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Survey among the European Public Administration Network members (EUPAN) New ways of working

In the framework of the French Presidency of the Council of the European Union and at the request of the Directorate General for Administration and the Civil Service (DGAFP), Ipsos surveyed a panel of representatives of the directorates in charge of public administration and correspondents of the European Public Administration Network (EUPAN) about the new ways of working.

For the purposes of this report, these new ways of working cover different types of flexibilities that are currently in use in the administrations of the EUPAN network. We used the following classification:

<i>Flexspace 1: flex/open offices and desk sharing</i>
<i>Flexspace 2: teleworking, remote working, smart working, etc.</i>
<i>Flexitime 1: compressed working week and part-time work</i>
<i>Flexitime 2: trust-based working hours</i>
<i>Flexorganisation 1 (content/process): project mode, work couples, staff autonomy/results-based management, etc.</i>
<i>Flexorganisation 2 (recruitment): short-term and temporary work</i>
<i>Other flexible arrangements</i>

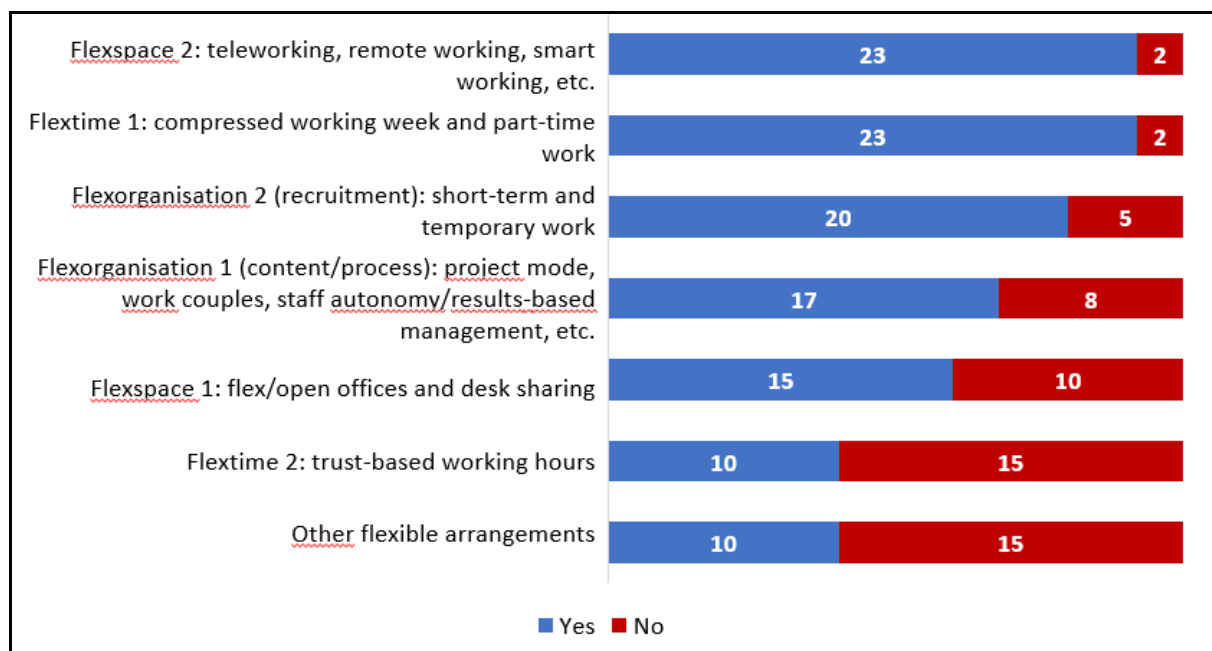
This survey took place in the particular context of the Covid-19 pandemic which disrupted the usual working habits of many European public administrations and employees. Faced with these changes, the EUPAN network has carried out several surveys, including a study on telework, which addressed the legal framework and the conditions for implementing telework. This study complemented a previous study on new ways of working conducted during the Austrian Presidency of EUPAN in 2018. This new survey is therefore part of this continuity to provide a more comprehensive look at all new ways of working.

