



DUBLIN
CHAMBER

Position Paper on Flexible & Remote Working

April 2020



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Dublin Chamber is strongly in support of businesses offering flexible working options and remote working where possible. In recognition of the great many positives that flexible working offers, the Chamber has actively sought to encourage and guide its membership in introducing flexible working through publishing its 'Smarter Working Guide'. Increased use of flexible working practices, including remote working, core working hours, compressed working hours, and time in lieu, for example, will contribute positively to Dublin by reducing pressure on transport infrastructure at peak times, reducing the requirement for office space, affording a greater participation rate from the entire labour force, and improving quality of life for all.

In the post Covid-19 context, many businesses will have experienced remote working at an unprecedented level. It will be a positive outcome for remote working to remain as an accepted and valued part of the working world. Before the crisis Dublin Chamber was already a strong advocate for flexible working practices and remains committed to its promotion and implementation. The unforeseen acceleration of flexible working practices has created an opportunity to highlight the positives that flexible working practices can bring post crisis, such as the opportunity for a more dynamic and inclusive world of work and a way to support city planning for urban density. More flexible working and remote working need to be part of working life in Ireland, contributing significantly to improved work-life balance. But this must be facilitated at Government level by addressing a number of key issues and areas for clarity. These include areas of liability in remote working, implications for issues around isolation, and team collaboration and communication.

Context

Dublin Chamber is the representative body for businesses in the Greater Dublin Area. Its cross-sectoral membership base of 1,300 firms spans the spectrum from small start-ups to major multinationals and supports 300,000 jobs nationally.

Dublin Chamber is a strong supporter of flexible working in Ireland. More flexible working practices offer a multitude of benefits to the employer, employee, and to a city. Flexible working options for a greater work-life balance are now valued by employees to an extent that cannot be ignored by employers.¹ In

¹ Independent.ie *Work-Life Balance Survey*, <https://www.independent.ie/business/in-the-workplace/work-life-balance-is-more-important-than-pay-for-job-hunters-survey-reveals-37321192.html>

recognition of the positive contribution that flexible working practices can make to the business community and to Dublin as a whole, on March 19th 2020, Dublin Chamber launched its *Smarter Working Guide*. This document offered an in-depth explanation of flexible working and sought to aid businesses in implementing smarter working practices in a step by step process.² The Guide details remote working as one of the key options in flexible working practices.

The role of remote working in Ireland has been recognised by the Government in its Future Jobs strategy.³ The Department of Business, Enterprise, and Innovation published a research paper on the subject in late 2019. It recognises the potential in remote working while also acknowledging the incomplete data currently available around the number of remote workers in Ireland, the unknown long-term impacts of remote working on the business environment, and the implications for Human Resources regarding liability.⁴

The 'Future of Work' is a term that has been used and considered for the last decade as a catch all to encompass possible or encroaching change resulting from digitalisation, new technologies, and changing expectations from the labour force. The debates around impending changes that would see a transformation of the Irish workplace at some time in the future are now moot as the Covid-19 crisis has accelerated businesses' digitalisation. The Covid-19 crisis has required businesses to quickly adopt remote working, in spite of varying stages of readiness to do so. For many, the experience of remote working has encouraged them to provide remote working options after the lockdown.

After the Covid-19 crisis has passed, it is unlikely that things will revert to the status-quo of 9am to 5pm fully office-based working, and Dublin Chamber views this as positive. It is important that policymakers look ahead with ambition to how we as a society will engage in work, and how Dublin will function, in a changed environment. Dublin Chamber is strongly in favour of remote working being an essential part of how working life is structured into the future.

