DOCTORAL DISSERTATION

Title of Dissertation

Telework: Legislative, Jurisdictional, and HRM Challenges.

A Comparative Analytical Study in Hungary, the Netherlands, the UAE and Qatar.

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Chapter 1
Introduction

1.1 Background and Context

Global work is rapidly shifting due to the strong influence of technology, major changes to economies and shifting needs and expectations of society. As a result of these forces, employers and employees have been forced to adopt different work arrangements, creating challenges for current legal, social, and organisational systems. Besides, telework, also known as remote working, has grown in popularity due to continued advancements in ICT. A job arrangement that was relatively rare in the past is now a standard practice found worldwide.

Usually, traditional labour laws and social policies are based on the standard employment relationship [1]. Usually, the framework involves an employee on a full-time, permanent basis doing their job at a set location under constant supervision by their employer. As a result of the standard employment model, workers have received protection for their income, access to social insurance, a safe workplace, the right to bargain collectively and legal protections. Such protections have helped many communities remain united and stable, while supporting workplaces built on highly stable schedules[2].

Even so, the main kind of work relationship has become uncertain because there are now many alternatives, driven by shifts in the economy, tech and employment trends. A growing number of people are moving toward part-time or fixed-term jobs, taking on temporary work, being freelancers or gig workers and teleworking. Such jobs are not the same as regular employment, as they offer less security to workers, less protection from society, and different schedules, which raise doubts about labour rights, proper social policies, and expectations from employers.

Telework runs counter to the traditional beliefs that have guided how most jobs are structured. When people telework, their work hours are no longer tied to the regular time and

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[1] Katz AR and others, "Cancer Epidemiology in the Freely Associated U.S. Pacific Island Jurisdictions: Challenges and Methodologic Issues." (2004) 11 PubMed 84 <https://pubmed.ncbi.nlm.nih.gov/16281683>

[2] David E Guest, "Human Resource Management and Performance: Still Searching for Some Answers" (2011) 21 Human Resource Management Journal 3 <https://doi.org/10.1111/j.1748-8583.2010.00164.x>.

place required in the past. As a result, organisations must reconsider their methods of governing and guiding workers, rethink how they handle worker rights, and find better ways to oversee their operations[3]. Thanks to the pandemic, many companies and their workers across the world quickly shifted to telework due to lockdowns and social distancing. Because of this shift, telework introduced opportunities and difficulties that caught the attention of authorities, who had to reexamine their work-related rules.

The regulation of telework in the EU has developed through laws, social partners' agreements, and judicial decisions. Concluded in 2002 by the European social partners, the European Framework Agreement on Telework sets out key rules supporting teleworking, such as rights for workers and safety and health [4]. Along with the agreement, the EU has several directives that relate to working time, non-discrimination, data protection, and occupational health and safety, as these areas also concern teleworkers. Telework regulation is handled differently across member states due to differences in their labour laws, approaches to negotiating with workers, and economic and social backgrounds. As a case in point, both Hungary and the Netherlands have unique practices influenced by their histories of law and the ways people discuss issues. While the rules for telework are included within the overall labour laws of Hungary, there are doubts about how well they will be enforced and how teleworkers will be protected[5]. At the same time, the country relies on its collective bargaining and tripartite agreements for the development of sector agreements and for advice on telework.

In countries outside Europe, Qatar and the United Arab Emirates are transforming their labour markets as they seek to move away from oil and gas dependence. In such places, telework is influenced by kafala sponsorship, which governs how workers are permitted to live and work in the country, the high number of expatriates, and regulations that may not resemble those in Europe. Rules and guidelines for telework are just beginning to develop and are still incomplete,

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[3] Kathryn L Fonner and Michael E Roloff, “Why Teleworkers Are More Satisfied with Their Jobs than Are Office-Based Workers: When Less Contact Is Beneficial” (2010) 38 Journal of Applied Communication Research 336 <https://doi.org/10.1080/00909882.2010.513998>.

[4] Oleg A Kozhevnikov and Marina V Chudinovskikh, “Regulation of Telework in Russia and Foreign Countries” (2020) 11 Vestnik of Saint Petersburg University Law 563 <https://doi.org/10.21638/spbu14.2020.303>.

[5] Ayoung Suh and Jumin Lee, “Understanding Teleworkers’ Technostress and Its Influence on Job Satisfaction” (2017) 27 Internet Research 140 <https://doi.org/10.1108/intr-06-2015-0181>.

leading to unique problems and benefits. Among the problems are weak protection for workers, difficulties in enforcing these rules, and issues with jurisdiction due to cultural, workplace, and political differences. Recent changes in Qatar and the UAE focus on making the workforce more adaptable and advanced, but there are no clear telework policies in place[6].

With this in mind, the study investigates differences and similarities in telework laws and labour practices in Hungary, the Netherlands, Qatar and the UAE. Using this approach, I am examining the unique challenges of telework across different legal and economic contexts. The countries are investigated in different ways, like comparing mature systems in the EU to working forward in the GCC countries, to find out how the work environment at each end is maintained by labour laws and business methods[7].

The primary goal of this study is to improve academics and practical policymaking by exposing issues linked to various laws, overlapping areas of authority and handling HRM issues in teleworking [8]. The objective of this research is to present backing for advice that can benefit workers, manage organisations and secure legal rights in telework. The aim of the thesis is to support the right approach to teleworking that guarantees workers' rights and the proper performance of companies.

1.2 Conceptualising Atypical Employment and Telework

To fully grasp telework, it helps to categorize it as one of many unconventional types of work. Work practices in this category are not the same as the main model used to manage employment in the past which was the usual framework for many countries.

Typically, the standard employment situation involves a person entering full-time, permanent work, doing the job at their employer's site and being directly supervised. Such a job

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[6] Diane Van Den Broek and Emma Keating, "Rights to a Process for the Masses or Select Privileges for the Few? Telework Policy and Labour Market Inequality in Australia" (2011) 32 Policy Studies 21 <https://doi.org/10.1080/01442872.2010.520559>.

[7] Sharon K Parker, Toby D Wall and John L Cordery, "Future Work Design Research and Practice: Towards an Elaborated Model of Work Design" (2001) 74 Journal of Occupational and Organizational Psychology 413 <https://doi.org/10.1348/096317901167460>.

[8] Laura Den Dulk and others, "National Context in Work-Life Research: A Multi-Level Cross-National Analysis of the Adoption of Workplace Work-Life Arrangements in Europe" (2013) 31 European Management Journal 478 <https://doi.org/10.1016/j.emj.2013.04.010>.

requires employees to follow orders, get fixed wages, keep their job and be present at the worksite. The result is that employees get regular wages, can count on social security, employers are held to clear obligations, and their work schedules are less unpredictable[9]. Designs for labour laws and social security systems were made based on this standard model, providing support to employees.

In comparison, atypical employment can cover several types of jobs that have one or more features missing [10]. Kalleberg (2000) and the International Labour Organisation (ILO), among other experts, point out that atypical work includes types such as part-time work, short-term jobs, hiring through agencies, freelancing, gig-economy occupations, and telework. In most such jobs, you have more flexibility, though you might earn less, receive less support and experience fewer legal protections.

Being atypical means that employment is not based on a personal authority system. Usually, an employee is directed and supervised by their employer and performs tasks assigned to them [11]. When workers have deviating jobs, they often end up working alone or with fewer rules in their contracts.

At the same time, having atypical jobs can put workers' financial security at risk. While guaranteeing both wages and benefits is common in standard jobs, atypical workers often receive inconsistent payments and may not have access to social insurance or benefits if they become unemployed or sick. While this concern has been noticed in freelance and gig jobs, it also applies to teleworkers in places where workers' rights are not well established[12].

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[9] Erik Elldér, "Who Is Eligible for Telework? Exploring the Fast-Growing Acceptance of and Ability to Telework in Sweden, 2005–2006 to 2011–2014" (2019) 8 Social Sciences 200 <https://doi.org/10.3390/socsci8070200>.

[10] Mihaela-Emilia Marica, "Hoeworking / Teleworking. Atypical Forms of Employment: Between Usefulness and Precariousness" [2018] DOAJ (DOAJ: Directory of Open Access Journals) <https://doaj.org/article/cd679ecde0754252bcdcc455a81d038d>.

[11] Cath Sullivan and Suzan Lewis, "Home-based Telework, Gender, and the Synchronization of Work and Family: Perspectives of Teleworkers and Their Co-residents" (2001) 8 Gender Work and Organization 123 <https://doi.org/10.1111/1468-0432.00125>.

[12] Margo Hilbrecht and others, "Remixing Work, Family and Leisure: Teleworkers' Experiences of Everyday Life" (2013) 28 New Technology Work and Employment 130 <https://doi.org/10.1111/ntwe.12010>.

Moreover, employees find job stability to be a distinct aspect of the work. Open-ended contracts are typical, offering both your employer and you a consistent relationship. Meanwhile, atypical work usually pays by the project, zero-hour agreements and temporary contracts. Even if telework is included in official contracts, the flexibility could raise questions about when and for how long the work should be done.

In atypical employment, the presence of workers at the workplace is changed. According to the standard model, the employer's premises must be the location of the work. Alternative forms of work often involve individuals working at agencies, on contract projects, or from home. As part of creating remote offices, new regulatory and managerial issues emerge, especially for telework, which depends on information and communication technology.

Defining Telework as Atypical Employment

Telework is a unique way of working when it comes to atypical employment. Because ICT tools like computers, internet access, video conferencing and cloud facilities are widely used, the main feature is that work can be done from anywhere [13]. Employees can do jobs that would be done in the office by teleworking from home or small offices in other areas.

This agreement of 2002 from the European Union provides a standard definition, saying that telework is:

"a form of organising and/or performing work, using information technology, in the context of an employment contract/relationship, where work, which could also be performed at the employer's premises, is carried out away from those premises on a regular basis."

According to this definition, there are three features that differentiate telework from other types of alternative employment.

1. Telework is voluntary for the worker and the employer concerned. Teleworking may be required as part of a worker's initial job description, or it may be engaged in as a voluntary arrangement subsequently.

[13] Davidescu AA and others, "Work Flexibility, Job Satisfaction, and Job Performance among Romanian Employees—Implications for Sustainable Human Resource Management" (2020) 12 Sustainability 6086 <https://doi.org/10.3390/su12156086>

2. Telework is scheduled to be performed on a regular basis or as set by the work contract. This makes telework different from situations where someone works remotely only occasionally.
3. Telework primarily uses digital tools and information technologies for completing work, talking to others in the organisation and accessing resources provided by the company. This is what allows work to happen when employees are in different places.
4. Telework involves being formally employed by a company [14]. Because of this condition, teleworking differs from simple work-at-home or self-employment, meaning teleworkers have certain rights and responsibilities.

Differentiating Telework from Related Concepts

It's necessary to understand how telework differs from several similar concepts that are often conflated in both laws and common discussions.

- **WFH stands for Work from Home**: It means that people work from their house temporarily or just once in a while, even without standard arrangements for telework [15]. During public health emergencies, employees may work remotely even when telework rules are not in place for the organisation.
- **Remote work:** Any kind of job done away from a formal office setting is known as remote work and can consist of telework or freelance, mobile or work done usually in fields.
- **Work from Home**: Usually, this form of work is not regulated by labour rights and doesn't require an employment relationship. Most home-based workers who run small businesses are not regarded as employees because they often work as business owners who trade for themselves.

[14] Grewal R and Dharwadkar R, "The Role of the Institutional Environment in Marketing Channels" (2002) 66 Journal of Marketing 82 <https://doi.org/10.1509/jmkg.66.3.82.18504>

[15] Nicola Fabiano, "Internet of Things and the Legal Issues Related to the Data Protection Law According to the New European General Data Protection Regulation" (2017) 3 Athens Journal of Law 201 <https://doi.org/10.30958/ajl.3-3-2>.

This is important because the requirements and obstacles for managing them are not the same. Although employers for teleworkers must follow the same laws, the unusual aspects of telework can be confusing.

Regulatory and Managerial Implications

In telework, due to its unconventional setup, different regulations and HR practices are required. Under the law, telework conflicts with the old rules that require employees to be present in person and always under employer observation [16]. This situation causes us to consider whether health and safety rules, working time regulations, data protection standards and rights to disconnect from technology for workers are suitable.

Telework creates the need for unique ways to keep track of employees' performance, keep them engaged, shape the company culture and ensure their well-being even if they stay remote. Since flexibility is needed, ensuring accountability, managing work-life balance and addressing loneliness are also very important.

1.3 Rationale and Research Problem

Due to advances in technology and increasing support for flexible work, telework has become vital in many places around the world over the last few years. Teleworking became a common option thanks to the COVID-19 pandemic [17]. Even though telework is increasing, it lacks regulation and has not been studied enough, especially when viewed from a global perspective. Since telework has distinctive difficulties in law, management and jurisdictions, it is surprising that research on these matters is limited.

Issues Related to Laws and Regulations

A main difficulty with regulations for telework is that each country approaches it differently. Every nation manages teleworkers' definitions, basic rights and protections in its

[16] Banerjee SB, "Managerial Perceptions of Corporate Environmentalism: Interpretations from Industry and Strategic Implications for Organizations" (2001) 38 Journal of Management Studies 489 <https://doi.org/10.1111/1467-6486.00246>

[17] Parul Kumar and others, "The Interplay of Skills, Digital Financial Literacy, Capability, and Autonomy in Financial Decision Making and Well-Being" (2022) 23 Borsa Istanbul Review 169 <https://doi.org/10.1016/j.bir.2022.09.012>.

own way [18]. Because of this, teleworkers are more at risk depending on the area they are working in. Telework standards are enshrined in legislation by some countries, whereas in others, employees are protected by the usual employment laws.

Furthermore, because every country defines telework differently, it is challenging to apply labour laws and offer social security benefits. Many times, companies and their staffers feel unclear about the numbers of hours to work, the conditions of contracts, workplace safety and social protections. Additionally, the authority finds it tough to supervise and oversee the compliance of teleworkers as they are not based in the same location.

Enabling people to work from home across borders leads to more issues. When companies employ people in different countries and use remote workforce, it is not always clear whose labour and social security laws should be enforced [19]. With several laws governing the same issue, employers and employees may not know how their obligations or rights will be applied.

Jurisdictional Challenges

There can be a mismatch of legal rules due to teleworkers living in different countries/state/territories, there are often disagreements among laws. It is not always clear which laws govern workers' salaries and security in each country and this uncertainty places people in the difficult position of falling under the cracks in regulation. Legal rights for teleworkers such as minimum wage and protection against various at-work wrongdoings, differ in different countries.

Besides, because social security and tax rules differ between jurisdictions, issues arise. Unfairness in these taxes can expose both employers and their staff to several difficulties, making remote work less appealing to them.

Human Resource Management (HRM) Challenges

[18] Ryngaert C and Ringbom H, "Introduction: Port State Jurisdiction: Challenges and Potential" (2016) 31 The International Journal of Marine and Coastal Law 379 <https://doi.org/10.1163/15718085-12341405>

[19] Namrata Shah, Francis Michael and Henry Chalu, "Conceptualizing Challenges to Electronic Human Resource Management (e-HRM) Adoption: A Case of Small and Medium Enterprises (SMEs) in Tanzania." (2020) 8 Asian Journal of Business and Management <https://doi.org/10.24203/ajbm.v8i4.6066>.

Managing an organisation that allows telework requires changing many HRM procedures. In a remote setting, managers depend more on trust and technology to track what is being done by employees[20]. If teams are far apart, it becomes harder to foster the company's culture and maintain employee engagement, as there is less teamwork and more loneliness.

Health and safety matters become more important for employers, as their staff members now work outside the office or from home [21]. Worker policies should cover health guidelines for telework and the mental health issues that may arise from it.

Besides, telework blends work and personal life too much, making it quite easy to work too much and feel burnt out. For organisations to succeed, they should create work policies that promote wellbeing and a healthy balance between work and home life.

Comparative Differences in Learning Context

Much less research has been conducted on the experiences of people teleworking in rapidly developing Gulf States like Qatar and the UAE. Even though these countries have unique approaches to employing expatriates and granting sponsorship, they still lack sufficient laws governing remote work.

Little research looks at employer regulations by combining standards and policies related to law, jurisdictions and HRM in different parts of the world. A wide-ranging analysis helps to understand telework's problems and decide on suitable action for both the government and companies[22].

Research Focus

This thesis examines how Hungary, the Netherlands, Qatar, and the UAE regulate and manage telework, since it is not a traditional work arrangement[23]. This body of research investigates the difficulties related to protecting teleworkers and ensuring the organisation works

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[20] *Challenging the Legal Boundaries of Work Regulation* (2012) <https://doi.org/10.5040/9781472566119>.

[21] Guest DE, "Human Resource Management and Performance: Still Searching for Some Answers" (2011) 21 Human Resource Management Journal 3 <https://doi.org/10.1111/j.1748-8583.2010.00164.x>

[22] Julia Evetts, "A New Professionalism? Challenges and Opportunities" (2011) 59 Current Sociology 406 <https://doi.org/10.1177/0011392111402585>.

[23] E Kevin Kelloway, Julian Barling and Steve Harvey, "Changing Employment Relations: What Can Unions Do?" (1998) 39 Canadian Psychology/Psychologie Canadienne 124 <https://doi.org/10.1037/h0086800>.

well in different settings. The aim of the study is to provide ideas and suggestions to make telework regulation consistent and to improve management approaches globally.

1.4 Research Aims and Objectives

The study aims mainly to compare regulations, the legal context and HRM practices for telework in these four countries: Hungary, the Netherlands, Qatar and the UAE. Therefore, the purposes are:

1. To outline the borders of telework compared to other types of atypical jobs.
2. To examine the extent to which national telework regulations in the four selected countries align with relevant European and international legal standards.
3. To pinpoint and analyse problems related to the rules of different areas that affect telework.
4. To understand the problems and ways organisations manage teleworking.
5. To understand how well the principles of teleworking and employment are supported by the law and what outcomes result for the organisation.
6. To devise recommendations for the successful management of remotely working teams.

1.5 Research Questions

Address the following research questions during the study.

1. What do the countries Hungary, the Netherlands, Qatar and the UAE say about the concept of telework?
2. How are telework practices regulated using different laws, and are they in accordance with European and international regulations?
3. What problems related to borders and jurisdictions are created by allowing employees to work remotely?
4. What techniques do business organisations use for teleworking, and what negatives and positives have been identified in the chosen nations?
5. What measures are in place now to look after teleworkers while meeting organisational targets?
6. In what ways should telework rules be aligned, and how can HRM be improved?

1.6 Significance of the Study

This dissertation has importance for studies and for the practical areas of policy and HRM. Since telework keeps progressing and transforming the way people work in nearly every country, it's necessary to fully understand its different challenges to create better, fair and long-lasting workplaces[24]. The study helps fill gaps in current knowledge and practice by analysing less-studied places and adopting a multidisciplinary approach. I explain the full significance of this idea below.

Addressing Missing Areas in the Study of Comparative Telework

Though telework has been studied extensively in the past decades, the majority of studies are about North America or Western Europe. Comparative studies are rare when they address nations in the Gulf Cooperation Council (GCC) that have one set of laws and those in Central Europe that have another and this is true for some other nation groupings as well [25]. This paper addresses this gap by studying how telework is done in Hungary and the Netherlands on one side and in Qatar and the United Arab Emirates on the other[26].

Why these four countries were picked is noteworthy and meaningful. Both Hungary and the Netherlands have clear laws informed by EU agreements, so telework regulations in developed European nations tend to be patterned after theirs. Alternatively, the rapid growth in Qatar and the UAE is due to active labor markets that use many foreign workers. At the same time, their laws and social processes have different aspects from those in the area. Since the study presents these regions next to each other, it reveals how telework is governed in different ways and how each nation responds to similar and distinct issues[27].

Studying the region in this way helps fill gaps in geographic research and demonstrates the importance of social and political laws, existing tradition and employment rules on the management of telework. Thus, the findings support the ongoing discussion on atypical work and flexible labour, mainly in places where telework is only just becoming widespread.

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[24] Kostas Mouratidis and Apostolos Papagiannakis, "COVID-19, Internet, and Mobility: The Rise of Telework, Telehealth, e-Learning, and e-Shopping" (2021) 74 Sustainable Cities and Society 103182 <https://doi.org/10.1016/j.scs.2021.103182>.

[25] Marta Zbucka-Gargas and Cláudio Iannotti Da Rocha, "Atypical Employment Relations in Brazil after the Labor Reform" (2022) 101 Acta Universitatis Lodziensis Folia Iuridica 297 <https://doi.org/10.18778/0208-6069.101.24>.

[26] AC Gielen, "Working Hours Flexibility and Older Workers' Labor Supply" (2008) 61 Oxford Economic Papers 240 <https://doi.org/10.1093/oep/gpn035>.

[27] R Blanpain and Michele Colucci, *European Framework Agreements and Telework : Law and Practice, a European and Comparative Study* (2007) <https://ci.nii.ac.jp/ncid/BA8200276X>.

Connecting the Fields of Law, Jurisdiction and HRM

Since telework is not simple, it requires study from several fields at once rather than just one. The study brings together labour law, jurisdiction control and human resource management to cover all challenges related to telework. Most research on telework, stemming from law and HRM, tends to keep these fields separated, even though they are related[28].