1. Work flexibility is now a concrete reality in the administrations within the EUPAN network

The various types of flexibility that can have an impact on the ways of working **have generally been in place for many years**. But the Covid-19 pandemic that has affected all European countries over the last two years has had **a major impact on the spread of these flexible work arrangements**. This health crisis will have required administrations **to adapt and to generalize practices that were until then often a minority or even marginal**. This survey of public administration employees in the member administrations of the EUPAN network shows that.

The 25 public workers who answered on behalf of the EUPAN member administrations all report that **at least one type of flexibility is currently used within their administration**. These flexibilities affect different aspects of the organization of work: the spatial aspect (workplaces, remote work, etc.), the schedules (organization of the week, flexible working hours, etc.) and the organization (place of the workers and organization of work, recruitment methods, etc.).

Graph 1 - Does your administration have any... ?



However, **not all types of flexibility are used to the same extent**. Among the different situations we investigated in the survey, two cases are particularly widespread.

The first concerns **Flexspace 2 (teleworking, remote working, smart working, etc.)**. Out of 25 workers interviewed, 23 found that this type of flexibility was used in their administration:

« In Poland every employee can work in teleworking according to Labor Code. Also, during Covid pandemic special legal acts allow remote working if it is possible to organization and employee. Government is working on changing the teleworking in Labor Code into remote work permanently. »

« Since 1st November 2021, "location-independent working" up to 60% (of the individual target working time per month) has been made possible in principle for all employees in the Federal Ministry of the Interior and Community. During the pandemic situation, the application of the regulations is still suspended and the prevailing work from home is imposed. Due to the federal structure and the departmental principle, all authorities have their own regulations. »

« In Latvia we have telework/remote working. This type of arrangements became popular at the beginning of pandemic when most of the world switched their work from offices to homes. The type of arrangements used depends on the institution and the tasks each person carries out. »

Outside of the pandemic period, this type of flexibility has often been implemented **following an agreement between management team and employees**. Many European administrations **apply a subsidiarity principle**, considering that the decision must be taken at the local level in accordance with the missions and organization of each service. Its implementation can obviously only be done if the daily missions of the concerned workers allow it:

« Each institution taking into consideration the nature of their work as a whole and the nature of each employee's tasks can draw up their own internal policy for teleworking/remote work etc. It is considered that each institution knows best how to organize their work to make it more efficient as well as they know best what the needs of their employees are. »

« A work agreement has been concluded between the employer and the staff representatives for the Federal Ministry of the Interior and Community, which provides the legal framework. However, participation in location-independent working is voluntary. »

In most cases, remote work is done in a **"hybrid" framework, where employees alternate face-to-face and remote work**. Most of the time, the regulations provide for this rotation, including a specific number of mandatory face-to-face workdays.

« In practice, people usually prefer hybrid-office format, which means that they are working partially from the office and partially from home. »

The survey shows that in several administrations, **the use of remote working has led to changes in the regulatory framework**. Prior to the pandemic, **most EUPAN members already had regulations in place for remote working/teleworking**: 20 out of 27 member states had such regulations. Nevertheless, the massive use of this type of organization has often required **a modification of the regulatory framework**. The aim was to **adopt precise rules on the different subjects that affect telework**. In March 2021, one year after the start of the pandemic in Europe, 17 of the 27 EU Member States had already revised their legislation or were in the process of doing so¹.

« Teleworking was first introduced in Greece during the pandemic crisis, in March 2020. Until today, 75 circular/ guidelines have been issued by the General Secretariat for Human Resources, to regulate the implementation of telework and other measures for the prevention of health.

Also, a new law has been adopted, (L. 4807/2021 "Institutional framework for teleworking in the public sector") which provides a common framework for all the public sector and which regulates the organization and management of work, based on common principles, tools for work management, data protection principles and rules for the use of technologies. Some of its basic principles are the voluntary nature of telework, equal treatment and opportunities for all staff, protection of personal data and respect of the personal life of the staff.

The role of managers is strengthened, as it is the managers who decide the number of employees who telework, according to the needs of the organization and the nature of tasks and the staff is further motivated, as it provides flexible working arrangements and promotes work-life balance and the wellbeing of staff. »

¹ Pablo Sanz de Miguel, Maria Caprile et Juan Arasanz, *Regulating telework in a post-Covid-19 Europe*, European Agency for Safety and Health at work, 2021.

