



Remote Work

Opportunities and risks of remote work for the reconciliation of paid work and unpaid care work

In many professions, digital devices such as laptop computers or smartphones make it possible to carry out at least part of the work outside the workplace (remote work). At the same time, employees can “switch” more easily between paid work and private tasks, in particular care work, with a smartphone (for instance), be it in the office or at home. Remote work thus opens up new opportunities, especially for people with care responsibilities, to better reconcile paid work and unpaid care work.

Examples:

- » Remote working from home reduces commuting times. Employees can use this time to expand the scope of their paid work or to take up a job in the first place. This opens new room for manoeuvre for mothers, for example, and can contribute to closing the gender pay gap, in particular in rural areas.
- » Employees who take on the responsibility of care work for their parents can be informed about the situation at home via their smartphones at any time thanks to telecare and digital technology.
- » Employees can use work-life reconciliation breaks – whether at the workplace or during remote work from home – for short-term afternoon planning for children or for arrangements with other caregivers, for instance.

However, the possibilities of better reconciliation of paid work and unpaid care work that digitalisation offers also come with risks. Constant accessibility on a mobile phone outside the workplace, just like private reachability during working hours, can easily lead to stress and subsequently to health problems.

The fine line between opportunities and dangers of mobile/remote availability becomes clear in the example of care for relatives: through telecare and digital technology in the home, family carers can be informed about the situation at home at any time via smartphone. This may on the one hand relieve them in their reconciliation efforts. On the other hand, the blurring of boundaries between care at home and paid work should be viewed critically. Studies show that paid work is often a consciously used self-care resource for family carers, helping them to cope with the care situation.

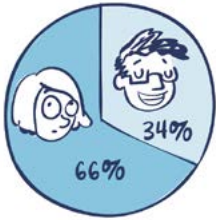


Remote working offers people with care responsibilities more time and thus more capabilities. At the same time, the blurring of boundaries between care work and paid work must be viewed critically.

IN THIS FACT SHEET

- » Opportunities and risks of remote work
 - » Relevance for gender equality
 - » Recommendations for regulation
-

GENDER CARE SHARE*



*The difference even increases when working from home!



Flexible work

Remote work includes all activities that are carried out temporarily (flexibly) or regularly (on fixed days) away from the company's actual place of work. Remote work also includes i.e. remote work from home.

Switching means alternating between paid work and care activities. This includes, for example, parents arranging to pick up their children or taking a private call during working hours, making care appointments for their father on the work computer, or also making a business call in the playground.

Gender equality-related challenges

This ambivalence of remote work in terms of opportunities and risks affects both women and men. A gender-responsive view of the digital leeway puts a focus on gender-related aspects:

- » **Access to digital devices and remote work** differs by gender. Almost half of women are not provided with respective digital devices or equipment by their employers. In turn, this is the case for only one fifth of men. Moreover, women are more likely than men to fear being put on the sidelines in their professional career by working remotely/from home.
- » Women, especially mothers, still perform more informal care work than their partners. The **Gender Care Share** calculated in a contribution for the Opinion of the Expert Commission shows the distribution of informal care work in heterosexual couple households. It measures the percentage of the total hours of unpaid care work performed by women within heterosexual couple households.
 - » The Gender Care Share in 2017 was 66 per cent, meaning that a woman performed 66 per cent of care work in the joint household.
 - » Unlike the gender care gap, this value does not refer to the hours worked, but to the distribution and allocation of care work within the man-woman relationship. For a perfectly balanced allocation between the partners, the value would thus be at 50 per cent.
- » During remote work from home, the **allocation of care work** changes – to the detriment of women. The opinion of the Expert Commission uses the Gender Care Share to underline how the division of care work within a heterosexual partnership changes when one or both parents move their workplace to home:
 - » On the one hand, both parents increase the time they spend on care work when they work remotely from home. However, men increase their time spent on care work by (only) 0.6 hours; women by 1.7 hours.
 - » The **COVID-19 pandemic** has given a significant boost to remote working. According to various data sources, around 30 per cent of working mothers and fathers with children under 16 worked from home during the pandemic.
 - » Both fathers and mothers expanded their care work at home during the pandemic. On average, fathers increased their care work from two to four hours, mothers increased theirs from five to seven and a half hours per day. This means that the relative increase is significantly higher for fathers, but mothers clearly shoulder the higher absolute total workload.
 - » Women as well as men tend to **endanger their own health** when there is a strong interweaving of paid work and unpaid care work. However, there are differences:
 - » Men who work at home are confronted with a large amount of work intensity and extra work. The self-endangerment can thus be attributed to paid work and employment.
 - » Women, on the other hand, tend to extend their care work when working remotely from home. Their self-endangerment thus can be traced back to unpaid care work.

Remote work is therefore not a panacea for reconciliation, nor does it solve the problems related to the unequal allocation and distribution of unpaid care work. A fair allocation of care work remains a task for society as a whole – which must be tackled at many levels. For example, gender stereotypes that attribute a “natural” talent for care work to women must be dismantled. Social and tax regulations that promote an unfair distribution of care work must be reformed. Moreover, remote work must not be a substitute for the prevalent lack of institutional childcare.

Need for smart regulation

In order to benefit from the opportunities of flexible working – with regard to working hours and the place of work – for a better reconciliation of different areas of life, smart regulation is needed. Legal regulations are also necessary to ensure that people with care responsibilities can be relieved without having to accept disadvantages.