This study highlights how HRM problems, legal requirements, international parts of law and jurisdictions are closely linked and greatly influence having a job remotely[29]. HRM is affected by legislation regarding employee working hours, data protection and occupational welfare, as well as by uncertainties in law between countries over employment contracts and social security; it also involves making HRM strategies that help maintain employee engagement and labour law compliance.

Giving Timely Knowledge on Telework in the Labour Market After the Pandemic

Due to COVID-19, the use of telework increased rapidly and turned into a normal practice for various businesses[30]. Action taken to fight the pandemic showed that telework has different pros and cons, uncovered problems in regulation and assigned responsibilities and revealed flaws in human resource management that were not widely known[31].

The thesis highlights how the labour market changed by assessing the control and management of telework in an era after the pandemic. It studies the approaches used by legal systems and businesses to deal with the sudden rise in teleworking.

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[28] Ron Torten, Carmen Reaiche and ErvinL Caraballo, "Teleworking in the New Milleneum" (2016) 50 the Journal of Developing Areas 317 <https://doi.org/10.1353/jda.2016.0060>.

[29] Cort W Rudolph and others, "Pandemics: Implications for Research and Practice in Industrial and Organizational Psychology" (2021) 14 Industrial and Organizational Psychology 1 <https://doi.org/10.1017/iop.2020.48>.

[30] Oecd, "The Territorial Impact of COVID-19: Managing the Crisis across Levels of Government" (2020) <https://doi.org/10.1787/d3e314e1-en>.

[31] Julia Evetts, "A New Professionalism? Challenges and Opportunities" (2011) 59 Current Sociology 406 <https://doi.org/10.1177/0011392111402585>.

It is vital to study these factors, given that telework is unlikely to go back to its earlier levels [32]. Consequently, both companies and government will have to work through remaining issues to ensure workers are protected and the work is effectively managed.

Informing Policymakers on Harmonising Telework Laws for Worker Protection and Market Flexibility

To effectively govern telework, all parties involved must strike a balance between workers' rights and how labour market flexibility and business competitiveness are facilitated and achieved. Inconsistencies and conflicting rules in telework regulations cause problems for businesses operating in many countries, as well as for government groups and employees who support them.

It provides officials with data and insights ahead of reforms related to teleworking in different areas [33]. Following directives and framework agreements is important for EU nations, while GCC nations struggle to adjust their regulations to the differences in their labour market and economy.

Thanks to these results, laws can be enacted that ensure all teleworkers are safe and their information is protected, while also promoting market flexibility. Legal uncertainty, the challenges of workers teleworking across borders and ensuring decent and sustainable labour relations in the digital economy can be addressed through harmonisation of labour law."

Providing Assistance to HR and Employers in Managing People Who Work Remotely

Since many people work from distant locations, companies and HR teams need to find new approaches to managing teams at a distance [34]. Due to people being in different locations and markets, experts say traditional forms of managing, assessing and communicating need to change.

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[32] Karen Jaehrling and Philippe Méhaut, "'Varieties of Institutional Avoidance': Employers' Strategies in Low-Waged Service Sector Occupations in France and Germany" (2012) 11 Socio-Economic Review 687 <https://doi.org/10.1093/ser/mws016>.

[33] Agnieszka Bieńkowska and others, "COVID-19 Oriented HRM Strategies Influence on Job and Organizational Performance through Job-Related Attitudes" (2022) 17 PLoS ONE e0266364 <https://doi.org/10.1371/journal.pone.0266364>.

[34] Jonas Söderlund and Karin Bredin, "HRM in Project-Intensive Firms: Changes and Challenges" (2006) 45 Human Resource Management 249 <https://doi.org/10.1002/hrm.20107>.

The study investigates HRM issues related to telework in the selected countries and how companies address them. It provides advice on guidelines and activities that promote workers' productivity, togetherness and health, while paying close attention to labour laws, cultures and technology.

Integrating knowledge from the law and from business administration, the Academy offers HR experts ways to properly handle rules and ensure a good work environment. This helps companies with global operations design their HRM strategies differently in each country[35].

Supporting Measures to Defend the Interests and Well-being of Employees Who Work from Home Across the World

In the wake of telework, ensuring the rights and well-being of teleworkers becomes extremely important. Considerations such as the safety of workers, equal access to perks, protection of privacy and just behaviour should be part of changes made in regulations and organisations.

It supports worldwide efforts to help teleworkers by analysing laws, pointing out legal issues involved and studying HR practices [36]. The results back call for better laws for employees, updated policies and organisations committing to ensure teleworkers' rights are fulfilled.

1.7 Research Methodology

This dissertation was created using both a doctrinal and analytical method, serving to address the legislative, jurisdictional and HRM problems that arise from telework. Since telework is different from many other jobs, in this research we use a multimethod approach that combines legal analysis with examining HR practices. To give a thorough view of changes in telework, the method used covers both a wide and deep understanding in Hungary, the Netherlands, Qatar and the UAE.

Studying Principles of Law

It is necessary to investigate and analyze existing regulations, laws, directives, collective agreements and judicial decisions in telework for this research. This research method, referred to

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[35] Diane Van Den Broek and Emma Keating, "Rights to a Process for the Masses or Select Privileges for the Few? Telework Policy and Labour Market Inequality in Australia" (2011) 32 Policy Studies 21 <https://doi.org/10.1080/01442872.2010.520559>.

[36] Evan M Berman, "HRM in Development: Lessons and Frontiers" (2015) 35 Public Administration and Development 113 <https://doi.org/10.1002/pad.1706>.

as black letter law, explains and interprets the necessary rules and principles from legal texts. Using doctrinal analysis, this dissertation analyses the ways telework is addressed in laws on a national and international level.

Experts study the provisions on teleworking in each nation's labor, social security, data protection and health and safety laws [37]. To fully cover this, Hungary and the Netherlands, as European Union member states, assess the European Framework Agreement on Telework by the European social partners and listen to its influence on directives that control telework management. It further looks at how each national government has applied the agreed-upon supranational frameworks.

Doctrinal analysis for Qatar and the UAE looks at the laws and policies being developed in telework by considering recent changes in GCC labour laws, labour contracts and legislative reforms relating to both economic diversification and going digital. It is important to find out how teleworking is legally managed, controlled and how any weaknesses might negatively influence workers and the companies they work for[38].

Apart from the law, the study reviews case law to understand how dispute resolution and regulatory interpretations related to telework are handled by the courts. Such cases reveal the real problems, authorized actions and new developments concerning the use of telework.

Comparative Legal Study

The study relies on comparative law to examine how telework is regulated and managed across the four countries presented. The purpose of comparative law is to identify what is similar and different among legal systems, thereby highlighting changes in traditions, politics, economies, and culture.

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[37] James A Craft, Richard E Walton and Paul R Lawrence, "HRM Trends and Challenges." (1988) 41 ILR Review 329 <https://doi.org/10.2307/2523659>.

[38] Dirk Matten and Jeremy Moon, "'Implicit' and 'Explicit' CSR: A Conceptual Framework for a Comparative Understanding of Corporate Social Responsibility" (2008) 33 Academy of Management Review 404 <https://doi.org/10.5465/amr.2008.31193458>.

EU labour policies impact Hungary and the Netherlands, whose legal systems have civil and mixed legal backgrounds. These nations have different legal systems because of Islamic law, the influence of expatriate workers and their rapid economic and social changes[39].

Systematic comparison allows the study to outline the methods for lawmaking, managing different rules in different places and resolving HR issues in each country. Analysing various nations' frameworks aids in choosing the best strategies to regulate telework cooperation among nations.

Analysis of the EU rules and guidelines

Since EU regulations are critical for supervising telework across its member states, the study focuses on key EU directives and regulations. A non-binding agreement, the European Framework Agreement on Telework, was made by the EU's social partners in 2002 and provides minimum requirements for telework across the EU.

The research focuses on what the Framework Agreement entails and how it is applied, also considering important directives regarding time at work, data protection and safety at work. The study examines the effects of these instruments on legislation and routines in both Hungary and the Netherlands, as well as how telework is implemented through social dialogue.

This way of thinking about things also helps us compare the Qatari and Emirati regulations and see if their approaches are similar or not to those adopted in the EU[40].

Analysis of Jurisdictional Conflicts and Cross-Border Legal Issues

In companies that operate worldwide and in global markets, people often have to telework across international borders. Since this involves countries beyond borders, challenges arise about which law to apply, who is responsible, coordination on social security, how taxes are handled, and how disputes are settled.

Specifically, the dissertation explores these difficulties and relies on examining international labour law, bilateral and multilateral deals and conflict-of-law laws at the national level for telework. Consideration is also given to how each country regulates the work location

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[39] Thomas Prosser, "The Implementation of the Telework and Work-Related Stress Agreements: European Social Dialogue through 'Soft' Law?" (2011) 17 European Journal of Industrial Relations 245 <https://doi.org/10.1177/0959680111410964>.

[40] BC Roberts, "Industrial Relations in Europe," *Palgrave Macmillan UK eBooks* (1992) <https://doi.org/10.1007/978-1-349-21847-9_13>.

of its nationals in other countries, which jurisdictions have power over them, and the flow of their social security benefits.

Legal uncertainties, complying with new rules and the chance of avoiding regulations are some of the issues analysed for both employers and workers [41]. It also looks at new policies being developed to bring uniformity or improve collaboration between regions in managing virtual offices.

Analysis of HRM research and methods used in managing telework.

Since telework challenges may concern both laws and organisational practices, the study considers a broad range of HR work as well as popular organisational solutions. This area relies on research, reports from the industry and policy documents related to introducing telework, overseeing workers and workers' well-being.

Topics reviewed include remote performance management, communication methods used by managers, motivating and engaging online workers, managing work-life balance, how to include everyone and health and safety at work[42]. It outlines the most effective ways, common errors and adjustments used by companies across the study countries.

The use of HRM viewpoints in the dissertation helps to understand how laws and regulations affect the daily lives of teleworkers and the ways telework influences organisations.

Parts of the Model That Can Be Observed

Using documents and legal texts, the dissertation may also include research based on questionnaires or interviews, if the method suits the project's requirements.

Should empirical data collection be implemented, it would try to include feedback from policymakers, lawyers, HR experts, employers and teleworkers. You could learn about telework regulation, potential challenges, how businesses have responded and what survey participants believe needs to be done in the future through surveys or semi-structured interviews[43].

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[41] Alberto Alesina and Eliana La Ferrara, "Ethnic Diversity and Economic Performance" (2005) 43 Journal of Economic Literature 762 <https://doi.org/10.1257/002205105774431243>.

[42] Keith Townsend, Paula McDonald and Abby Cathcart, "Managing Flexible Work Arrangements in Small Not-for-Profit Firms: The Influence of Organisational Size, Financial Constraints and Workforce Characteristics" (2016) 28 The International Journal of Human Resource Management 2085 <https://doi.org/10.1080/09585192.2015.1136671>.

[43] Yehuda Baruch, "The Status of Research on Teleworking and an Agenda for Future Research" (2001) 3 International Journal of Management Reviews 113 <https://doi.org/10.1111/1468-2370.00058>.

This dimension would contribute to the research by ensuring the insights are up-to-date, checking the accuracy of the theories and finding both highlights and issues from several vantage points.

- Courts and methods of resolving disputes ought to be studied.
- The research studies some court cases, arbitration decisions and examples of dispute resolution involving telework employment in the countries it examines.
- You can observe the process of conflict resolution in teleworking when cases are handled by judicial and quasi-judicial bodies. They help understand how legal principles are put into practice.

1.8 The Structure of the Thesis

The thesis breaks down into three areas, each one examining an important aspect of telework being an unusual type of work [44].

In Part I, readers learn about how the term atypical employment is used and get a review of different work forms. It explores how different countries deal with various forms of flexible work, leading to a closer examination of telework.

Part II also explains what telework is and highlights how it relates to similar systems, such as home-based work and remote work. Here, I describe how telework is managed in Europe using the European Framework Agreement on Telework and other relevant guidelines[45]. The work then discusses rules for telework in Hungary, the Netherlands, Qatar, and the UAE, highlighting any differences among the laws.

Part III focuses on the management of telework and the responses employers and managers take to the changing concept. It analyses strategies for HRM in a remote work environment, looks at caring for employees and addresses the effects of conflicting jurisdictions on HR practices.

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[44] Daniel Kaufmann, Aart Kraay and Massimo Mastruzzi, *Governance Matters III: Governance Indicators for 1996–2002* (2003) <https://doi.org/10.1596/1813-9450-3106>.

[45] Ellen Ernst Kossek, Brenda A Lautsch and Susan C Eaton, "Telecommuting, Control, and Boundary Management: Correlates of Policy Use and Practice, Job Control, and Work–Family Effectiveness" (2005) 68 Journal of Vocational Behavior 347 <https://doi.org/10.1016/j.jvb.2005.07.002>.

Chapter 2: Literature Review

2.1 Typical Employment Relationships

In most countries, there is a standard (or core) model of the employment relationship that receives the most significant labour and social security protection. In contrast, divergent work arrangements receive less protection compared to the magnitude of their differences with this model.[46]

During the Fordist period, the full-time permanent employment relationship emerged as the dominant model for regulating the male labour market. This model was attractive to middle-skilled workers due to the associated benefits, such as stable income and employment and comprehensive labour and social security protections. [47] These incentives encouraged workers to pursue and retain such employment while ensuring that companies had a reliable consumer base. The term "standard" reflects its role as a regulatory framework and implies that this model is expected to be the norm, with non-standard forms of work considered atypical.[48] Notably, this standard employment relationship remains prevalent today, as evidenced by that 58% of individuals in employment across the EU28 are engaged under full-time permanent contracts.[49]

2.2 The Key Elements of the Typical Standard Employment Relationship

To gain a deeper understanding of the concept of the typical employment relationship, it is necessary to identify the core critical elements of it, which are represented by the following points:

Employment Relationship

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[46] Linda Dickens, 'Changing Contours of the Employment Relationship and New Modes of Labour Regulation. Rapporteur Paper' [2003] International Industrial Relations Association 13th Conference 1 <https://ilo-ilera.org/wp-content/uploads/2020/04/track_2_dickens.pdf>.

[47] Adrián Goldin, 'Labour Subordination and the Subjective Weakening of Labour Law' [2006] Boundaries and Frontiers of Labour Law: Goals and Means in the Regulation of Work 109 <http://www.relats.org/documentos/EATP.TA.Goldin2.pdf>.

[48] Jean-Claude Barbier, 'A Conceptual Approach of the Destandardization of Employment in Europe since the 1970s', *Non-Standard Employment in Europe* (Palgrave Macmillan UK 2013).

[49] Eurostat, *Quality Report of the European Union Labour Force Survey* (2015) <https://ec.europa.eu/eurostat/documents/3888793/7018036/KS-TC-15-004-EN-N.pdf/6775b2b5-4ec9-4e4e-b6a0-f618f4ddf73e>.

The International Labour Conference issued Recommendation 198 during its 95th session in 2006 to establish a more stable definition of the employment relationship and ensure its protection. This section will reference this instrument and the work of authors such as Freedland to outline the initial features defining a standard employment relationship.[50]

The primary element defining the standard (typical) employment relationship is the personal subordination of the employee to the employer. Traditionally, subordination is understood as the employer's control and direction over the worker. This "hierarchical power" allows the employer to issue orders, monitor compliance, and impose sanctions for failing to adhere to those orders.[51]

However, it is essential to recognise that the degree of autonomy experienced by workers can vary significantly based on the nature of their work. For instance, blue-collar workers typically have limited control over their work environment, whereas more skilled workers enjoy greater autonomy in determining the pace and organisation of their tasks.[52] This shift in autonomy is particularly evident as technological advancements and increased specialisation have made it more challenging for employers to closely supervise skilled workers' performance. In such cases, subordination is viewed more as a functional coordination than a strict command. Factors such as the employee's integration into the employer's organisational structure and whether the employer provides the necessary tools also play a role in this understanding.[53]

Another critical feature of the employment relationship is its bilateral character, which stems from its contractual nature. Freedland and Countouris argue that unequal bargaining power, a traditional foundation of labour law, is inherently linked to the standard employment relationship's subordinate, bilateral, and contractual nature.[54]

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[50] ILO, 'Employment Relationship Recommendation' (2006) 2006 No. 198 1 <https://webapps.ilo.org/static/english/inwork/cb-policy-guide/employmentrelationshiprecommendationno198.pdf>.

[51] Bruno Veneziani Bob Hepple, *The Transformation of Labour Law in Europe* (1st edn, Bloomsbury Publishing 2009).

[52] Eurofund, 'TIME CONSTRAINTS AND AUTONOMY AT WORK IN THE EUROPEAN UNION' (2001) <https://www.eurofound.europa.eu/system/files/2020-08/ef9743en_0.pdf>.

[53] ibid.

[54] Leah F Vosko, *Managing the Margins: Gender, Citizenship, and the International Regulation of Precarious Employment* (Oxford University Press 2010).

Additionally, some countries recognise an extra feature in the employer-employee relationship known as mutuality of obligations. This concept is generally understood as the employee's obligation to be available for work and the employer's corresponding duty to provide work.[55]

Furthermore, employees receive a salary in exchange for their work, which benefits the employer. Essentially, the employee is leasing their working capacity for a specified period and, in return, receives remuneration for the services rendered.[56]

This arrangement leads to another defining characteristic: the economic dependency of the employee on the employer. The employment relationship typically serves as the primary source of income for the worker, limiting their ability to spread financial risks.[57]

Lastly, work is usually performed on the employer's premises, a characteristic rooted in the Fordist industrial model that underpins the standard employment relationship. However, this aspect is contested in various jurisdictions. For example, in countries like France and Belgium, performing work outside the employer's premises does not automatically alter the employment status. However, it may lead to greater protections for the worker.[58]

Income Security

Income security refers to the assurance that individuals receive a salary sufficient to meet their basic living needs and the expectation of adequate social insurance. These elements are closely tied to labour stability and full-time employment in standard employment relationships.[59] This sense of income security plays a crucial role in the broader social function of standard employment. It allows individuals to not only meet their immediate needs but also to plan for the future. With a stable income, people can make long-term investments, stimulating economic growth. This stability has been a fundamental component of the post-war monetary system.[60]

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[55] (ILO 2006)

[56] Social Europe, 'UvA-DARE (Digital Academic Repository) The Employment Contract as an Exclusionary Device' [2008] University of Amsterdam 0 <https://pure.uva.nl/ws/files/4151356/58591_286406.pdf>.

[57] (ILO 2006)

[58] Bob Hepple (n 6).

[59] Gerhard Bosch, 'Towards a New Standard Employment Relationship in Western Europe', *British Journal of Industrial Relations* (Blackwell Publishing Ltd 2004).

[60] ibid.

Moreover, income security contributes to government revenues through taxation, essential for building and maintaining the welfare state. Governments can provide necessary services and support systems that benefit society by ensuring workers have a reliable income.[61]

Job Stability

Job stability is a fundamental aspect of the standard employment relationship. It provides a reliable framework that allows companies to depend on their employees for cooperation in exchange for job security.[62]

This concept consists of two main elements:

Firstly, the employment relationship is typically characterised by an indefinite duration, meaning it can only be terminated under specific conditions, such as incompetence, misconduct, or economic necessity. This long-term commitment fosters a sense of security for both the employee and the employer, often reflected in the investment in employee training and the increased autonomy granted to workers within the organisation.[63]

Secondly, employees usually work full-time within a defined schedule, often called "standardised working time." This arrangement includes provisions for statutory holidays and leave, further contributing to the stability and predictability of the work environment. Together, these elements of job stability create a solid foundation for both employee satisfaction and organisational effectiveness.[64]

2.3 Legal Protections for Standard Workers (Legislations and Collectives Agreements)

When all necessary criteria are met, statutory law and collective agreements protect an employment relationship. Standard workers typically benefit the most from the protections offered by trade unions, which help enforce legislative standards through various means, including providing information and legal representation.[65]

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[61] Katherine Stone and Harry Arthurs, 'The Transformation of Employment Regimes: A Worldwide Challenge' (2013) 9781610448 1.

[62] Bosch (n 14).

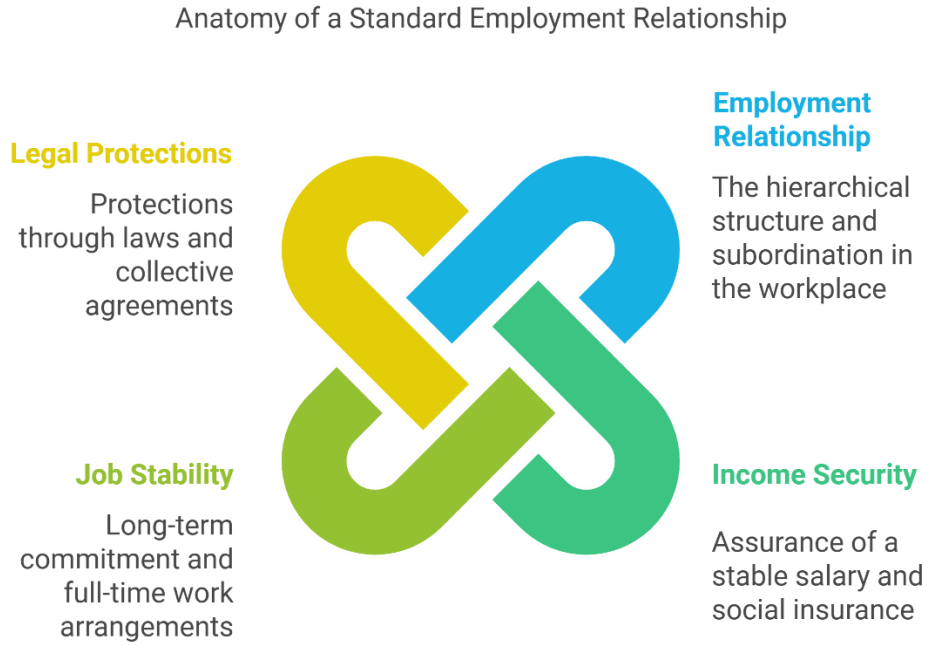
[63] Nuna Zekic, 'Job Security or Employment Security: What's in a Name?' (2016) 7 European Labour Law Journal 548.