The other most common type of flexibility is **Flexitime 1 (compressed working week and part-time work)**, mainly due to the use of part-time work. Of the 25 workers who answered the survey, 23 stated that their administration uses this type of flexibility. Like telework, the use of part-time work is provided by the official organization rules in force in the administrations and **is mostly decided at the local level** between managers and employees:

« The use of part-time, and working week arrangements does not require central agreements, but can be agreed locally at the workplace. »

« Most employees are subject to flexitime requirements with a maximum working time frame of Monday to Friday 6 a.m. to 9 p.m. However, all organisational units must organise themselves internally in such a way that they are available during a functional time (Monday to Friday 8 am to 5 pm, Friday 8 am to 3 pm) with the number of employees required to ensure the completion of tasks. »

Part-time work, as for remote work, is most of the time **granted according to the adequacy of this organization with the workers' missions:**

« Un fonctionnaire (stagiaire ou titulaire) peut être autorisé, à sa demande, à travailler à temps partiel pour différents motifs. Selon le motif pour lequel il est demandé, le temps partiel est de droit (c'est-à-dire que l'administration ne peut pas le refuser) ou accordé sous réserve des nécessités de service : Raisons objectives et particulières, tenant à la continuité du fonctionnement du service, pouvant justifier le refus par l'administration d'un droit ou d'un avantage à un agent public (un temps partiel, un congé, etc.). Le temps partiel est accordé pour une période de 6 mois à 1 an, renouvelable. Le temps partiel a un effet sur la rémunération et sur la retraite. »

As with other flexibilities, time flexibilities are governed **both by laws and regulations**, but also **quite often by local and/or collective agreements:**

« Both are based on government collective agreement on working hours as well as an agreement between employer and employee. »

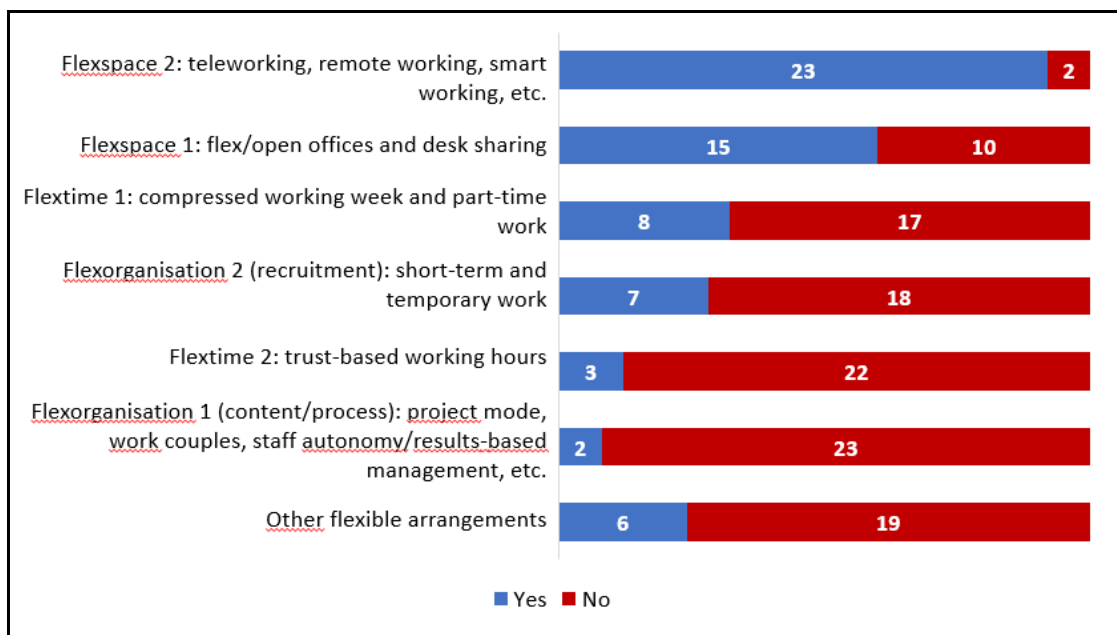
Except for Flexitime 2 (trust-based working hours), which was mentioned by only 10 of the 25 respondents, **all other types of flexibility are used in the majority of public administrations.** This widespread use reflects a varied organization of administrative work, offering many possibilities of flexibility to the workers. We also note that the implementation of these flexibilities most often **began before the Covid-19 pandemic**, even if **it has often increased since**. Although laws and regulations may govern these practices, the logic is most often that of local agreement, or even informal agreements between managers and public employees.

