



SOC/662
Teleworking and gender equality

OPINION

European Economic and Social Committee

Teleworking and gender equality – conditions so that teleworking does not exacerbate the unequal distribution of unpaid care and domestic work between women and men and for it to be an engine for promoting gender equality

[Exploratory opinion at the request of the Portuguese Presidency]

Rapporteur: **Milena Angelova**

Co-rapporteur: **Erika Koller**

| | |
|--|---|
| Request by the Portuguese Presidency of the Council | Letter, 26/10/2020 |
| Legal basis | Article 304 of the Treaty on the Functioning of the European Union |
| Section responsible | Employment, Social Affairs and Citizenship |
| Adopted in section | 11/03/2021 |
| Adopted at plenary | 24/03/2021 |
| Plenary session No | 559 |
| Outcome of vote (for/against/abstentions) | 220/10/18 |

1. Conclusions and Recommendations

- 1.1 While teleworking is a well-known form of work, its uptake was boosted substantially by the COVID-19 pandemic, resulting in more than 1/3 of employed people working from home, with a greater share of women than men¹. As women usually take on most of the caring and household work, teleworking was seen by them as the only possibility to combine this unpaid work and paid employment. The European Economic and Social Committee (EESC) wants to call attention to the risk of using teleworking as a possibility of taking up the double burden of paid and unpaid work. Therefore, the EESC_welcomes the European Commission (EC) campaign on combating gender stereotypes², reiterates the need for a cultural change and for removing any structural barriers in order to achieve more equal distribution of the unpaid domestic work and urges the Member States (MS) to promptly and efficiently implement the Work-Life Balance (WLB) Directive.
- 1.2 As the pandemic conditions are exceptional, it is necessary to evaluate the links between teleworking and gender equality by taking a more general and longer-term perspective. During the pandemic, where possible, teleworking has been mandatory as a health protection measure and accompanied by many exceptional and restrictive features. Under normal conditions, teleworking is usually done voluntarily, with a view to allowing the work to be arranged in a way that best meets the overall objectives and needs of the companies and organisations, covering both employers' and workers' needs and respecting the EU and national legal and normative framework³, as well as the social dialogue achievements, with all practical arrangements established as a part of labour and collective agreements.
- 1.3 Teleworking provides many opportunities to contribute to gender equality such as: improved participation in the labour market; increased flexibility in the organisation of working time and in combining unpaid care responsibilities with paid employment, which can improve labour market participation; productivity gains through higher performance; a better spatial match between demand and supply of labour without the need for moving to another place; time and cost savings due to the elimination of or decrease in commuting, etc. At the same time, teleworking carries some risks, such as possible challenges related to: the worker becoming invisible in the work community; missing out on formal and informal support structures, personal contacts with colleagues and access to information, promotion and training opportunities; possible worsening of gender inequalities and increased risk of violence and harassment. For women, this can exacerbate existing gender inequalities. Mitigating such risks successfully calls for a proper gender analysis – as even policies that might look gender neutral may, in reality, be gender blind and affect women negatively – so every effort must be taken to strive for a positive impact.

¹ Eurofound report "Living, working and COVID-19". Compared to 2018, when less than 5% of employees worked remotely regularly and less than 10% occasionally, as reported by the EC 2020.

² https://ec.europa.eu/commission/presscorner/detail/en/qanda_20_357.

³ EU SP Framework Agreement on Digitalisation from 2020, and on Telework from 2002, and the EC Report on the implementation of the EU SP' Framework Agreement on Telework, COM(2008) 412 final – <http://erc-online.eu/european-social-dialogue/database-european-social-dialogue-texts/>.