[64] ibid.

[65] Katherine V Stone Harry Arthurs &, 'RethinkingEmplRegulation' (York University, 2013) <https://www.researchgate.net/publication/293116423_Rethinking_workplace_regulation_Beyond_the_standard_contract_of_employment>.

In addition to labour law protections, standard workers enjoy extensive coverage under social security systems. The standard worker has historically been a benchmark for work-related social insurance schemes in many Western countries. This comprehensive protection ensures that standard workers have access to the support and benefits they need, reinforcing their rights and security in the workplace.[66]

In conclusion, typical work refers to the standard or core employment model characterised by a full-time, permanent employment relationship under an open-ended contract. This work generally provides the most significant labour and social security protection. Typical work is often associated with stable income, job security, and a comprehensive range of benefits, such as health insurance, retirement plans, and unemployment benefits. It contrasts with atypical work, which includes non-standard forms of employment such as part-time work, temporary contracts, freelance work, and gig economy jobs, which may offer less stability and fewer protections.[67]



[66] Bosch (n 14).

[67] Simon Deakin, 'Addressing Labour Market Segmentation: The Role of Labour Law' [2013] Corporate Governance 1689.

2.4 Internal Challenges to the Essential Features of the Standard Employment Relationship

Traditionally characterised by stable, full-time, and indefinite contracts, the standard employment relationship is increasingly confronted with internal challenges that undermine its foundational features. These challenges arise from shifts in labour market dynamics, evolving worker expectations, and changes in organisational practices.

One prominent internal challenge is the gradual erosion of job security. In response to economic pressures and the need for operational flexibility, many employers are transitioning from permanent, full-time positions to temporary, part-time, or contract-based employment arrangements. This trend diminishes the stability of standard employment and exposes workers to heightened vulnerability in economic fluctuations, compromising their job security.[68]

Additionally, the nature of work itself is undergoing significant transformation. The advent of technology and the proliferation of the gig economy have led to an increase in non-standard forms of employment, which, while offering greater flexibility, often lack the security and benefits inherent in traditional jobs. This evolution has resulted in a blurring of distinctions between standard and non-standard work, as employees increasingly prioritise autonomy and work-life balance over the conventional advantages associated with standard employment. Consequently, worker expectations are shifting, leading to a demand for more diverse and adaptable employment arrangements.[69]

Moreover, the traditional employer-employee relationship is being redefined. Many workers are classified as independent or working throw-out mediators (for example, the agency work in most European member states), diminishing the mutual obligations characterising standard employment. This reclassification can result in a lack of access to essential benefits

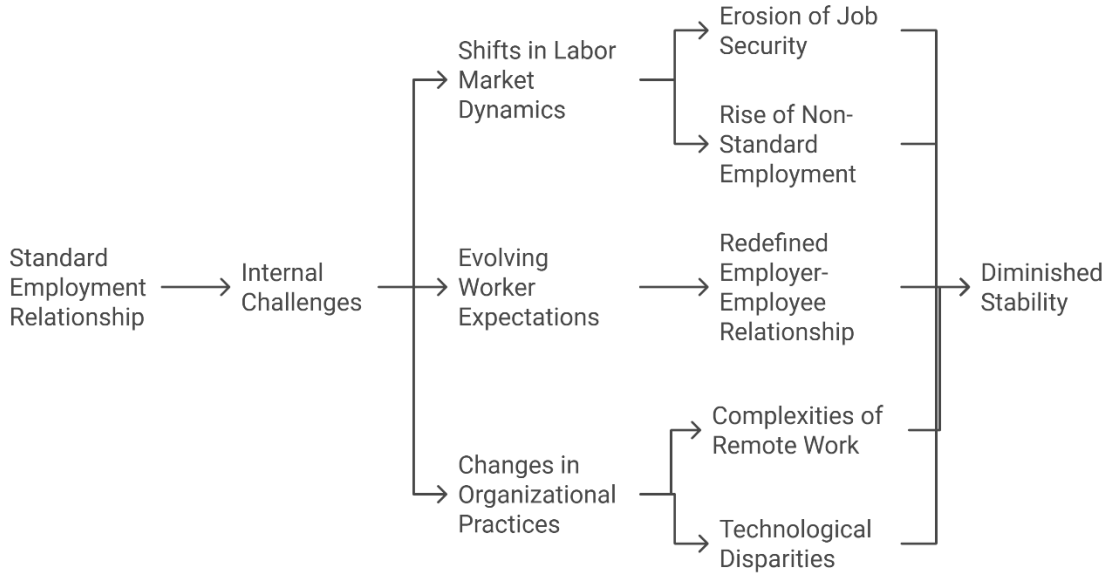
[68] Harry Arthurs and Katherine V Stone, 'The Transformation of Employment Regimes: A Worldwide Challenge' [2013] Russel sage foundation.

[69] M Gunderson, 'Gunderson, M. (2013), 'Changes in the Labour Market and the Nature of Employment in Western Countries'
<https://www.researchgate.net/publication/290947666_Changes_in_the_labor_market_and_the_nature_of_employment_in_Western_countries>.

such as health insurance, retirement plans, and paid leave, typically afforded to standard employees under labour law.[70]

The rise of remote work further complicates the standard employment relationship. While remote work can enhance flexibility, it challenges the conventional notions of supervision and control that underpin the employer-employee dynamic. Employers may encounter difficulties maintaining oversight and ensuring productivity, leading to potential performance expectations and accountability disputes.[71]

Finally, the increasing reliance on technology in the workplace can create disparities within the employment relationship. Workers who lack technological proficiency may be disadvantaged, resulting in a divide between those who can adapt to new tools and those who cannot. This technological gap can exacerbate job insecurity and limit opportunities for advancement within the standard employment framework.



2.5 External Challenges to the Essential Features of the Standard Employment Relationship

The standard employment relationship, characterised by full-time, permanent positions with a single employer, has long been the cornerstone of labour markets in many developed

[70] OECD, 'Non-Regular Employment , Job Security' (2014) <https://www.oecd-ilibrary.org/docserver/empl_outlook-2014-7-en.pdf?expires=1729123730&id=id&accname=guest&checksum=E6C59AA27AB4BDF496B3856131FE54ED>.

[71] Gunderson (n 24).

economies. However, this model is increasingly facing external challenges that threaten its predominance.

These challenges arise from various socio-economic factors, including globalisation, technological advancements, and shifts in labour market dynamics. As these forces reshape the work landscape, they compel a reevaluation of the traditional employment framework and its associated protections. [72]

Globalisation has significantly altered the nature of work, leading to a rise in non-standard employment arrangements. The standard employment relationship continues to be the most common form of work, and significant evidence shows a decrease in its prevalence. [73] Temporary work, part-time work, and self-employment represent a third of all employment in OECD countries and half of the new jobs created since the 1990s have been in one of these modes. [74].To this end, in the Netherlands, part-time employment represented 48% of its labour force in 2021. [75]

The integration of global markets has facilitated labour outsourcing to countries with lower labour costs, resulting in a decline in stable, full-time jobs in developed nations. This trend is particularly evident in industries such as manufacturing and services, where companies seek to maximise profits by reducing labour costs.[76] As a result, workers increasingly find themselves in precarious positions, often employed on a temporary or part-time basis or engaged in freelance work. This shift undermines the stability of the standard employment relationship and raises concerns about job security and workers' rights. Scholars have noted that the rise of non-standard

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[72] Barbier (n 3).

[73] ILO, 'Non-Standard Employment around the World: Understanding Challenges, Shaping Prospects' (2016) <https://www.ilo.org/publications/major-publications/non-standard-employment-around-world-understanding-challenges-shaping>.

[74] OECD, 'In It Together: Why Less Inequality Benefits All' (2015) <https://www.oecd.org/en/publications/in-it-together-why-less-inequality-benefits-all_9789264235120-en.html>.

[75] NL Times, 'About Half of the Dutch Workforce Is Employed Part-Time, Including 70% of Women' (2022) <https://nltimes.nl/2022/09/12/half-dutch-workforce-employed-part-time-including-70-women#:~:text=2022 - 17%3A45-,About half of the Dutch workforce is employed part-time,time more often than men.> accessed 17 October 2024.

[76] OECD, 'Protecting Jobs, Enhancing Flexibility: A New Look at Employment Protection Legislation' (2013) <https://www.oecd-ilibrary.org/employment/oecd-employment-outlook-2013/protecting-jobs-enhancing-flexibility-a-new-look-at-employment-protection-legislation_empl_outlook-2013-6-en>.

employment is a direct consequence of globalisation, which has led to a more fragmented labour market and a decline in workers' bargaining power.[77]

Another factor related to technological advancements further exacerbate the challenges to the standard employment relationship. The rise of digital platforms and the gig economy has transformed how work is organised and performed. Workers can now offer their services through online platforms, often without the protections afforded by traditional employment contracts. This shift has given rise to a new class of workers who operate in a legal grey area, usually classified as independent contractors rather than employees. As a result, they are frequently denied access to essential benefits such as health insurance, retirement plans, and unemployment compensation. The legal classification of gig workers has become a contentious issue, with courts and legislatures grappling with applying existing labour laws to this new form of work. The lack of clear legal frameworks to address the rights and protections of gig workers poses significant challenges to the standard employment relationship, as it blurs the lines between employment and self-employment. [78]

Moreover, the increasing flexibilisation of labour markets has led to a decline in the features that traditionally define the standard employment relationship. The concept of job security, once a hallmark of stable employment, is now being eroded as employers adopt more flexible hiring practices. Temporary, part-time, and zero-hour contracts have become more prevalent, allowing employers to adjust their workforce in response to fluctuating demand. In Germany, workers in mini-jobs (who make up two-fifths of the labour force in the domestic sector) must be covered by statutory insurance against labour accidents. However, they may choose whether or not to be covered by health insurance. [79]In the UK, employees earning above the lower earnings limit (£123 per week or £533 per month for 2024/25) but below the primary threshold (£242 per week or £1,048 per month for 2024/25) are treated as having paid NICs without actually having to make a payment (nor do their employers). However, their entitlement to benefits increases as though they were paying contributions (through the so-called National

[77] Bosch (n 14).

[78] ILO, 'Non-Standard Employment around the World: Understanding Challenges, Shaping Prospects' (n 28).

[79] Werner Eichhorst and Verena Tobsch, 'Has Atypical Work Become Typical in Germany? Country Case Study on Labour Market Segmentation' [2013] ILO Employment Working Paper.

Insurance credits). [80] These different flexible forms of work may disadvantage workers in acquiring entitlement to social insurance benefits.

The rise of non-standard employment also raises significant questions about the adequacy of existing social security systems. Traditional social security frameworks have been designed with the standard employment relationship in mind, providing benefits and protections based on the assumption of stable, long-term employment. However, as non-standard work becomes more prevalent, these systems are increasingly ill-equipped to address the needs of workers in precarious positions. For instance, gig workers often lack access to unemployment benefits, health insurance, and retirement savings plans, leaving them vulnerable to economic shocks. This social protection gap affects individual workers and has broader implications for public policy and financial stability. Policymakers are now faced with the challenge of adapting social security systems to accommodate the realities of non-standard work, ensuring that all workers, regardless of their employment status, have access to essential protections.

In addition to these economic and legal challenges, the changing nature of work has also prompted a reevaluation of the social contract between employers and employees. The traditional employment model was built on mutual obligations, where employers provided job security and benefits in exchange for workers' loyalty and productivity. However, as the standard employment relationship becomes less common, this social contract is being undermined. Workers in non-standard positions often experience a lack of connection to their employers, leading to diminished job satisfaction and engagement. This disconnection can significantly affect workplace culture and productivity, as employees who feel undervalued or insecure are less likely to invest in their work. The erosion of the social contract highlights the need for new models of employment that prioritise worker well-being and engagement, even in the absence of traditional employment arrangements.[81]

The legal landscape surrounding employment also evolves in response to these external challenges. Courts and legislatures increasingly recognise the need to adapt existing labour laws to protect workers in non-standard positions better. For example, some jurisdictions have begun

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[80] Low income tax reform Group, 'NIC for Employees' (2024) <https://www.litrg.org.uk/working/employment/nic-employees#:~:text=Earnings below the weekly%2Fmonthly thresholds,-If you earn&text=If you have earnings above,having to make a payment.>.

[81] Stone and Arthurs (n 16).

to extend certain rights and benefits to gig workers, acknowledging that their work resembles traditional employment in many respects. This shift reflects a growing recognition of the need to protect all workers, regardless of their employment status, and to ensure that labour laws keep pace with the changing nature of work. التعديل الهنغاري In this regard, a recent study for the European Commission noted that at least half of all temporary workers in ten Member States of the EU risk not being entitled to unemployment insurance benefits, a percentage which rises to over 70% in the case of the UK, Slovakia, Estonia and Latvia.[82] Even if they are entitled to a particular benefit, a person who has not been in full-time employment almost uninterruptedly will struggle to draw a full pension in certain EU countries.Furthermore, temporary workers not only experience earning instability but also lower and slower-growing wages,[83] which in turn may reflect in the level of their benefits (the increasing correlation between benefit levels - particularly concerning pensions - and contributions have exacerbated this problem). [84] As a way to combat the adverse effects of labour market fragmentation, it is interesting to note measures introduced by certain countries to take into account periods outside employment for accessing social security benefits. In this regard, The Dutch social security system accounts for the country's high rate of part-time and flexible employment by extending unemployment benefits to flex workers, such as temporary, part-time, and on-call workers, provided they meet contribution requirements. Workers in these categories must have been employed for at least 26 weeks in the 36 weeks prior to unemployment to be eligible for benefits. [85] These provisions ensure that individuals with fragmented work histories maintain access to social protection.

In Hungary, the Simplified Employment Act (LXXV of 2010) provides a framework for casual and seasonal workers to enter into employment through simplified contracts. This system is designed to support workers in sectors like agriculture and tourism, allowing them to benefit from formal employment relationships while reducing the administrative burden for employers. The contracts under this scheme are registered electronically, facilitating easier monitoring and

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[82] Manos Matsaganis and others, ‘Non-Standard Employment and Access to Social Security Benefits’ [2016] Research note 8/2015 43 <http://ec.europa.eu/social/BlobServlet?docId=15687&langId=en>.

[83] OECD, ‘In It Together: Why Less Inequality Benefits All’ (n 29).

[84] Arne Heise and Hanna Lierse, ‘The Effects of European Austerity Programmes on Social Security Systems’ [2011] Modern Economy.

[85] Claiming unemployment benefit (WW-uitkering) 2024.

reporting by employers, while also reducing undeclared work. Casual workers under this system are typically limited to working five consecutive days, 15 days per month, or a maximum of 90 days per year with the same employer. However, specific seasonal work arrangements may last longer, up to 120 days in some cases [86].

As the standard (typical) employment relationship continues to face external challenges, it is essential for stakeholders—including policymakers, employers, and labour organisations—to engage in a constructive dialogue about the future of work. This dialogue should focus on developing innovative solutions that address the needs of workers in non-standard positions while also considering the economic realities employers face. Potential solutions may include establishing portable benefits systems that allow workers to retain access to essential protections regardless of their employment status and implementing policies that promote fair wages and working conditions in the gig economy. By fostering collaboration among stakeholders, creating a more equitable labour market that recognises the diverse realities of work in the 21st century is possible.

In sum, the external challenges to the standard employment relationship are multifaceted and complex, driven by globalisation, technological advancements, and shifts in labour market dynamics. As non-standard forms of work become increasingly prevalent, it is crucial to reevaluate the traditional employment framework and its associated protections. This reevaluation must consider the needs of all workers, regardless of their employment status, and seek to establish a more inclusive and equitable labour market. By addressing these challenges head-on, stakeholders can work towards a future of work that prioritises worker rights, economic stability, and social protection for all.

2.6 Atypical Employment Relationships

Several significant trends and changes have influenced the evolution of typical work in the labour market.

Many Researchers discussed the historical emergence of the term "atypical employment," noting that it first gained prominence in the 1970s and 1980s. This period saw significant changes in European labour markets, driven by economic restructuring and globalisation. More flexible forms of work increasingly challenged the traditional full-time, permanent employment

[86] *New forms of employment Casual work , Hungary*.

model. As a result, new terms like "atypical employment" were introduced to describe non-standard working arrangements such as part-time, temporary, and fixed-term contracts. [87]

The term “atypical job” has arguably been used in the general labour law literature since the 1980s. The first review of labour law using this term was in a special issue of Droit Social written on the subject. This publication achieved international notoriety and was translated into several languages. After the issue appeared on the agenda of the 11th Congress of the International Association of Labour Law and Social Security, several country reports were published containing detailed data and descriptions of the situations in the country concerned. The most widely used term was atypical employment and a wide range of applications of the topic emerged.[88]

These atypical forms of employment initially emerged as exceptions to the standard employment relationship, characterised by stability and long-term security. However, these non-standard forms became more common over time, raising questions about what should be considered "typical" employment. This shift reflected broader economic changes, particularly the rise of neoliberal policies prioritising labour market flexibility and deregulation. [89]

The rise of atypical employment is closely linked to the spread of neoliberal economic policies, which have emphasised labour market flexibility, deregulation, and the reduction of labour protections. These policies have encouraged employers to adopt more flexible employment practices, leading to the growth of temporary, part-time, and freelance work. The traditional employment model, characterised by stability and long-term job security, has been replaced by more precarious forms of employment, reflecting broader economic shifts.[90]

As we mentioned, Fordism established a framework for stable employment. However, its decline has contributed to the emergence of atypical work arrangements that pose new challenges for labour rights and social security systems.[91]

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[87] Maria Jepsen Amparo Serrano-Pascual, *The Deconstruction of Employment as a Political Question* (Springer International Publishing 2018).

[88] Zoltan Banko& Gerke Gyula, *Hungarian Labour Law* (University of Pecs Faculty of Law 2020).

[89] Amparo Serrano-Pascual (n 42).

[90] International Labour Office, ‘Conclusions of the Meeting of Experts on Non-Standard Forms of Employment’ [2015] Gb.323/Pol/3 62.

[91] Max Koch, ‘Employment Standards in Transition: From Fordism to Finance-Driven Capitalism’, *Non-Standard Employment in Europe* (2013).

Over the past few decades, there has been a notable shift towards the flexibilisation of labour markets. This has weakened the features associated with typical work as employers increasingly seek more adaptable labour arrangements to respond to economic changes.[92]

The prevalence of non-standard forms of work, such as part-time, temporary, and self-employment, has increased significantly. In many OECD countries, these forms of employment now represent a substantial portion of the labour market, with a notable rise in the number of new jobs created in these modalities since the 1990s.[93]

There has been a shift in worker preferences, with some individuals opting for more flexible work arrangements that allow for better work-life balance, even if it means sacrificing some job security and benefits associated with typical work. [94]

Technological advances and the rise of the digital economy have transformed the nature of work. Remote, gig and platform-based employment have become more common, further blurring the lines between typical and atypical work.[95]

As the nature of work has evolved, there has been a growing recognition of the need to adapt labour laws and social security systems to address the challenges faced by non-standard workers. This includes discussions on providing adequate protections and benefits for those engaged in atypical work.

2.7 Atypical Employment Relationship Challenges

As was mentioned before, the (typical) standard full-time employment relationship contract has acted as the primary model for regulating work. In contrast, non-standard forms of work have been dealt with as exceptions, and, as such, they often have received different treatment. This has also been reflected in the term of social security, which has grown dependent on certain factors of standard employment. Consequently, when non-standard forms of work have grown in relevance, they have started to clash with the fundamental building blocks of social security systems. Some of these challenges are merely of a technical nature, while others demand a more profound policy response.

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[92] Goldin (n 2).

[93] OECD, 'In It Together: Why Less Inequality Benefits All' (n 29).

[94] Gunderson (n 24).

[95] ibid.

The first challenge is to determine what is considered ‘work’, an issue which is fundamental for social security purposes for two reasons. Many social security systems are composed of income replacement schemes, constructed under the presumption that ‘standard’ work is the primary source of income.

The schemes are designed in such a way that they generate income replacement in case the worker cannot continue to perform his traditional work activities. In these work-related schemes, workers are insured against the risk of income loss that is due to the ceasing of labour activities. Similarly, the financial basis for these schemes is traditional work from which employee and employer contributions are withheld.