Covid-19 Crisis

Dublin Chamber surveyed its members early on in the Covid-19 crisis in order to gauge business sentiment, monitor concerns, and provide feedback to Government. Surveys carried out between the 9th and 25th March showed the rapid progression of remote working among businesses. In our initial survey we asked businesses how prepared they were to implement remote/flexible working at short notice. Over 70% of businesses had a plan in place and just over 16% were in the process of putting a plan in place. Two weeks later, the vast majority of companies (93.5%) had implemented remote working to some degree, with two thirds of businesses working almost entirely remotely. Just one

² Dublin Chamber *Smarter Working Guide* <https://www.dublinchamber.ie/getattachment/Business-Agenda/Smarter-Working-Guide/Dublin-Chamber-Smarter-Working-Guide.pdf?lang=en-IE>

³ Department of Business, Enterprise and Innovation *Future Jobs* 2019 <https://dbei.gov.ie/en/Publications/Publication-files/Future-Jobs-Ireland-2019.pdf>

⁴ Department of Business, Enterprise and Innovation *Remote Work in Ireland* 2019 <https://dbei.gov.ie/en/Publications/Publication-files/Remote-Work-in-Ireland.pdf>

company reported that it was still working on implementing remote working and about 5% reported that it was not possible for their business.⁵ However, qualitative feedback indicates that while businesses had implemented remote working, experiences of this had been mixed. Some reported that without the necessary policies in place, working from home was proving difficult; others reported concern around some employees struggling to adapt and feelings of isolation; and others appreciated remote working but felt it would not be suitable full time. Despite this, more than a third of respondents that had implemented remote working said that they would be continuing with remote working policies after Covid-19 social distancing rules are lifted.

Due to the Covid-19 crisis, many Irish businesses were thrust into remote working without having put any policies in place for its successful implementation and found that it was workable in the context of the crisis. It should, however, be noted that these are very specific circumstances. All businesses implementing remote working should do so having considered the full implications of how it may impact on the business, and having developed a full set of policies and procedures. The extent of its impact, for good or bad, can vary with the type of business and the parameters for the remote working policy that has been set. For example, an office offering remote working to employees for a couple of scheduled days per week, or on a 'by request' basis, will have a different long term experience with remote working than one that allows remote working to continue post crisis without any considered policies put in place.

Dublin Chamber survey data shows that a significant number of businesses will look to incorporate remote working long term. This is a positive trend. However this sudden increase in the number of businesses engaging in remote working is likely to shed a light on the lack of clear guidelines from Government around the regulation of remote working. We encourage Government to address this lack of guidelines to ensure that the remote and flexible working movement is not hampered.

Employer Liability

During the Covid-19 crisis, the decision to introduce remote working was largely forced upon businesses. In light of this, the Health and Safety Authority (HSA) issued advice for employers and employees to answer basic health and safety concerns.⁶ The Citizens Information Board similarly responded to the unprecedented and sudden shift required by businesses. The Board advised that when staff are working from home, the employer's responsibility when it comes to health and safety

⁵ Dublin Chamber *Covid-19 Survey Report* March 2020

<https://www.dublinchamber.ie/DublinChamberofCommerce/media/banners/Dublin-Chamber-Covid-19-Survey-Report.pdf>

⁶ Health and Safety Authority

https://www.hsa.ie/eng/news_events_media/news/news_and_articles/faq%E2%80%99s_for_employers_and_employees_in_relation_to_home-working_on_a_temporary_basis_covid-19.html

covers the need to manage work activities to ensure the health and safety of employees “as far as reasonably practicable”.⁷

Dublin Chamber argues that while such advice was very welcome in the Covid-19 context, it is a guideline that is not applicable in a non-crisis context, and, would need to be strengthened considerably in order to protect both the employer and the employee in non-crisis times.

It is very positive that many businesses will facilitate remote working in some shape or form following the experience of the Covid-19 crisis, but it is a concern that there are no clear Government guidelines in place surrounding the responsibility of the employer for implementation post-crisis. Dublin Chamber recommends that Government develop clear guidelines for employers in regards to health and safety, and obligations on the employer to provide any form of equipment, aside from the necessary technology i.e. computer and software, to employees that are remotely working.

Areas that require further clarification include whether a home office will be technically considered a ‘place of work’ if an employee is working from home. This could potentially cause issues around home owners insurance, and even the potential for application of commercial rates.

If these clarifications and guidelines are not developed by the relevant Government Department, it is likely that costly disputes will occur in businesses, and that the remote working movement will see a regression as a result.

