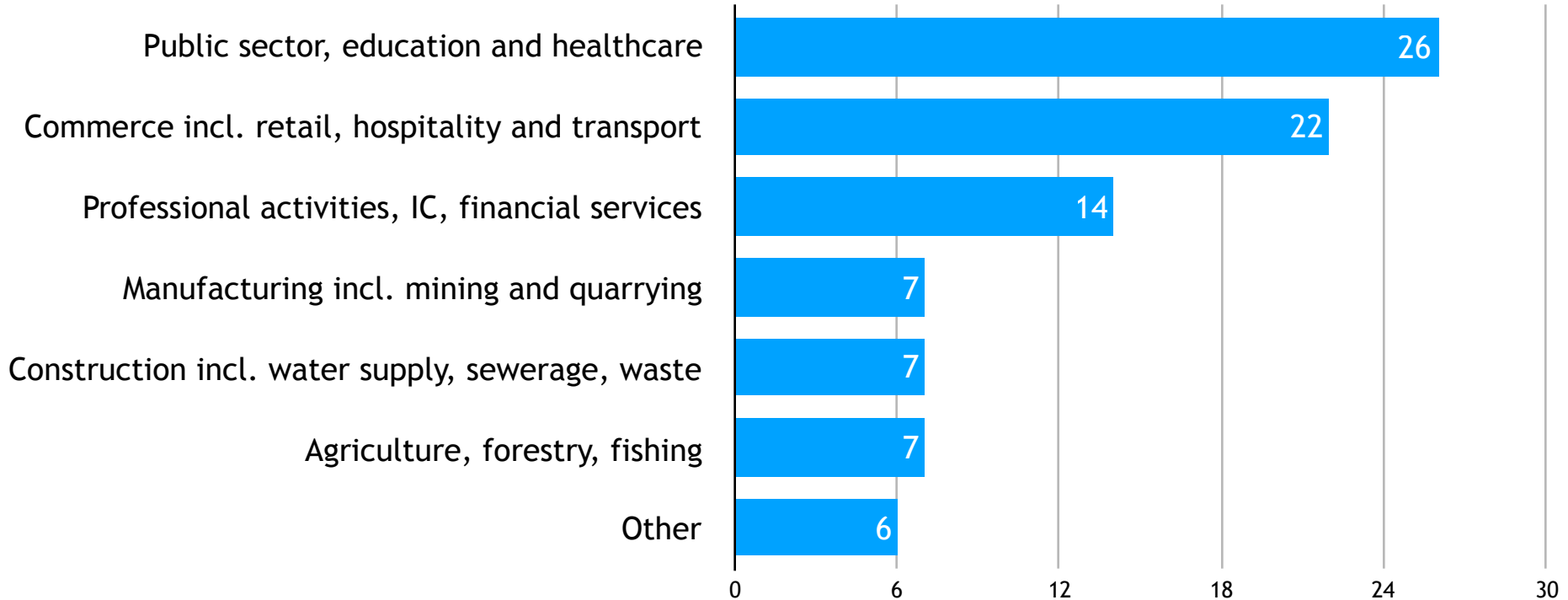
1999	2002	2004	2017	2020/ 2021
Definition of telework for the public administration ↓ Framework Agreement on telework for p.a. in 2000	European Framework Agreement on telework	Inter-confederal Agreement on telework	Law on smart working	Covid-related law decrees

Further sources

- Statute of Workers L.30/1970,art.4
- Law n. 66/2003, art.17
- Law on health and safety L.80/2008
- GDPR (General Data Protection Regulation) 2016