The evolution towards non-standard work forms generates some challenges. We name four of them: When does an activity become a labour activity, and when can it be considered traditional work? Which of the generated income is work-related, and from what moment is the work activity of a significant enough size to be taken into account for social security purposes?
The first question relates to the nature of work. When exactuly does an activity turn into a work activity? The question becomes more difficult to answer with a growing number of non-standard forms of work. In relation to apprentices, trainees, prosumers, and groups alike, systems face many qualification problems. Can these activities be considered for applying our (work-related) social security schemes? A popular policy is to answer positively regarding the benefits side, especially when the activities come close to traditional work activities (such as the apprentices' case).

Another challenge related to the relationship between work and income: what should we do when income is not related to work per se but to capital? Should social security take into account work income that is only marginal income (the income threshold issue)? Most work-related schemes still start from work-related income only. Additional sources of income (e.g. income by nature, income related to capital) do not qualify as a source (of income) for social security purposes. However, we note that in many non-standard forms of work, the distinction between work-related income and other sources of income has become blurred (especially in the case of productive consumers, employee shareholders, self-employed shareholders who also perform professional activities within the scope of the company in which they are shareholders, etc.). In the design of modern social security schemes, we can no longer ignore this situation, as it has become difficult to draw a dividing line between traditional work and economic risk. The

focus should shift more towards income derived from the work situation in general, and less towards income in terms of units (hours) of work performed. This calls for a rethinking of many social security financing systems. Similarly, the process of calculating benefits will need careful review.

Moreover, there are work arrangements that are (in most cases) excluded from social security systems because they are considered too marginal. This is usually the case with self-employed workers who do not have employees, whether they are economically dependent on one or several employers for a small income. [96]

The second challenge is identifying the employer. Identifying the employer is a fundamental aspect of social security, in order to determine who is responsible for paying contributions (financing), deciding on layoffs (unemployment) and granting income substitution (incapacity to work). However, doing so is not always straightforward in many atypical forms of work. Temporary agency work is an area where a great deal of effort has been made to overcome this problem, primarily by ensuring that agency companies remain responsible for meeting the employer's obligations regarding contributions. [97] However, this challenge has not yet been overcome, and it has resurfaced with great force in relation to the status of platform workers (such as Uber drivers), an ongoing debate (about whether they work for platform users or the platform itself) that will undoubtedly have complex consequences, not to mention that sometimes flexible work across platforms, the same person is often active on several platforms almost simultaneously (while at the same time the person is not necessarily active on all the platforms on which they are registered), [98] and these platforms may be located in different countries, making it very difficult to track employers and work done.

The third challenge is the (work instability) that characterizes most atypical forms of work. [99] As a result, people in atypical forms of work are pushed outside social security systems,

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[96] Ulrike Muehlberger and Silvia Pasqua, 'Workers on the Border between Employment and Self-Employment' (2009) 67 Review of Social Economy.

[97] IDEA Consult, 'How Temporary Agency Work Compares with Other Forms of Work' (2015).

[98] Gérard Valenduc, 'Work in the Digital Economy: Sorting the Old from the New' (2016).

[99] European Comission, 'Access to Social Protection for People Working on Non-Standard Contracts and as Self-Employed in Europe' (2017) <https://op.europa.eu/en/publication-detail/-/publication/fb235634-e3a7-11e7-9749-01aa75ed71a1/language-en>.

even though they may over time accumulate a large number of fixed/part-time work assignments, each of which is too small to be taken into account for social security purposes.

Temporary agency work regulations have attempted to address this issue, and in some European countries (e.g. the Netherlands, France and Belgium) employers, agencies and trade unions have collaborated to create special provisions to compensate for some of the periods of inactivity that characterize the fragmented careers of temporary agency workers. [100] Relatedly, digital platforms offering work have the potential to further increase this instability by deviating from regular working hours [101] (workers may thus face situations where they may work a large number of hours in some periods and remain inactive in others, while social security systems are often only equipped to take into account regular working hours). Social security systems should be redesigned to accommodate these irregular work patterns where periods of activity are followed by periods of inactivity. If this does not happen, systems may lose an extensive range of work activities that do not conform to the traditional (fixed period) work organization.

2.8 Atypical employment in Hungarian legislation

Hungarian labour law includes various forms of atypical employment to meet the needs of the dynamic labour market and comply with EU directives. These forms naturally deviate from standard full-time and indefinite-term employment relationships, providing flexibility for both employers and employees. Below is an overview of these types of employment and their regulatory framework, with reference to recent legislative updates.

1. Fixed-term employment

Fixed-term contracts are widely used to meet specific work requirements, such as seasonal work or project-specific tasks. Under Section 192 of the Hungarian Labour Code (Act I of 2012), these contracts are limited to a maximum of five years, including extensions. This ensures that fixed-term employment remains temporary while providing legal certainty for both parties.[102].

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[100] IDEA Consult (n 52).

[101] Christophe Degryse, 'Digitalisation of the Economy and Its Impact on Labour Markets' [2016] etui <https://www.etui.org/publications/working-papers/digitalisation-of-the-economy-and-its-impact-on-labour-markets>.

[102] Máté Vörös, Zsófia Ásványi and Diána Ivett Fűrész, 'The Hard Truth on Fixed-Term Employment and Organizational Performance – Survey-Based Evidence from Hungary' (2022) 25 Zagreb International Review of Economics and Business 165.

According to a study by researchers, employees working on fixed-term contracts are generally more efficient at performing basic or unskilled tasks within the company. One explanation may be that these workers are more motivated than their colleagues working on permanent contracts, as they view their fixed-term jobs as an opportunity rather than a constraint. They are willing to sign such contracts since they have no other viable option to remain active in the labour market. If a fixed-term arrangement provides an employment relationship that helps an individual avoid a worse alternative (unemployment), it may be an effective form of short-term employment.[103].

2. Part-time work

The Labour Code (Law I of 2012) governs part-time work in Hungary. According to Section 92 of the Labour Code, parties may agree on part-time work, defined as working hours shorter than the standard full-time work schedule of eight hours a day. The exact duration of part-time work must be specified in the employment contract. Recent legislative changes have further supported part-time work. As of July 2020, employers are obliged to accommodate an employee's request for part-time work – defined as 50% of the normal daily working time – until a child reaches the age of four. This provision is intended to help employees balance work and family responsibilities.[104].

3. Telework

The Hungarian Labour Code defines telework as regular activities performed away from the employer's premises, with the aid of information technology devices, the results of which are transmitted electronically.

The Labour Code states the special contents of a work contract aimed at telework: the contract should contain the parties' agreement that the employee is employed via telework.

The employer – in addition to the items listed in Section 46 informs the employee

- about the rules of supervision by the employer,
- about the rules restricting the use of information technology or electronic devices and

[103] ibid.

[104] Pablo Sanz De Miguel, Maria Caprile and Juan Arasanz, 'Regulating Telework in a Post-COVID-19 Europe: Recent Developments' 1 <https://osha.europa.eu/en/publications/regulating-telework-post-covid-19-europe>.

- about the organisational unit the employee belongs to and his or her work.[105].

According to the definition given in the Framework Agreement on Telework, telework is a form of organising and/or performing work using information technology in the context of an employment contract/relationship, where work, which could also be performed at the employer premises, is carried out away from those premises on a regular basis.[106].

The Hungarian government has introduced measures to facilitate remote working in response to the pandemic. Government Decree No. 47/2020 allowed employees and employers to freely derogate from certain provisions of the Labour Code, enabling more flexible remote working arrangements during the state of emergency. This decree aimed to accommodate the sudden shift to remote working imposed by the pandemic. In addition, the pandemic has prompted discussions about the need for more comprehensive remote working regulations in Hungary. While temporary measures have been implemented, there is ongoing discussion about creating permanent legislative frameworks to address the legal, health and safety aspects of remote working. [107].

4. Simplified employment

Simplified recruitment is designed for temporary and seasonal roles, particularly in agriculture and tourism, and is governed by Act No. LXXV of 2010. The objective of the Act is to facilitate seasonal and casual employment notifications, reports, and payments. It reduces administrative burdens while ensuring basic protection for employees. The law allows up to 90 days of temporary work per year with a single employer, providing a straightforward solution to short-term work requirements.[108].

5. Temporary agency work

In 2001 the Hungarian legislator decided to regulate temporary agency work. The codification was realized in the spirit of flexibility, and the nature of Agency work requires a more flexible

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[105] Zoltán Bankó, 'Telework in Hungary – Legislative, Jurisdictionary and Labour Market Policy Experiences' [2016] HUNGARIAN LABOUR LAW E-Journal 91 <http://hllj.hu/letolt/2016_2_a/A_06_Banko_hllj_2016_2.pdf>.

[106] Zoltan Banko& Gerke Gyula (n 43).

[107] Rsai Congress, 'Changes in the World of Work since the COVID- 19 Epidemic in Rural Areas in Hungary' 259.

[108] Simplified Employment Act (Act LXXV/2010). 2010.

set of rules. These rules reflected much lower employee protection to conform better to the market demand.[109].

Later, Act I of 2012 (the new labour code) enabled the application of temporary agency work within a flexible framework, considering the possibilities of derogation allowed by EU regulations. The new labour code adopted a different method for terminating the employment relationship: the general rules in sections 63-85 of the Labour Code, besides the special set of provisions in section 220, reflected the flexibility in the practice of temporary agency work. [110].

6. Employment relationships by multiple employers

Based on section 195, point 1 of the Hungarian Labour Code, several employers and one employee may agree about performing tasks related to a job in a work contract. In this case, there must be one job contract. In most cases, the employers are members of the same groups of companies and connected by a business relationship, which means that the employment relationship with several employers is specific and requires strict conditions to be met, which justifies why the Hungarian legislator did not wish to provide a detailed regulation for this employment relationship, but only regulated the main features of this employment relationship.[111].

7. Job sharing

Job sharing is an atypical form of employment in which two or more employees share the responsibilities, workload, and remuneration of a single full-time job. This flexible working arrangement is regulated in Hungary by the First Act of 2012 on the Labour Code. Section 193/a specifically allows for job sharing, emphasizing the voluntary agreement between employees and the employer.

Job-sharing workers are generally entitled to the same social protection benefits as part-time workers.

Hungarian legislation also specifies notice periods and severance payments if the employment relationship ends, consistent with other types of employment contracts.

A research report on job-sharing among older people shows other positive aspects, such as making part-time work possible in roles with high responsibilities and potential career

[109] Zoltan Banko& Gerke Gyula (n 43).

[110] ibid.

[111] ibid.

advancement, with the potential for job satisfaction, and the advantage of being able to "turn off" the knowledge that someone else is doing the job during periods of off-duty8. [112]

8. On-call work

On-call work: Under EU law and Hungarian regulations, when an employee is required to be at the workplace or another place specified by the employer, this period is considered working time. It must be fully counted as part of the employee's working hours.

In Hungary, "on-call work" is regulated by the Labour Code (Act I of 2012), which aligns with the EU Working Time Directive. On-call work refers to periods during which employees must be available to perform work if necessary, either by remaining at the workplace or by being available outside normal working hours.

On-call work ("standby duty" or "standby duty") in Hungary is mainly regulated by Section 110 and relevant provisions of the Hungarian Labour Code (Act I of 2012). These sections govern working time rules, rest periods and standby duty, ensuring compliance with national and EU directives.[113].

9. Student Employment

The Hungarian Labour Code (Law I of 2012) regulates student employment in Hungary, which contains specific provisions addressing minors and students. Section 34 states that all employment contracts, including student contracts, must be in writing and specify basic terms such as the nature of the work and wages. Section 114 governs the working time of employees under 18, restricts their working hours and prohibits overtime and night shifts. Section 294(1) defines young workers as those aged between 15 and 18, giving them additional legal protection. Section 119(2) sets out rest period requirements for minors, ensuring that their working day does not exceed eight hours and that sufficient rest periods are provided to protect their education and health. In addition, student internships are affected by higher education laws in Hungary, particularly the 2011 CCIV Act on National Higher Education, which sets out internship frameworks governed by agreements between employers and educational institutions. [114]

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[112] Eurofound, 'New Forms of Employment' [2015] Publications Office of the European Union, Luxembourg 168.

[113] CMS, 'Labour Law in Hungary' (2023) <https://cms.law/en/int/expert-guides/cms-expert-guide-to-labour-law-in-central-eastern-europe/hungary?utm_source=chatgpt.com>.

[114] Part One and General Provisions, 'Act I of 2012 on the Labor Code' <https://mta-pte.ajk.pte.hu/downloads/12-01.tv-en.pdf>.

10. Self-employment

Self-employment in Hungary is primarily governed by the Hungarian Civil Code (Act V of 2013), which sets out the legal framework for independent contractors and self-employed workers. This classification distinguishes self-employed individuals from traditional employees, regulated under the Hungarian Labour Code (Act I of 2012).

Self-employed individuals in Hungary are subject to specific tax regimes. One notable regime is the KATA (Small Taxpayers' Detailed Tax), which offers a simplified tax method with a flat monthly tax rate. However, recent legislative changes have imposed restrictions on this regime, particularly concerning business-to-business (B2B) services, limiting its applicability and raising concerns among self-employed workers.

A significant issue with self-employment as an atypical form of employment is the possibility of "pseudo-self-employment," where individuals are classified as self-employed to avoid employment protection. This misclassification can lead to a lack of legal rights and social security coverage. **[115].**

11. Platform work

Platform work, or gig economy jobs, involve tasks performed via digital platforms, such as transportation services or food delivery. While not yet fully incorporated into Hungarian labour law, ongoing discussions and EU directives aim to clarify the legal status of platform workers and ensure fair treatment and basic protections.[116]

In this context, on December 13, 2023, the Hungarian Supreme Court issued a ruling on the classification of employment relations between a food delivery platform and a driver. The decision was based on Hungarian labor law and jurisprudence on the concept of work. It is the first ruling on platform work in Hungary and the Central and Eastern European region. The court stated that the worker is self-employed. Researchers believe the argument on which the decision is based deserves a comprehensive critique. [117]

12. Casual work

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[115] Gyulavári Tamás, 'SELF-EMPLOYMENT IN HUNGARIAN LAW' [2023] ACTA UNIVERSITATIS LODZIENSIS 203 <https://czasopisma.uni.lodz.pl/Iuridica/article/view/21359/21930>.

[116] Tamás Gyulavári, 'The First Platform Work Judgment in Central and Eastern Europe' [2024] European Labour Law Journal.

[117] ibid.

Act 85 of 2010 on simplified employment entered into force in Hungary on 1 August 2010. The law's main aim was to provide a flexible and cheap way to employ workers for short—and fixed-term periods. Its predecessor was the Temporary Employees Handbook, which proved very popular despite being widely misused. Simplified employment is widespread in practice. The Tax Authority estimated that this law affected more than 600,000 workers in 2013. [118]

2.9 Governing Legislation and Legal Framework of Atypical Employment in the Netherlands

Dutch labour laws are designed to protect employees and employers, balancing the rights and obligations of both sides. They govern these relationships primarily based on Dutch civil law and collective labour agreements.

Labour laws include regulations on employment agreements, minimum working conditions, leave policies, termination of employment and data protection laws. The basic principle of the Dutch labour system is to provide a fair and safe working environment that respects the dignity and rights of the worker while ensuring operational flexibility for employers.

Dutch labour law also imposes certain employee benefits for both permanent and temporary contracts. These include provisions on entitlement to holiday and paid leave. Any breach of these provisions can result in significant legal consequences.

The regulation of atypical employment relationships in the Netherlands is embedded in a legal framework that includes national laws and EU directives. These legal instruments seek to balance labour market flexibility with adequate protection for workers and meet the needs of both employers and employees in non-traditional work arrangements. Suppose we want to review the primary legislation governing non-traditional employment relationships in detail. In that case, we find that the legislation governing this type of employment relationship is the Civil Code and several legislations, as shown below:

Dutch Civil Code (Burgerlijk Wetboek, BW)

The Dutch Civil Code (Burgerlijk Wetboek, BW) sets out the legal framework for different employment relationships, including atypical forms such as fixed-term contracts, part-time contracts, temporary contracts and on-call contracts (Articles 7:610-7:691 BW). While this framework provides flexibility and contributes to high labour market participation rates, especially among women, scholars have raised concerns about the associated instability, income

[118] *New forms of employment Casual work , Hungary* (n 41).

instability and potential exploitation of workers in these atypical arrangements. The Dutch Civil Code explicitly recognises atypical employment relationships, ensuring that workers under fixed-term contracts, part-time contracts and on-call contracts have a legal basis for their rights. This recognition is in line with EU directives aimed at protecting these workers. For example, the implementation of the EU Directive on Fixed-Term Work in the Netherlands has been analysed in various studies [119].

With regard to on-call workers, Article 7:628a BW states that employers pay wages if workers are available but not called upon, addressing income volatility among on-call workers. This provision aims to reduce the financial uncertainty faced by these workers [120].

Despite legal protection, scholars argue that the Dutch labour market has become fragmented. A core group of permanent workers enjoys strong protection, while atypical workers face job insecurity. The spread of temporary part-time contracts has been linked to increased labour market fragmentation and potential exploitation [121].

Critics highlight that employers sometimes circumvent regulations by rotating workers between temporary contracts or using intermediaries to avoid offering permanent jobs. For example, intermediaries may prevent semi-self-employed workers from entering into employment relationships with user organisations by including non-competition clauses in their contracts [122].

Furthermore, atypical workers often face unstable incomes and limited access to social security benefits. Research suggests that the accumulation of atypical working situations, such as temporary contracts and self-employment, can negatively impact workers' health and well-being. In response to these criticisms, the Dutch government has introduced reforms aimed at balancing

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[119] Der Putte EK-V Visser J, Wilthagen T, Beltzer R, *The Netherlands: From Atypicality to Typicality* (Cambridge University Press 2009) <https://www.cambridge.org/core/books/abs/employment-policy-and-the-regulation-of-parttime-work-in-the-european-union/netherlands-from-atypicality-to-typicality/29DD68327E9F82FD40F66E1269EFE0C1>.

[120] Vincenzo Ferrante, 'Zero-Hours and Other Very Atypical Forms of Employment Contracts in European and International Regulation' (2019) 16 US-China Law Review 1.

[121] Lei Delsen, 'Atypical Employment Relations and Government Policy in Europe' [2007] Radboud University <https://www.researchgate.net/publication/229713171_Atypical_Employment_Relations_and_Government_Policy_in_Europe>.

[122] Nuna Zekić, 'Possible Avenues for a More Effective Temporary Agency Work Directive' (2024) 15 European Labour Law Journal 68.

flexibility with worker protection. The Balanced Labour Market Act seeks to discourage the excessive use of flexible contracts by increasing costs for employers and encouraging permanent employment. However, the effectiveness of such reforms remains a subject of scholarly debate [123].

2.10 Flexible and Secure Work Act (Wet Flexibel Werken, 1999)

The Flexible and Secure Work Act (Wet Flexibel Werken, 1999) was introduced in response to the increasing flexibility of the Dutch labour market, to balance employers' demands for a more adaptable workforce with employee security. However, researchers and labour law experts have offered praise and criticism for its effectiveness. The following are key academic perspectives and criticisms:

Many researchers acknowledge that the 1999 Act has increased job security for flexible workers and reduced precarious employment. Positive outcomes include the reduction of excessive fixed-term contracts as the Act introduced the chain rule (7:668a BW), which prevents employers from continuously renewing temporary contracts for more than three consecutive periods or three years without offering a permanent contract [124].

Studies show that this measure has led to more permanent contracts than before 1999. On the other hand, the law contributed to improving the legal protection of temporary workers. Researchers argue that by imposing equal treatment between temporary and permanent employees, the law reduced exploitation in flexible contracts [125].

Scholars argue that this reform brought Dutch labour law more in line with EU labour standards, particularly Directive 1999/70/EC on fixed-term work.

In collective agreements (CAOs) and social protection, the law strengthened the role of sectoral collective bargaining agreements in ensuring that flexible workers receive wages and benefits similar to permanent workers.Scholars argue that the Netherlands has taken a progressive

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[123] AN Pöykkö, *Flexibility or Insecurity? A Comparative Study of the Legal Status of Zero-Hour Worker in Finland, the Netherlands, and the …* (2019) <http://arno.uvt.nl/show.cgi?fid=149178>.

[124] Wim Van Oorschot, 'Trends and Experience in Dutch Flexible Work and Flexicurity Policies' [2006] SSOAR <https://www.ssoar.info/ssoar/bitstream/handle/document/17411/ssoar-2006-oorschot-trends_and_experience_in_dutch.pdf;jsessionid=5547846A9F01316485607E8F152D073B?sequence=1>.

[125] Marianne Grünell, 'Problems Mark Implementation of Dutch Flexibility and Security Act' [1999] Euro funds <https://www.eurofound.europa.eu/es/resources/article/1999/problems-mark-implementation-dutch-flexibility-and-security-act?utm_source=chatgpt.com>.

approach to regulating temporary work through social dialogue compared to other EU countries [126].

It is worth noting that despite its intended benefits, the law has faced significant criticism from labour market researchers and policymakers for not fully addressing labour market segmentation and instability.

a) The rise of temporary and on-call contracts

While the Act limited the use of fixed-term successive contracts, employers shifted towards other flexible contracts, such as:

- Zero-hour contracts (on-call work).
- Agency work (employment through temporary work agencies).
- Freelance work arrangements (ZZP), which fall outside the scope of traditional employment protection.

Meaning that, this shift has weakened the job security of many workers, particularly young professionals and low-skilled workers [127].

b) Loopholes in the chain rule

Employers have circumvented the chain rule by laying off workers temporarily (usually for six months) before rehiring them to restart the number of contracts. In addition, external agencies are used to bypass the requirement for a permanent contract.

