



Financial Services Union submission to the Workplace Relations Commission on the Code of Practice on the Right to Request Remote Working

The Financial Services Union (FSU) welcomes the Workplace Relations Commission (WRC) open consultation on the drafting of a Code of Practice on the “Right to Request Remote Working.”

Developments in technology and the necessity for remote working during Covid 19 have changed what we would have generally accepted as “the workplace”. As mentioned in the ICTU report “Making Remote Working Work” pre-pandemic one in 20 workers (4.9%) regularly worked remote. When Covid hit, remote working went mainstream within a matter of days.

There are many documented benefits to remote working for both the employee and the employer. There are also many benefits for society and the environment. Remote working is here to stay, and it is timely that the WRC are carrying out this important work.

In this submission the FSU will concentrate on four main areas:

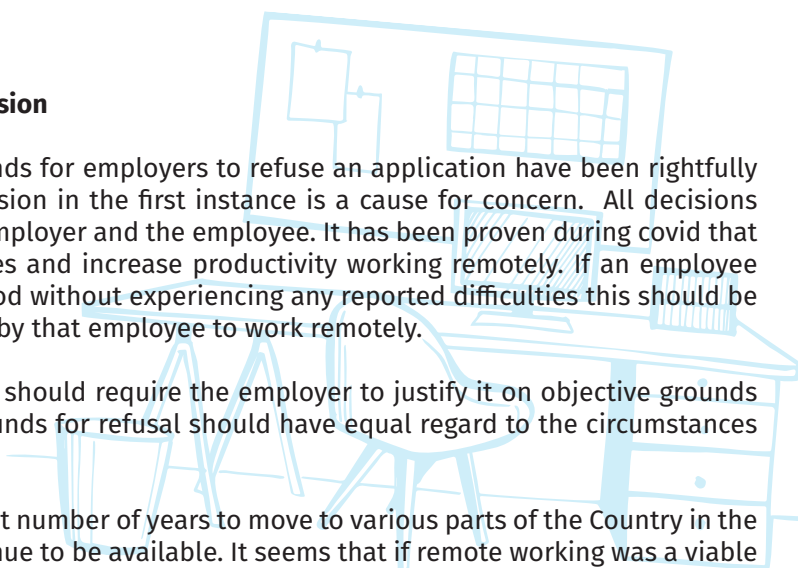
- Accepted criteria for the employee to base their decision
- Survey and comments from workers
- Surveillance of staff working remotely.
- Home working allowance

Accepted criteria for the employee to base their decision

The initial response from Government citing 13 grounds for employers to refuse an application have been rightfully removed from the current legislation but their inclusion in the first instance is a cause for concern. All decisions need to take account and balance the needs of the employer and the employee. It has been proven during covid that a large volume of staff can perform their work duties and increase productivity working remotely. If an employee has been working remotely for over a six-month period without experiencing any reported difficulties this should be taken into account when the official request is made by that employee to work remotely.

A decision taken by an employer to refuse a request should require the employer to justify it on objective grounds that relate to the real needs of its business. The grounds for refusal should have equal regard to the circumstances of the employee and the business.

Many workers have taken the opportunity over the last number of years to move to various parts of the Country in the belief that the option of remote working would continue to be available. It seems that if remote working was a viable option and in place when they moved then unless there was a significant change in duties the option of working from home should remain.



There have been many studies and reports commissioned on how best to achieve spatial planning and better regional economic development in Ireland. Remote working not only cuts the carbon footprint it allows and encourages workers and their families to stay, live and work in their local town. Working for a company in Dublin while living in the West of Ireland is now achievable if remote working is embraced, encouraged, and permitted on a wide scale by employers.

The provision of hubs around the Country is to be welcomed but it should not be confused with the overall concept of working from home. A hub located fifty miles from your home requiring a large commute negates the flexible benefits of home working.

Survey and comments from workers

The FSU in partnership with the University of Limerick produced a report on the experiences of workers of remote working in the Finance Sector. The findings indicate a desire for remote working but highlighted employee concerns on costs and career opportunities. Over 1,000 Union members responded to the report and the findings indicate a real desire for remote working with 88% reporting they would like to work from home at least some of the time.

Some of the other findings included:

- Eighty-eight percent say they would like to work from home some of the time
- Seventy-one percent indicate that their employer did not provide financial support for costs associated with working from home
- Majority indicate that their employer had not conducted a risk assessment of their home working arrangements
- Forty-four percent of respondents report feeling drained from work
- Almost two thirds of respondents either believed that remote working had resulted in reduced career opportunities, or they did not have a view on it.

