

**Adviesaanvraag**

Vraagsteller	OCC
Datum van adviesaanvraag	27/01/2021
Onderwerp	Maatregelen
Vraag	- Kan een update gegeven worden over de adviezen m.b.t. de beheerstrategie om een mogelijke derde golf te voorkomen, meer bepaald over telewerk?
Reden	

**Adviesverstrekking t.a.v. het Overlegcomité**

Datum van adviesverstrekking	02/02/2021 Toevoeging addendum 04/02/2021
Dit advies werd opgesteld en goedgekeurd door	De volgende leden van de expertgroep beheerstrategie: Isabelle Aujoulat, Philippe Beutels, Steven Callens, Bénédicte Delaere, Mathias Dewatripont, Frédéric Frippliat, Lode Godderis, Niel Hens, Yves Kreins, Tinne Lernout, Romain Mahieu, Christelle Meuris, Geert Molenberghs, Karine Moykens, Céline Nieuwenhuys, Michel Thieren, Pierre Van Damme, Steven Van Gucht, Yves Van Laethem, Marc Van Ranst, Dimitri Van der Linden, Maarten Vansteenkiste, Erika Vlieghe, Dirk Wildemeersch
Key takeaways	Further tighten the compulsory telework, more concretely <ol style="list-style-type: none"><li>1. Clearly define what is (not) possible via telework</li><li>2. Motivate, stimulate, and inspire</li><li>3. Involve professional committees</li><li>4. Monitor, follow up, and communicate more explicitly</li></ol>

## RECOMMENDATIONS ON TELEWORK – FURTHER TIGHTEN THE COMPULSORY TELEWORK

The again increased mobility<sup>1</sup> suggests, and the number of infringements (12%-20% of compliance checks<sup>2</sup> between 28/10/2020 and 28/01/2021) show, that telework is not sufficiently implemented anymore. In addition, infections and even outbreaks continue to occur at the workplace (as is clear from the weekly RAG Epidemiology Report and the weekly Sciensano report, cf. Friday, 29 January 2021). Therefore, we need (1) additional measures to ensure telework wherever possible and (2) strengthen measures to organise workplaces in a safer way. Anecdotal and more structural evidence from surveys show that this is particularly true for specific sectors e.g. SME's, the public sector. It must be noted that absence of telework also means more traffic via public transport and that a part of the infections can happen there.

In concreto, we propose the following measures:

1. **Clearly define what is (not) possible via telework** as many workers feel pressured by their organisations' leadership. Furthermore, as is stated in the Generic Guide, organisations should (re)organise work in such a way that teleworking is made possible to the maximum extent possible for the functions that lend themselves to it. This includes reorganising and rethinking current tasks to limit the number of people on site.
2. **Motivate, stimulate, and inspire**
  - a. **Acknowledge** the effort made by organisations and workers, recognising that it is not always evident.
  - b. Given the pivotal role of telework in the prevention of further viral spread, more **explicit involvement of the Minister of Work and or the social partners during some of the weekly communication sessions** could be exemplary and inspiring (cf. CAO 149).
  - c. Make sure that **public services set an example** by maximally working from home (in the Great Corona Survey, civil servants are an important group who described their lack of telework-options).
  - d. Set up a **motivation campaign** (e.g. humoristic video on telework by stand-up comedians) including a **targeted communication** to those organisations that do not comply. Explain very concretely (e.g., through videos) how telework contributes to virus circulation as to foster individuals' risk awareness.
  - e. Provide **best practices** through videos and testimonials, preferably from sectors where telework is not common but could be easily implemented. Develop videos of **socially binding actions** that companies have set up to make sure that employees stay well connected with their colleagues during telework. Additionally, have **more strict protocols on lunchtime, coffee and smoking**

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<sup>1</sup> [Epidemiological update RAG 27/01/2021](#)

<sup>2</sup> Since 28 October 2020, all inspectors together, in coordinated action across all sectors, have carried out 3075 compliance checks with the telework obligation. Infringements were found in 12% of the employers. The inspection services of the FPS WASO have controlled 1,581 employers since mid-December, whereby infringements were found in 20%, more specifically where the teleworking obligation was not or not entirely correctly complied with. For the flash inspections in the tertiary sector, in which the share of work that can be carried out by telecommuting is probably greater, carried out between 5 January 2021 and today, infringements were found in 16.3% of cases.



**breaks**, also for essential sectors, as it is often during these breaks that people make closer contact.

- f. **Sensibilise organisations to facilitate telework** for their employees e.g. by providing them with the proper equipment and incentives to do so, by **stimulating and financing innovation** in this perspective (e.g. through *werkbaarheidscheque*). This should also include sufficient attention to improve wellbeing while teleworking. The Generic Guide and CAO 149 provide more conditional and stimulating elements for telework.

### 3. Involve professional committees

- a. **More actively involve and communicate** about the existing prevention committees in the organisation as well as external services, especially in the many SMEs in our country. Prevention-advisors can develop a risk analysis to highlight possible risks, support ergonomic and psychosocial aspects etc.
- b. Mobilise **professional orders** (e.g. *Orde van advocaten*) to give instruction to their members to work from home.