- 1.4 The EESC notes the existing legal and additional framework relevant to telework. This includes the Working Time Directive, the Occupational Safety and Health Directive, the WLB Directive, and the European social partners' Autonomous Framework Agreements on Telework 2002 and on Digitalisation 2020 (AFAD). It also notes that there is no consolidated European framework on telework. The European Parliament has indicated that "a legislative framework with a view to regulating telework conditions across the EU is necessary to ensure decent working and employment conditions in the digital economy, thereby contributing to reducing inequalities and addressing the issue of in-work poverty." The EESC therefore recommends an assessment of the existing rules to determine their effectiveness in the light of the rapid expansion of telework, awareness of new risks, and the lessons learnt. In particular, it encourages the social partners to review the 2002 Framework Agreement on Telework and give it new impetus.
- 1.5 Social partners can play a significant role in advancing teleworking in a way that contributes to gender equality, promoting well-being at work and productivity, e.g., through collective bargaining. Considering the wide variety of workplaces, the best results can be achieved with tailored measures at enterprise and workplace level. While it is up to employers to decide on the organisation of work, social dialogue is a vital means in workplaces for dealing with issues such as wages, working-time, modalities of connectivity, health and safety, and training and skills development in the context of teleworking.
- 1.6 The basic prerequisites of gender-neutral teleworking include the accessibility of the necessary technologies, facilities and skills. The EESC reiterates its call for investing in digital infrastructure and connections for all, including local shared spaces that facilitate teleworking outside the home, as well as enhancing digital skills, with special attention to women, in order to enable them to fully participate in labour markets and address any form of digital divide⁴.
- 1.7 The availability, accessibility and affordability of care infrastructure and services for children, people with special needs and seniors are another crucial prerequisite of gender-equal teleworking and working in general. The EESC calls for a "Care Deal for Europe", ensuring the provision of greater quality services for all throughout the life-cycle. It urges the MS to ensure and invest in the availability of high quality, affordable, accessible and diverse care services to respond to various demands and situations.
- 1.8 Teleworking carries the risk of the worker becoming invisible in the work community, missing out on formal and informal support structures, personal contacts with colleagues and access to information. This can result in them being overlooked for promotion and training opportunities and lacking important information relating to pay and existing workers' rights. For women, this can risk exacerbating existing gender inequalities such as the gender pay gap. The proposed Directive on pay transparency, published by the European Commission on 4 March 2021, could be one important means of addressing the lack of information that is caused by invisibility.

⁴ [OJ C 237, 6.7.2018, p. 8.](#)

- 1.9 In order to enable and encourage the private sector to innovate and invest in new methods, and to create new jobs for inclusive employment, it is essential for the EU to provide favourable conditions for entrepreneurship and doing business and to promote digitalisation – especially for micro and SMEs. Equally, the public sector is a significant employer and proper investment is needed to ensure decent working conditions and modernisation of infrastructure in order to meet the objectives of the digital transformation. Close and smooth cooperation between the public and private sector is also required at practical level, in the fields of digital infrastructure, education and training, health and social services, and research and innovation.
- 1.10 The EESC calls for research into the gender implications and prerequisites of teleworking under conditions not dominated by the pandemic and taking into account long-term developments in different sectors of the economy and society, as well as collecting and disseminating existing good practices across the EU. This would allow for a gender-sensitive approach in achieving the necessary technological and social innovation to ensure that teleworking contributes to promoting gender equality⁵.
- 1.11 As the societal traditions and attitudes of individuals determine the implications of teleworking on gender equality, the EESC calls for targeted actions and campaigns to reduce and break down stereotypical thinking. The EESC encourages social partners and civil society organisations (CSO) at EU and national level to take an active role in advocating non-stereotypical family roles and choices of women and men with respect to studies, professions and jobs.
- 1.12 The EESC calls on EU and national decision makers in dialogue and cooperation with the social partners to make every effort to combat any form of violence against women – including at work, at home and on-line; and invites the MS to swiftly ratify the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO) and the Istanbul Convention.

2. General Comments

- 2.1 The EESC welcomes the initiative of the Portuguese Presidency to request two exploratory opinions, which will complement each other, aimed at a more in-depth analysis of teleworking, taking stock of the lessons learned during the pandemic. This could also better guide the implementation of the WLB Directive and encourage best practice conditions for the uptake of teleworking. These opinions will contribute to future draft Council Conclusions during the first half of 2021.
- 2.2 The rapid digitalisation of the economy and society, accelerated substantially by the COVID-19 pandemic, boosted the uptake of teleworking resulting in 34% of employees working exclusively and 14% partially from home in July 2020⁶. While the pandemic allows for an

⁵ <http://erc-online.eu/european-social-dialogue/database-european-social-dialogue-texts/> and <http://resourcecentre.etuc.org/>.

⁶ Eurofound report "Living, working and COVID-19".

insight into the great spread of teleworking, attention needs to be given to normal working conditions of teleworking unaffected by the pandemic.

