



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
HUMAN RESOURCES AND SECURITY

GUIDELINES ON TELEWORKING IN COMMISSION DEPARTMENTS

DURING THE COVID-19 PANDEMIC

—
Update

**30 March 2020 Replaces version 1 with effect
from 1st April 2020**

1. INTRODUCTION

With the continuous spread of the coronavirus COVID-19 and in line with the new risk assessment by the European Centre for Disease Prevention and Control (ECDC), the Commission has decided to activate, on the request of the President, both business continuity plans and special teleworking arrangements.

These additional measures are designed to protect staff by decreasing physical contacts between colleagues, while ensuring that critical and essential tasks of the Commission continue to be carried out. These measures, as set out in the Guidelines of 12 March 2020, have applied since Monday 16 March 2020. The present Guidelines replace the Guidelines of 12 March 2020 with effect from 1st April and apply until 19 April 2020 (the “period concerned”). They are subject to review depending on the evolution of the situation.

The present Guidelines have been drawn up by the Directorate-General for Human Resources and Security to guide Commission departments in the use of telework in this particular instance of force majeure. They will also detail, where relevant, the impact of the current situation on the application of the provisions on working time.

These guidelines are adopted pursuant to Article 4(5) of Decision C (2015)9151 on the implementation of telework in Commission Departments (hereinafter 'the Decision on telework') and Article 9 of Decision C (2014)2502 on Working Time (hereinafter 'the Decision on Working Time').

2. SCOPE

These guidelines set out the principles common to all Commission departments with regard to telework during the period concerned.

These guidelines do not apply to staff working in EU Delegations. Specific guidelines setting the possibilities of using telework and the application of the working time shall be determined by the European External Action Service, in close cooperation with the Commission.

3. BACKGROUND

Teleworking is a method of organising and carrying out work using information and communication technology that allows staff to perform their duties outside the workplace.

Given the force majeure situation, DG HR is empowered, on the basis of Article 4(5) of the Decision on telework, to request staff members to telework.

Likewise, under the Decision on Working Time, DG HR is competent to adopt detailed provisions and practical procedures to adjust or complement working time provisions.

4. APPLICABLE ARRANGEMENTS

The arrangements defined under the present Guidelines shall apply during the period concerned.

The present Guidelines shall apply even in the case of already existing structural teleworking agreements or already approved specific occasional teleworking days concluded on the basis of Commission Decision C(2015) 9151 on the implementation of telework in Commission Departments¹.

No request for teleworking under these guidelines is needed in Sysper.

Specific provisions will be communicated to contractors (*intra muros* service providers, cleaning staff, security guards, staff working in the canteens/cafeterias, etc.) by the service responsible.

4.1. Teleworking arrangements

The arrangements will depend on whether the staff within a unit or a service performs critical tasks, as defined in the Business Continuity Plan of each DG/Service/Office/Executive Agency or by the management.

- a) **Staff not performing critical/essential tasks** have to telework for the entire period concerned.
- b) Except in cases defined under d), **staff performing critical/essential tasks** have to be split to avoid that all team members come to the office at the same time. In practice, this would mean that one part of the colleagues work in the office during one week (if necessary), while the other colleagues telework. The following week, the colleagues switch.

Even during their shift, staff with critical/essential tasks may be allowed by their managers to telework if they do not need to be in the office to perform their tasks. In that case, both teams would telework at the same time. The reduction in the number of critical staff physically present in the office is a policy that should continue to be implemented in order to stop the virus spreading.

By derogation, the Director General for Human Resources & Security can authorise a rotation other than on a weekly basis, if this is justified by the interest of the service.

In very exceptional and well-defined circumstances, for tasks linked to the management of the coronavirus crisis, the above shift arrangements (rotation between telework and physical presence) may not apply to certain critical/essential staff. Those members of staff may be required to come to the office at all times. The decision on derogations from the shift arrangements will be taken by the Director-General for Human Resources & Security

- c) Certain colleagues may have **critical/essential tasks** that cannot be carried out remotely; they may organise their presence in the office in shifts. The shift without presence in the office shall be covered by special leave, as specified under point 4.2.