### 4. Monitor, follow up, and communicate more explicitly ('telework barometer')

- a. Implement **larger barriers** for organisations to not comply with or misuse the (tele)work measures (e.g. raising fines or temporarily closing the organisation in case of multiple infringements) and/or implement larger incentives for organisations that comply with telework measures
- b. **Increase and intensify controls**, also in a supportive way, specifically in sectors or organisations where there is an indication of possible suspicion of lack of adherence to the rules or misuse of the exceptions granted (roles and responsibilities of employers).
- c. **Follow up compliance** to telework measures in different sectors and different kinds of organisations.<sup>3</sup> (*see Annex 2*)
- d. **Communicate about the possibility to report non-compliance** with telework measures to a single contact point, <https://www.meldpuntsocialefraude.belgie.be/nl/index.html> which provides a separate form for reporting complaints about telework.
- e. **Monitor telework practices via company-level mobility data.**

Furthermore, it is important to **improve safe working practices for those sectors/activities where telework is not possible**, including the implementation of standard mask wearing at the workplace as soon as a room is shared with > 1 person.

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<sup>3</sup> The Great Corona Survey (GCS) asks about telework attitudes and compliance.

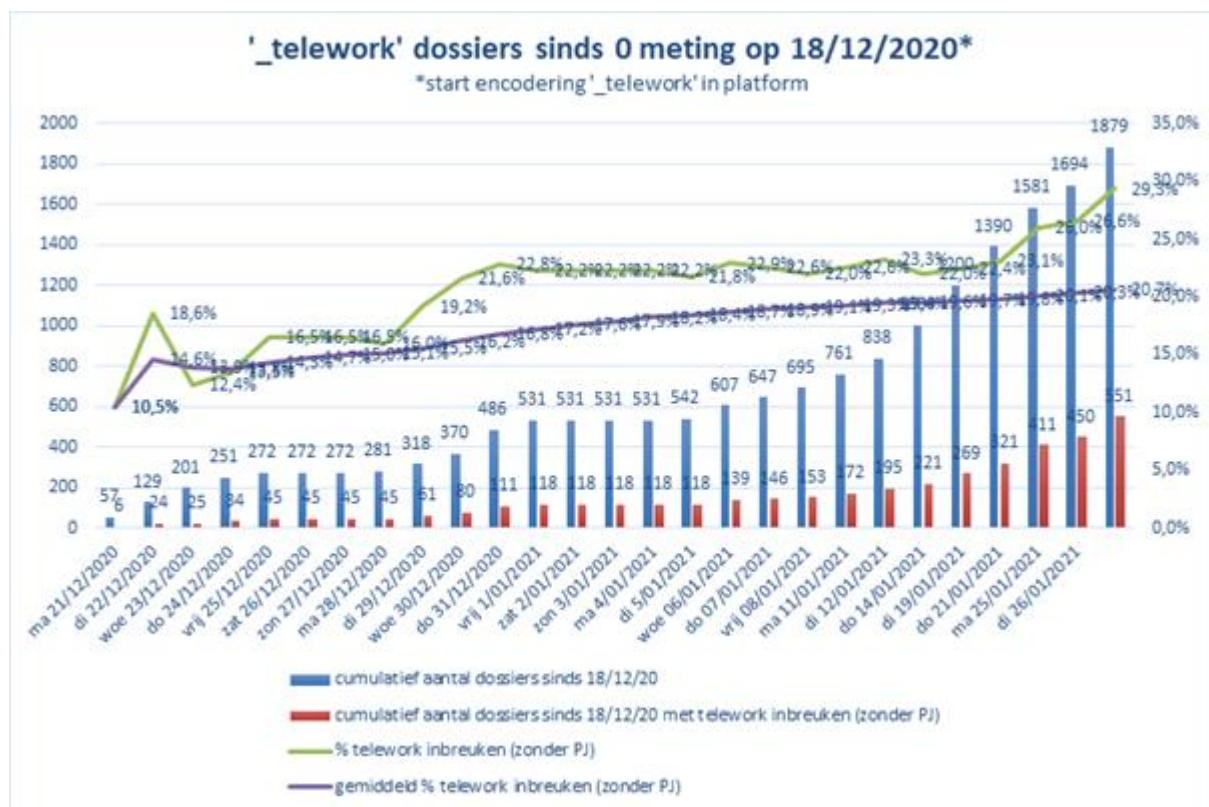


## Annex 1. Extra information about telework

Telework at home is a general rule for all companies, organisations and services for every workplace where this is possible. Where it is not possible to introduce telework, a corona health and safety risk assessment should be carried out by the employer after which appropriate preventive measures should be implemented in order to guarantee safe working in accordance to the Belgian occupational health and safety legislation (**Codex on the Wellbeing at Work**), including among others, the protection of the health of workers at work, psycho-social stress, ergonomics, hygiene at work, safety at work, ... The Codex on the Wellbeing at Work requires the involvement of the **prevention advisor - occupational physician** in a **risk analysis** concerning the employees' risks of exposure to biological agents (like a virus). The employer also has to involve the **Health and Safety Committee** of the enterprise as to the **measures** taken. This is an ongoing process which needs to be adapted to changing circumstances. Collective measures always take priority over individual measures. The occupational health and safety authorities, social partners have developed both a generic guide for combating the spread of COVID-19 at work and some specific guides per sector. Workers who feel that their employer is not complying with the measures can report this to the authorities responsible for monitoring compliance with social laws.