- 2.3 While gender equality depends on many factors, and teleworking has various economic and social impacts other than those regarding gender equality, this exploratory opinion specifically considers the links between teleworking and gender equality, as requested by the Portuguese Presidency. The objective is to find ways of making teleworking one of the engines for promoting gender equality and avoid exacerbating the unequal distribution of unpaid care and domestic work between women and men, as teleworking may involve both benefits and risks with respect to gender equality. The EESC emphasises the need for gender mainstreaming in policy making with the aim of helping to mitigate risks and grasp opportunities.
- 2.4 Making use of the potential of teleworking while mitigating related risks contributes to preserving the global gains in gender equality⁷. Even though men are more likely to be engaged in mobile work outside the employer's premises than women, women carry out more regular home-based telework than men. This can be explained to a certain extent by country- and culture- specific gender roles and models of work and family life⁸. Women usually take on most of the unpaid care work in households⁹, and although this constitutes a vital part of socio-economic life, it is not recognised as such. While teleworking can contribute to a better work-life balance, it also risks increasing the burden for women to do an even bigger part of the unpaid domestic work, while being exposed to other risks such as domestic and online violence or missing out on career opportunities.
- 2.5 Both society as a whole and businesses must do everything possible to dispel these gender stereotypes and recognise women as full workers beyond their many other roles and qualities. The economic and social cost of these prejudices for society is very heavy. Social partners and CSOs in all sectors should be able to act as spearheads on this issue, which is essential for human rights and women's rights, but also for the European economy¹⁰.
- 2.6 When evaluating the impacts of teleworking, it is important to note that the implications under the pandemic may considerably differ from those in normal conditions. It is likely that both the benefits and drawbacks of teleworking are more pronounced during the pandemic when teleworking has been mandatory and when people's lives have been in many ways restricted, including using the home as a common working/studying/living space for all the family members. It is thus necessary to take not only a short-term view, but, above all, a long-term perspective in assessing the implications of teleworking for gender equality and the world of work, also with due care to providing normal working conditions while teleworking. In normal times, teleworking should be done based on mutual agreement and voluntarily, with all its

⁷ EPRS: Gender equality: a review in progress – the UN is now warning that the COVID-19 pandemic could reverse global gains in gender equality, just when the international community was set to provide a new impetus in the area.

⁸ Gender Equality Index 2020: Digitalisation and the future of work, EIGE.

⁹ Gender Equality Index 2020: Digitalisation and the future of work, EIGE.

¹⁰ UNAPL, FEPIME Catalunya and AFAEMME papers.

practical arrangements established as a part of a contractual agreement and/or through collective agreements.

- 2.7 The EESC also takes the opportunity to link some elements of the opinion to helping deliver on the United Nations 2030 Agenda for Sustainable Development, in particular SDGs 5 (gender equality) and 8 (decent work and economic growth). The objectives of SDG 5 include ending all forms of discrimination and eliminating all forms of violence against women and girls; recognising and valuing unpaid care and domestic work through the provision of public services, infrastructure and social protection policies, and the promotion of shared responsibility within the household and the family. Another target is enhancing the use of enabling technologies, in particular ICT, to promote women's empowerment. SDG 8 aims at sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all and includes a target of achieving higher productivity e.g., through technological upgrading and innovation.

3. **Lessons Learned from the Pandemic Period: Gender Perspective**

- 3.1 In considering the gender dimension of teleworking, there are lessons to be drawn from the pandemic period. The pandemic highlights the importance of the role of women in the economy – as essential care workers, in most cases working "on the frontlines"¹¹. Studies reveal¹² that many existing structural gender inequalities in the labour market and society have been exacerbated by the pandemic and that women have been disproportionately impacted. This chapter focuses on some crucial findings concerning teleworking (mainly from home) during the pandemic as taking account of the gender perspective can be used to advance gender equality.
- 3.2 Although telework was made mandatory, where possible, in an attempt to deal with pandemic, not all workers were able to telework. Teleworking was more common in cities than in rural areas and among those with tertiary education. It also varies by sector, with a higher incidence of teleworking in education, financial services and public administration, and a lower incidence in health, transport, agriculture, commerce and hospitality¹³. Recent research provides data on which occupations are teleworkable, but further analysis is needed¹⁴. It is also obvious that some jobs cannot be done remotely, and others only to a very limited extent¹⁵.

11 <https://data.unwomen.org/features/covid-19-and-gender-what-do-we-know-what-do-we-need-know>.

12 European Parliamentary Research Service "Achieving gender equality in the face of the pandemic and existing challenges": [https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/659440/EPRS_ATA\(2021\)659440_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/659440/EPRS_ATA(2021)659440_EN.pdf); <https://eige.europa.eu/topics/health/covid-19-and-gender-equality>

13 Eurofound, 2020. Living, working and COVID-19.

14 E-Survey, COVID group, Structure of Earnings Survey. Eurofound (2020) Teleworkability and the COVID-19 crisis: a new digital divide?