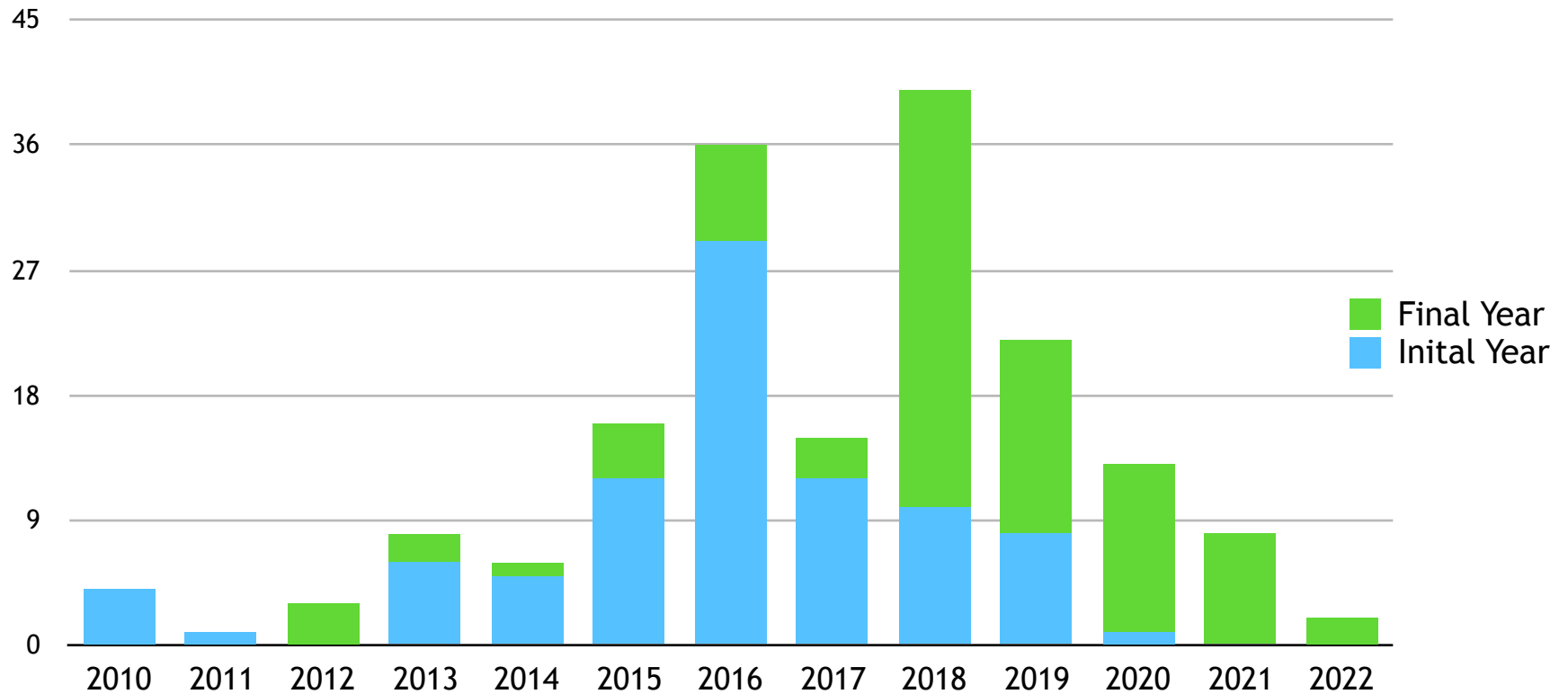
How do national collective agreements have been regulating the adoption of telework?

The CNEI-COLBAR database (1)