The GEMS want to express their concern because several indicators indicate that the obligation to telework is not well implemented, despite it being one of the most powerful tools to control the pandemic. Mobility shows an increasing trend since the beginning of September (except during the Christmas holidays period) and also the number of infractions remain high. Since 28 October 2020, all inspectorates together, in coordinated action across all sectors, have carried out 3075 compliance checks with the telework obligation. Infringements were found in 12% of the employers.

The inspection services of the FPS WASO have controlled 1,581 employers since mid-December, whereby infringements were found in 20%, more specifically where the teleworking obligation was not or not entirely correctly complied with. For the flash inspections in the tertiary sector, in which the share of work that can be carried out by telecommuting is probably greater, carried out between 5 January 2021 and today, infringements were found in 16.3% of cases.



The reasons for non-compliance are diverse and should be addressed. For example, companies are concerned about the continuity of their activities and operate (mentally) in an economic and operational survival modus. Next, workers currently often crave to go back to the workplace, to see and meet people, or simply need and want to escape from home where working in combination with parenting and teaching is far from evident.

It is important to mention that social partners launched explicitly a call to maximally implement telework and facilitate the implementation ([https://werk.belgie.be/sites/default/files/content/documents/Welzijn%20op%20het%20werk/Adviezen%20Hoge%20Raad/OproepSocialePartnersHRPBW\\_telethuiswerk\\_def.pdf](https://werk.belgie.be/sites/default/files/content/documents/Welzijn%20op%20het%20werk/Adviezen%20Hoge%20Raad/OproepSocialePartnersHRPBW_telethuiswerk_def.pdf)). Moreover, social partners in the National Labour Council have developed a framework for telework in the context of this COVID-19 pandemic. The resulting CLA no.149 concerning recommended or compulsory telework because of the coronas crisis has just been published (26 January 2021) on the NAR website. It is an ad hoc CLA that is applicable during this COVID-19 crisis (for the year 2021).

## Annex 2. Telework attitudes and compliance as surveyed through the Great Corona Survey (GCS)

Prepared by Philippe Beutels (UAntwerpen), Koen Pepermans (UAntwerpen), Jonas Crèvecoeur (KU Leuven) on 29th Jan 2021.

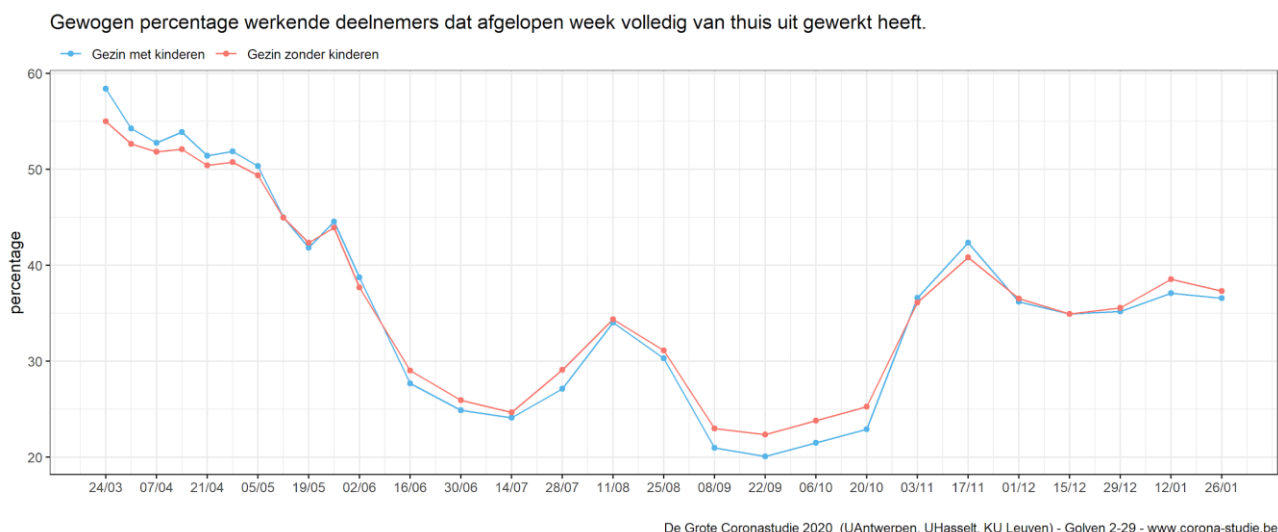
### 1. The Great Corona Survey

The Great Corona Survey (GCS) was launched for the first time on 17th March 2020 and has to date been executed 29 times (29 “Waves”). The GCS questionnaire is an online single day regular survey supported by all mainstream browsers and can be filled in using a variety of devices, including mobile phones and tablets. The survey was offered in every wave in four languages: the three official languages of Belgium (Dutch, French, German) and English. The number of respondents has been consistently exceptionally high for single day surveys, exceeding 100,000 for the first seven waves, 50,000 for the next five waves and has stabilised between about 20,000 and 30,000 respondents since Wave 18 (25th August 2020). The GCS Wave 29 was conducted on 26th January 2021 and was completed by over 20500 respondents. As with any survey of this kind, self-selection bias cannot be avoided, but external validation with more inclusive databases (e.g. surveillance data<sup>4</sup>) has been reassuring, as has been cross validation with other surveys touching on similar themes. Unless specified otherwise, results are weighted for their population representation based on age, gender, educational attainment and province in Belgium of the respondents. Since June 2020 the GCS was supported by the Research Foundation Flanders (FWO). For further general info see [www.corona-studie.be](http://www.corona-studie.be).