15 In general around 37% of jobs in the EU are estimated to be teleworkable (See Eurofound data).

- 3.3 More women than men have been teleworking during the pandemic. While weekly working hours have been reduced for men more than women over the period, employed women were more likely to have temporarily stopped working (furlough). A plausible explanation is that working women and mothers have borne the brunt of increased domestic care responsibilities during COVID-19 due to work, school and childcare centre closures. In dual worker households, where there was a choice, women were more likely to take furlough opportunities than male partners¹⁶. In many Member States, the narrowed range of both childcare and other care available and the lack of flexibility in children's and other care institutions during the pandemic further exacerbated the situation of parents, most severely affecting women and mothers.
- 3.4 A quarter of all those working remotely were parents of children under 12, 22% of whom struggled "much more than other groups to concentrate on work and achieve an adequate work-life balance"¹⁷. Especially for women with care responsibilities, working from home was undermined by several factors, e.g. the lack of quiet space where work could be carried out without interruptions, but also a lack of available time to devote to work, on one hand, coupled with, on the other hand, the tendencies to work longer, and even be connected around the clock and not respecting the modalities of connecting and disconnecting. This calls for a better enforcement of the relevant existing legislation and closer monitoring by labour inspections, as well as an assessment of whether the existing framework is adequate. Single parents, 85% of whom in the EU are women, were especially vulnerable as the pandemic worsened their already fragile work-life balance¹⁸.
- 3.5 There are also indications that women who worked in demanding and competitive high-skill sectors, such as academics, were hit worse than their male counterparts¹⁹ because unpaid care and domestic work reduced their ability to be productive and further undermined their professional prospects. Similarly, female entrepreneurs running SMEs experienced severe time constraints on top of serious financial problems in their efforts to sustain their businesses during the lockdowns²⁰.
- 3.6 The pandemic period has also led to an alarming increase in violence against women, both physically and online, where the victims of the latter are significantly more isolated from potential resources and opportunities for help²¹. Domestic violence has increased by a third during the pandemic, where the imperative was to stay and work from home, if possible, so as to

16 Eurofound (2021), COVID-19: Some implications for employment and working life, Publications Office of the EU, Luxembourg – forthcoming.

17 Eurofound, 2020. "Living, Working and COVID-19".

18 Gender Equality Index 2020: Digitalisation and the future of work, EIGE.

19 <https://www.nature.com/articles/d41586-020-01294-9>.

20 UNAPL, FEPIME Catalunya and AFAEMME papers.

21 <https://www.opendemocracy.net/en/5050/covid19-sexual-harassment-work-online/>.

reduce the spread of the pandemic²². Evidence also shows that remote working has meant that work-related sexual harassment has become more prevalent online.

4. Opportunities, Risks and Prerequisites of Teleworking

4.1 Making the best use of teleworking to promote gender equality and facilitate WLB requires a comprehensive look at its potential benefits and risks for women and men. Without a proper gender analysis, policies that appear to be gender "neutral" may in fact be gender "blind" and negatively impact women.

4.2 The opportunities of teleworking include:

- Increased flexibility in the organisation of working time in general, and to a certain degree providing individuals with increased possibilities to organise their time to achieve the expected output;
- Increased flexibility in combining unpaid care responsibilities with paid employment, which can improve labour market participation;
- Opportunity for sharing the care for children or dependent family members more equally when both parents are teleworking;
- Better inclusion in the labour market of those limited by barriers in society or in the workplace, e.g., persons experiencing limitations due to a disability;
- Productivity gains through higher performance;
- A better spatial match between demand and supply of labour without the need for moving to another place; this could result in reversal of the regional distribution of jobs between cities and rural areas²³;
- Time and cost savings due to the elimination of or decrease in commuting.

4.3 Correspondingly, the following risks can be associated with teleworking, found mostly in challenges relating to:

- Organising the remote working space and concentrating on the job, especially when other family members work or study from home and when the home space is too small to allow for a separate work space;
- Access to proper office facilities, including ergonomic furniture and to specialised or adapted equipment and programmes, as well as to training;
- Lack of personal contact and spirit of collaboration between colleagues, and the risk of becoming "invisible" in the work community;
- Reinforcing the unbalanced share of caring and house work based on stereotypical work and family roles;

22 <https://www.europarl.europa.eu/news/en/press-room/20200406IPR76610/covid-19-stopping-the-rise-in-domestic-violence-during-lockdown>.

23 https://ec.europa.eu/commission/commissioners/2019-2024/suica/announcements/speech-vice-president-suica-demographic-change-eu-epc_en, <https://horizon-magazine.eu/article/teleworking-here-stay-here-s-what-it-means-future-work.html>.