Employee Wellbeing

Successful remote working requires a feeling of community, similar to that of a physical office environment. This is hard to achieve with full time remote work. Furthermore, the feeling of isolation can be a negative consequence of full time remote working. While social distancing, including staying at home and remote working if at all possible, was essential to flatten the curve of the coronavirus and protect all citizens, it is not the ideal.

In non-crisis scenarios any negative impact of full-time remote working resulting in employees suffering from feelings of isolation needs to be afforded greater consideration. Research shows that one in five full-time remote workers cite isolation as the issue they struggle with most.⁸ Given the choice, many employees will likely choose either a full office environment or a mixed flexible option, in order to retain a semblance of divide between work and home life, and to retain the sense of community and sociability afforded by shared workplaces.

⁷ Citizens Information Board, https://www.citizensinformation.ie/en/employment/employment_rights_and_conditions/health_and_safety/working_at_home.html

⁸ Buffer *State of Remote Work* 2019, <https://buffer.com/state-of-remote-work-2019>

Flexible Working and Remote Working

Flexible working (e.g. core working hours, time in lieu, remote working) offers a number of different ways to improve employee wellbeing through work-life balance and enabling family caring duties. This in turn benefits the employer in attracting and retaining key talent, and in widening the labour pool. Lastly, flexible working practices can contribute to making a city more liveable by reducing pressure on transport infrastructure at peak times.

In recent years, a number of specialised recruitment firms have emerged in recognition of the demand for more flexible work, e.g. Employflex is a flexible work recruitment specialist, while Abodoo is a recruitment firm specialising in fully remote work.⁹ Grow Remote is an organisation that was founded in Ireland as a response to a certain demand for fully remote working and it has gained some international popularity.

The demand for flexible working is clear, and the effectiveness of those who do choose to remote work is well documented. However, the demand for full-time remote working remains a niche area. For many more, the flexibility to work remotely for a number of days a week, either from their home in the city or from a regional hub, would be of significant benefit. A blended flexible working approach may also be more beneficial as it enables the fostering of team dynamics and the effective communication necessary for successful business outputs.

A recent study shows that fully remote employees cite communications/collaboration as one of their biggest obstacles.¹⁰ There are examples of high profile businesses in the United States, which had been initially lauded as being at the forefront of remote working, but eventually retracted their policies, calling all home workers back to the office. This further informs Dublin Chamber's position in favour of full flexible working policies as opposed to a focus on moving to full remote working for a larger than appropriate cohort of the labour force.

Dublin Chamber is an advocate for smarter, more flexible ways of working that are more suitable for the changing nature of work and to facilitating a strong labour market participation rate; this includes remote working. We encourage businesses to become more flexible and facilitate remote working where possible, and in doing so to benefit the employer, employee, and Dublin as a vibrant city that is ready for a more modern way of structuring the working week.

Urban Density

It is essential for Ireland to have a thriving capital city. As the economic engine of the country, Dublin should be world renowned for its liveability, and as a place in which to study, work, do business, and visit.

⁹ Employflex, <https://employflex.ie/>; Abodoo <https://www.abodoo.com/>

¹⁰ Buffer *State of Remote Work* 2019, <https://buffer.com/state-of-remote-work-2019>

Urbanisation is a trend that now sees more than half of the world's population living in urban settings; it is projected that by 2050 that proportion will be 68%.¹¹

Urban density improves the functionality of a city whilst also facilitating its environmental sustainability through the concentration of use of key infrastructure, particularly public transport. Conversely, urban sprawl results in longer commutes, congestion, and impacts on overall quality of life. Dublin Chamber has long campaigned to improve Dublin's density through housing density and public transport measures.

Dublin Chamber recommends that remote working be promoted as a core element of the flexible working movement for a dynamic working world more suited to modern life. Flexible and remote work is a means of improving the work-life balance of employees whilst also reducing pressure on city infrastructure. A number of flexible working options, including remote working and core working hours for example, being availed of by many businesses would reduce pressure on commuter times in a thriving city. However, remote working should not be promoted as a means of moving business, or dispersing it, outside of the Greater Dublin Area. In recent decades, the clustering of key industries and innovation centres in the capital has been essential for the economy, and Dublin Chamber argues that this clustering needs to be supported.