### 2. Overall evolution of telework

Figure 1 indicates that between 35% and 40% of workers are working full weeks from home on the days that they would be expected to work. After summer, this peaked in the fall break, when non-essential shops were closed. Overall it can be noted throughout the pandemic that opening schools tends to increase the mobility of parents with children in the household, and slightly lowers their teleworking compliance.

**Figure 1: Percentage of workers who worked all working days from home in the previous week**

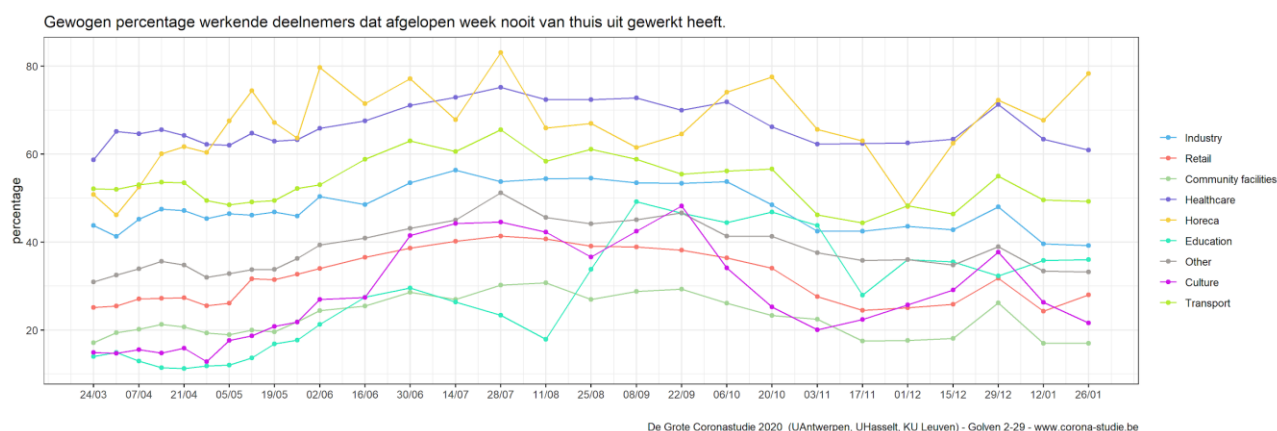


<sup>4</sup> Neyens T, Faes C, Vranckx M, Pepermans K, Hens N, Van Damme P, Molenberghs G, Aerts J, Beutels P. Can COVID-19 symptoms as reported in a large-scale online survey be used to optimise spatial predictions of COVID-19 incidence risk in Belgium? *Spat Spatiotemporal Epidemiol.* 2020 Nov;35:100379. doi: 10.1016/j.sste.2020.

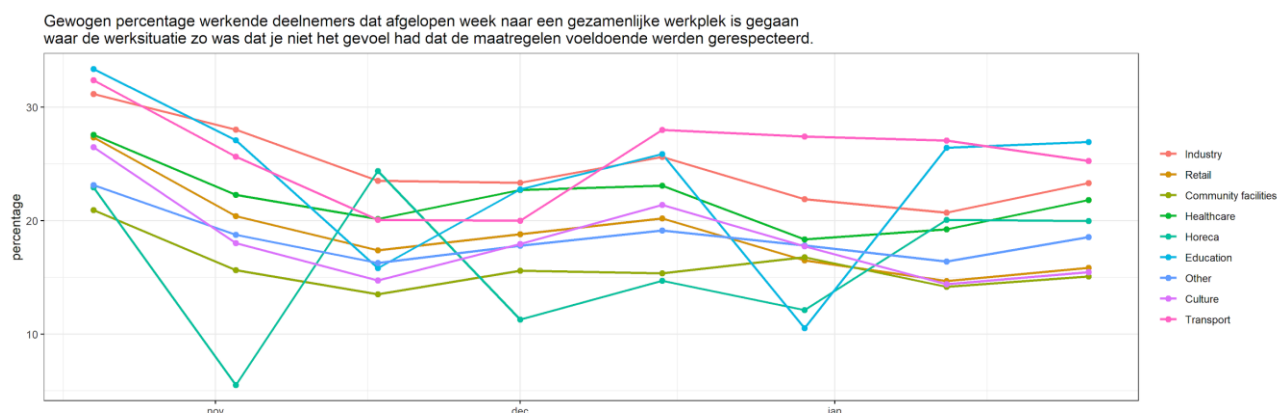
### 3. Differences in compliance and attitudes

The next few figures illustrate that there is much variation between sector of employment and function, and compliance with teleworking. It is logical that the opportunity to telework is very much determined by the nature of the job, and the sector in which one is employed (see figures 2, 3, 4). Most respondents who indicate that they never worked from home (figure 2), indicated that this was simply not possible given the nature of the job. For instance, in the GCS Wave 29, an unweighted 88% of employed respondents said they could not work from home on every working day, given the nature of the job, whereas only 2% said that strictly speaking, they could have, but did not. Additionally all employed respondents (n=11142 in GCS Wave 29) are asked whether they went to a common workplace in the previous week (company site, warf, client, practice etc) where the work situation was such that they felt the rules were not sufficiently respected, with varying response % over time, by job function and by sector shown in figures 3 and 3. Although most respondents indicate that they never do (in GCS Wave 29: 82%), a significant proportion indicate that they did regularly (in GCS Wave 29: 5%), sometimes (in GCS Wave 29: 7%) or once (in GCS Wave 29: 5%). For those who said they did at least once (i.e. 17% in GCS Wave 29), most thought their out-of-home work attendance was useful. Nonetheless a substantial proportion indicates it was not useful (in GCS Wave 29: 14%), or they do not know whether it was (in GCS Wave 29: 6%).