- Increase in gender-based violence and harassment, including online harassment, lack of social support while being isolated;
- Lack of movement and interruption of daily routine and habits, as well as pressure of combining work with home duties and avoiding blurring the boundaries between work and private life, which may give rise to mental and physical health issues, including more burnout cases;
- Misusing the new possibilities of monitoring and abusing personal data;
- Challenges to monitor working conditions while working at home – both for employers and trade unions;
- Cyber security and GDPR issues;
- Increased social control;
- Risk of working longer, and having too short resting periods resulting from not respecting the modalities of connecting and disconnecting;
- The inability of or difficulties for trade unions to protect workers' rights;
- Uncertainty regarding the employer's responsibility for ensuring the health and safety of the workplace, working conditions and the implementation of collective agreements.

4.4 The most concrete prerequisites of teleworking relate to the accessibility of the necessary infrastructure and technologies. The expanding connectivity does not reach everyone – certain groups of women (e.g., older, from disadvantaged socio-economic groups, with lower education) have unequal access to connectivity and digital technologies, which contributes to the digital divide²⁴. Strong public policies are thus needed for enabling access to networks and to local shared spaces that facilitate teleworking outside the home. The EESC underlines the need to avoid situations where workers who work remotely would bear the burden of costs for equipment, as provided for in the Social Partners' Framework Agreement (SP FA) on Teleworking and the relevant national legislation, which is needed to perform the work remotely, namely ICT equipment, ergonomic furniture, health and safety measures and increased costs related to the space in which the work is performed.

4.5 Digital skills and training are another important prerequisite for enabling teleworking, according to which men are most often in a better position than women – only six MS show women scoring higher than men on internet skills (Finland, Slovenia, Lithuania, Latvia, Cyprus and Bulgaria)²⁵. The gender divide in digital skills widens with age. These differences also need to be considered when evaluating the gender dimensions of teleworking.

4.6 In addition to digital skills, teleworking calls for skills to adopt evolving management techniques and working orientation and thus implies challenges for both employees and employers, not least for SMEs. Managing business and personnel remotely requires specific management skills, flexibility, resilience and innovative ways of organising work as teleworking calls for result- rather than process-based management. Specific training should be provided to help managers/supervisors to effectively manage remote workers.

²⁴ <https://www.oecd.org/going-digital/bridging-the-digital-gender-divide-key-messages.pdf>.

²⁵ Gender Equality Index 2020: Digitalisation and Future of Work, EIGE.

- 4.7 For workers, more flexibility and freedom to organise their work also calls for strong responsibility and commitment as well as for self-management skills and a relationship of trust between them and their managers. Several studies have shown that teleworking could be, in certain sectors, a source of productivity gains, which can be better grasped by providing special training to managers. It can increase the demands that employees design for their own work and generate more performance.
- 4.8 Workers engaged in telework should have equal access to training and continuing professional development and the same opportunities for promotion and professional advancement. This is particularly important for women who are remote workers who may have less time and opportunity to engage in career progression activities outside of work schedules.
- 4.9 Provided the necessary facilities and skills are available for everyone, teleworking as such would be a form of work that is available and accessible for both men and women. Available, high quality, affordable, accessible and diverse public care services are thus crucial for making the best use of teleworking. In some MS, financial aid and specific tax incentives exist to promote childcare, including at home, by qualified professionals – which is worth benchmarking.
- 4.10 While teleworking may increase demand for some services, it may cause deterioration of the situation for some SMEs where female entrepreneurship is predominant and which find clients mainly amongst women on their way to/from work. This applies to e.g., small food and other goods shops, markets, and service centres. Mitigating such a risk would require detaching from stereotypical choices of professions. The same applies to mitigating the differences in teleworking possibilities for women and men caused by sectoral segregation and the different teleworkability of sectors.

5. Ways to Mainstream Gender Equality

- 5.1 While it is up to the employers to decide on the organisation of work, social partners, e.g., through collective bargaining, can play a significant role in advancing teleworking in a way that contributes to gender equality, together with increased productivity and wellbeing at work. The FA on Teleworking concluded by the EU Social Partners in 2002, and implemented by 2008 by all MS²⁶, sets out the general acquis framework for the use of telework in such a way as to meet the needs of employers and workers in a balanced way. Social dialogue is a vital means for dealing with issues such as wages, working times, modalities of connectivity, health and safety, and skills development in the context of teleworking. The EESC also calls for disseminating best practices on enabling women and men to combine work and family in an equal way and promoting and funding joint actions of social partners.