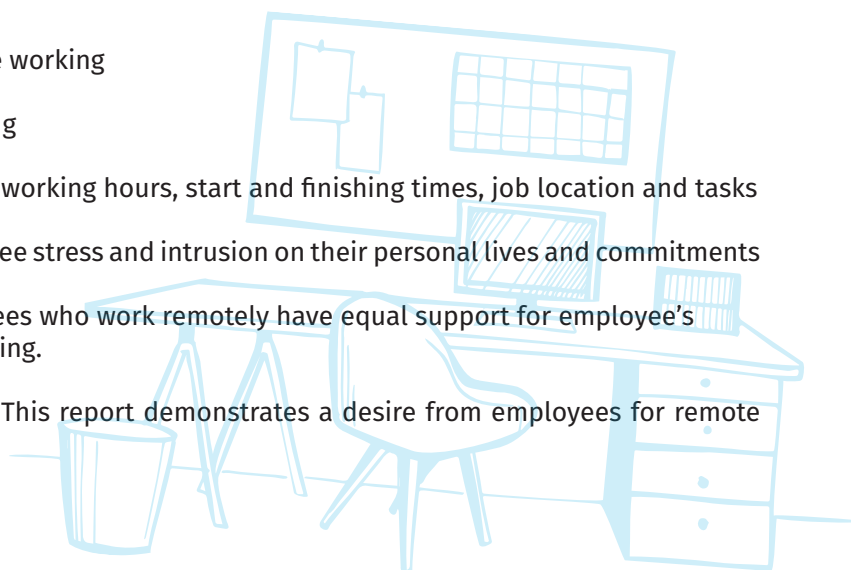
This sends a clear signal that a blended version of remote working is the expectation of staff and is the future of work for our members.

Many positives including the ability to plan their time and a better work life balance are mentioned throughout the report but issues of concern remain with almost two thirds of respondents either believed that remote working had resulted in reduced career opportunities or did not have a view on it and seventy-one percent indicate that their employer did not provide financial support for costs associated with working from home.

The research points to several issues that employers should prioritise to make the experience of remote working work for everyone including:

- A home working allowance for the costs of remote working
- Employee preferences on access to remote working
- Employee preferences on flexibility in the form of working hours, start and finishing times, job location and tasks
- Employee workload and its contribution to employee stress and intrusion on their personal lives and commitments
- Career progression frameworks to ensure employees who work remotely have equal support for employee's advancement as this not engaging in remote working.

Remote working can and should work for everyone. This report demonstrates a desire from employees for remote working.



Surveillance of staff working remotely.

The Financial Services Union also undertook research in collaboration with the research Department of University Of Limerick seeking to establish the experiences and attitudes of financial services employees to technological change in their job . The research focused on employees' experiences and attitudes towards technological surveillance by their employer in particular.

The advances in technology and in particular over recent times the creation of Chat GPT has brought technological advances in the workplace to a new level. Surveillance of staff by their employers and how data on staff is collected, stored, and used was always an issue that needed to be addressed. However, it seems clear there is a need for regulation to keep pace with the changing nature of technology and that the WRC should take cognisance of this in preparing the Code of Practice on Remote Working.

A notable finding in the report is the extent to which respondents to the survey were unaware of the level of employer tracking and monitoring, with over half indicating they did not know if their office or home computer was monitored. Almost one quarter of respondents reported that their employer had increased data collection on their work since they started home working.

Survey respondents reported having some experience with technological surveillance of their devices, but significant proportions were unaware if their devices were monitored or not. Interviewees spoke of varying levels of employer technological surveillance pre-COVID from very little to very extensive depending on where they worked and their role. Overall, employees had negative attitudes towards technological surveillance, viewing it as demoralising, stressful, and indicating a lack of trust by employers.

It is very worrying that a large proportion of staff are unaware of the level of employer tracking and monitoring. The Code of Practice on remote working should place a requirement on the employer to be transparent with its employees on the level of surveillance. Used surveillance functions should only be introduced with the agreement of the Union and affected employees.

Home working allowance

There are many additional expenses for workers associated with remote working that should be recognised by any Code on Remote Working. Increased utility bills, particularly at a time of rising inflation are a cause of concern and are a cost that should not be shouldered by the employee.

The FSU position is any expense related to working from home should be neutral, meaning you should not be at a loss or a gain financially by working from home. It is not always easy to evaluate the cost associated with hybrid working in practice, and the FSU and Ulster Bank are currently in negotiations on the issue. Increased broadband, electricity and heating costs are the most common additional costs associated from working remotely. Indeed, an Oireachtas Committee Report already states that:

“The Committee recommends reforms be introduced to remote workers, tax relief to reflect, in the case of remote work, that the costs of operating an office have been transferred in part or in full, from employers to employees.”

Any code should state clearly there will be no additional financial burden placed on employees as a result from working remotely.

In conclusion the WRC in writing the Code should concentrate on the promotion of the benefits of remote working and creating a code where remote working is considered normal practice and not the acceptance to the rule.