2. Teleworking is now the most widely used type of flexibility, and its development has been accentuated by the Covid-19 pandemic

Flexibility measures in the organization of the work of administrations within the European Union are therefore today a tangible reality for a large part of the workers. In most cases, **these measures already existed before the Covid-19 pandemic**, and the latter did not necessarily change the situation fundamentally, even if it did contribute to developing a dynamic.

Only the spatial flexibilities have mostly seen adaptations in work organization policies since the Covid-19 pandemic, **especially those related to remote work and mainly teleworking.**

Graph 2 - Since March 2020, have you made any changes to your (...) due to the Covid-19 pandemic?



We note for example that Flexitime 1 (compressed working week and part-time work) which is used in almost all of the administrations surveyed, **has not been adapted “en masse” in the context of the Covid-19 pandemic**: only 8 workers out of the 25 surveyed have noted a significant change in their country. Most of the time, **the evolution has been towards simplification**, especially during the pandemic periods:

« Part-time can be asked and start at any moments when before COVID-19 pandemic, part-time request had to be submitted at least two months in advance and start on the first of the month. Working time could be adjusted in case of home schooling or caring for a depending child. »

On the other hand, since the Covid-19 pandemic was accompanied by numerous containment measures, **spatial flexibilities related to remote work have obviously accelerated over the last two years**. Almost all the workers interviewed (23 out of 25) have noted changes in this type of flexibility:

« The maximum amount of teleworking days per week allowed changed during the last 18 months several times, varying from 3 to 5 days. The government adapts the upper limit of teleworking days to the respective pandemic situation. At this moment, 4 days a week are possible. »

« Due to Covid-19 the majority of the Danish central administration has been teleworking for large parts of 2020 and 2021. This period put focus on the possibility of teleworking in general. The Danish Employee and Competence Agency therefore developed inspiration and guides to institutions within the

state sector, that plan to use work from home/distance to some extent. There is no change in the legal framework. »

Once the first wave of the pandemic was over, **many workers wished they could keep this option open:**

« We realized that the administration can function efficiently while teleworking. According to surveys, the staff would like to continue teleworking for at least two days per week, after the pandemics. Therefore, rules to include more teleworking days on permanent basis will be revised. »

In a few rare cases (only 3 workers mentioned it), these measures **should not be perpetuated after the pandemic:**

« The legal specifications regarding teleworking are meant to remain independent of the pandemic situation. The special measures required due to the pandemic situation, introduced by resolutions of the Federal Government, are only valid temporarily. »

This development of telework also had **an impact on the structure of workspaces**. Many public administrations have redesigned their workspaces or are in the process of redesigning them, including a reduction in the number of offices due to the decreased presence of workers on site:

« These types of arrangements have become more popular and more relevant since March 2020, a lot more institutions are either thinking about adjusting their offices to one of these practices or have already done it. Some institutions have reduced the office space they used before after the major increase of people who are teleworking/working remotely. The State Chancellery of Latvia developed Guidelines for flexible work which encourages institutions to find the best solutions of work organization for their institution. That includes different ways of organizing work (remote working/telework; part time work etc. and office organization (activity-based office)). »