Jansen (2019) argues that these loopholes have undermined the original purpose of the legislation, allowing continued reliance on non-standard contracts [128].

c) Increased polarization of the labour market

Highly skilled workers have primarily benefited from the Act, while lower-skilled workers have remained in precarious jobs.

Some scholars note that the Netherlands has developed a dual labour market where a core group of permanent workers enjoyed strong protection while, a marginal group of flexible workers

[126] Wim van Oorschot, 'Flexible Work and Flexicurity Policies in the Netherlands: Trends and Experiences' (2004) 10.1177/10 Transfer European Review of Labour and Research <https://www.researchgate.net/publication/247789107_Flexible_work_and_flexicurity_policies_in_the_Netherlands_Trends_and_experiences>.

[127] Anja Eleveld, 'Flexi-Insecurity and the Regulation of Zero-Hours Work in the Netherlands' (2022) 13 European Labour Law Journal <https://journals.sagepub.com/doi/10.1177/20319525221104166?utm_source=chatgpt.com>.

[128] ibid.

faced job insecurity, low wages and poor job prospects. This division was exacerbated by the emergence of platform work and freelance contracts (ZZP'ers) in the 2000s [129].

Subsequently, the law underwent several reforms aimed at addressing the shortcomings of the law.

In light of these criticisms, the government has introduced some legislative reforms to address the criticisms of the law, namely:

- The Work and Security Act (WWZ, 2015) aims to impose stricter rules on temporary contracts and severance pay.
- The Balanced Labour Market Act (WAB, 2020) aims to encourage permanent employment by imposing higher costs on employers for flexible contracts.
- The proposed EU Platform Work Directive (2023) aims to address the misclassification of freelance work in the gig economy.

2.11 The Working Conditions Act (Arbeidsomstandighedenwet)

The Working Conditions Act (Arbowet) has significantly improved workplace safety in the Netherlands, especially in high-risk industries, and is in line with EU labour standards.

The Working Conditions Act (Arbeidsomstandighedenwet, Arbowet) serves as the basis for Netherlands occupational health and safety regulations. It transposes EU directives, such as Directive 89/391/EEC on introducing measures to promote improvements in workers' safety and health at work, into Dutch law. The Act aims to create a safe and healthy working environment by requiring employers to conduct risk assessments, implement preventive measures and cooperate with employee representatives. While scholars acknowledge its role in improving workplace safety, they also highlight significant shortcomings and challenges in its enforcement and its ability to adapt to modern labour trends [130].

Importantly, several studies acknowledge that the Arbowet Act has led to significant improvements in workplace safety and health standards, particularly in high-risk sectors such as construction, manufacturing and healthcare.

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[129] Jonneke &Marloes de Graaf-Zijl &Bas Scheer Bolhaar, 'Three Perspectives on the Dutch Growth of Flexible Employment' (2018) 166 De Economist <https://www.researchgate.net/publication/327539216_Three_Perspectives_on_the_Dutch_Growth_of_Flexible_Employment>.

[130] The working Conditions Act 2023.

Furthermore, the Act reinforces the duty of care (zorgplicht) for employers, requiring them to systematically identify, assess and mitigate workplace risks. This approach has encouraged Dutch companies to adopt risk-based strategies for occupational safety [131].

The Act also requires consultation with works councils (Ondernemingsraad) or employee representatives, ensuring that workers have a voice in occupational health and safety policies. This three-pronged approach is in line with the Dutch polder model of social dialogue [132].

By incorporating EU directives and ILO conventions on workplace safety, the Act emphasizes the principle of "prevention before cure". This proactive regulatory approach places the Netherlands in a leading position in the field of workplace safety within the European Union.

Despite its achievements, Arbowet faces criticism over implementation gaps, high rates of precarious work, and challenges in adapting to new working environments such as telework and platform work.

a) Weak implementation and compliance gaps

Insufficient inspections and sanctions:

The Dutch Labour Authority (NLA) oversees compliance but is limited by low inspection rates and restricted enforcement capabilities, which can undermine the effectiveness of the law [133].

Employer evasion of occupational health and safety responsibilities:

Some employers try to reduce compliance costs by outsourcing risky tasks or hiring freelancers (ZZP'ers), who are not covered by traditional employment protections. This practice contributes to a "split workplace", where core employees receive full protection, while subcontractors and temporary workers face weaker occupational health and safety standards [134].

b) Challenges in Regulating Telework and Temporary Work

Inadequately addressing the risks of telework:

While the law extends occupational health and safety obligations to home offices, enforcement remains difficult as inspectors cannot enter private residences without approval. Consequently,

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[131] Marieke Agatha Stoop, 'Employment Law Netherlands, Sick Leave Netherlands' [2024] Human in Progress <https://humaninprogress.com/workplace-health-and-safety-netherlands/?utm_source=chatgpt.com>.

[132] The working Conditions Act.

[133] Kai Liu, *Protection of Health and Safety at the Workplace* (Springer+ Basic 2020) <https://link.springer.com/book/10.1007/978-981-15-6450-5>.

[134] ibid.

teleworkers may face increased risks of fatigue, workplace-related injuries and digital overwork, which the current Arbowet law does not fully address [135].

Exclusion of Platform Workers and Self-Employed Individuals:

Gig workers and self-employed individuals (ZZP'ers) are largely excluded from occupational health and safety protections under the law. This exclusion leaves platform workers in sectors such as food delivery and car rental vulnerable to occupational hazards without employer accountability.

c) Psychosocial Risks

Increased mental health issues in the workplace:

The law has traditionally emphasized physical safety over mental health, despite the rise in stress-related illnesses such as burnout, depression and anxiety. Dutch labour market surveys indicate an increase in work-related stress and absenteeism, particularly in sectors such as healthcare, education and public administration [136]

Inadequate regulation of work intensity and overwork:

Although the Netherlands has a high rate of part-time work, full-time workers often experience high job stress and unpaid overtime. Scholars suggest that strengthening the legal limits on working hours is necessary to prevent excessive workload [137].

To address these challenges, the Dutch government has implemented several reforms and proposed new policies:

2022 amendment to the Working Conditions Act:

This amendment expanded occupational health and safety obligations for teleworkers, requiring employers to provide ergonomic home office equipment and mental health support [138].

Increased funding for the Dutch Employment Authority (2023):

The government has allocated additional resources to labour inspections to strengthen compliance monitoring, particularly targeting temporary work agencies and small and medium-sized enterprises [139].

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[135] ibid.

[136] ibid.

[137] ibid.

[138] Working Conditions in the Netherlands 2024 1.

Proposed EU Platform Work Directive (2023):

This directive aims to clarify employer responsibilities towards temporary workers and to strengthen occupational health and safety protection in digital work platforms. However, Dutch law has not yet fully incorporated these changes [140].

Type of Employment	Governing Law(s)	Key Features
Fixed-Term Employment	- Articles 7:667-7:668a of Dutch Civil Code (BW)	- Employment for a specific, predetermined duration. - Subject to limits on contract renewals under chain rule regulations.
Part-Time Employment	- Articles 7:610-7:610b of the Dutch Civil Code (BW)	- Work agreements for fewer hours than a full-time employee. - Same rights as full-time workers on a pro-rata basis.
Temporary Agency Work	- Directive 2008/104/EC - Dutch Civil Code	- Employment through an intermediary staffing agency. - Workers are placed with third-party employers.

[139] Floor Hintzen, 'Dutch Employment Budget Sets out Significant Changes to Employment Law' (*Out-Law Analysis*, 2023) <https://www.pinsentmasons.com/en-gb/out-law/analysis/dutch-employment-budget-significant-changes-employment-law>.

[140] Marketa Pape and Stefano Spinaci, 'Digital Platform Workers: EU Rules One Step Closer' <http://www.europarl.europa.eu/thinktank>.

On-Call Contracts	- Article 7:628a of Dutch Civil Code (BW) - Balanced Labour Market Act (WAB, 2020)	- Flexible work arrangements where employees are called to work as needed. - Includes zero-hour contracts.
Self-Employment (ZZP)	- Wet DBA (Self-Employment Deregulation Act)	- Independent contractors without an employer-employee relationship. - Exempt from traditional employee benefits.
Platform Work	- Emerging under case law and legal debates	- Work mediated through online platforms like Uber and Deliveroo. - Status as employee or self-employed is debated in court.
Telework	- Working Conditions Act (Arbeidsomstandighedenwet) - Flexible Work Act (Wet Flexibel Werken)	- Remote work performed outside a traditional workplace. - Employer responsible for providing safe

		working conditions.
Mini-Jobs	- Various Tax and Social Security Regulations	- Small-scale jobs with limited hours or income. - Typically below social insurance thresholds.
Internships and Traineeships	- Dutch Civil Code (Articles 7:610-7:692 BW)	- Temporary learning arrangements with limited pay and protections. - Aimed at gaining work experience.
Job Sharing	- Governed by individual contracts and CAOs	- A full-time position split between two or more employees. - Shared responsibilities and benefits.

It is worth noting that many of these models are shaped by EU directives, such as Directive 2008/104/EC on temporary agency work and Directive 1999/70/EC on fixed-term employment.
The Directive 2008/104/EC on temporary agency work sets minimum working standards for temporary agency workers, ensuring that they receive fair treatment similar to that of permanent employees.
It is based on several principles, the most important of which are:

- The principle of equal treatment (Article 5): Temporary agency workers must receive the same basic working and employment conditions (e.g. pay, working hours, rest periods, holidays) as similar permanent workers in the employing company.
- Access to permanent employment (Article 6): Member States must ensure that temporary workers are not restricted from applying for permanent positions in the employing company.
- Protection against discrimination (Article 2): Prevents unfair treatment of agency workers compared to direct employees.
- Protection of health and safety (Article 8): Agencies and employing companies share responsibility for ensuring a safe working environment.

This is clearly demonstrated in Dutch legislation through several legal texts such as Article 7:690 of the Dutch Civil Code, which recognizes temporary employment agency contracts, as well as the Dutch Employment Act for Personnel through Intermediaries (Wet allocatie arbeidskrachten door intermediairs, WAADI), which stipulates equal treatment for temporary workers.
(Source: Directive 2008/104/EC, Official Journal of the European Union, 2008. Retrieved from https://eur-lex.europa.eu)
Directive 1999/70/EC on employment with fixed-term contracts aims to prevent the abuse of successive fixed-term contracts and ensure equal treatment between employees with fixed and permanent ones.
The most important provision of this directive is the non-discrimination clause (Article 4): Employees with fixed-term contracts may not be treated less favourably than permanent employees with comparable wages, benefits and working conditions.
(Article 5): To prevent employers from continuously renewing fixed-term contracts, Member States must introduce a maximum number of renewals for fixed-term contracts or a maximum total duration of successive contracts. The second paragraph of this article (Article 5.2): provides for the transition to permanent employment, where employers must facilitate the conversion of fixed-term contracts into permanent employment where appropriate [141]

[141] COUNCIL DIRECTIVE 1999/70/EC 1999.

This directive is reflected in the Dutch Civil Code (Article 7:668a BW), which limits the use of successive fixed-term contracts under the "chain rule" (a maximum of three fixed-term contracts within three years, after which the contract must become permanent).

Also in the Balanced Labour Market Act (WAB, 2020), which further strengthens the protection of employees with fixed-term contracts by reducing the transition period before permanent employment status becomes required.

2.12 Laws Governing Atypical Employment Relationships in the UAE

1. Private Sector

Federal Decree-Law No(33) of 2021 governs the private sector in the UAE. regulating labor relations, as amended by Federal Decree-Law No. (20) of 2023. This law regulates non-traditional work patterns, such as:

- Full-time work is work for a single employer for all of the working hours of the day, all working days.
- Part-time work is work for an employer or employers for a specific number of working hours or days.
- Temporary work is work that requires a specific duration, or is focused on a specific task and ends upon its completion.
- Flexible work is work in which the hours or job titles change according to the volume of work and the economic and operational variables of the employer. The employee may work for the employer according to the circumstances and changes in the work.
- Telework: Performing all or part of the work at the workplace, providing electronic communication between the worker and the employer, rather than being present at work part-time or full-time.
- Job sharing: Performing tasks and duties among more than one worker to perform the agreed-upon tasks, with the wages due to each worker being proportionate and proportionate. Dealing with the regulation of diverse work.
- Self-employment: is a system of independent and flexible work through which a natural person earns direct income by providing his services for a specific period of time or by performing a task or providing a specific service, whether to individuals or

establishments, provided that this natural person is not, in any way, an employee of these individuals or establishments [142]

It is worth noting that the types of work: freelance work, job sharing, and telework, are not mentioned in the UAE Labor Law issued by Decree No. 33 of 2021 and amended by Decree No. 20 of 2023. Rather, they are mentioned in Articles 5 and 8 of the Executive Regulations issued by the Cabinet of Ministers No. 1 of 2022, meaning that they were added to the types of non-standard work to address the deficiency contained in the Decree Law [143].

2. Public Sector

Federal Decree-Law No. (47) of 2021 regarding the Unified General Rules for Work applies to employees and workers in federal and local government entities. This law aims to unify the general rules of work and enhance the efficiency, attractiveness, and sustainability of the labour market [144]

3. Domestic Workers

Labor relations with domestic workers are regulated by Federal Decree-Law No. (9) of 2022, as amended by Federal Decree-Law No. (21) of 2023. This law defines the responsibilities of the parties to the relationship [145].

Despite the progress made in the UAE regarding the legislative structure of labor law, particularly for domestic workers, there are still many areas that need development or legislative protection. Neither the law nor any other law in the UAE allows domestic workers to form or join unions, which restricts their ability to bargain collectively and achieve effective representation in their professional matters.

Regarding the freedom of domestic workers to change employers, the law does not impose explicit restrictions on the freedom of domestic workers to change employers. This is a significant development that benefits the worker, in contrast to previous legislation. However,

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[142] ArFederal DecreeLaw No 33 of 2021 Regarding the Regulation of Employment Relationship and its amendm 2021.

[143] UAE Cabinet, 'Cabinet Resolution No. (1) of 2022 Regarding the Executive Regulations of Federal Decree-Law No. (33) of 2021 Regarding the Regulation of Labor Relations' (2022) <https://uaelegislation.gov.ae/ar/legislations/1547>.

[144] Federal Decree-Law No. (47) of 2021 regarding the unified general rules for work in the United Arab Emirates 2021.

[145] ArFederal DecreeLaw No 33 of 2021 Regarding the Regulation of Employment Relationship and its amendm.

some provisions may indirectly impact this freedom. Therefore, it is recommended to provide clear guidelines and specific procedures for changing employers to ensure the protection of domestic workers' rights and a fair work environment.

In term of health insurance and retirement, Decree-Law No. (9) of 2022, nor its amendments, include provisions requiring employers to provide health insurance or a retirement plan for domestic workers. The executive regulations of the law, issued by Cabinet Resolution No. (106) of 2022, do not contain provisions regulating these aspects.

Therefore, it is noted that there is no legal framework mandating the provision of health and retirement insurance for support workers, exposing them to economic and social risks in the event of job loss or health crises [146].

Federal Decree-Law No. (13) of 2022 regarding unemployment insurance explicitly excludes support workers from its scope. Article (3) of the law stipulates that the system applies to all workers in the public and private sectors, with the exception of:

- Investor (employer).
- Support workers.
- Temporary contract workers.
- Juveniles under the age of 18.
- Retirees receiving a retirement pension who have joined a new job.

This exclusion means that support workers do not benefit from the unemployment insurance system in force in the country [147].

Comparing the legislation regulating atypical work in the UAE with its counterparts in the Netherlands, we find the following:

In the Netherlands, atypical work patterns—such as part-time work and remote work—are an integral part of the labor market structure and enjoy full legal protection under laws such as the Flexible Working Act 2016, which enables employees to request changes to their working hours or location, including working from home. An employer may only refuse such a request for justified and codified reasons. In the UAE, although Federal Decree-Law No. (33) of 2021

[146] Federal Decree-Law No. (9) of 2022 on Service Workers 2022.

[147] Legislative Decree, 'Federal Decree-Law No. (13) of 2022 Regarding Unemployment Insurance' (2022) <https://uaelegislation.gov.ae/ar/legislations/1596>.

recognizes remote work as a legitimate work pattern, the implementation of these patterns remains limited and relies on the employer's discretion, in the absence of provisions guaranteeing the worker's right to request these arrangements or appeal their refusal.

Furthermore, the Dutch system is characterized by comprehensive social protection, covering all categories of workers, including those in atypical jobs, with advanced insurance systems that include unemployment insurance, compulsory health insurance, and compulsory retirement systems. In contrast, the UAE is still developing a comprehensive social protection system. Some of these systems do not include categories such as temporary workers or workers on flexible contracts on an equal footing with permanent workers. Despite the launch of systems such as the "Unemployment Insurance Scheme" in 2023, their comprehensiveness and effectiveness are still being evaluated.

With regard to union representation and collective bargaining, trade unions in the Netherlands play a pivotal role in the labor market. Collective bargaining is a fundamental legal tool for determining working conditions and wages, and Dutch legislation guarantees workers in all sectors, including those working remotely, the right to union representation. In contrast, UAE law does not permit the formation of trade unions, and labor dialogue is limited to limited government or institutional channels, weakening the ability of workers—especially those at a low level—to defend their rights through independent collective bargaining [148].

Chapter Summary

Social security remains largely the long-proposed solution to work-related problems. To ensure the sustainability of social security, it must adapt to new forms of work. It must be recognized that some of the social security arrangements on which it was founded no longer exist. This forward-looking approach also applies to the emerging challenges posed by atypical forms of work in the design of social security. Often, work-related social security systems still start from the idea of the traditional form of work, which is the standard employment relationship. Of course, this image no longer corresponds to reality, as we have mentioned, and therefore taking into account new forms of work in social security requires a rethinking of social security itself. While we agree that the basic principles of social security are the same for all persons who

[148] ArFederal DecreeLaw No 33 of 2021 Regarding the Regulation of Employment Relationship and its amendm.

perform work (employees, self-employed, flexible workers, etc.), when developing and implementing these basic principles, it is necessary to take into account their different features as much as possible. We call here again to take this as a starting point when introducing non-standard forms of work into (work-related) social security systems. This requires a courageous social policy and a creative legislator willing to understand what is so typical of the non-standard worker who wants to be covered by social security. Only by doing so can we create social security of equal value for all.

Chapter 3: Telework Employment Relationship

3.1 Introduction

Due to the COVID-19 pandemic which fueled the rise of telework, a new way of understanding employment has emerged. The chapter looks into the ways employment relationships transform under telework and illustrates that the typical elements such as being told what to do, monitoring, agreements and working in a certain location, are rearranged[149]. The chapter investigates how labour laws in Hungary, the Netherlands, Qatar and the United Arab Emirates (UAE) are able to address the particular aspects of telework. The report considers how work shifts to remote locations change employees' job status and how gaps in rules, laws and institutions shape the duty of employers and the legal rights of employees.

It is related to larger studies on non-traditional forms of employment and the main focus within this part of the field is telework. Though telework allows workers to be flexible and independent, it raises doubts about established legal rules on employer topics, safety standards and how to categorise work[150]. Those who hire employees find telework more challenging to handle in terms of management, faces liability risks and must observe more rules. This is why studying the work relationship in telework is a major issue for laws and policy that can have far-reaching results.

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[149] Lynette Harris, "Home-based Teleworking and the Employment Relationship" (2003) 32 Personnel Review 422 <https://doi.org/10.1108/00483480310477515>.

[150] Lynette Harris, "Home-based Teleworking and the Employment Relationship: Managerial Challenges and Dilemmas" (2003) 32 Nottingham Trent University's Institutional Repository (Nottingham Trent Repository) 422 <http://irep.ntu.ac.uk/id/eprint/25200/1/196430_482%20Harris%2C%20Preprint.pdf>.

International and national labour laws are the framework within which this change is happening.

- **European Framework Agreement on Telework (2002)** which establishes minimum rules for telework in EU member states regarding voluntary participation, data protection, health and safety and work-life balance.
- **Hungarian Labour Code (Act I of 2012)** defines employment officially and includes sections on remote work which became more important since the COVID-19 pandemic led to more remote work.
- Under the **Dutch Civil Code (Book 7, Article 610)**, employment is described. Dutch courts are flexible in recognising rights for remote workers.
- **The UAE Federal Law of Decree No. 33 of 2021** which covers ways to organise work and includes flexible models and agreements for telecommuting[151].
- **Under Qatar Labour Law No. 14 of 2004**, the rules for work are open to the employer's decision, yet it is not mentioned if employees can work from home permanently.
- The **ILO issued the Teleworking Arrangements Policy (in 2020)** in reaction to the pandemic, urging governments and employers to support proper remote working conditions.

Since there are changes in laws, policies and work practises, we must study how employment law responds to telework.

3.1.1 Legal Dimensions of Telework in the European Context

From the legal perspective, emergence of the telework in the European Union (EU) has redefined the traditional labour relations by introducing the flexible yet regulated frameworks. The European Framework Agreement on Telework (2002) remains core instrument recognising the telework as the voluntary form of an employment that should maintain the parity with the standard office-based work.[152] It emphasises the equal treatment, the data protection, the health and safety and a voluntary consent from both the parties. Member states have transposed these

[151] Lutz Gschwind and Oscar Vargas, "Telework and Its Effects in Europe," *Edward Elgar Publishing eBooks* (2019) <https://doi.org/10.4337/9781789903751.00007>.