²⁶ <http://erc-online.eu/european-social-dialogue/database-european-social-dialogue-texts/>.

- 5.2 As teleworking relies on the technological infrastructure and connections, the EESC underlines the utmost importance of investing in proper digital infrastructure, providing access to stable digital connections and proper hardware and software to enable efficient teleworking for all groups of society and avoid problems in any other fields of the digitalisation of the economy and society.
- 5.3 The EESC reiterates its call for enhancing digital skills for everyone to enable people to respond to and shape digital development, fully grasping the opportunities of e-learning. This is a matter of formal, informal and non-formal education and its validation, covering basic education, upskilling and re-skilling, in line with the approach of continuous and life-long learning. Special attention needs to be paid to the skills of women to equally enable them to fully participate in labour markets, as well as to manage practical everyday digital affairs.
- 5.4 The EESC emphasises the need for a "Care Deal for Europe", as investing in the care sector would ensure the provision of greater quality services for all throughout the life-cycle and recognise women and men as both equal earners and equal carers. It encourages the MS to invest in care infrastructures of all types. The national Recovery and Resilience Plans under the Next Generation EU provide an opportunity to direct investments towards the care sector. The EESC also calls for disseminating best practices on enabling women and men to combine work and family in an equal way and promoting and funding joint actions of social partners. The EESC calls on the EC and the MS to revise the Barcelona targets²⁷ to ensure the availability of high quality, flexible, diversified and affordable childcare²⁸. It also underlines the importance of the transition from institutional care to community-based and person-centred services for vulnerable children and adults with specific needs, expressed in Common European Guidelines published by the EC²⁹.
- 5.5 The EESC encourages MS to implement the WLB Directive in an efficient and timely manner to provide families with appropriate choices for more equal practices, while also taking into consideration the needs of businesses, in particular SMEs. Smaller companies, whose activity relies, by definition, on the work of a small team, need, even more than others, to benefit from continuity and stability in their production organisation. Building on the lessons learned so far, flexible schemes of combining physical-presence work with teleworking options can be considered.
- 5.6 Special attention should be paid to the conditions of vulnerable groups of women such as those with disabilities, single parents, the elderly, migrants and Roma women. Women's organisations and those representing families must be supported, including through targeted measures, financed from EU and national funds.

²⁷ In line with the new "EU gender strategy 2020 – 2025".

²⁸ 24 November 2020, European SP joint statement on childcare provisions in the EU.

²⁹ <https://deinstitutionalisationdotcom.files.wordpress.com/2017/07/guidelines-final-english.pdf/>.

- 5.7 The full spectrum of support services should be introduced in the case of violent situations (as domestic violence increased considerably due to lockdown measures during the pandemic³⁰) together with enforcing compliance of anti-violence legislation. The EESC urges MS to develop and implement measures to prevent any kind of violence against women, be it physical or online. Stronger action is needed to tackle violence and sexual harassment in the workplace, including in the context of teleworking. If a "safe" workplace is not available (due to e.g., teleworking), survivors of domestic violence do not have any social control and limited or no access to relevant information and help³¹. Social partners should be encouraged and supported to develop policies on preventing domestic violence, including by special joint actions and by offering adequate monitoring and reporting systems, also, and especially, when work is done remotely³². The EESC welcomes the EC's proposal for a Council Decision authorising MS to ratify, in the interest of the EU, the Violence and Harassment Convention, 2019 (No 190) of the ILO. It encourages MS to swiftly ratify the Convention³³ and calls on the EU to engage countries outside the EU in doing the same. The EESC notes that the Council has invited those Member States that have not yet done so to ratify the Istanbul Convention and welcomes the Commission's intention, as set out in the European Pillar of Social Rights Action Plan, to propose legislation to combat gender-based violence against women, including workplace harassment on grounds of sex.
- 5.8 Although teleworking is not a new form of working, there are still many unknown implications that deserve extra research. For example, it would be useful to explore its impacts and prerequisites under conditions not dominated by the pandemic and taking into account longer-term developments in different sectors of the economy and society. As universally designed technological and social innovations are key to making the best use of teleworking and at the same time solving the problems related to gender equality, the EESC calls for integrating these topics into the R&D&I policies both at national and EU levels. Good examples of existing practices across the EU should also be collected and shared to give impetus to advanced solutions.
- 5.9 As investment in universally designed technical, social and innovation infrastructure are central parts of state budgets, the right allocation of finances can play a decisive role in advancing gender-equal teleworking. EU funds, including the structural funds and the Recovery and Resilience Facility, should also be used to support this objective.
- 5.10 Connectivity is a societal phenomenon. Practices need to be developed at workplace level, e.g., implementing such tools as the social partner agreement on digitalisation, also considering that

30 <https://unric.org/en/who-warns-of-surge-of-domestic-violence-as-covid-19-cases-decrease-in-europe/>;
<https://www.europarl.europa.eu/news/en/press-room/20200406PR76610/covid-19-stopping-the-rise-in-domestic-violence-during-lockdown>.