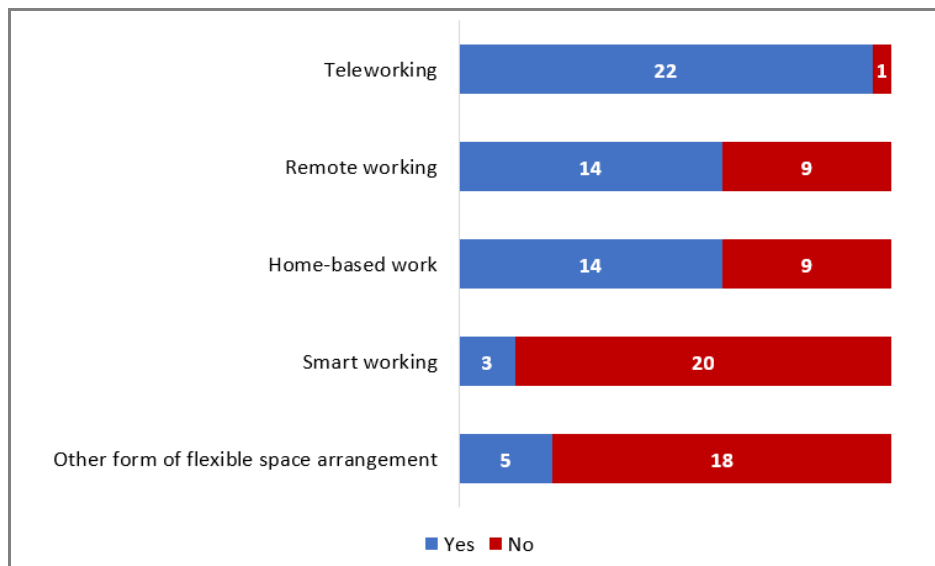
While the use of Flexspace 2 (teleworking, remote working, smart working, etc.) is reported by most respondents, **all are not used to the same extent. Telecommuting is by far the most used type of flexibility.**

Almost all (22) of the 23 respondents who stated that their administrations use spatial flexibilities **mentioned telework**. This massive use, encouraged by the pandemic, is done **within the framework of well-defined regulations**. As we have seen, in many cases it is the result of an agreement signed between the employer and the employee that specifies the modalities of telework:

« Every director can decide how to implement and manage teleworking in his administration. The RH officer manages the operational aspects of teleworking (tracking of working hours, actualisation of teleworking contracts,...) and the middle management ensures that service delivery (quantity and quality) continues to be ensured. »

« Telework needs an agreement between employer and employee setting the rights and duties of both parties, becoming a part of employment relation documentation (contract or nomination or appointment). »

Graph 3 - Does your administration currently use... ?



Apart from periods when national authorities have imposed telework due to the health context, telework is mostly **defined at the very local level**:

« It is managed differently across the central administration, as it is a local issue. »

Two other Flexspace 2 (teleworking, remote working, smart working, etc.) arrangements are frequently used (14 out of 23 respondents declare them): **teleworking and working from home**. In reality, these two types of flexibility are **most of the time assimilated to telework and are therefore governed by similar rules**.

« In the Bulgarian state administration, there is no distinction made between teleworking and remote working. There is no normative definition in the civil service legal framework. Our understanding is as follows: Information and communication technology (ICT) work in the context of an employment contract/relationship where the work tasks that could be performed on the employer's premises are regularly performed outside those premises (at least one day a week). »

In most cases, **the administration has provided the equipment to enable the workers to telework**. This has usually been a laptop computer, sometimes accompanied by other tools (mouse, monitor, etc.) or specific grants:

« Staff receive €20/month (€50 from January 2022) and are provided with a laptop, keyboard and mouse. It is possible to buy a monitor and be reimbursed with a maximum amount. No impact on the control of hours worked given our trust-based organization »

