

You telework? The CNE supports you

■ YOU WORK ONE OR MORE DAYS A WEEK OUTSIDE YOUR USUAL PLACE OF WORK? YOU HAVE QUESTIONS ABOUT YOUR HOURS, EXPENSES OR PRIVACY? FOLLOW THE CNE GUIDE TO FIND OUT ABOUT YOUR RIGHTS AND OBLIGATIONS WHEN TELEWORKING.

PROVIDING FOR AND FRAMING YOUR RIGHTS AND OBLIGATIONS

Telework must be voluntary. Apart from the "corona" measures, the worker cannot be forced to telework and the employer can always refuse. If you telework occasionally (e.g. to wait at home for the heating engineer to come), this must be agreed between you and your employer (the agreement can only be oral). If you telework on a structural basis (e.g. one day a week), then this telework must be agreed in writing between you and your employer (with an amendment to your employment contract). In any case, telework can also be regulated by a company's collective labour agreement (CLA) or by the work regulations.

SOCIAL LAW PROTECTS YOU WHEN TELEWORKING

The teleworker has the same rights to working conditions as comparable workers on the employer's premises. The workload and performance standards in telework must be comparable to those of workers on the company's premises. The company must carry out a workload analysis and a risk analysis of the psychosocial and ergonomic/physical consequences (potentially harmful, depending on various factors) of telework, at least once a year, in collaboration with the SPPT. If you have an accident, you are covered by the work accident insurance. By the way, this insurance also covers you on your way to work, especially if something happens to you when you take your children to school before you go home to telework.

ORGANISATION OF YOUR TELEWORK

Apart from the "corona" measures which require telework at home, telework can take place in the teleworker's home or in any other place chosen by the teleworker (outside the employer's premises). Unless otherwise agreed, your working hours are identical. Your employer may not take advantage of teleworking to increase his or her surveillance (e.g. calling you every half hour when he or she only contacts you twice a day when you are in the office). Nor can your employer install spyware on your computer without consultation, or read the contents of your e-mails without your knowledge. As a reminder, an employer can collectively monitor electronic communications in his company, but to see your communications in particular, he must respect three conditions: legitimate purpose; collect only the necessary data; inform the persons concerned and the trade union representatives. For more details, see our factsheet « Is your privacy threatened at work? ».

EQUIPMENT AND MAINTENANCE COSTS

In the case of structural telework, the costs of equipment and maintenance (computer, internet, communication, etc.) are borne by your employer. The concrete modalities of this intervention can be specified in a company's CLA, in your work regulations or in your individual agreement. The authorities allow employers to pay for your actual expenses (with supporting invoices and without the expenses being of a luxurious nature) or on the basis of lump sums (the amounts of which are determined by the authorities). Any allowances paid by your employer are not remuneration and are not subject to tax or social security deductions.

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Need to contact us? Call us on 067 88 91 00 on Mondays, Tuesdays and Wednesdays from 9am to 12pm and Thursdays from 1:30pm to 4:30pm.

Need to meet us? Our secretariats are open on Mondays, Tuesdays and Wednesdays from 1.30 to 4.30 pm and Thursdays from 9 am to 12 pm.

Need to write to us? Just one address: cne.info@acv-csc.be

The content of this publication is intended for both men and women

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