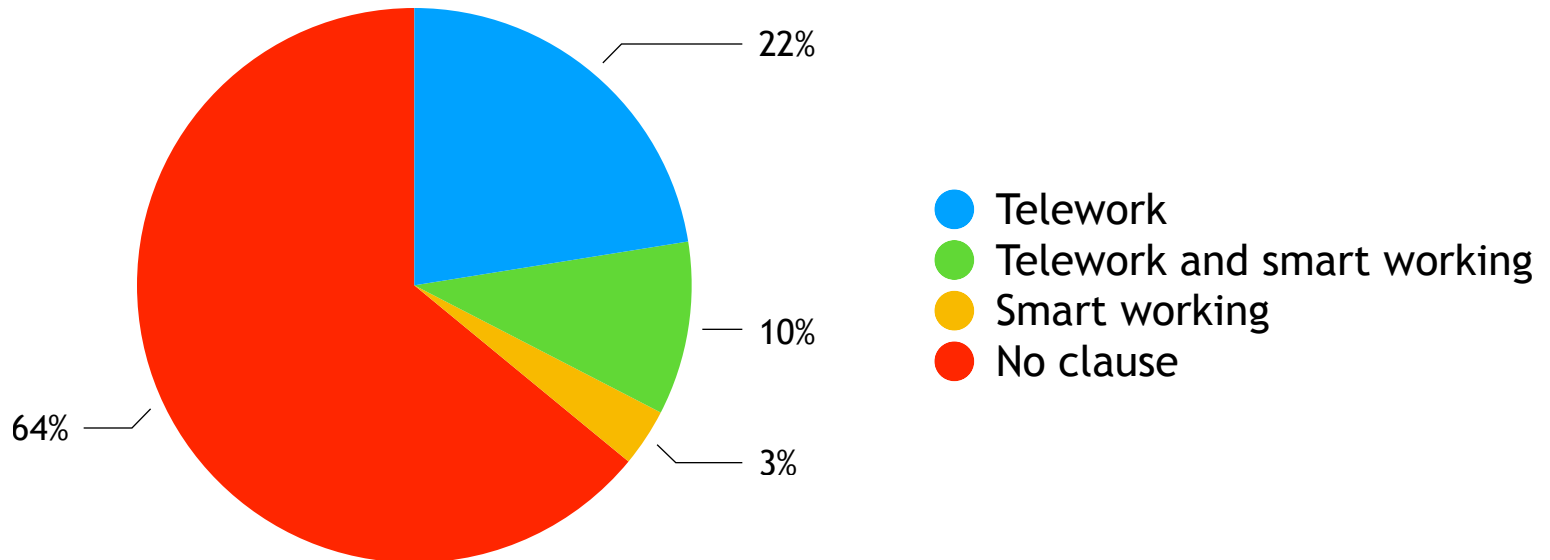
The Cnei-Colbar database shows a significant degree of sectoral heterogeneity. Private collective agreements cover around the 40% of all private employees.

The Cnel-Colbar database (2)



The majority of agreements are still valid or, even if expired, have not been renewed yet.

Clauses on remote working in Cnel-Colbar database



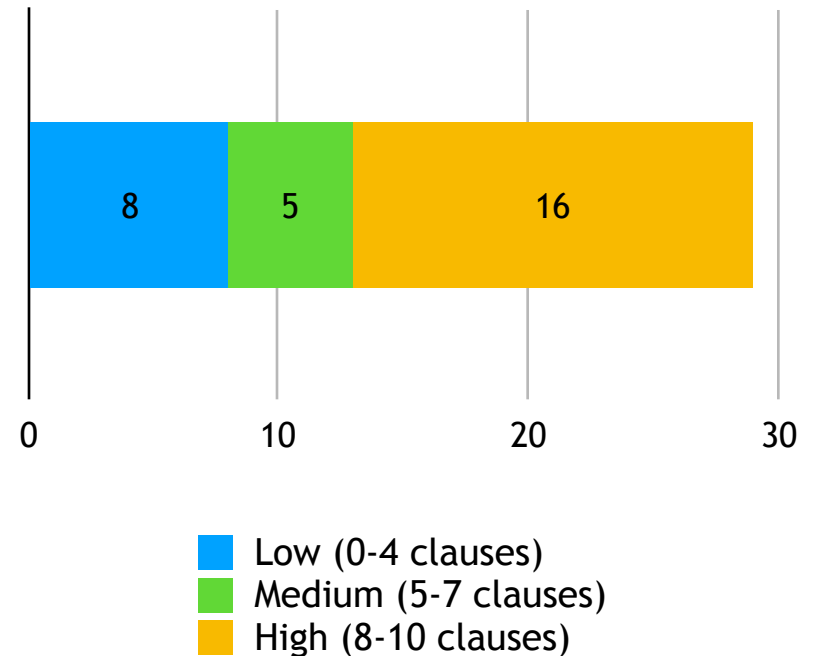
About 30% of the national collective bargaining agreements show clauses on telework and/or smart working