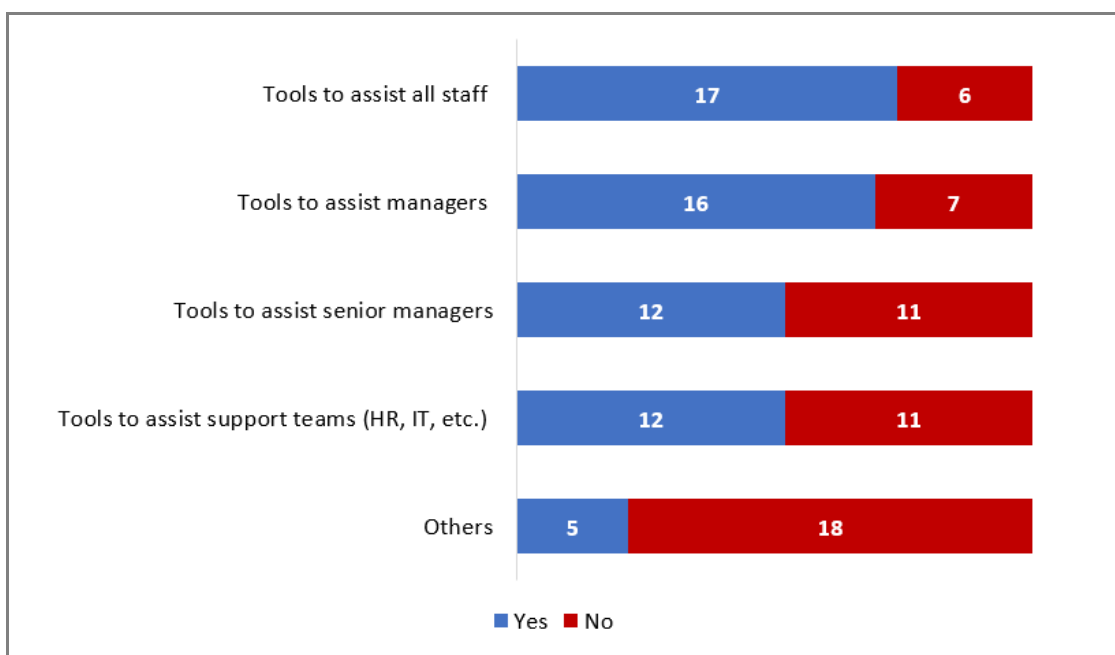
On the other hand, agile working is only marginally used, with only 2 out of 23 respondents stating that it is practiced in their country's administration

While the use of telework or other forms of flexibility is known, **very few respondents have data on the percentage of staff concerned**: only 6 out of 23 have data on telework. The percentage of staff concerned varies greatly from one member State to another. While one respondent says that 3% of the workers are concerned and another 23%, many quote higher figures: 36%, 42%, 50% and even 100% for one of them.

3. Most administrations have developed specific tools to keep up with these changes

The rapid evolution of practices related to the organization of work, with the recent and very important development of telework, has required in most EUPAN member administrations **the implementation of specific tools to accompany this change**.

Graph 4 - Have you used any of the following tools to assist management and all teams with these developments (training, handbooks and informational materials, focus groups, etc.)?



Several audiences were targeted during the development of these tools. In a large number of cases (17 out of 23 respondents), **this development has targeted all public employees**, through training - including online training - and/or the production and distribution of guides to support staff in this transformation.

« State bodies have published internal guidebooks, information materials and have also organized trainings. On central level we have also organized trainings for employees. »

However, **it is mainly managers who have been targeted by these accompanying measures.** The aim of the training courses was to enable managers **to adapt their performance logic to the new forms of flexibility**, but also **to ensure the well-being of their employees:**

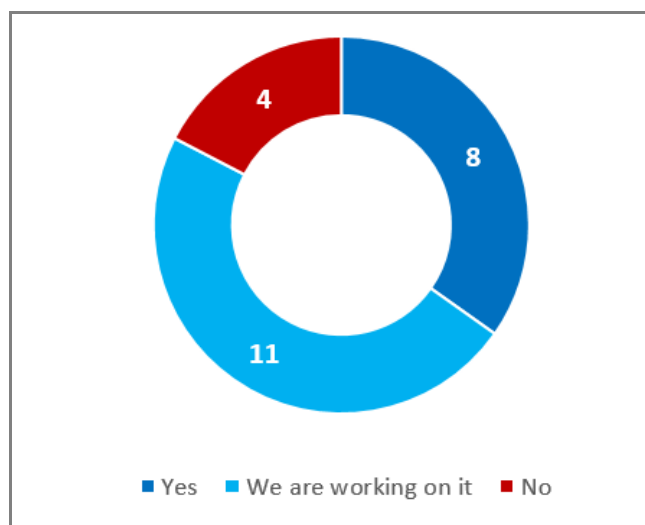
« Training in leadership, management by objectives, in the use of It (Teams, Sharepoint...) but also in well-being in the context of compulsory teleworking. »