[152] European Framework Agreement on Telework (adopted 16 July 2002) https://resourcecentre.etuc.org/sites/default/files/2022-09/European%20Framework%20Agreement%20on%20Telework%20-%202002.pdf

principles into the national laws, giving telework the clear legal identity distinct from the casual remote work.

Legally, the telework differs from the home-based work or the remote freelancing. While all involve working away from employer's premises, the telework implies the continuing employment relationship, a subordination to the employer and access to the organisational resources. Home-based work, by the contrast often involves a self-employment or the piecework without a same level of the control or the integration. The element of the subordination the worker's obligation to follow the employer instructions is therefore central in distinguishing the telework from the other forms of distance work.[153] Although employee may enjoy the autonomy in time management, the subordination persists through the contractual duties, the performance monitoring and a digital supervision.

Telework contracts across the EU must explicitly define an arrangement. According to Hungarian Labour Code (Act I of 2012, Section 196), the telework must be indicated in employment contract, clarifying that work is performed regularly outside employer's premises using the digital communication tools.[154] Employers must also provide the safe working conditions and specify the rights to request the office work if necessary. This contrasts with the ordinary home-based work that may lack explicit regulation. Similarly, the Dutch practice treats telework as extension of the dependent employment under Book 7, Article 610 of Civil Code provided that the employer retains the economic control and supervises a work outcome.

A related question concerns who may legally shift from the office work to the telework. Under Hungarian law like a transition must be mutually agreed and recorded in the writing, ensuring transparency in a modification of the working conditions. The change cannot be unilaterally imposed by the either party. Many EU jurisdictions follow this approach treating the telework as the contractual amendment rather than the managerial decision. This procedural safeguard ensures protection of the both parties while confirming voluntary nature of the telework.[155] In summary, the EU labour law frames the telework as the employment model defined by the

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[153] Valeria Pulignano, 'The Transformation of Work: Changing Employment Governance Regime' in *Handbook of Industrial Development* (Edward Elgar Publishing 2023) 90–105 https://lirias.kuleuven.be/retrieve/680139

[154] *Act I of 2012 on the Labour Code* (Hungary) s 196 https://net.jogtar.hu/jogszabaly?docid=a1200001.tv

[155] Manuela Samek Lodovici and others, 'The Impact of Teleworking and Digital Work on Workers and Society' Study Requested by the EMPL Committee (2021) http://onala.free.fr/ipol421.pdf

consent, subordination and the written contractual clarity. Its legal conditioning ensures that the flexibility does not undermine the workers' rights or the employers' obligations a balance that continues to evolve across the jurisdictions adapting to the digital employment realities.

3.2 Traditional Employment versus Telework Structures

There have always been three foundational areas in how a standard employment relationship has worked: the worker does their part, the employer has control and the worker receives remuneration. The same criteria have been included in many national laws and international papers, like **ILO Recommendation No. 198 (2006)** which points out that there needs to be a clear legal difference between employees and the self-employed. Formulated during the industrial era, they show that production was carried out at set locations, was closely watched and involved well-timed work processes[156]. Employers told employees when, where and how things should get done. Because of the unequal power between employers and employees in a contract of employment, this model influenced laws and rules in the area.

Telework challenges the usual approach by letting employees control both their schedules and workspaces. Many people are working outside central offices, often from their own homes, at all times and mainly using computers and online tools for communication[157]. Being away from the employer's office questions the idea of authority in the workplace. In traditional employment, managers closely watch workers and give supervision face to face, but with telework, KPIs, online tools for time tracking, project boards and virtual conferences are used. They can replace a lot of managerial tasks, although they usually do not offer the same immediate or complete control as employers are used to[158].

As workplaces are often not centralised, applying laws and statutes can become difficult. According to the Hungarian Labour Code, the employer must supply a safe environment where employees work. But, when the job happens at a private residence, it is sometimes unclear for an

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[156] Yehuda Baruch, "Teleworking: Benefits and Pitfalls as Perceived by Professionals and Managers" (2000) 15 New Technology Work and Employment 34 <https://doi.org/10.1111/1468-005x.00063>.

[157] N Klazinga, "Epimetheus' Responsibility: Resident Working Hours and System Redesign" (2003) 15 International Journal for Quality in Health Care 109 <https://doi.org/10.1093/intqhc/mzg026>.

[158] Ellen Kuhlmann and others, "EU Law, Policy and Health Professional Mobility," *Edward Elgar Publishing eBooks* (2017) <https://doi.org/10.4337/9781785364723.00017>.

employer whether they should request to be present. Similarly, the laws set by the **EU's Working Time Directive (2003/88/EC)** ensure that employees do not work too many hours per week, but they are still hard to enforce when staff work irregular hours. The lack of clear policy in the Netherlands made courts focus on the entire connexion between employer and employee, not just on if a boss is watching.

Also, the meaning of workplace has substantial effects on where laws are applied, what regulations employers must meet and what risks they face. Presence at a traditional workplace, not the worker, helps specify what labour, health and taxes rules apply. By contrast, telework makes identifying a fixed workplace less certain[159]. Employees might be based in many countries or move around which can cause confusion about which rules cover their work. There is particularly a lot of uncertainty when international private law affects how employment statutes are applied in cross-border telework.

Qatar and the UAE, without direct policies in place regarding telework, find extra consequences from this decentralisation. The existing national labour laws keep employers liable, but it is difficult for them to watch over work hours, safety and benefits without a workspace to predict.

So, although telework is helpful in terms of flexibility and savings, it also leads to problems with no clear rules or outdated policies. Now, officials and courts have to find solutions that help employees while accepting new ways workplace boundaries are being crossed and new definitions of subordination. As a result, existing laws should be reviewed and new tools for following them are needed to match how businesses work online.

3.3 Legal Foundations of the Employment Relationship

Three main features define the employment relationship which is doctrinally distinct from freelancing, consultancy or being employed casually control (separation into employer and employee), personal service and continuity. This foundation for labour regulation is encoded in

[159] Aline Van Bever, "Open Norms and the Foundations of Employment Law: A Legal Examination of Hidden Patterns in Employment Relationships" (2012) 3 European Labour Law Journal 173 <https://doi.org/10.1177/201395251200300205>.

national laws, explained in court cases and formalised in official acts[160]. Besides making employees and non-employees different, these elements also lead to certain legal rights for employees, for example those for minimum salary, insurances and not being dismissed at will.

The main importance of written codes and formal reading of laws is acknowledged in employment law in Hungary and the Netherlands. **The Hungarian Labour Code (Act I of 2012)** expresses that work is based on a relationship in which the employee must take orders and be guided by the employer at all times. This means the employer can control when, where and how work is done. Similarly, the **Dutch Civil Code (Book 7, Article 610)** notes that employment consists of three parts: someone providing labour, being paid and a boss-worker relationship being present. The Dutch courts have determined these elements further by emphasising who has more economic control or influence at work[161].

Hybrid legal systems in the United Arab Emirates (UAE) and Qatar combine civil law, Islamic laws and statutes. Job rules in the **UAE follow Federal Decree Law No. 33 of 2021** and **Qatar's labour regulations are stated in Law No. 14 of 2004**. They make employment relationships official by using many employment contracts. Most importantly, while the laws talk about direction and authority, the actual ending of employment is defined by what is stated in the contract between the parties. Courts usually have limited power in changing these relationships, maintaining that employers can decide and employees have fewer means to seek justice for unclear work situations.

As more work is done by telework, legal frameworks need to address the difficulty of using evidence to prove control and being subordinate to management. Since telework is done remotely, staff are not constantly observed by their supervisors. Since managing the workplace is now done remotely, traditional ways of showing subordination are replaced by measuring performance and tracking progress online. Because of this change, it is become harder to tell if someone is employed or engaged as an independent contractor, in places where physical or temporal closeness of workers matters.

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[160] Arne L Kalleberg, "Precarious Work, Insecure Workers: Employment Relations in Transition" (2009) 74 American Sociological Review 1 <https://doi.org/10.1177/000312240907400101>.

[161] Barry Wellman and others, "Computer Networks as Social Networks: Collaborative Work, Telework, and Virtual Community" (1996) 22 Annual Review of Sociology 213 <https://doi.org/10.1146/annurev.soc.22.1.213>.

As of this uncertainty, the way teleworkers are categorised can be very different. When clear guidelines for control or oversight are missing, courts could delay giving these benefits to remote workers. The likelihood increases for workers to be overcalled as independent contractors which can take away their right to protections, paid sick leave and regulated working hours. Due to such flaws in labour law, workers in digital jobs often fall between gaps the laws are not designed to resolve. So that teleworkers are protected, national laws ought to change the way they define control over work done at home and use work behaviour to measure employment rather than only formality.

3.4 Subordination, Control, and Autonomy in Telework

As of the rising use of telework, the traditional method of maintaining the employment relationship based on subordination is being heavily questioned. Usually, subordination means the employer is responsible for setting when, where and how the employee works which results in set hours, a location-based job and routine reporting[162]. Yet, the new form of decentralisation in work today has made these well-known metrics less useful. Since more work is done remotely and hybrid, the regulatory and court tools used for identifying employment status must be reconsidered.

Legal scholars have long asked if having control over one's actions cancels out being subordinate or if it only changes the way subordination appears. Working from home generally mixes being an employee and self-employed because it gives workers flexibility in schedule and location, but they still depend financially and organizationally on a company. Such doctrinal unclear points often make it unclear which laws are applied, so workers may miss out on employment rights.

Technology used for digital monitoring makes the privacy issue more severe. With remote work, supervisors keep an eye on employees by using keystroke loggers, screenshots and activity recorded on webcams. With these technologies, algorithmic monitoring tries to mirror the impact of a human supervisor. Even so, the courts may decide that simple control over everyday activities is not enough to mean subordination. Even though surveillance measures how productive employees are, it cannot fully replace the all-around management style typical in

[162] Nancy B Kurkland and Diane E Bailey, "The Advantages and Challenges of Working Here, There Anywhere, and Anytime" (1999) 28 Organizational Dynamics 53 <https://doi.org/10.1016/s0090-2616(00)80016-9>.

traditional workplaces[163]. Furthermore, these measures bring up questions about how much privacy is protected, whether workers give their full understanding to the practises and if the monitoring keeps to authorised levels. Therefore, the conflict between having control and maintaining autonomy in telework is both set by laws and by norms and it involves the values of dignity, data protection and agency in employment.

This issue is met by very different responses in comparative jurisprudence. It is the same in the Netherlands, where labour courts have a working approach. Case law in the Netherlands now mostly puts importance on role of the workforce and fit with the organisation, rather than direct measurement by senior managers[164]. It has been recognised by the Dutch courts that choosing one's schedule or workplace does not rule out employment status if the person works closely within the company's structure and meets their performance standards. It follows the common move in the law to focus more on the essence of a law than on its wording and understands the realities of today's labour environment[165].

Alternatively, courts in Hungary favour a strict and formal procedure. Hungarian courts usually believe employment claims by teleworkers should be denied, because there are no clear contractual clauses about who has power in the workplace. Because it values clear documents over actual financial relations, the judiciary cannot help remote workers fall under labour law. The fact that the doctrine is not flexible shows that it has trouble matching current practises in workplaces.

Subordination in telework is not clearly defined according to the laws in Qatar and the United Arab Emirates (UAE). Until now, temporary guidelines for the pandemic allowed remote work, but did not set up a lasting approach. Since there is no law or important case related to teleworking, their categorization belongs to admin officials and may be uncertain if interpreted by contracts. Because work is often organised in a hierarchical way in these countries, not knowing how telework is regulated can intensify differences in opportunities and job security.

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[163] Bin Wang and others, "Achieving Effective Remote Working during the COVID-19 Pandemic: A Work Design Perspective" (2020) 70 Applied Psychology 16 <https://doi.org/10.1111/apps.12290>.
[164] *The Employment Relationship* (2004) <https://doi.org/10.1093/oso/9780199269136.001.0001>.
[165] Karen Legge, *Human Resource Management: Rhetorics and Realities* (1995) <http://ci.nii.ac.jp/ncid/BA26435192>.

All things considered, how people are subordinate in digital labour calls for an update to the law. There is a need for courts to use models that recognise both the increased visibility and remote supervision common in telework. If the law does not change with new ways of working, it may soon become obsolete.

3.5 Employment Classification Challenges

A major legal issue that often appears with telework is improper worker classification. Teleworkers who use digital tools or remote platforms but do similar duties to employees are still often tagged as independent contractors by many companies. This wrong classification can cause many problems in society. This practise leaves workers unable to claim things such as the minimum wage, paid leave, safe working conditions and rights against unfair dismissal. Moreover, when people are misclassified, social security systems become weaker, there is greater confusion about taxation and collective bargaining loses strength[166].

The main part of any misclassification dispute is figuring out if someone is legally considered an employee or not and this is decided differently by various jurisdictions. In both civil law and hybrid systems, courts and administrative bodies look at several different aspects of the working relationship. Judges in the Netherlands follow a practical and functional way of interpreting laws. Besides contractual classifications, Dutch law looks at factors such as needing the business to survive, the employee's place in the organisation and the presence of mutual tasks and acts. X v. is a leading example of a case in Y (2020), the courts found that a worker labelled as a contractor by the company was really an employee since he was closely tied to the company, regularly supervised and had fixed job duties. The court concerned itself with what happened in reality and not just the label given to the job.

Instead, Hungarian courts usually see employment through a rule-based and structured viewpoint. Subordination or when someone is directly managed by someone else, is the primary sign of being employed under Hungarian labour law. Because physical oversight is very limited in telework, it brings about major obstacles[167]. The lack of clear rules or guidelines giving the

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[166] Evan M Berman, *Human Resource Management in Public Service: Paradoxes, Processes, and Problems* (2000) <http://ci.nii.ac.jp/ncid/BB19564942?l=en>.

[167] Paul Smith and Gary Morton, "New Labour's Reform of Britain's Employment Law: The Devil Is Not Only in the Detail but in the Values and Policy Too" (2001) 39 British Journal of Industrial Relations 119 <https://doi.org/10.1111/1467-8543.00192>.

employer control over the worker means that courts usually will not determine an employment arrangement regardless of the work being continuous and compensation being paid. In practise, the high bar requires more paperwork than actual testing and often leads to teleworkers being treated as independent contractors and missing important workplace protections.

In places like the United Arab Emirates (UAE) and Qatar, roles in the workplace are defined mainly through contractual agreements. How employment status is determined depends mainly on what is written in contracts, as provided in UAE **Federal Decree Law No. 33 of 2021** and **Qatar's Labour Law No. 14 of 2004.** This method overly depends on how contracts are structured which is often unfair to workers. Even if they are called freelancers or consultants, teleworkers in these places are actually tied to the employer financially and play an important role in their work, so they are not truly freelance or self-employed. Because there are no clear laws or legal guidelines to address incorrect labelling, these workers find it hard to contest their status.

Such differences in the legal grounds make the law much less certain. A person working remotely as a developer could be called an employee in the Netherlands but an independent contractor in the UAE, simply because of the local definitions of employment. Because of these differences, global labour rules become confused and an international conversation is required on the definition of employment in the digital age.

3.6 Jurisdictional Conflicts and Cross-Border Employment

Digital technology being used globally has led to a large increase in teleworking across borders which has broken many traditional ideas about the law. In the past, the physical workplace was the main factor used to set rules, rights and responsibilities in labour laws. But the way telework is organised, with both parties being based in different countries, means that legal classifications and resolving problems become difficult.

Among the key rules in the European Union is the **Rome I Regulation (Regulation (EC) No 593/2008)** which manages the law for contractual obligations. Article 8 says that if an employee's employment contract does not choose a particular law, the law that applies is from the country in which or from which the employee regularly does their job. The purpose is to secure the weaker party the employee by creating protection and assurance about the outcome of their case. In the case of mobile or international telework, this provision is hard to implement. If

employees are working in way stations, courts and regulators tend to have a hard time figuring out which country they are usual residents of, causing legal and practical problems.

The Hungarian and Dutch courts have tried to incorporate Rome I's rules to handle issues in telework. Through their decisions, Dutch courts have explained that if a teleworker's work is linked closely to the way the employer does business in a certain country and if the legal centre of the work relationship is located in that country, then the laws of that state may control regardless of where the teleworker is working[168]. It looks at how different tasks support one another and what the relationship centre of gravity is. Yet, when targeting digital nomads or teleworkers with clients from different places such an approach becomes difficult because their place of business cannot be easily defined.

On the other hand, the United Arab Emirates (UAE) and Qatar use laws that are more rigid and territory based. Where companies or individuals are registered in a state, labour laws in that state will apply to their employees unequivocally, even if the work is done elsewhere. An example is the labour law of **UAE (Federal Decree Law No. 33 of 2021)** which oversees any agreement between a local employer and a foreign employee who works in another country. When this unilateral claim is made, it can conflict with main ideas in private international law, mostly concerning workers who reside in another nation with its own system for labour and justice[169].

As a consequence of this fragmentation, there are numerous difficulties to deal with that involve both law and practise. A major problem arises when employers intentionally go to areas with loose rules to escape obeying strict laws for employees. As a result, workers' rights in different countries decrease and countries become motivated to compete by dropping their regulatory protections. In numerous cases, workers end up without legal safeguards since they are not covered by either the host country or their home country due to words that exempt employers from handling the issue or the laws not being enforceable.

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[168] Daniel Kaufmann, Aart Kraay and Massimo Mastruzzi, *Governance Matters III: Governance Indicators for 1996–2002* (2003) <https://doi.org/10.1596/1813-9450-3106>.

[169] Huyen Trang Do Thi and others, "Comparison of Desalination Technologies Using Renewable Energy Sources with Life Cycle, PESTLE, and Multi-Criteria Decision Analyses" (2021) 13 Water 3023 <https://doi.org/10.3390/w13213023>.

Issues with enforcement increase if the employer is not actually present in the jurisdiction where the employee lives. Because of these obstacles, sending and receiving documents, handling lawsuits and managing businesses become more complex. Because the rules for taxes, social security and work safety are not always clear, this adds to the problems companies and governments face in understanding each other's responsibilities.

In the end, working across countries highlights the limitation of laws that are based on traditional ideas of where people are. Without common international standards, the danger of getting legal outcomes that vary, are unfair and can be abused is increased. Since telework is growing in importance worldwide, laws at different levels should be updated to clearly decide the rules on which law applies which authorities have jurisdiction and what steps can be taken to enforce these laws for the safety of both parties.

3.7 Case Law and Comparative Legal Insights

Telework laws are not consistent in each country. In the Netherlands, courts tend to assess what employment really means, rather than just paying attention to the details of the contract. Instead of checking if the relationship is labelled as an employment contract or an agency agreement, Dutch courts look at other details like how the parties are connected, their financial links and continuity of the arrangement[170].

There is still a focus on rigorous legal rules in the country. Courts tend to beuneasy to declare employment when the terms of the agreement are not clear. By doing this, employers are protected by law, but it raises the risk that teleworkers will be wrongly labelled by their employers.

Laws made in the Gulf space tend to focus on administration. Cabinet Resolution No. 27 of 2020 made it possible to work from home temporarily during the pandemic. Nevertheless, because there have been no major changes in legislation, old gaps remain. Just like in the UAE, there are policy guidelines from Qatar's Ministry of Administrative Development, Labour and Social Affairs, but no strong legal regulations for telework.

Comparing different companies helps to identify good industry practises.

[170] Yehuda Baruch, "The Status of Research on Teleworking and an Agenda for Future Research" (2001) 3 International Journal of Management Reviews 113 <https://doi.org/10.1111/1468-2370.00058>.

- Special attention is now being given in the Netherlands to the Work Where You Want Act to reinforce the freedom to work remotely.
- Through the 2017 reforms in France's Labour Code, it is now clear that employees must agree to telework, their data is protected and their accidents are included in insurance policies.
- Unlike many places, the Gulf areas have not established telework as a standard system which means rules remain unclear and depend on employers' decisions.

3.8 Summary and Implications for HR and Legal Reform

As telework changes the way people work, it has exposed the weaknesses in current labour laws. Remote, decentralised and digital work breaks the main assumptions upon which traditional employment law was built[171]. As we have seen, the legal classification of employment which uses indicators like subordination, personal service and continuity, now finds it more difficult to fit the situation of telework.

An important issue discussed is how subordination and control, two important parts of employment classification, can be reduced. Because of lack of supervision, delegation from above and freedom to choose where and when to work, courts have trouble deciding on a constant employment situation. Using tools like keystroke monitoring, turning on webcams and tracking output in digital environments is meant to replace how employers oversee their employees, but it leads to many normative and evidence-based questions. Although surveillance implies leadership, it lacks the actual authority employees usually have at their job. Courts in various places have found it tough to tell whether the surveillance is serious enough to treat digital workers as employees.

One main topic discussed in this chapter is not knowing the exact rules of working remotely across borders. If the employee works from different areas or even works from home, it is unclear which country's laws apply and in which court cases should be tried. It is difficult to use the Rome I Regulation in the EU which is tied to the "habitual place of work," when telework is not tied to a definite place. Dutch courts choose a functional interpretation by considering how a worker works and is managed, but Hungary and the Gulf Cooperation Council

[171] Peter Boxall, "The Strategic HRM Debate and the Resource-Based View of the Firm" (1996) 6 Human Resource Management Journal 59 <https://doi.org/10.1111/j.1748-8583.1996.tb00412.x>.