Introducing a right to remote work

So far, there is no legal entitlement in Germany to work from home or a right to remote work. Employees have to rely on the (non-enforceable) consent of their employers if they want to work remotely. The draft bill on remote work (“Mobile-Arbeit-Gesetz-Entwurf”, MAG-E), which the Federal Ministry of Labour and Social Affairs presented at the beginning of 2021, is also limited to a “right of discussion”. This means that employers would have to discuss the desire for remote work with employees. Only if employers do not discuss the wish, a right to remote work according to the wishes of the employees is presumed for six months.

In contrast, the Expert Commission recommends in its Expert Opinion a genuine legal entitlement to remote work, flanked by additional protective mechanisms:

- » **Legal entitlement:** The request for remote work by employees with care obligations towards children or other persons in need of care should only be declinable with regard to urgent work-related reasons. Such a regulation would be similar to the right to parental leave or part-time work.
- » **Voluntariness:** The legal right to remote work must in turn not result in an obligation to perform work outside the workplace. In other words: workplaces must continue to be provided.
- » **Labour, working hours and health protection:** In remote work, occupational health and safety as well as working hours protection must continue to be guaranteed. Health risks due to stressful, unrestricted work should be counteracted by individual agreements on the organisation and allocation of working hours.
- » **Protection against discrimination/disadvantages:** Employees must not be discriminated against when they take up remote work. Performance must be assessed on the basis of work results rather than physical presence. A general ban on discrimination is also required, as it already exists for other atypical work (e.g. part-time work).
- » **Adequate equipment:** In addition, if the employee wishes to work remotely, the employer should provide the necessary equipment (within reasonable limits) for remote work or reimburse the corresponding expenses. Care should be taken to ensure that women and men are equally provided with the same necessary equipment.



Designing working hours in a “reconciliation-promoting” way

Remote work does not only mean flexibility in the choice of the place of work, but also in the timing of paid work. Current regulations for adapting working hours to individual life situations (e.g. in the case of pregnancy, parenthood or care) have so far mainly been aimed at the contractual change of the scope of working time – and not at the distribution of working hours. However, there is a need for flexibility beyond this: for instance, it may become necessary to adjust working hours to the opening hours of childcare facilities without changing the actual scope of work. Flexibility is also needed with regard to short interruptions of working time due to care, e.g. for quick supervision or tutoring of children/adolescents in the afternoon.

The Expert Commission thus recommends:

- » **Elective working time** Employees must be given the right to choose their working time, which allows flexible arrangements for the organisation of daily working time as a whole, but also “work-life reconciliation breaks” during working hours.
- » **Timekeeping:** It must be ensured that working time is recorded in accordance with the requirements of working time law, also in the case of remote work. This means, as recently clarified by the European Court of Justice (ECJ), that an objective, reliable and accessible system of time-keeping and recording working time has to be in place. It would be ideal if such a regulation were also included in collective bargaining agreements or in company or service agreements.



Strengthening health management

To counter the ambivalence of flexible work and the resulting risks to employees' health, workplace health management must be strengthened and advanced further. This also includes taking into account the different needs resulting from social or family circumstances. For example, single parents are even more dependent on reconciliation solutions than two-parent families who can share care work. Those responsible for labour and occupational safety as well as health and managers should be aware of different types of stress, e.g. caring responsibilities and the possible reasons for abuse or self-endangerment due to delimited working.

The Expert Commission thus recommends:



- » **Obligations of prevention and information:** A specific design of the working environment that is oriented towards the individual needs of the employees and that complies with the prevention and information obligations of employers according to the German occupational health and safety regulations. For instance, transparent rules on availability (e.g. no e-mail correspondence at weekends).
- » **Trainings:** In order to prevent delimitation and self-endangerment, employers should offer their managers and employees further training in boundary management: employees must be enabled to set clear boundaries between their paid work and private lives.
- » **Support from health insurers:** Statutory health insurance funds, in accordance with their obligation to promote health in the workplace under para 20 SGB V (Social Code Book V), may support the health-conscious use of flexibilisation leeway within companies.



Further reading:

- » Chapter B.III.4 in the Expert Opinion part of the Third Gender Equality Report of the Federal Government, available (in German) at: <https://www.bmfsfj.de/gleichstellungsbericht>
- » Agency for the Third Gender Equality Report of the German Federal Government (2021): Shaping digitalisation in a gender-equitable way. Summary of the Expert Opinion of the Third Gender Equality Report of the Federal Government. Berlin: Agency for the Third Gender Equality Report. Download at: <https://www.dritter-gleichstellungsbericht.de/de/topic/50.english.html>
- » Brück, Carsten/Gümbel, Michael (2020): Erwerbsarbeit, Geschlecht und Entgrenzung. Auswirkungen von Digitalisierung und Flexibilisierung auf Geschlechterverhältnisse und Gesundheit. Expert opinion for the Third Gender Equality Report of the German General Government.
- » Samtleben, Claire/Lott, Yvonne/Müller, Kai-Uwe (2020): Auswirkungen der Ort-Zeit-Flexibilisierung von Erwerbsarbeit auf informelle Sorgearbeit im Zuge der Digitalisierung. Expert opinion for the Third Gender Equality Report of the German General Government.

Both expert opinions are available (in German) at: www.dritter-gleichstellungsbericht.de/de/topic/62.expertisen.html

IMPRINT:

Fact Sheet by the Agency for the Third Gender Equality Report
 Publisher: Institut für Sozialarbeit und Sozialpädagogik e.V.
 Agency for the Third Gender Equality Report of the German Federal Government
 Sebastian Scheele and Dr. Ulrike Spangenberg (heads of management)
 Lahnstraße 19, 12055 Berlin
www.dritter-gleichstellungsbericht.de
 Currently effective version of: August 2021
 Year of publication: 2022