In most cases, these trainings aim at **adapting the workers to telework**, and more generally to **hybrid forms of organization**, mixing telework and face-to-face work:

« E-learning for managers on teleworking (how to manage a hybrid team). »

How to consider workers' well-being at work also had to adapt to these changes. The issue of disconnection has become particularly central. Remote working tools, while allowing greater flexibility in the management of workers' working hours, can also hinder their ability to disconnect, particularly in relation to the risk of being called upon outside "normal" working hours. Faced with this phenomenon, some administrations have chosen to implement **a right to disconnect**.

Graph 5 - Has your administration introduced a right to disconnect?



For the moment, **this right to disconnect has only been implemented in a minority of cases** (8 out of 23 respondents say it has), but it is **in the process of being implemented in a large number of other member States** (11 out of 23 respondents). In the end, only 4 respondents mention a total lack of implementation of a right to disconnect:

« The right to disconnect has been defined by law as the employer duty to refrain from contact. It determines that the employer has a duty to refrain from contacting the employee during the rest period, except in situations of force majeure. This duty applies to private and public organizations of national, local and regional level. Any less favorable treatment given to a worker, namely as regards working conditions and career progression, because of exercising the right to a rest period, constitutes discriminatory action. »

Like the legislation on telework, the right to disconnect has been the subject of **laws or regulations**, but has also often been included in **local agreements** between the administration and the workers:

« Local policies and also local social agreements. »

In addition to a formalized right to disconnect, some measures have also aimed to contribute to the well-being of employees, in particular **by preventing the risks of "digital overload"** among some of them:

« Training are offered to raise awareness and prevent digital overload. The future working time decision and future HR Strategy will address specifically this issue. »

The development of flexibility in the workplace has sometimes also been part of **a more global objective of equal employment policy**. While this was not the case for the majority of respondents (12 out of 21 said that these flexibilities were not used as a lever in their professional equality policy), some respondents (9 out of 21 interviewed) reported a link between these two aspects.

The development of these new flexible tools has served **to address issues of work-life balance**, for example by providing people with young children with more adaptable ways to organize their time:

« The rules laid down in the internal work agreement on location-independent and time-flexible working serve to reconcile family care and work. They therefore also indirectly serve the equality of women and men. »

Among the nine respondents who said that these flexibilities were part of their professional equality policy, **very few noted that the issue of domestic violence had been taken into account** (two out of nine respondents).

On the other hand, other aspects have been taken into consideration to a greater extent. This is particularly the case of **the increased domestic and parental responsibilities linked to these flexibilities**. This was especially true during the pandemic periods, more specifically in response to the difficulties generated by the closure of schools:

« For staff whose child(ren)'s school/garderie/kindergarten facilities are closed or whose children have to stay at home due to quarantine measures, and who thus need time during the day to home-school their child(ren)/or care for young child(ren), should inform their line managers. Line managers shall offer derogations to the core time to the extent needed for the staff member to care for his/her child(ren). »

In some cases (4 out of 9 respondents), **the childcare support offered has been adapted** to take into account new work organization flexibilities.