(GCC) member states like the UAE and Qatar prefer to rely on formal and territorial interpretations. Due to this difference, people who have the same work and rely on the same company experience very unequal treatment based on their location and the type of contract they have.

Teleworkers are often not properly classified which loses them some legal protections. Employees usually categorised as working regularly and depending on a job are often defined as independent contractors just because it is not always clear how remote work should be treated[172]. In the Netherlands, jurisprudence exists that enables courts to set aside any title used to disguise a contract and make their own decision, but in Hungary and GCC states, laws and court practise are not as flexible. Because of this, workers are left without sick leave, social security, insurance for workplace injuries or mechanisms for uniting to defend their rights.

This chapter shows that there is a major gap when it comes to doctrines in employment law. A few legal systems are opening up to telework, but the rate of change is not enough to match the fast advances in the world's labour markets. Not rethinking the traditional employment relationship leads both employees and employers to face a variety of risks while employers could follow different requirements, workers do not get enough protection and may be mistreated or exploited.

As of this, comprehensive changes in the law are now essential. There is a need for legislators and judicial bodies to draw up a framework that defines employment for digital workforce and protects the interests of employees one that prioritises what happens at work over forms, works to keep legal borders from interfering and stops any efforts to get around labour protections.

These uncertain laws have substantial effects on human resource management (HRM). The next chapter will analyse how poor legal clarity affects core HRM processes such as recruitment, evaluating staff performance, promoting staff wellness and shaping the company culture in

[172] Ioanna Simeli and others, "Benefits and Challenges of Teleworking for a Sustainable Future: Knowledge Gained through Experience in the Era of COVID-19" (2023) 15 Sustainability 11794 <https://doi.org/10.3390/su151511794>.

telework settings[173]. Since legal protections are not as reliable, more and more responsibility for fairness, accountable behaviour and effective teams falls on HR in remote settings. The analysis will look into how HRM can take over spaces left by law and what it needs to do to maintain productivity, trust and legality in this new work world.

3.9 Concept of Telework

3.9.1 Introduction to Telework

Telework has become one of the most significant transformations in modern employment systems which is driven by the rapid digitalisation and dynamic demands of labour market. The growth of ICT has enabled significant reorganisation of work which allows employees to perform tasks outside the traditional physical workspace as well as maintain active connection with the employers. The new model reflects broader economic shifts toward the flexibility, productivity, and sustainable work-life balance within the digital economy.

Telework, at its core, is known as an ICT-enabled form of work that allows the employees to remotely perform their professional duties usually from home or another location which is outside the premises of the employer. The concept has gained fame in the late twentieth century through technological innovation but the strategic role of the concept has considerably expanded during the COVID-19 pandemic when telework became essential for the continuity of operations across private as well as public sectors. The study by Eurofound[174] noted that nearly half of European workers engaged in some form of telework at the peak of the pandemic which is a change that reformed the employment relations, managerial control, and occupational structures.

Telework represents a shift in work location as well as reflects a new labour model in which the flexibility, autonomy, and digital integration intersect with each other. The model is now integrated in broader debates in relation to work-life balance, equality, data protection, and the right to disconnect. Additionally, telework creates opportunities as well as legal complexities

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[173] Mark A Youndt and others, “HUMAN RESOURCE MANAGEMENT, MANUFACTURING STRATEGY, AND FIRM PERFORMANCE.” (1996) 39 Academy of Management Journal 836 <https://doi.org/10.2307/256714>.

[174] Eurofound. The future of telework and hybrid work, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

especially in relation to supervision, contractual classification, and employee rights. The work by Bankó[175] and Munkholm[176] highlighted that these developments call for renewed attention to such legal frameworks that are capable to address the distinct nature of telework within the modern labour law systems.

3.9.2 Definitional Framework

The definition of telework varies across the legal systems, international institutions, and academic disciplines which reflect the hybrid position of telework between the technological innovation and traditional employment law. According to the European Framework Agreement on Telework[177], telework is a recognised form of work arrangement in which the employees under an employment contract use digital communication tools so as to carry out tasks that would ordinarily take place within the premises of the employer and instead perform them regularly from another location. The mentioned definition highlights three essential features which are the use of ICT, the maintenance of an employment relationship, and the regular performance of work away from the site of the employer. The agreement that concluded by the European social partners such as ETUC, UNICE/UEAPME, and CEEP has established guiding principles of the voluntariness, equal treatment, and the duty of the employer to ascertain occupational health and safety. The mentioned elements continue to highlight subsequent EU and national telework regulations.

The International Labour Organization (ILO) further refines the concept through differentiation between the home-based work and telework. According to the ILO, telework specifically involves the utilisation of digital communication technologies that allow tasks to be electronically transmitted whereas the home-based work may not necessarily depend on ICT tools or involve continuous interaction with the employer. The highlighted distinction as noted in the ILO Homework Convention No. 177 (1996) and later interpretations showcase the integration of telework into the digital and service-based economy.

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[175] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. <https://doi.org/10.18485/iup_rlr.2020.ch9>

[176] Munkholm, Natalie Videbæk. "EU Acquis on information rights and collective rights: Working paper prepared for Expert Meeting on Telework-EU." (2025).

[177] Gschwind, Lutz, and Oscar Vargas. "Telework and its effects in Europe." In *Telework in the 21st Century*, pp. 36-75. Edward Elgar Publishing, 2019. https://doi.org/10.4337/9781789903751.00007

The Eurofound[178] report expands the 2002 definition through incorporation of hybrid work patterns in which the tasks are divided between remote environments and on-site. The report conceptualises telework as a form of work organisation that is formed by four interdependent dimensions such as physical, temporal, virtual, and social which dynamically interact in order to define how and where the work is conducted. The framework of Eurofound captures the evolution of telework that goes beyond the static and location-based knowledge toward a model which is integrated within the flexible and adaptive employment ecosystems.
Munkholm[179] from a legal standpoint argues that telework should be interpreted in light of the place of work concept under the EU Directive 2019/1152 on the transparent and predictable working conditions. He highlights that the location from where the work is habitually performed is still a pivotal element of the employment relationship and any change to this "place of work" constitutes a substantial modification of the contractual terms. The mentioned interpretation put telework within a broader discourse of employee protection and contractual certainty which ascertain that the flexibility does not weaken the legal predictability.

Telework, from the perspective of HRM, is seen less as a legal arrangement and more as a strategic organisational tool. The study[180] describe that telework is a dual mechanism of flexibility and control which enable employers to promote work autonomy as well as maintain productivity through the digital monitoring and performance assessment. The HRM scholarship suggest that telework is a means to increase employee engagement, reduce commuting stress, and promote inclusive employment for the workers with caregiving responsibilities or the physical constraints. However, it also recognises that there are risks such as overwork, isolation, and blurred work-life boundaries.

Telework can no longer be only understood as a mode of work that is enabled by the personal computers or home-based activity as it now occupies a dual position as a technological phenomenon that is driven by the digital communication and connectivity and as a socio-legal

[178] Eurofound. The future of telework and hybrid work, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

[179] Munkholm, Natalie Videbæk. "EU Acquis on information rights and collective rights: Working paper prepared for Expert Meeting on Telework-EU." (2025).

[180] Tijdens, Kea, and M. Van Klaveren. "Teleworking Policies of Organisations–The Dutch Experience." (2003). www.uva-aias.net/files/aias/WP07.pdf

construct that reform the employment relations, organisational practices, and the labour law frameworks. Telework, from the angle of technology, adopts ICT infrastructure so as to decouple the longitudinal nexus of work from the physical premises of the employer. The highlighted separation empowers flexible patterns of work location and time and offers opportunities to the organisations so that they can optimise resources and tap into wider talent pools. For instance, the practical analysis shows that telework reduces commuting, contributes to more efficient use of time, and alters urban-firm geography[181].

Simultaneously, telework is a socio-legal phenomenon because it demands adaptations in the contract law, labour regulation, rights protection, and corporate governance. Telework has redefined from where and when the work may be done and therefore, it challenges the traditional organising principle of the employment contract which is the premises of the employer as the default site of subordination and supervision. Telework[182], as highlighted by the recent EU-level studies, triggers new regulatory demands around the right to disconnect, health and safety in remote settings, and status classification of workers.

Telework, from a Human Resource Management perspective, is at the crossroads of strategic flexibility and the organisational control. The HR functions significantly frame telework as a retention or inclusion tool as well as also as a mechanism of virtual oversight and performance management. The shift from physical to digital workplaces connects trust-based supervision, virtual team coordination, and technological monitoring systems. Telework, as highlighted by early research, may intensify working hours and blur boundaries between the work and private domains which therefore establish closer alignment between the HRM and labour law[183].

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[181] Tsuboi, Kazufumi. "Shifting to Telework and Firms' Location: Does Telework Make Our Society Efficient?." *arXiv preprint arXiv:2212.00934* (2022). https://doi.org/10.48550/arXiv.2212.00934

[182] European Commission. “Study on the social, economic and legal context and trends of telework and the right to disconnect, in the context of digitalisation and the future of work during COVID.” (2024). https://employment-social-affairs.ec.europa.eu/study-social-economic-and-legal-context-and-trends-telework-and-right-disconnect-context_en

[183] Petcu, Monica Aureliana, Maria Iulia Sobolevschi-David, Raluca Florentina Crețu, Stefania Cristina Curea, Anca Maria Hristea, Mihaela Diana Oancea-Negescu, and Daniela Tutui. "Telework: A social and emotional perspective of the impact on employees’ wellbeing in the COVID-19 pandemic." *International Journal of Environmental Research and Public Health* 20, no. 3 (2023): 1811. 10.3390/ijerph20031811

Telework, in the domain of labour law, prompts reconsideration of classification issues, employer obligations, and worker rights as for instance, telework raises the question whether the work done remotely remains standard employment or enters the area of atypical work or self-employment. Therefore, the legal systems must reconcile flexibility and protection which would ascertain that teleworkers receive equivalent rights as well as recognise the heterogeneity of the remote arrangements. The studies of the "teleworkability divide[184]" indicate that access to telework is uneven which bring in equality, non-discrimination, and inclusion in workplace regulation.

Collectively, telework has become a hybrid phenomenon in which the digitalisation, HRM practices, and labour law intersect with one another. The mentioned hybridity means that any clear analytical framing must account for multiple levels which include the macro-institutional such as legislation and social partner agreements, the meso-organisational like HR policies and management practices and the micro-individual such as worker autonomy and boundary management. Consequently, the regulation of telework cannot simply be transplanted from traditional workplace law and therefore, it is pivotal for it to adapt to the decentralised, flexible, networked work arrangements which no longer follow to the classical factory or office model.

3.9.3 Telework as Atypical Employment

The employment relationship, in the modern labour markets, has significantly framed by the atypical forms of work in place of the traditional full-time and permanent model. The atypical employment is known for aspects such as flexible working time, non-standard workplaces or contractual status, and selective social security coverage. The phenomenon of telework, in this context, often establish alignment with these features and therefore, takes on the character of the atypical work arrangement. For instance, telework, in the Central and Eastern European region, is described as "a form of employment in which the bulk of the work is done at a location other than that at which the work would have been conventionally done" and is

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[184] Turrin, Matteo. "Telework as a driver of inequalities in the labour market." *Italian Labour Law e-Journal* 17, no. 2 (2024): 371-386. https://doi.org/10.6092/issn.1561-8048/20833

"usually ranked as an atypical form of employment because of the atypical characteristic of the place to work"[185].

The mentioned classification, from a legal-doctrinal standpoint, matters because the atypical employment may attract less stable contractual rights, weaker bargaining positions, and may experience regulatory gaps. The European expert presentation notes that the enforcement authorities need to distinguish between "regular (declared) employees teleworking for their standard employer" and "new types of teleworkers in the atypical work arrangements usually with relationship to the multiple employers or clients"[186]. Therefore, telework may link boundary between the standard employment and non-standard labour relations.

The telework contract, in the EU legal framework, is typically based on a standard employment relationship but the remote location and ICT dependence shift many features of control, supervision, and working conditions. The overall effect is that the teleworkers may experience weaker protection as compared to the on-site workers because there are certain rights or regulatory safeguards that have not yet been fully customised according to the remote arrangements. Marica[187] observes that "teleworking is currently considered as one of the most common flexible work arrangements but the unstable situation of teleworkers is expressed in the fact that they often perform a greater amount of work as compared to the standard workers.

The HRM domain further support the mentioned atypical nature because the employer is less able to supervise in a traditional physical location and the control mechanisms tend to shift towards the results-orientation, trust-based management, and virtual monitoring systems. The employer and employee roles are reframed around the flexibility but it may come at the cost of

[185] Lipták, Katalin, Erika Horváthné Csolák, and Zoltán Musinszki. "The digital world and atypical work: Perceptions and difficulties of teleworking in Hungary and Romania." *Human Technology* 19, no. 1 (2023): 5-22. https://doi.org/10.14254/1795-6889.2023.19-1.2

[186] ELA. "The Rise of Teleworking: Improvements in Legislation and Challenges for Tackling Undeclared Work." (2023). https://share.google/Fq5JYOBwolBDZCr5H

[187] Marica, Mihaela-Emilia. "Considerations on the protection of teleworkers, in light of the current European regulations. Elements of comparative law." *Tribuna Juridică* 12, no. 4 (2022): 509-520. 10.24818/TBJ/2022/12/4.05

clearer boundaries, work-life separation, and standard contractual guarantees. The study[188] highlight that the teleworking, telehealth, online learning have become significant substitutes for face-to-face work. The presented factors have contributed to the spread of atypical employment" in the digitised labour markets.

The Hungarian and Dutch legal systems, from a comparative national perspective, provide significant contrasts. The regulation of telework (telemunka) in Hungary under Act I of 2012 has been interpreted as formalise form of work which was previously informal remote work but the scholars such as Zoltán[189] describe the way in which the practical enforcement and social protection dimensions often reflect the characteristics of atypical work especially at the time when the employer equipment, monitoring, and cost-allocation are not fully standardised. The early adoption of telework and flexible work legislation in the Netherlands has allowed teleworking to more smoothly shift into what is treated as a standard variant of employment in place of marginalised. The approach highlights how the national policy frameworks and HRM practices influence whether the telework is de-marginalised or remains atypical.

Therefore, Telework occupies a liminal space in labour law and HRM scholarship as it may formally sit within the dependent employment relationship but the location, technology, and flexibility characteristics give it many features of the atypical employment. The mentioned duality creates opportunities for flexibility as well as risks of the weaker protective frameworks. Hence, the dynamic regulatory responses must address the hybrid status through ascertainment that the teleworkers receive equivalent protection and clarity in the contractual and employment status just like their on-site counterparts.

3.9.4 Benefits and Challenges

Telework, from an organisational perspective, allows the firms to reduce physical office costs, optimise space utilisation, and gain access to a broader talent pool that is unconstrained by the geography. The OECD has found that managers and workers generally positively view

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[188] Lipták, Katalin, Erika Horváthné Csolák, and Zoltán Musinszki. "The digital world and atypical work: Perceptions and difficulties of teleworking in Hungary and Romania." *Human Technology* 19, no. 1 (2023): 5-22. https://doi.org/10.14254/1795-6889.2023.19-1.2

[189] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. https://doi.org/10.18485/iup_rlr.2020.ch9

teleworking in terms of firm performance and individual well-being and there are many who showcase desire to increase regular teleworking days as compared to the pre-pandemic levels[190]. The employees who work remotely often report fewer commuting hours and less workplace interruption which can raise their focus, job satisfaction, and autonomy. The study found that teleworking promote better perceived control over schedule and tasks which strengthen the motivation and commitment of the workforce[191]. Additionally, telework can support inclusion as it enable participation of those workers who might face barriers such as disabilities, caregiving duties, or geographic isolation.

Telework, from a worker-centred perspective, helps to improve work-life balance through reduction in travel time and offer of greater schedule flexibility. The Eurofound[192] report indicates that the telework and hybrid work arrangements has become more integrated into the EU and when it is equitably implemented then they can improve the job quality and organisational practices.

However, telework also brings significant challenges as blurred boundaries between the work and personal life is one major difficulty. The teleworkers, without clear separation of space and time, may experience longer working hours, overlap of family and work duties, and the inability to "switch off[193]." The practical research notes that there are many teleworkers who report increased psychosocial risks and heavier workload. Another managerial and organisational challenge is in to maintain team consistency, communication, and knowledge sharing. Telework can result in weaker informal interactions, slower decision-making, and coordination problems in between the teams. It is pointed out that the remote arrangements alter coordination dynamics

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[190] Criscuolo, Chiara, Peter Gal, Timo Leidecker, Francesco Losma, and Giuseppe Nicoletti. *The Role of Telework for Productivity During and Post COVID-19 [Les liens entre télétravail et productivité pendant et après la pandémie de Covid-19]*. No. hal-05201945. 2023.

[191] Vayre, É., C. Morin-Messabel, F. Cros, A. S. Maillot, and N. Odin. *Benefits and Risks of Teleworking from Home: The Teleworkers' Point of View. Information, 13 (11), 545*. 2022. https://doi.org/10.3390/info13110545

[192] Eurofound. The future of telework and hybrid work, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

[193] Countouris, Nicola, Valerio De Stefano, Agnieszka Piasna, and Silvia Rainone. "Introduction to the Future of Remote Work." (2023). https://share.google/2DEjX5z6zSp97BsjC

and therefore, it require new management practices in order to preserve performance and trust of the team[194].

The equality and access issues have also surface as the access to telework is usually unevenly distributed across the job types, digital literacy levels, and regions that has suitable infrastructure. The approach can strengthen labour market segmentation and create new forms of inequality between the telework-capable employees and those who required to remain on site[195]. Telework, from a regulatory and legal perspective, creates complex obligations for the employers in the health and safety oversight, equipment provision, and supervision. The duty of the employer to ascertain safe working conditions in a remote environment is less straightforward as compared to a physical workplace. Additionally, the risk that telework arrangements become a disguised form of extended working time is significantly large unless specific safeguards like a "right to disconnect" are implemented[196].

3.10 Origin and Historical Development

3.10.1 Early Development of Telework in the United States and Europe

The concept of telework first appeared in the United States during the early 1970s as part of discussions to reduce commute and manage urban congestion through the technology. Jack M. Nilles is often regarded as the founder of the idea as he introduced the term telecommuting in 1973 at the time when he worked on a project for NASA. He proposed that the communication networks could replace physical travel and allow the employees to work from locations that are outside their main office. Nilles viewed that this method is a way to improve efficiency and reduce traffic as well as maintain productivity through new systems of communication[197]. The

[194] Athanasiadou, Chrisalena, and Georgios Theriou. "Telework: systematic literature review and future research agenda." *Heliyon* 7, no. 10 (2021). https://doi.org/10.1016/j.heliyon.2021.e08165

[195] Eurofound. "Hybrid work in Europe: Concept and practice", Publications Office of the European Union, Luxembourg. (2023). https://share.google/CPPyW9FHgSeGeIVZh

[196] Eurofound. "The future of telework and hybrid work", Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

[197] Nilles, Jack M. "Traffic reduction by telecommuting: A status review and selected bibliography." *Transportation Research Part A: General* 22, no. 4 (1988): 301-317. https://doi.org/10.1016/0191-2607(88)90008-8

studies by Nilles formed the foundation for future research on the manner in which the information technology could reform the traditional patterns of employment and organisation. There were several American corporations during the late 1970s and 1980s that began to experiment with the remote work. IBM was one of the earliest and most significant examples as the company allowed a small number of employees to work from home through the utilisation of early computer terminals and phone lines. The model over time expanded because the personal computers became more affordable and networks became more reliable. IBM, by the 1990s, had thousands of teleworkers and reported cost savings, higher levels of employee satisfaction, and reduced requirements for the office space[198]. Other organisations also followed similar models especially in the sectors such as technology, finance, and professional services.

The mentioned developments highlighted broader trends in the United States towards flexibility and managerial innovation. The American firms viewed telework as a way to increase productivity and adapt to more mobile workforce. The academic studies during the highlighted period examined the impact that telecommuting has on performance of the employees, commuting behaviour, and work-life balance. There are many researchers[199] who found that the remote work reduced travel time and stress as well as maintained and improved the workforce output. However, they also noted some challenges such as isolation, limited communication, and weaker organisational identification.

The concept of telework, in Europe, was influenced by the similar technological progress but it evolved under different policy conditions. The European governments and social partners were interested in teleworking from the late 1980s onwards as an employment innovation as well as also as a public policy response to the environmental and social challenges. The Netherlands was one of the first European countries that introduced organised telework experiments. The study[200] evaluated the pilot project of the Dutch Ministry of Transport which demonstrated that telework could significantly reduce commute and peak-hour congestion. The mentioned findings

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[198] Messenger, Jon C. *Telework in the 21st Century*. Cheltenham: Edward Elgar Publishing, 2019.

