

Global Dialogue Forum on the Challenges and Opportunities of Teleworking for Workers and Employers in the ICTS and Financial Services SectorsGeneva
24–26 October 2016

Consensus points of the Forum ¹**Benefits and challenges of telework in the ICTS and financial services sector, and possible impact on the future of work in these sectors**

1. Telework is a growing form of working arrangement enabled by information and communication technologies (ICT) whose potential benefits are increasingly recognized and promoted by governments, employers and workers alike. For the purposes of these points of consensus, telework is normally understood as regular work performed by a worker within an employment relationship, away from the employer's generally recognized work premises. Telework also has to be understood in the context of other trends in the world of work, such as changing employment relationships, cross-border work, ICT-enabled remote working, and the place of work at different points in a worker's employment lifecycle.
2. Teleworking can provide numerous work and social benefits. Worker benefits can vary from shorter commutes, lower work-related personal expenses and better work–life balance, including a better ability to balance professional and care responsibilities, and more work opportunities. Employers can benefit from increased productivity, lower overhead costs, and access to a larger and more diverse, motivated and skilled labour pool. For governments, teleworking can be a strategy to address urban congestion and environmental problems, and to promote inclusive employment opportunities for all.
3. Teleworking in the ICTS and the financial sector can also pose a number of sector-specific and decent work challenges, including with regard to cybersecurity, privacy or the exposure of confidential information. In the absence of appropriate arrangements, workers can face psychosocial problems related to isolation and blurred lines between work and private life. They can have less access to training and perceive a lack of career development. Occupational safety and health conditions are more difficult to monitor and control in teleworking arrangements, especially where the home is also the workplace. Employers should, unless there is agreement to the contrary with the worker, shoulder the hardware and software costs. Employers should manage data integrity and privacy issues, and provide

¹ These points of consensus were adopted by the Global Dialogue Forum on 26 October 2016. In accordance with established procedures, they will be submitted to the Governing Body of the ILO at its 329th Session in March 2017 for its consideration.

managers with the required skills to effectively supervise telework. Education systems need to provide skills required for effective telework.

4. Teleworkers have the same obligations and enjoy the same fundamental rights as their counterparts in traditional work arrangements at their employers' work premises. All laws and regulations applicable to these traditional work arrangements also apply to teleworkers with the exception of those regulations which are specific to traditional work arrangements. Teleworking should be a voluntary and reversible arrangement, and should provide workers with regular opportunities to meet managers and colleagues in person. Due to the fact that teleworking may not be an appropriate arrangement for certain functions and certain types of workers, social dialogue can be a useful and efficient mechanism in this regard. Where teleworking is appropriate, opportunities for such arrangements should be provided without discrimination.

Policies and practices that can address decent work challenges and maximize benefits of telework in the ICTS and financial services sectors

5. Telework should meet the legitimate needs of both workers and employers and should not undermine the rights of workers or erode decent work, including as regards freedom of association and the right to collective bargaining, equality and non-discrimination, and security of employment. It should be voluntary and reversible. Adequate worker protection is achieved through appropriate legal and regulatory frameworks, compliance with and enforcement of the law, and effective social dialogue.
6. Different countries have addressed labour-related challenges of telework through various measures, including regulation, and the development of appropriate labour policies and practices, depending on the level of telework and the scope of existing labour law. Where appropriate, regulation can be combined with public investments in education and skills as well in the requisite infrastructure including ICT as a means of promoting and facilitating growth in telework. Regulations can also be used to determine whether accidents or illnesses of teleworkers are work-related or not, to apportion rights and responsibilities in such cases, and to monitor and control cross-border telework and data integrity and privacy.
7. Teleworkers effectively enjoy equal treatment with counterparts in traditional work arrangements in terms of access to social security; conditions of work, training and career development; occupational safety and health; work–life balance; freedom of association and collective bargaining, and in addressing possible risks of psychosocial effects. There are examples of good practices in many countries. Social dialogue is an essential element in the development of appropriate measures to ensure decent work for teleworkers.
8. Public bodies and institutions have an important role in promoting telework and decent work in the ICTS and financial services sectors and in putting in place the infrastructure it requires; fostering assistance programmes to enterprises and workers to acquire the capacity and skills needed to adopt and expand the use of telework; in monitoring trends and providing statistics on telework, in encouraging the development of good practice in this area and collecting and disseminating examples of such good practice; and involving and communicating with the social partners.

Recommendations for future action by the International Labour Organization and its Members

9. In view of the discussion at the Global Dialogue Forum on Challenges and Opportunities of Teleworking for Workers and Employers in the ICTS and Financial Services Sectors, the following future action was recommended.

10. Tripartite constituents should:

- (a) engage in effective social dialogue in order to promote decent work and productive employment and ensure equitable treatment for all workers, regardless of their work arrangements;
- (b) ensure that work arrangements, including telework and other emerging forms of work organization resulting from the applications of information and communication technologies, are fully aligned with decent work principles, including fundamental principles and rights at work as well as national law and practice;
- (c) through social dialogue develop and implement appropriate measures to ensure cyber security and the preservation of enterprise data confidentiality while also safeguarding worker privacy in telework arrangements.

11. Employers should:

- (a) provide teleworkers, barring agreements to the contrary, with the appropriate equipment; and provide the training they require, including with regard to occupational safety and health in order for them to perform their work effectively;
- (b) ensure that teleworkers benefit from the same entitlements as all other company employees who have equal workloads, salary and performance standards and evaluation;
- (c) develop, through social dialogue, appropriate workplace arrangements regarding telework;
- (d) take all necessary measures to guarantee the cybersecurity of their respective enterprises.

12. Governments should:

- (a) with due regard to decent work, promote telework and ensure the necessary infrastructure, network security, and integrity and skills development are in place to support its growth;
- (b) engage social partners in defining conditions and criteria for telework arrangements, and in developing and reviewing any existing relevant labour legislation, policies and guidelines
- (c) guarantee that labour and social protection systems are applicable to telework;
- (d) monitor and work towards improving conditions of telework in ICTS and financial services sectors by ensuring mechanisms for effective compliance are in place, no matter where the work is performed;
- (e) Consider establishing a body that facilitates planning, coordinating and executing policies related to telework.

13. The Office should:

- (a) continue to promote the 1998 Declaration on Fundamental Principles and Rights at Work in the ICTS and financial services sectors with regard to teleworking;
- (b) promote social dialogue in the ICTS and financial services sectors and develop the capacity of tripartite constituents to effectively engage in social dialogue;
- (c) study what innovative mechanisms of social dialogue might be required for telework in the ICTS and financial services sectors;
- (d) work with member States to improve national systems to regularly collect and disseminate objective data on telework, number of workers involved, wages, remuneration and gender, age, demographic structures, working hours, employment relationships, contractual arrangements and other relevant data on the basis of resolutions adopted by the International Conference of Labour Statisticians;
- (e) undertake and disseminate research and comparative analysis, with a view to possible future action, including a tripartite meeting, on this topic; monitor, assess and map good practices and share knowledge on trends and development of telework in the ICTS and financial services sectors, drivers of change and impact of telework, employment-creation potential, diversification of employment relationships and the impact of cross-border telework.