Telework: topics discussed within agreements

EFA's 10 points on telework

- 1) Definition of telework
- 2) The voluntary nature of the adoption of this practice and the need for an agreement between the parties
- 3) Equal working conditions and rights
- 4) Employers' responsibility of data protection
- 5) Respect for the worker's privacy
- 6) Adequate provision by the employer of the necessary equipment
- 7) Teleworkers' health and safety
- 8) Flexible and autonomous management of working hours , preventing the risk of isolation
- 9) Equal right of training and career development
- 10) Equal collective rights

Degree of details of clauses on telework



Controversial issues related to remote working

Among the most controversial issues, we can list:

- **Unpaid overtime** and **risk of burnout** (under going discussion on the right to disconnect at European level);
- Coverage of all costs related to the **required equipment** to ensure health and safety rights;
- Limit to systems of control and **surveillance over workers** (recently addressed by the EFA Agreement on digitalisation in 2020);
- Prevention of **psychological disease** related to prolonged isolation;
- Equality in terms of **career advancements**;
- **Work-life balance** particularly for female workers.

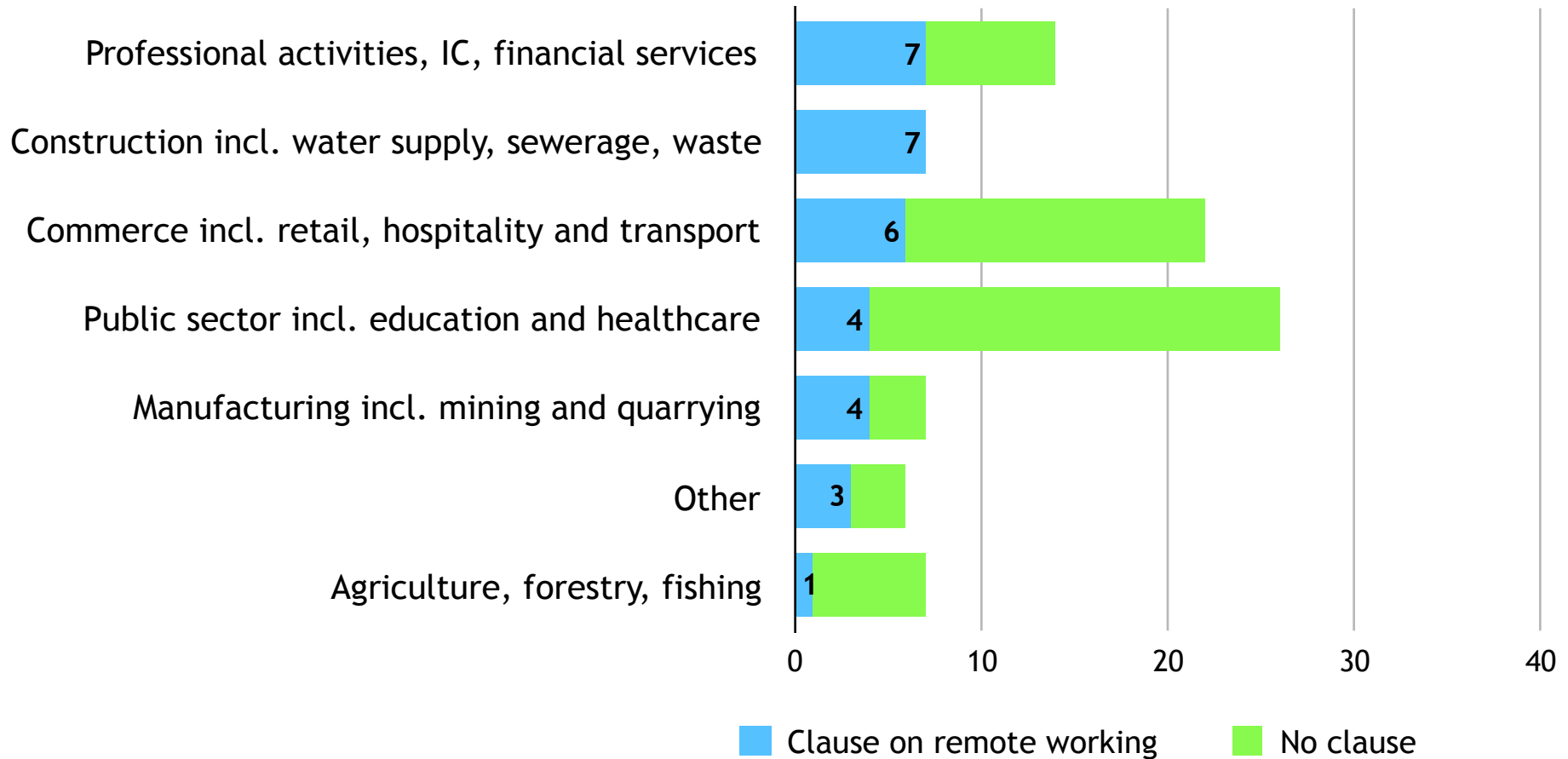
Lessons for the post-Covid agenda

- ◆ Once the health emergency is over, the use of remote working, albeit with varying degrees of intensity, could permanently characterise the organisation of work in the public and private sectors.
- ◆ It is therefore crucial to define a clear set of rules guaranteeing all workers the same rights and opportunities, irrespective of the type and quality of industrial relations at sectoral level.

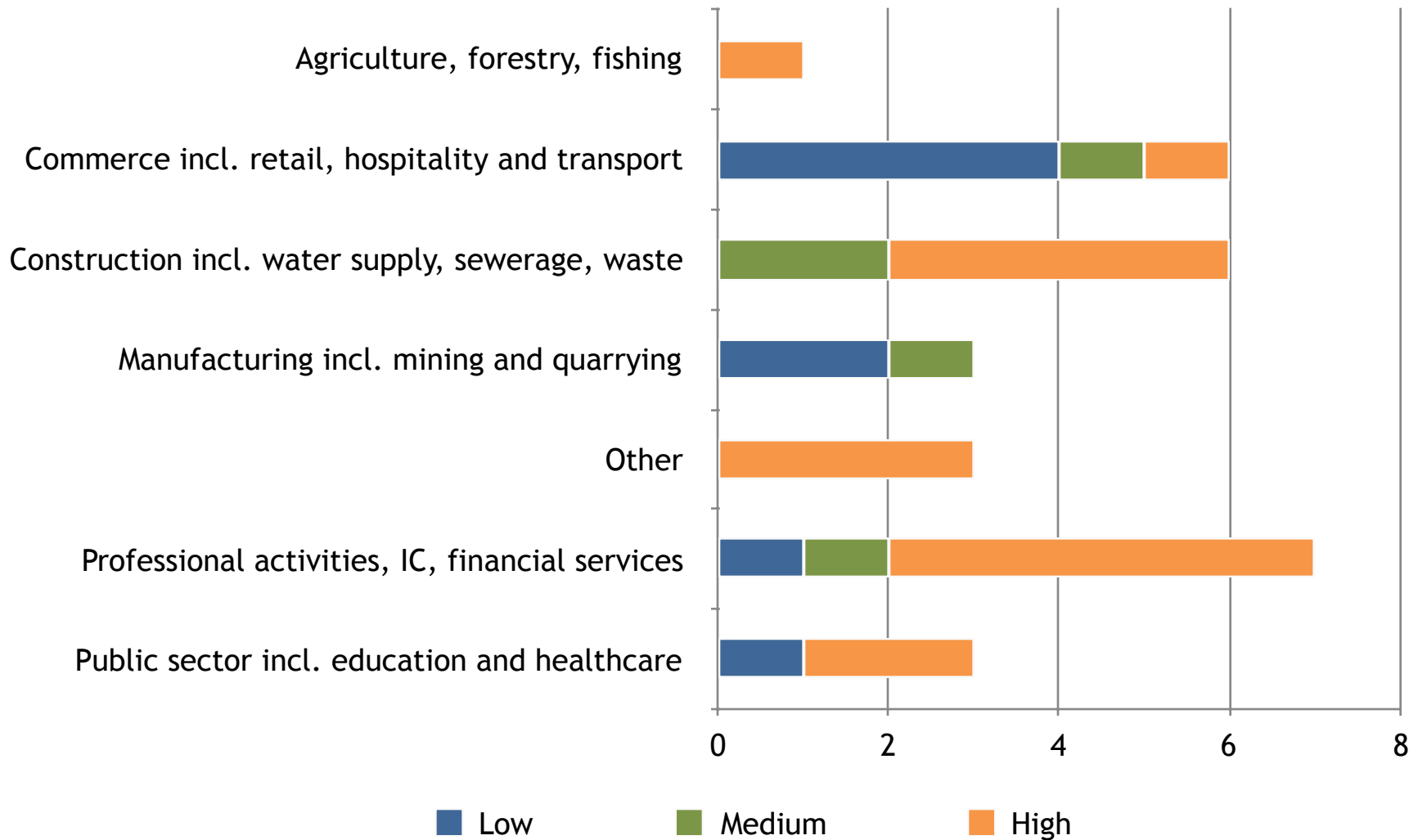
Thank you!