**Figure 2: Percentage of workers who worked never from home the previous week – by sector**

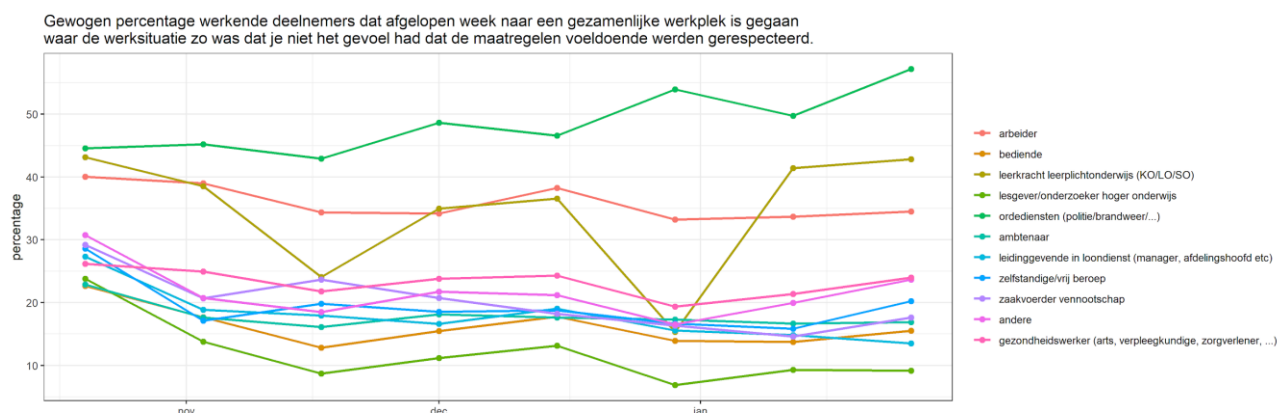


**Figure 3: Percentage of workers going to workplaces where they felt measures were not sufficient to guarantee their safety, by sector of employment**





**Figure 4: Percentage of workers going to workplaces where they felt measures were not sufficient to guarantee their safety, by sector of employment, by general job function**



For those who said it was not a useful work attendance, a substantial proportion indicated that the main reason why they did it anyway was that higher management or a direct superior would not allow them to (always) work from home. This is a far more frequent reason than that the employee indicates they themselves insist on going to the common workplace. It is noteworthy that non-compliance with teleworking seems also a concern for civil servant jobs (also outside of education, public safety and health care), so it is not limited to the private sector.

#### 4. Conclusion

Although substantial efforts have been made to enable teleworking, the GCS picks up undeniable signals that there is still room for improvement, in terms of maximising the habit of working off-site at all potential times, cutting down unnecessary collective presenteeism, as well as by improving the safety of the conditions in which people work at common work sites, when the nature of the job makes it impossible to do otherwise.