¹ Specific occasional teleworking arrangements implemented for staff based Ispra prior to 16th March remain applicable until their normal expiry date. After that date, the teleworking arrangements defined in the present Guidelines shall apply.

- d) Even if performing **critical/essential tasks**, staff are required to telework for the entire period concerned in the following instances:
- Staff who have been in close contact with a confirmed COVID-19 patient². Telework applies, as a rule, for 14 days (the incubation period) or for a longer period if medically necessary.
 - Staff (even if asymptomatic) living with a person (e.g. spouse, child,...) with all COVID-19 related symptoms. Telework applies for the period required for the situation, on the basis of medical advice.
 - Staff with a condition that increases the risk of adverse outcomes of COVID-19³ (so-called vulnerable groups). Telework applies until further notice.

The line manager will specifically consider and provide the necessary arrangements to staff members performing critical/essential tasks whose dependent child(ren) under 12 years of age attend a school or crèches/kindergartens facilities closed due to COVID-19 and who have no alternative option to look after their children.

4.2. Special leave

Special leave will be granted in situations covered under 4.1, where the nature of the tasks of the staff members is not compatible with teleworking. In addition, staff members with a dependent child with disability at home may request special leave if they are unable to telework due to the care they need to provide to their child with disability.

² A 'close contact' is defined by the European Centre for Disease Prevention and Control as:

- A person living in the same household as a COVID-19 case;
- A person who had direct physical contact with a COVID-19 case (e.g. shaking hands);
- A person who had unprotected, direct contact with the infectious secretions of a COVID-19 case (e.g. being coughed on, touching used paper tissues with their bare hand);
- A person who had face-to-face contact with a COVID-19 case, within 2 metres for 15 minutes or more;
- A person who was in a closed environment (e.g. a classroom, meeting room, hospital waiting room, etc.) with a COVID-19 case for 15 minutes or more and at a distance of less than 2 metres;
- A person providing direct care for a COVID-19 case, or laboratory workers handling specimens from a COVID-19 case without the recommended personal protective equipment (PPE) or with a possible breach in the PPE;
- Sitting in an aircraft within two seats (in any direction) of the COVID-19 case.

³ The non-exhaustive list of conditions established by the Medical Service is as follows: pregnancy (regardless of gestational week); adults over the age of 63; chronic cardiovascular disease (coronary heart disease, congestive heart failure, cardiomyopathy, stroke); chronic obstructive or restrictive lung disease, severe asthma, obstructive sleep apnoea; individuals with immunosuppressive conditions (with active malignancy, or receiving chemotherapy or long-term steroids or other immune-modifying treatment; hypertension or diabetes, when accompanied by complications (i.e. simple diabetes or hypertensions, well controlled under medication, are not included); chronic kidney or liver or hematologic or neuromuscular or autoimmune disease; infectious diseases: chronic hepatitis B, chronic hepatitis C that has not responded to treatment; people who are very obese, with a body mass index (BMI) of 40 or higher, or significantly underweight (BMI < 18.5).

5. IMPLEMENTATION OF TELEWORK

A. Place of telework

i. Principle

Telework shall in principle be carried at the place of employment and staff should, in principle, telework from home, i.e. their usual place of residence. Although it is not strictly forbidden to telework from elsewhere than the usual place of residence, staff should be able to **physically come back to their workplace in a reasonable time (within a couple of hours)** if their presence is required at the office due to an emergency or an unforeseen specific need of the service.

Teleworking from outside of the place of employment, notably from the place of origin, is in principle forbidden, unless this is a neighbouring country in a location that is close to the place of employment

ii. Exceptions

By way of exception:

1. staff whose close family (spouse, recognised partner and/or dependent child(ren)) resides permanently in another Member State may telework from there in order to be with their family.
2. staff who have been granted special leave for serious illness of a family member may be allowed to telework from the place of residence of the relative who needs their care, immediately after the end of the special leave.

These two exceptions have to be approved by the line manager.