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Clauses on remote working by macro-sectoral groups



Regulation on telework: degree of details by macro sectoral groups



List of agreements with detailed clauses on telework

Title (in italian)	Macro sectoral group
ccnl dipendenti dai consorzi di bonifica e di miglioramento fondiario 2015-2018	Agriculture, forestry, fishing
ccnl parte generale trasporto aereo 2019	Commerce incl. retail, hospitality and transport
ccnl ANAS 2016-2018	Construction incl. water supply, sewerage, waste
ccnl servizi ambientali 2016-2019	Construction incl. water supply, sewerage, waste
ccnl settore gas e acqua, 2016-2018	Construction incl. water supply, sewerage, waste
ccnl dipendenti delle aziende, società ed enti pubblici economici aderenti a federcasa 2016-2018	Construction incl. water supply, sewerage, waste
ccnl quadri e impiegati aziende gruppo INVITALIA 2017-2019	Professional activities, IC, financial services
ccnl quadri direttivi e per il personale delle aree professionali dipendenti dalle imprese creditizie, finanziarie e strumentali 2015 2018 - 2015	Professional activities, IC, financial services
ccnl personale non dirigente poste italiane	Professional activities, IC, financial services
ccnl dipendenti aziende videofonografiche 2014-2016	Professional activities, IC, financial services
ccnl dipendenti degli studi professionali 2015-2018	Professional activities, IC, financial services
ccnl personale dipendente da enti, opere e istituti valdesi 2010-2012	Public sector incl. education and healthcare
ccnl personale dipendente settore assistenziale socio-sanitario e cure post intensive, 2017-2019	Public sector incl. education and healthcare
ccnl personale non dirigente con servizi spa e federazioni sportive nazionali 2015-2017	Other
ccnl artisti, tecnici, amministrativi e ausiliari dipendenti da società cooperative e imprese sociali produzione culturale e spettacolo 2015-2018	Other
ccnl dipendenti degli istituti per il sostentamento del clero, 2017-2019	Other