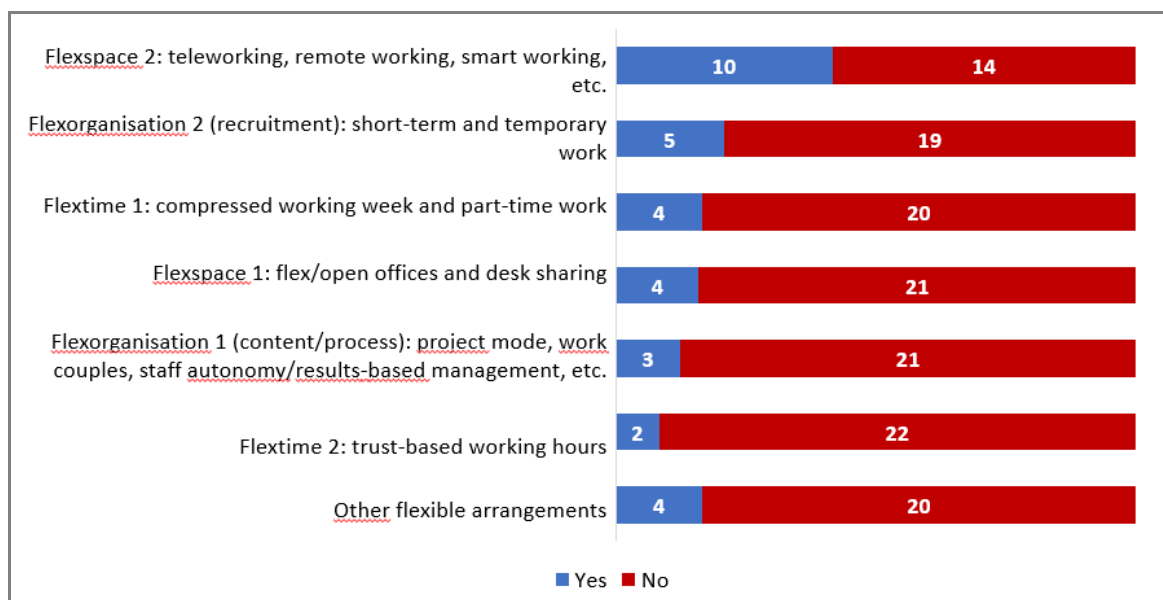
« New arrangements are being designed and implemented by the Ministry of Education, such as obligatory attendance of nursery school one year earlier, after-school child minding services until 6 in

the afternoon etc. »

4. These various developments do not, however, fundamentally change the job of public servants

The new flexibilities that have developed significantly during the Covid-19 pandemic are therefore **likely to be perpetuated and to lead to lasting changes in the organization of work** within public administrations. However, in most cases, **the workers interviewed do not make a direct link between the use of these flexibilities and a broader evolution of their occupations.**

Graph 6 - Have you observed a connection between the use of these flexible arrangements and occupational developments in your administration (adaptation of existing occupations/new working methods, appearance of new occupations, etc.?)



The only exception concerns the spatial flexibilities, especially telework: 10 workers interviewed noted larger changes related to the introduction of telework. These changes concern first of all **the ways of working**, which must now take telework into account:

« Nouvelles méthodes de travail suite au déploiement du télétravail, réflexion sur l'accueil et l'intégration des nouveaux arrivants à distance, rôle crucial des supports techniques/informatiques, évolution des modalités d'échange dans le cadre de nos partenariats internationaux. »

Telework may also have **an effect on the profile of the people recruited** in public administrations. While until now central administrations have often had to recruit people living in the capital cities where most of their services are based, the development of telework should, according to some of the officials interviewed, **allow the integration of people living outside the major metropolises, thus promoting greater spatial diversity:**

« People from further regions are more likely to start working in public service which is mainly based

in capital city. Since a lot of institutions use telework/remote working it's much more accessible for them and it's not limited to people who live near the capital city. »

More generally, the digitization process has had an important effect. If digital work was already the norm, **the use of new technologies for moments of exchange has grown significantly:**

« Use of more technological tools in order to guarantee collaboration and communication. »

Conclusion :

- It is clear from all the workers interviewed that the **organization of administrative work includes many possibilities of flexibility**: spatial flexibilities with **remote work** and schedule flexibilities with **part-time work** are the most widespread cases.
- **The Covid-19 pandemic has had an undeniable effect**, especially on **the development of telework**, which has now become a common practice. The evolutions that appeared during the pandemic are, in the vast majority of cases, intended **to be perpetuated over time**.
- In order to enable this continuation and to provide a framework for these practices, **laws and regulations have been adopted or modified**. In many cases, the organization of these flexibilities is **governed by local agreements**.
- In addition to regulations, **many tools have been developed**, in particular **to train employees in remote work** and **to help managers to adjust to this new "hybrid" organization** between face-to-face and remote work.
- While these developments have had a significant impact on the organization of work, they **have not fundamentally changed the professions and careers of public servants**.