

**CONFERENCE ON  
THE RIGHT TO DISCONNECT AND TELEWORK**

**A perspective from the EU institutions, Member States and social partners**

15 March 2022

Hemicycle – European Parliament – Brussels & online

**Steering paper for Session 2:  
The role of social partners' agreements and social dialogue**

*Background*

Social dialogue has an instrumental role in advancing the European Union's objective of achieving "full employment and social progress"<sup>1</sup>, supporting business innovation and sustainability, as well as new forms of work, while upholding Europe's strong social rights, in line with the European Pillar of Social Rights. The complexity and heterogeneity inherent to the challenges of telework and the right to disconnect further strengthen the importance of social partners' role in this respect.

Member States acknowledge the importance of social dialogue in dealing with telework and the right to disconnect. In several EU Member States, social partners have either proactively struck collective agreements at a company and/or sectoral level (Cyprus, Denmark, Finland, Latvia and Sweden), or have done so because of legislation (Belgium, France, Italy).

Indeed, telework was the subject of European cross-industry social partners' first *autonomous* Framework Agreement, concluded in 2002<sup>2</sup>, which covers many topics of relevance to contemporary debates on the future of work, ranging from privacy and data protection to equipment, liability and costs. This agreement constituted a landmark in EU industrial relations, paving the way for other, similar negotiations.<sup>3</sup> The European Commission's 2008 implementation report<sup>4</sup> concluded that the agreement was a success, its specific objectives having been achieved through a multitude of measures, put forward by national social partners and/or public authorities. In June 2020, social partners at the European level concluded an autonomous Framework Agreement on Digitalisation.<sup>5</sup> The latter covers: i) digital skills and securing employment; ii) modalities of connecting and

---

<sup>1</sup> Article 3, Treaty on the European Union.

<sup>2</sup> Available [online](#).

<sup>3</sup> Framework Agreements on Work-Related Stress (2004) and Harassment and Violence at Work (2007), both negotiated by the social partners at EU cross-industry level, and the Agreement on Workers' Health Protection through the Good Handling and Use of Crystalline Silica and Products containing it (2006), the first multi-sector agreement negotiated by the social partners.

<sup>4</sup> Available [online](#).

<sup>5</sup> Available [online](#).

disconnecting; iii) artificial intelligence and guaranteeing the human in control principle; iv) respect of human dignity and surveillance.

In January 2021, the European Parliament adopted a resolution on the right to disconnect – based on Article 225 of the Treaty on the Functioning of the European Union (TFEU) – , calling on the Commission to present a legislative proposal on the right to disconnect and fair telework.<sup>6</sup> The resolution highlights the fundamental role that social partners have in identifying and implementing measures with regard to the right to disconnect and in finding the right balance between reaping the opportunities brought by digitalisation for the workplace and tackling the challenges they pose. To this effect, as a first step, the European Parliament’s resolution recommends that social partners take implementing measures within the three-year framework laid out in the 2020 Framework Agreement on Digitalisation.

The Commission has committed to respond to resolutions from the European Parliament based on Article 225 TFEU with “a legislative act, in full respect of the proportionality, subsidiarity and better law making principles”.<sup>7</sup> The Commission is therefore putting forward a number of actions to gather evidence and data on telework and the right to disconnect, while spurring social dialogue and engaging with social partners on the matter.

Any subsequent follow-up actions will be informed by the outcome of social partners’ discussions and will draw from the ongoing evidence-gathering exercise, which includes a study analysing the trends and regulatory landscape of telework and the right to disconnect in Europe, in the context of digitalisation and the future of work. In order to contribute to the debate, participants to this panel discussion are invited to reflect on the below questions.

---

<sup>6</sup> Recital 13. Available [online](#).

<sup>7</sup> Political Guidelines of European Commission President Ursula von der Leyen. Available [online](#).