3. in situations where the Commission or the national authority itself would acknowledge that there is strong evidence that the national health system of the host country is not able to ensure proper health care and treatment of staff members and their families, due to the COVID-19 outbreak, case-by-case derogations or generic derogations to authorise staff to telework from outside the place of employment may be granted by the Director- General of DG HR.

iii. *Staff unable to return to the place of employment following private trip*

In general, the Commission counts on staff's individual sense of responsibility when deciding on travelling. Staff should be well informed of and strictly abide by any instructions issued by the competent authorities of the countries of departure and arrival.

Staff who are unable to return to their place of employment due to travel restrictions imposed by the national authorities of the country of destination or arrival staying should telework from this location to the extent possible. They shall take annual leave if teleworking is not possible.

B. Time recording

i. *Daily working hours*

Under the normally applicable time-accounting arrangements, a teleworking day counts as a standard 8-hour day, which implies that no hours worked in excess of 8 hours can be recorded during telework.

By derogation, under the present circumstances of force majeure, the above limitation to 8 working hours for a teleworking day does not apply. This concretely means that, for calculating the monthly credit/debit balance, the computation of daily working hours may go up to (but cannot exceed) a total of 10 working hours per day, including for staff working part-time.

In practically terms, this means that:

- Staff have to record their daily working hours in SYSPER as if they were at the office (i.e. by selecting 'work at the workplace')
- Staff who were already granted structural or occasional teleworking days under the normal teleworking regime may also register more than 8 working hours (again, still subject to the maximum limit of 10 hours) under the present specific regime. This however requires that they (i) withdraw the teleworking arrangements for the specific day(s) with more than 8 working hours and (ii) manually encode the hours actually performed as "work at the workplace". Staff with structural agreements should only withdraw the specific days and not request to 'withdraw' from the entire agreed arrangements.

ii. Recording working hours

Teleworking is about performing at home the duties that are normally discharged at the office and relies on staff being reachable by phone. To this end, staff must transfer their office telephone line (unless they use skype for business).

Teleworking does not imply however that staff members should be fully online during working hours. It is acceptable that work is performed offline (for example, drafting a document or reading a file) and will count as working hours.

Work done outside the bandwidth (7:00 and 20:30 Monday to Friday) is to be considered as work at the workplace, implying that it is considered as working time, unless the line manager objects.

In the event of connectivity issues still arising, staff should conduct tasks that can be performed offline, which will fully count as working time. If due to connectivity issues they have not worked a standard 8-hour working day, staff are exceptionally authorised to fill in their timesheet as if they had worked 8 hours.

iii. Core time

In principle, staff who are teleworking must be reachable during the Commission's core hours (9:30 to 12:00 and from 15:00 to 16:30, 16:00 on Wednesdays and Fridays), unless a derogation is granted by the line manager. In deciding on such derogation, line managers are invited to consider the current specific circumstances.

iv. Offsetting of excess of working time, carry-over and caring for children

While in principle, any credit balance exceeding 20 hours at the end of the month is automatically reduced to 20 hours, and carry over may only be used during the following month, maximum flexibility will be given to staff working a lot of extra hours because of the COVID-19 crisis. Line managers will authorise their credit balance to exceeding 20 hours, and staff will be able to adjust the balance over a period of 6 months as of the notification of the end of the specific working arrangements due to the COVID-19 pandemic.

Staff whose child(ren)'s school/kindergarten/crèche are closed, or teaching classes are suspended, and who thus need time during the day to home-school their child(ren)/or care for young child(ren), need to inform their line manager. The line manager and the staff should agree on the core tasks the staff need to perform during this period and on the extent to which they need to be available. Specific consideration will continue to be given to staff who need to care for a child with special needs/a disability.

6. ADDITIONAL USEFUL INFORMATION

For best experience working from home, take your corporate laptop with you. Instructions can be found [here](#).

[Internal meetings](#) can easily be taken online via the **Skype for Business** application which allows for up to 250 simultaneous connections.

[Meetings with non-Commission staff](#) can be organised using **WebEx**.

Last but not least, if you still use a traditional phone, [redirect your fixed phone line](#) to your mobile phone or landline at home. If you use Skype for Business as your phone, you can find [here](#) the steps on how to transfer/forward your calls.