There are international examples of remote working being used as a tool to attract workers to relocate to cities. They are, however, in their infancy. In recent years two areas in the US have introduced schemes to encourage remote workers to relocate; the state of Vermont through its Remote Worker Programme and the city of Tulsa, Oklahoma through its George Kaiser Foundation have both subsidised workers to move to their small cities.¹² These schemes, however, involved heavy subsidisation of the worker at the expense of either the State or a foundation. In the Irish context, decentralisation schemes, such as those of the 1980s, have not proven successful.

Dublin Chamber argues that investment in essential public transport infrastructure and city planning for housing density should remain the focus of policymakers as opposed to revisiting any policies reminiscent of decentralisation.

Digital Security

In order to retain day to day business functions during the Covid-19 crisis, businesses went through an accelerated digitisation, utilising a variety of platforms to facilitate internal communications, conference meetings, and online events/webinars. Platforms like Zoom and Microsoft Teams suddenly became essentials. Zoom specifically went from having a maximum number of 10 million daily meetings worldwide before March, to now having upward of 200 million daily.¹³ The platform's significant increase

¹¹ UN *World Urbanisation Prospects* 2018, <https://population.un.org/wup/Publications/Files/WUP2018-KeyFacts.pdf>

¹² Quartz *Remote Workers are the Solution to Urban Crowding*, <https://qz.com/work/1641664/remote-workers-are-the-solution-to-urban-crowding/>

¹³ RTE.ie, *Zoom stops product development to fix security issues* March 2020

in popularity in fact made it a target for cyber-crime, an unwelcome trend that may result from increased numbers remote working.

In the post-Covid 19 working world, many more businesses are likely to continue to use these online platforms and in far greater frequency. In this context, it is essential that cyber-security is given greater prominence as a business issue.

Importantly, the reliability of broadband infrastructure will be crucial for the success of remote working in Ireland. During the Covid-19 crisis, WiFi-black spots within the Greater Dublin Area, coupled with increased pressure on broadband causing slowing and connection outages, contributed to difficulties for people working from home. Long-term, this is something that needs to be addressed to enable employees throughout the Dublin region to remote work effectively.

While there are ways to ensure that a business and its employees remain GDPR compliant when utilising remote working, businesses need reassurance and guidance from Government on this.

Conclusion and Recommendations

In conclusion, Dublin Chamber is an advocate for the adoption of more flexible work practices by businesses that are in a position to do so, from core working hours or time-in-lieu to remote working variants. The business community and Government need to look ahead with ambition to how remote and flexible working practices can improve work/life balance and positively impact on city infrastructure.

Dublin Chamber argues that while the sudden mass movement to remote working practices resulting in a likely continuation of more remote working post Covid-19 is positive, the increased numbers and the lack of clear State guidelines governing remote working will see areas around liability and employee well-being come under far greater stress. In order for remote working to succeed, Government needs to address a number of issues. Dublin Chamber also cautions against the consideration of full time remote working as a means of disregarding the many benefits of urban density.

Businesses are to be commended for their adaptability in relation to remote working practices during the Covid-19 crisis. However, Dublin Chamber is of the view that it would be unwise for full-time remote working specifically to be prioritised as the answer for the future of work and that it should be viewed as one of a suite of flexible working options for a more dynamic world of work suited to modern life. Evolving the way we work to include remote working and other flexible working practices will ensure a strong labour participation rate and a diverse labour force.

In order for remote working to be successfully utilised in the Irish context, Dublin Chamber recommends that policymakers:

- Clarify employer liability and duty of care requirements for a home working employee;

- Clarify if an employee when home working would have their home seen as 'a place of work' in the eyes of the law or by Local Authorities;
- Advise that the onus must be on the employee to provide a suitable remote working space, including a chair and desk etc.;
- Maintain that the decision to facilitate remote working for employees remains at the employer's discretion;
- Invest in broadband infrastructure;
- Provide reassurance for businesses that GDPR compliance when remote working can be upheld through a set of guidelines;
- Prioritise cyber security.

Flexible working practices, including remote working, have the potential to improve the way we work, and Ireland has shown that we can embrace them. This, however, will only be a success if the necessary measures as outlined above are taken.