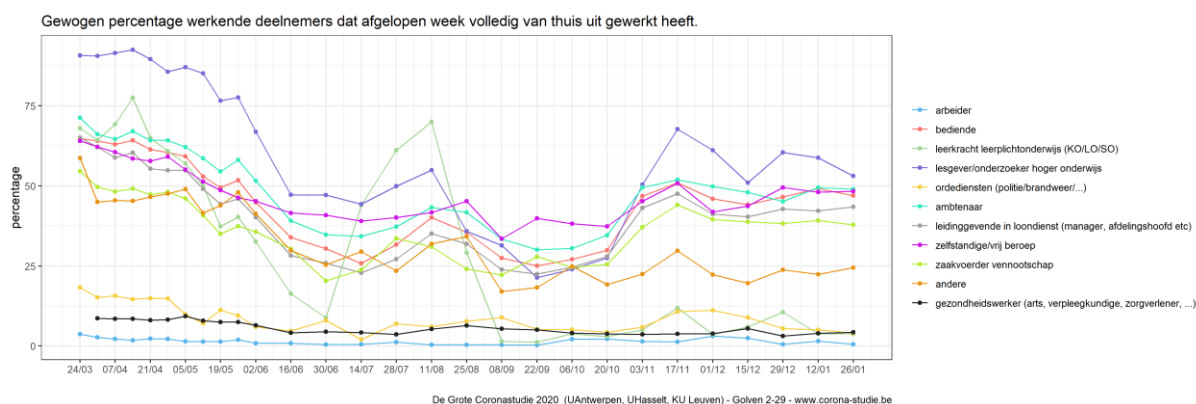


### Annex 3. Addendum of annex 2: more information on telework based on the GCS (d.d. 04/02/2021)

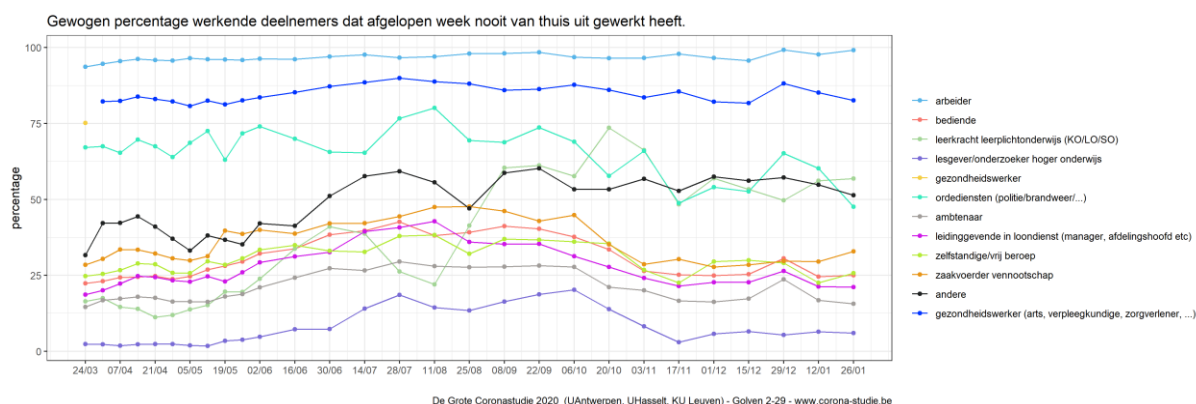
Prepared by Philippe Beutels (UAntwerpen), Jonas Crèvecoeur (KU Leuven) and Koen Pepermans (UAntwerpen) on 4th Feb 2021.

The following figures show the information based on the GCS from some additional angles. The overall conclusions, that there seems room for improvement, and that non-compliance with teleworking is not confined to the private sector remain valid. It is noteworthy that the category “others” is important in most of these figures. Given the underrepresentation of respondents from Wallonia and Brussels, regional specificities should especially be interpreted with care.

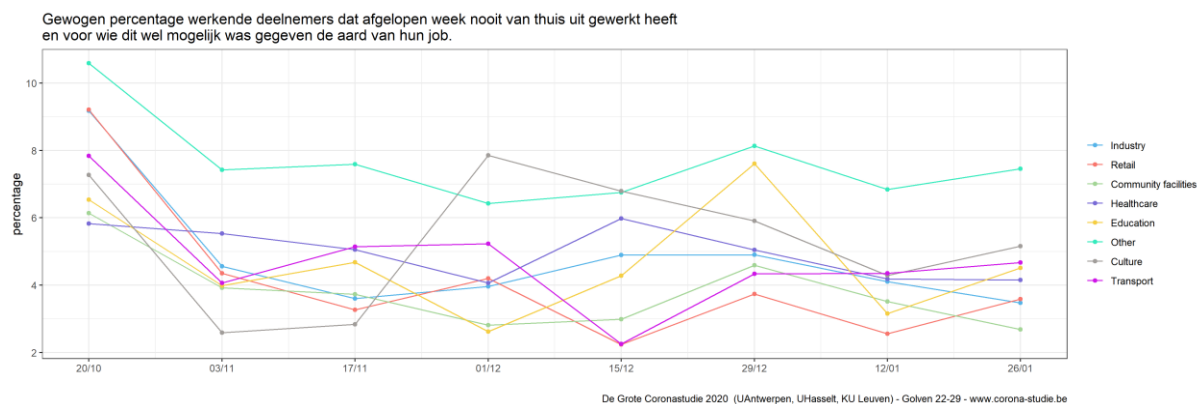
**Figure 1b: Percentage of workers who worked all working days in the previous week from home – by job function**



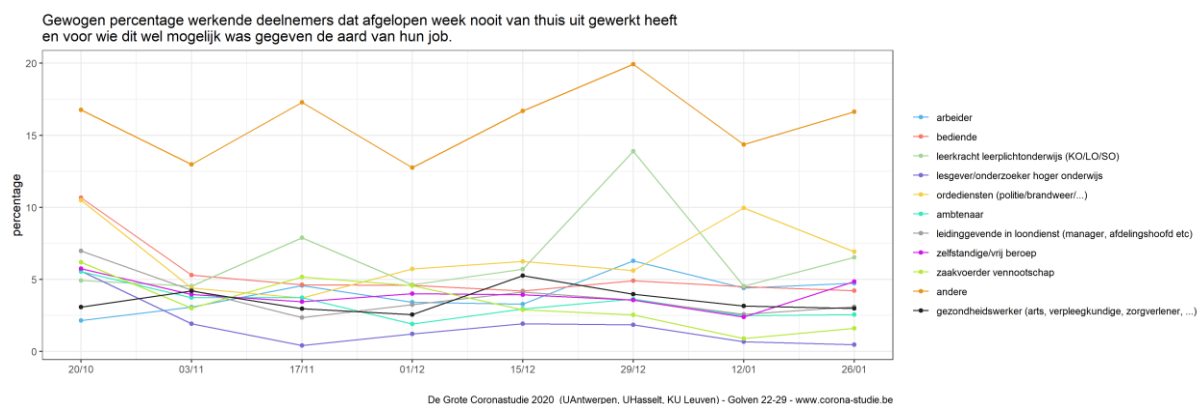
**Figure 2b: Percentage of workers who worked never from home the previous week – by job function**