31 In the publications "Brief no 3 – Domestic violence and its impact on the world of work" in March, 2020, the ILO presents the high costs of domestic violence to national economies. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/briefingnote/wcms_738117.pdf.

32 For best practice example see: Vodafone Toolkit on domestic violence and abuse at work: Recognise, respond and refer https://www.vodafone.com/content/dam/vodcom/files/vodafone_domestic_violence_toolkit_2020.pdf.

33 <https://ec.europa.eu/transparency/regdoc/rep/1/2020/EN/COM-2020-24-F1-EN-MAIN-PART-1.PDF>.

EU-OSHA is currently preparing an EU Healthy Workplaces Campaign on Digitalisation starting in 2023.

- 5.11 The EESC also refers to the AFAD³⁴ and calls on the EC to devote special financial support for targeted joint actions of social partners, as well as support to civil society organisations that are contributing to work-life balance. The AFAD elaborates on ways to handle issues related to the modalities of connection and disconnection in digitalised work environments, including the underlying causes of over-connecting and long working hours, and there is likely to be a wide spectrum of national examples on how to implement the AFAD, including sectoral or company agreements and guidance documents.
- 5.12 As for national approaches to connection and disconnection, France, Belgium, Italy and Spain adopted legislation on the right to disconnect to clarify entitlements, raise awareness of the need to change working time patterns or even to foster a cultural change towards a healthier organisation of work. In the Netherlands and Portugal legislative proposals have been made. In Germany, Finland, Ireland, Luxembourg, Lithuania, Malta, Sweden and Slovenia the debate is ongoing, while the remaining 13 MS have not started such a discussion. The EP recently voted on a Resolution on the right to disconnect, where it calls on the EC to propose a law that enables those who work digitally to disconnect outside their working hours, and to establish minimum requirements for remote working and clarify working conditions, hours and rest periods³⁵. There are different views as to whether legislation is needed, or whether existing provisions are sufficient and a solely collective bargaining-based approach should be adopted. Notwithstanding the different views, there is a relatively broad consensus among social partners that the "modalities of connection and disconnection" have to be determined and agreed through social dialogue at company (and/or sectoral) level to ensure that they are adapted to the specific needs of the sectors, companies and other organisations, whilst also taking account of workers' needs, particularly their health and safety.
- 5.13 In addition, social partners need to be consulted by policymakers when work and employment-related policies are being shaped, including those influencing teleworking and its gender implications. The EESC stresses that gender issues should be mainstreamed throughout all policy areas. As teleworking is also related to the everyday life of citizens, as well as to environmental and climate policies, relevant civil society organisations in fields such as women, family, consumer and environmental affairs should have their say in the preparation of policies.
- 5.14 In order to enable and encourage the private sector to innovate and invest in new methods, and to create new jobs, in a way that promotes the prerequisites of gender-equal teleworking, it is essential for the EU to provide favourable conditions for entrepreneurship and doing business. Successful management of teleworking also requires close and smooth cooperation between the public and private sector at the practical level. This is relevant, for example, in the fields of

34 https://www.ceep.eu/wp-content/uploads/2020/06/Final-22-06-20_Agreement-on-Digitalisation-2020.pdf.

35 <https://www.europarl.europa.eu/news/en/press-room/20210114IPR95618/right-to-disconnect-should-be-an-eu-wide-fundamental-right-meps-say>, 472 votes in favour, 126 against and 83 abstentions.

digital infrastructure, education and training, health and social services, and research and innovation.

5.15 Moreover, a new kind of mindset is needed at the level of individuals and families. Reducing and breaking down stereotypical thinking requires higher awareness and commitment. Organisational culture which ensures gender awareness, such as equal pay principles, keeping everyone "visible" etc. must also be actively promoted, together with supporting management in elaborating and implementing teleworking-friendly practices. This should be enhanced, for example, in the context of the implementation of the WLB Directive, through awareness-raising campaigns. The EESC encourages social partners and civil society organisations to take a central role here by advocating for both non-stereotypical family roles and for non-stereotypical choices regarding studies, professions and jobs. Gender equality also needs to be mainstreamed in education, from kindergarten and primary school to vocational training and university.