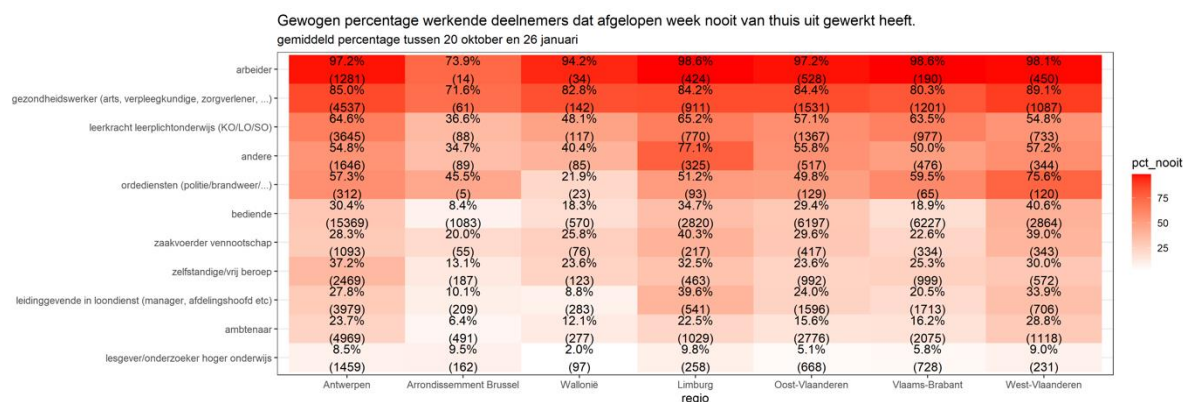
**Figure 2c: Percentage of workers who worked never from home the previous week, but for whom it would be possible given the nature of their job – by sector**



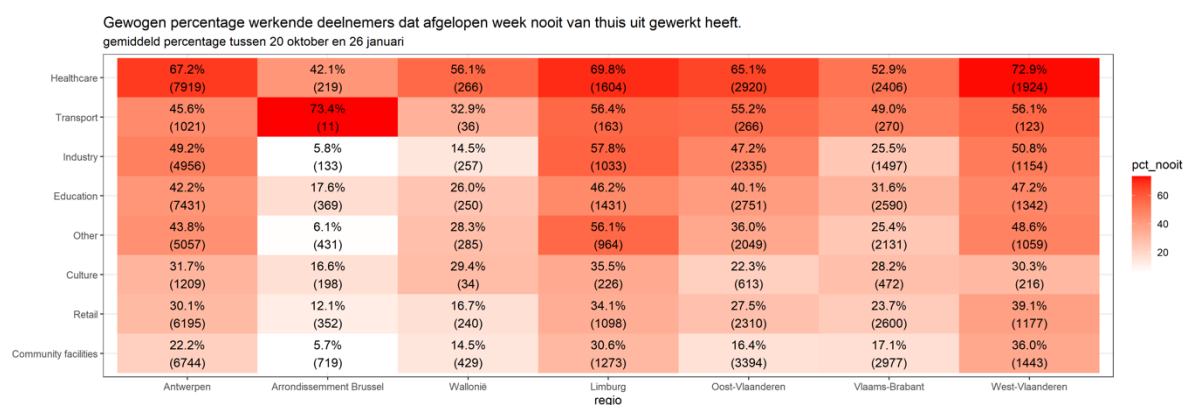
**Figure 2d: Percentage of workers who worked never from home the previous week, but for whom it would be possible given the nature of their job – by job function**



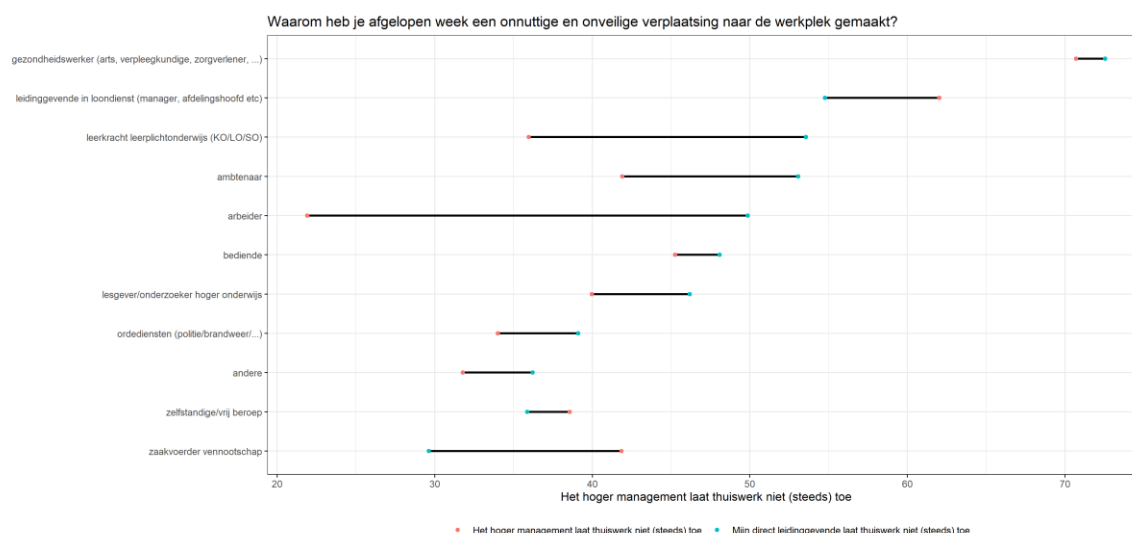
**Figure 5a: Percentage of workers who worked never from home the previous week – by job function, region and Flemish province**



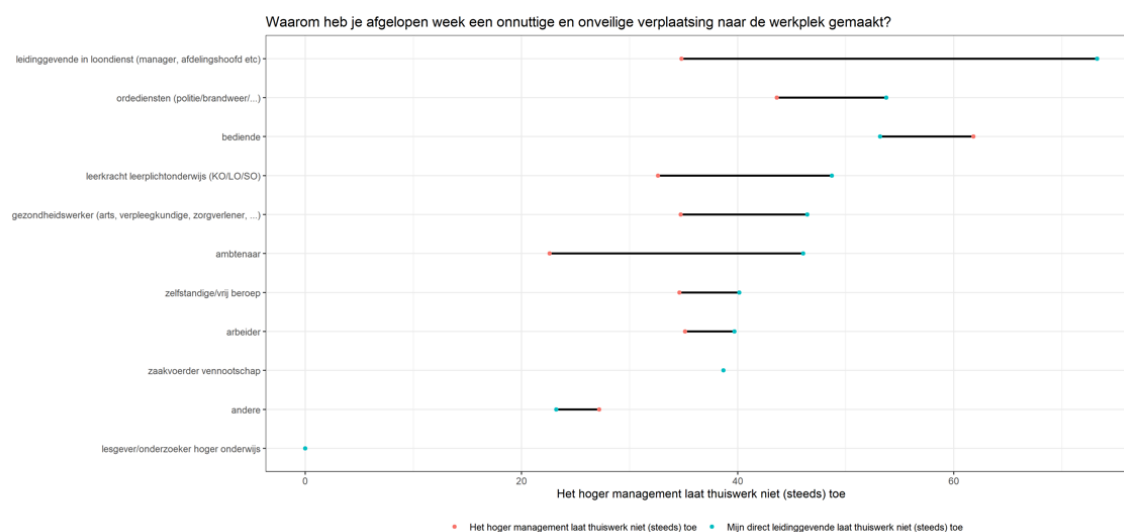
**Figure 5b: Percentage of workers who worked never from home the previous week – by sector, region and Flemish province**



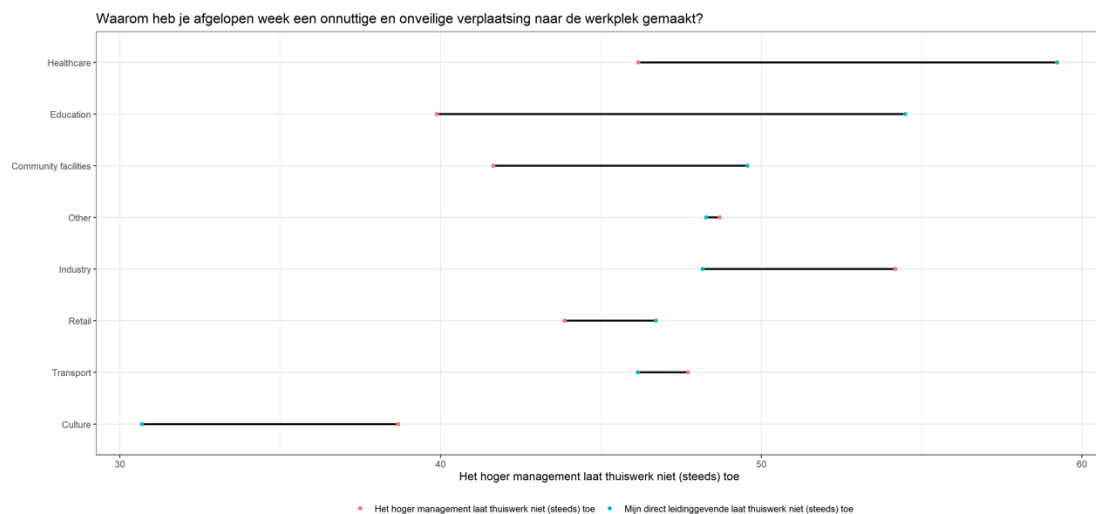
**Figure 6a. Occurrence of internal pressure for “useless” presenteeism in an unsafe common work environment – by job function when respondents indicate the nature of the job makes working from home possible (based on waves 22-29)**



**Figure 6b. Occurrence of internal pressure for “useless” presenteeism in an unsafe common work environment – by job function when respondents indicate the nature of the job makes working from home impossible (based on waves 22-29)**



**Figure 6c. Occurrence of internal pressure for “useless” presenteeism in an unsafe common work environment – by sector when respondents indicate the nature of the job makes working from home possible (based on waves 22-29)**



**Figure 6d. Occurrence of internal pressure for “useless” presenteeism in an unsafe common work environment – by sector when respondents indicate the nature of the job makes working from home impossible (based on waves 22-29)**