Brussels, 24 March 2021

Christa SCHWENG

The president of the European Economic and Social Committee

*

* *

N.B.: Appendix overleaf.

APPENDIX to the OPINION
of the
European Economic and Social Committee

The following amendments, which received at least a quarter of the votes cast, were rejected during discussions (Rule 59(3) of the Rules of Procedure):

Point 4.3 – 13th bullet point

Delete the bullet point:

4.3 Correspondingly, the following risks can be associated with teleworking, found mostly in challenges relating to:

[...]

———~~Uncertainty regarding the employer's responsibility for ensuring the health and safety of the workplace, working conditions and the implementation of collective agreements.~~

Reason

There are extensive and comprehensive provisions enshrined in the *acquis communautaire* that ensure the health and safety of the workplace when teleworking, including explicit rights and obligations. No evidence or even hints of such uncertainties were found in the process of drafting the opinion.

Outcome of the vote:

| | |
|--------------|-----|
| In favour: | 103 |
| Against: | 112 |
| Abstentions: | 25 |

Point 1.4

Amend as follows:

1.4 The EESC ~~notes~~finds the existing legal and additional framework on telework relevant ~~to telework~~ and sufficient. This includes the Working Time Directive, the Occupational Safety and Health Directive, the WLB Directive, and the European social partners' Autonomous Framework Agreements on Telework 2002, implemented in Member States using different instruments, and on Digitalisation 2020 (AFAD). The EESC calls for their swift and effective implementation, and for giving them new impetus, including by promoting collective bargaining at national level, targeted at producing a positive impact on gender equality. It also notes that there is no consolidated European framework on telework. The European Parliament has indicated that "a legislative framework with a view to regulating telework conditions across the EU is necessary to ensure decent working and employment conditions in the digital economy, thereby contributing to reducing inequalities and addressing the issue of in-work poverty." The EESC therefore recommends an assessment of the existing rules to determine their effectiveness in the light of the rapid expansion of telework, awareness of new risks, and the lessons learnt. In

~~particular, it encourages the social partners to review the 2002 Framework Agreement on Telework and give it new impetus.~~

Reason

The proposed amendment makes the text more accurate and clearer, and brings it in line with the scope of the opinion.

Outcome of the vote:

In favour: 109
Against: 112
Abstentions: 18

Point 1.8

Delete point:

~~1.8—Teleworking carries the risk of the worker becoming invisible in the work community, missing out on formal and informal support structures, personal contacts with colleagues and access to information. This can result in them being overlooked for promotion and training opportunities and lacking important information relating to pay and existing workers' rights. For women, this can risk exacerbating existing gender inequalities such as the gender pay gap. The proposed Directive on pay transparency, published by the European Commission on 4 March 2021, could be one important means of addressing the lack of information that is caused by invisibility.~~

Reason

The proposed amendment makes the text more accurate and clearer, as the elements in this point are already included both in the conclusions and recommendations and in the body of the opinion.

Outcome of the vote:

In favour: 113
Against: 125
Abstentions: 13

The following paragraphs of the section opinion were amended to reflect the amendment adopted by the assembly but received more than one quarter of the votes cast (Rule 59(4) of the Rules of Procedure):

Point 3.4

Amend as follows:

3.4 A quarter of all those working remotely were parents of children under 12, 22% of whom struggled "much more than other groups to concentrate on work and achieve an adequate work-life balance"³⁶. Especially for women with care responsibilities, working from home was undermined by several factors, e.g. the lack of quiet space where work could be carried out without interruptions, but also a lack of available time to devote to work, on one hand, coupled with, on the other hand, the tendencies to work longer, and even be connected around the clock and not respecting the modalities of connecting and disconnecting, which calls for a better enforcement of the relevant existing legislation and closer monitoring by labour inspections. Single parents, 85% of whom in the EU are women, were especially vulnerable as the pandemic worsened their already fragile work-life balance³⁷.

Outcome of the vote:

In favour: 120
Against: 111
Abstentions: 15

Point 4.3 – 12th bullet point

Amend as follows:

4.3 Correspondingly, the following risks can be associated with teleworking, found mostly in challenges relating to:
[...]
- Having impediments to connect to trade union representatives;
[...].

Outcome of the vote:

In favour: 124
Against: 113
Abstentions: 11

³⁶ Eurofound, 2020. "Living, Working and COVID-19".

³⁷ Gender Equality Index 2020: Digitalisation and the future of work, EIGE.