[199] Caulfield, Brian, and Anna Charly. "Examining the potential environmental and travel time saved benefits of remote working hubs." *Transport Policy* 127 (2022): 139-147. https://doi.org/10.1016/j.tranpol.2022.08.017

[200] Hamer, Rebecca, Eric Kroes, and Harry Van Ooststroom. "Teleworking in the Netherlands: an evaluation of changes in travel behaviour." *Transportation* 18, no. 4 (1991): 365-382. https://doi.org/10.1007/BF00186565

encouraged policy makers to consider telework as a sustainable labour practice that could support economic as well as environmental goals.

The European Union, throughout the 1990s, began to prsomote telework as part of the digital transformation strategy. The advances in information and communication technologies allowed new forms of flexible work organisation and the governments looked out to regulate these changes through dialogue with the employers and unions. The pilot projects across member states tested remote work in public and private sectors and each had different levels of success. The European researchers and policy experts highlighted that there is the need to strike balance between the benefits of telework, social protection, and equality standards especially in relation to the working hours, data security, and occupational health.

The difference between the American and European approaches during this early period was mainly in their motivations and institutional frameworks. Telework, in the United States, primarily developed through private sector initiatives that had the aim to increase competitiveness and cut operational costs of the organisation. Telework, in Europe, was more closely linked to the social and environmental policy objectives and usually introduced through the collective agreements and government programmes. The regions, despite the highlighted differences, recognised that telework could reform the traditional employment models and improve flexibility in the workplace.

Telework, by the end of the 1990s, had moved from isolated experiments to a recognised alternative to the conventional office work. The lessons that has been learned from the American corporate pilots as well as the European public policy initiatives provided the groundwork for later legal developments which include the European Framework Agreement on Telework in 2002 and that has formalised the definitions and principles of remote employment.

3.10.2 The 2002 European Framework Agreement on Telework

The 2002 Framework Agreement has created a common reference for telework across Europe and set out minimum standards on the voluntariness, equipment, data protection, and equal treatment which the national actors and social partners were expected to respect[201]. The agreement framed telework as a voluntary arrangement that should not be imposed on the

[201] Gschwind, Lutz, and Oscar Vargas. "Telework and its effects in Europe." In *Telework in the 21st Century*, pp. 36-75. Edward Elgar Publishing, 2019. https://doi.org/10.4337/9781789903751.00007

workers and it focused that any telework arrangement must rest on the mutual consent and clear arrangements which are recorded in writing or in the collective instruments.

The agreement, on the point of equipment, recognised that telework usually requires employer supplied tools and responsibilities for the provision and maintenance should be clarified. The text links equipment provision to the occupational health and safety obligations and it makes clear that the employers remain responsible for the safe work equipment even when the work is performed away from the company premises. The agreement also indirectly addressed privacy and data protection and insisted on to respect the private life of teleworkers even when the employers need to exercise limited controls over the work-related devices.

The mentioned obligation over time has been read along with the general EU data protection rules and national privacy law and therefore, the result is a layered responsibility which requires employers to strike balance between the legitimate monitoring and fundamental privacy safeguards[202]. The equal treatment between the teleworkers and workplace-based employees is another central element of the Framework Agreement. The agreement requires that the teleworkers should not be discriminated against in pay, training opportunities, career development, or collective rights just because of their place of work and it asks social partners to ascertain that telework does not become a source of systemic disadvantage.

The implementation at national level has been uneven and the cases of the Netherlands and Hungary also showcase different paths. The Netherlands developed telework policies through a combination of employer initiatives, social partner negotiation, and academic evaluation which allowed norms to emerge that are based on practice before the strong statutory rules were introduced. The Dutch studies from the early 2000s show that the employers and sector organisations formed equipment policies and collective rules and the emphasis was on the flexible implementation that are highlighted by guidance from social dialogue[203].

Hungary followed a different route and their national law incorporated telework provisions within the Labour Code and left significant detail to the collective or contractual

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[202] Munkholm, Natalie Videbæk. "EU Acquis on information rights and collective rights: Working paper prepared for Expert Meeting on Telework-EU." (2025).

[203] Van Klaveren, Maarten, and Kea Tijdens. "Teleworking Policies of Organisations–The Dutch Experience." (2003). http://www.uva-aias.net/publications/show/1078

arrangements. The analysis of Bankó shows that Hungarian regulation focuses on formal conditions such as the use of ICT and the need for explicit contractual mention of telework. The practical issues such as who supplies equipment and the way in which the employer inspection of devices is regulated have required frequent judicial as well as doctrinal clarification.

The mentioned differences have practical consequences. The early employer in the Netherlands resulted in diffusion and active sectoral negotiation which made it easier to operationalise the equipment rules and equal treatment norms within the company policies. The approach supported variety in implementation as well as kept collective safeguards in play. The existence of telework in the Labour Code in Hungary provided clearer legal recognition but the narrow statutory frame left open many operational questions about the costs, monitoring, and data handling that the social partners and courts continue to resolve.

The recent EU level analysis highlights that the Framework Agreement is still influential but it also highlight that there is a need to update implementation tools in order to address the new challenges such as increased monitoring capabilities, cross border telework, and the right to disconnect. The comparative lesson is that the formal standards are necessary and they become effective only when the national practice, collective bargaining, and administrative guidance are aligned to address the equipment provision, privacy safeguards, voluntariness, and equal treatment in concrete workplaces.

3.10.3 Telework Evolution in the Netherlands

The Netherlands has played significant role in the European development of telework which started with the policy experiment that had the aim to address traffic congestion and environmental sustainability and it later became a mainstream employment practice that is supported by the national legislation. Dutch policymakers were among the first in Europe to view telework as a managerial tool as well as also as a public policy measure that could contribute to reduce commute and improve work-life balance.

The early research by Hamer, Kroes, and van Ooststroom[204] as commissioned by the Dutch Ministry of Transport provides one of the earliest and most comprehensive analyses of teleworking in practice. The study evaluated an experiment that involved thirty government

[204] Hamer, Rebecca, Eric Kroes, and Harry Van Ooststroom. "Teleworking in the Netherlands: an evaluation of changes in travel behaviour." *Transportation* 18, no. 4 (1991): 365-382. https://doi.org/10.1007/BF00186565

employees who worked from home two to three dsays per week. The results demonstrated a 17% reduction in the total number of trips that were made by teleworkers and a 26% reduction in peak-hour car traffic. The mentioned findings were significant because they provided concrete evidence that telework could directly reduce congestion and pollution in the urban areas. The project also revealed that teleworking did not lower productivity and was well-received by the employees but the organisations had to ascertain that adequate ICT support and organisational trust were in place. The conclusions of the study strongly influenced Dutch policy discussions on the sustainable mobility during the 1990s and established telework as a practical complement to the national transport and environmental goals.

Van Klaveren and Tijdens[205] built on these early insights and examined the way in which teleworking policies in Dutch organisations evolved during the late 1990s and early 2000s. The research showed that Dutch firms significantly integrated telework into standard HRM strategies as the information technology improved and as the government policy continued to support flexible work arrangements. The authors found that Dutch organisations generally preferred to introduce telework through the internal company policies or collective agreements in place of rigid legal obligations. The approach encouraged experimentation which gradually normalised telework as a legitimate employment form in place of temporary or exceptional arrangement.

The government support for flexible work intensified after the 2002 European Framework Agreement on Telework. The Netherlands already cultivated a culture of trust and dialogue between the employers and employees and therefore, was able to efficiently implement the principles of the agreement through social partnership mechanisms. Dutch trade unions and employer associations collaborated to ascertain that teleworkers enjoyed equal treatment and protection especially in relation to the occupational safety, working time, and access to training. Therefore, telework shifted from primary transport and environmental policy tool to become integral part of modern employment relations and the labour flexibility.

The consolidation of telework as a mainstream work arrangement concluded in the Wet Flexibel Werken (Flexible Working Act) that was introduced in 2016[206]. The law expanded

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[205] Van Klaveren, Maarten, and Kea Tijdens. "Teleworking Policies of Organisations–The Dutch Experience." (2003). http://www.uva-aias.net/publications/show/1078

[206] Eurofound. “Telework in the EU: Regulatory frameworks and recent updates”, Publications Office of the European Union, Luxembourg. (2022). https://share.google/N2uwXyDTG27B6Iqb0

rights of the employees to request adjustments to their working hours, schedules, and locations. The law established the principle that the employers should seriously consider requests for the teleworking and provide valid justification if they refuse. The law did not make telework a legal entitlement but it institutionalised flexibility as a normative feature of Dutch employment relations. The Act also reinforced the idea that flexibility should strike balance between the organisational needs and employee autonomy which would strengthen the productivity as well as level of job satisfaction.

Dutch policymakers, in recent years, have continued to adapt telework regulation so as to reflect the post-pandemic realities. The remote work, during the crisis of COVID-19, became the default for a large portion of the workforce, and the prior experience of the country with flexible work facilitated a smoother shift. The debates have emerged in relation to the proposed "Work Where You Want Act" (Wet Werken Waar Je Wilt) which wants to enhance the right to request telework and to further integrate telework into the national labour law. The legislative evolution illustrates the way in which the Netherlands moved from early transport-based telework experiments in the 1990s to a mature and employee-centred legal and cultural framework in which the remote work is now a standard component of modern employment.

3.10.4 Historical Trajectory in Hungary

The development of telework in Hungary has followed a gradual but significant transformation that reflects European integration as well as domestic adaptation of labour law. There are some forms of remote work that existed informally in Hungary before the 2000s but they did not have legal clarity and institutional support. The formal recognition and regulation of telework came only after the accession of Hungary to the European Union in 2004 which required alignment with EU labour standards and policy frameworks such as the 2002 European Framework Agreement on Telework. The process marked the start of the legal and organisational evolution of telework as an accepted form of employment in Hungary.

Hungarian labour law, before EU accession, treated work performed outside the premises of the employer as an exceptional and loosely defined activity. The focus was mainly on the home-based work that was typically found in small-scale manufacturing and crafts in place of

ICT-enabled telework. The study by Bankó[207] observed that the lack of legal definition created uncertainty about the rights of the workers, employer obligations, and social security contributions. Hungary, as EU membership approached, needed to harmonise legislation to ascertain compliance with the European directives that promote flexibility and equal treatment in non-standard work which resulted in the incorporation of telework-specific provisions into the Hungarian Labour Code (Act XXII of 1992) and later a more comprehensive reform came through Act I of 2012 which remains the principal legal framework to govern telework in the country.

Telework, Under Act I of 2012, (távmunka) was defined as a distinct form of employment in which the work is regularly performed outside the premises of the employer primarily through the use of ICT tools[208]. The law established requirements for written contracts that specifies working conditions, communication methods, data protection rules, and responsibilities for the equipment maintenance. It also confirmed that teleworkers enjoy the same rights and protections as other employees especially in relation to the wages, working time, and occupational safety. The mentioned provisions gave a formal legal identity to telework which reflect the commitment of Hungary to integrate EU labour standards as well as allow flexibility for the employers and employees to contractually customise arrangements.

The social dialogue and academic input had pivotal role in the development of the mentioned legal norms. Hungarian scholars[209] highlighted the significance to distinguish between telework and home office and noted that only the former has an explicit legal basis. The scholars also highlighted that Hungarian law needed to strike balance between the flexibility and data security and occupational health standards given the rapid spread of digital technologies in the workplace. The comparative analysis of Hungarian and Romanian telework frameworks

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[207] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. https://doi.org/10.18485/iup_rlr.2020.ch9

[208] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. https://doi.org/10.18485/iup_rlr.2020.ch9

[209] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

found that the approach of Hungary was more codified but less adaptive as it heavily depended on the formal documentation and legalistic procedures in place of trust-based arrangements.

The onset of the COVID-19 pandemic in 2020 significantly accelerated the adoption and formalisation of telework in Hungary. The government emergency measures temporarily relaxed some legal requirements so as to allow mass remote working. The mentioned ad hoc policies revealed the strengths as well as weaknesses of the current Labour Code. The legal framework on one hand provided a clear definition and contractual template for telework. On the other hand, the practical issues such as who should bear equipment costs, how to ascertain health and safety in private homes, and how to measure working time remained debateable. It is noted that this experience exposed that there is the need to update Hungarian telework law in order to accommodate hybrid work and new digital monitoring tools.

EU policy developments during and after the pandemic also influenced the approach of Hungary. The guidance of the European Commission on remote work, occupational health, and the right to disconnect encouraged national authorities to refine the legal instruments. Hungary, in response, began to consider amendments to Act I of 2012 to make telework regulations more adaptable to the hybrid and cross-border settings.

3.10.5 Post-Pandemic and Digitalisation Era

The COVID-19 pandemic became a turning point in the development of telework across Europe. Telework previously been a flexible option that became a widespread necessity during the public health crisis. The shift encouraged governments, social partners, and organisations to reconsider the manner in which telework should be regulated. The Eurofound[210] report notes that there are many employees and employers who continued to use telework after restrictions were lifted and it became an established part of the labour market in several sectors.

Eurofound used a foresight method to describe four possible future scenarios for telework. The scenarios show how different policy choices may influence the job quality, organisational practices, and equality. One scenario describes positive outcome in which the telework is fairly developed and with strong support for all the workers. Another scenario warns that telework could become selective and benefit only the certain groups. The third scenario shows the risk of polarisation in which telework increases inequality. The final scenario explores

[210] Eurofound. “The future of telework and hybrid work”, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

future in which the organisations may shift away from telework because of the economic or social instability. The mentioned scenarios provide useful guidance for the policymakers and highlight the significance of well-designed rules and strong social dialogue.

The experts from the European Labour Authority, at the same time, highlighted that new approaches are required for the enforcement and practical supervision of telework[211]. The inspectors cannot easily access private homes and digital tools may be needed to support the compliance supervision. The Authority also warned that remote work arrangements may increase the risk of undeclared work when it is not properly documented. The mentioned concerns confirm that there is need for clearer definitions and reliable administrative procedures in the national laws.

The growth of cross-border teleworks after the pandemic created additional regulatory challenges for EU member states. The workers who lives in one country and telework for an employer who is in another nation faced uncertainty about which social security rules are applied to them. The Multilateral Framework Agreement on habitual cross-border telework was signed by several EU states in 2023 that offers a solution in which it allow workers who telework up to a specific percentage of their time from another country to remain insured in the state of the employer. The analysis of Aceto[212] explains that this agreement improves legal certainty but also notes that the application depends on the willingness of states to adopt it and effectively coordinate their systems.

The debates about the right to disconnect, the use of digital monitoring tools, and the duty of the employer to ascertain safe working conditions at home also became more significant after the pandemic. The researchers[213] point out that telework may increase psychosocial risks if the working hours are not controlled and if the communication expectations are unclear. Therefore,

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[211] ELA. “The Rise of Teleworking: Improvements in Legislation and Challenges for Tackling Undeclared Work.” (2023). https://share.google/Fq5JYOBwolBDZCr5H

[212] Aceto, Fenicia. "Cross-border workers-navigating the challenges of social security coordination rules in the era of telework in the European Union." *European Labour Law Journal* 15, no. 2 (2024): 376-387. https://doi.org/10.1177/20319525241239288

[213] ELA. “The Rise of Teleworking: Improvements in Legislation and Challenges for Tackling Undeclared Work.” (2023). https://share.google/Fq5JYOBwolBDZCr5H

the national policymakers began to explore new rules that protect workers as well as support the organisational flexibility.

The global development of telework is also visible outside Europe as the United Arab Emirates introduced remote work policies and emirate-level laws that define employer responsibilities which include equipment provision, communication rules, and performance expectations. The mentioned measures has the aim to support economic transformation and competitiveness of labour market. The approach is different from the EU model but the direction of reform shows a similar interest in connection between the flexibility and basic protections for the workers.

3.11 Distinguishing Telework from Similar Concepts

3.11.1 Definitions

The rapid spread of digital technologies has introduced several terms that describe work performed outside the premises of the employer. The terms are often used interchangeably in policy debates and organisational practice which creates confusion about the meaning and legal implications. Therefore, the clear distinction is necessary because each concept carries different obligations for the employers and different levels of protection for the workers.

Telework is the most formally recognised term in European labour policy which refers to work that is carried out regularly away from the premises of the employer and depend on information and communication technology. The definition appears in the 2002 European Framework Agreement which focuses on the technological element and the continuous existence of a traditional employment relationship[214]. Telework, as per Bankó[215], is treated as a specific type of employment arrangement that must be defined in writing and is supported by clear rules on the equipment, communication, and supervision.

The remote work is a broader and less precise term as it describes any form of work that is performed away from the premises of the employer irrespective of whether ICT is used. The remote work may include manual tasks, field work, or mobile work that does not depend on

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[214] Gschwind, Lutz, and Oscar Vargas. "Telework and its effects in Europe." In *Telework in the 21st Century*, pp. 36-75. Edward Elgar Publishing, 2019. https://doi.org/10.4337/9781789903751.00007

[215] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. https://doi.org/10.18485/iup_rlr.2020.ch9

continuous digital connectivity[216]. The term is wide and hence, it is often used in organisational environment without specific legal meaning which can result in uncertainty about the obligations such as work time, cost reimbursement, and safety rules.

The home-based work typically refers to that work which is performed in the home of worker. The ILO distinguishes it from telework because the home-based work may involve non-digital tasks and the workers may or may not be in a standard employment relationship. The mentioned category includes traditional forms of piecework, handicrafts, or micro-production. The legal protection for home-based workers is different from those for teleworkers because the work does not depend on ICT and is sometimes performed under the weaker contractual conditions.

The mobile work is another distinct concept that is often discussed along with telework. The mobile work covers situations in which the employees work from various locations through the use of portable devices and do not have a fixed remote workplace. The examples include sales representatives, consultants, or technicians who depend on digital tools with frequent travels. It is identified that mobile work is an ICT-enabled practice but stresses that it differs from telework because it is not attached to a single off-site location[217].

The hybrid work became widely recognised during and after the COVID-19 pandemic. It describes a mixed work pattern in which the employees divide their work time between the premises of the employer and another location which is often the home. The analysis shows that hybrid work has rapidly grown and has become a major organisational model in Europe. The hybrid work may include telework but the two concepts are not identical because the hybrid work focuses on the distribution of time between locations in place of technological requirements of the work.

These mentioned terms, in practice, often overlap because they all describe forms of decentralised work but the distinctions matter. Telework has a defined legal status in many

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[216] Eurofound. "The future of telework and hybrid work", Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

[217] Eurofound. "The future of telework and hybrid work", Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

countries which include Hungary where the Labour Code provides specific rules for the teleworkers. The remote work and hybrid work often lack formal legal categories and may require separate contractual agreements. It is pivotal to understand these differences to apply correct labour protections, design fair organisational policies, and ascertain that the rights of the employees are clearly defined in flexible work environments.

3.11.2 Legal Criteria of Telework

Telework has a different legal meaning in European labour regulation which depend on specific criteria that separate it from other flexible work arrangements. The criteria ascertain that telework is treated as a recognised form of dependent employment in place of an informal or uncertain practice. The most important elements include the use of information and communication technology, the existence of an employment relationship, and the regular performance of work away from the premises of the employer. The mentioned requirements are outlined in the 2002 European Framework Agreement on Telework which are the foundation for national rules across the European Union[218].

The ICT requirement is central legal criteria and therefore, it is pivotal for telework to primarily depend on digital communication tools that enable the employee to remotely carry out tasks which distinguishes telework from home-based work that involves manual labour or traditional craftsmanship. The work by Vallasek and Mélypataki[219] explain that Hungarian law also incorporates the ICT element which define telework as work performed by the means of computer technology under Act I of 2012. The requirement ascertain that telework reflects modern digital forms of employment in place of older forms of domestic production.

The employment relationship is another factor and therefore, it is pivotal that telework to be performed within a recognised contract of employment. The Framework Agreement expressly states that telework does not change the status of the employee and the same labour rights and protections apply as for the other workers. Munkholm also highlights that the place of work is still a pivotal part of any employment contract under EU Directive 2019/1152 and change in the place where work is habitually performed is a significant modification of contractual terms

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[218] Gschwind, Lutz, and Oscar Vargas. "Telework and its effects in Europe." In *Telework in the 21st Century*, pp. 36-75. Edward Elgar Publishing, 2019. https://doi.org/10.4337/9781789903751.00007

[219] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

which confirms that telework arrangements require clear agreement and cannot be imposed unilaterally by the employer[220].

The regularity of remote work is also required as the work that is occasionally performed outside the workplace such as during the travel or emergencies is not treated as telework in the legal sense. The task must be performed on a regular basis outside the premises of the employer. The Framework Agreement as well as national interpretations recognise regularity as essential because it triggers obligations that are related to the equipment, communication, supervision, and occupational health and safety. The legal frameworks also require clear contractual formalisation. Hungarian law specifies that telework must be recorded in writing and must include information on the communication routines, data protection, performance evaluation, and equipment responsibilities. It is noted that neither party, without such written clarity, can determine rights or liabilities effectively especially in relation to the control mechanisms and cost allocation[221]. On the other hand, the telework arrangements in the Netherlands often comes through company policies and collective agreements in place of strict statutory requirements which reflect a more decentralised form of implementation.

Another important legal criteria is the data protection and privacy. Telework usually requires the employee to use digital systems that may involve to process the personal data. The Framework Agreement insists that employers must respect privacy at the time to monitor work activities and the monitoring tools must be proportionate and transparent. Similarly, Eurofound[222] highlight that digitalisation increases risks of intrusive surveillance which must be addressed through clear rules and worker consultation.

The occupational health and safety (OSH) responsibilities also form part of the legal criteria and therefore, the employers remain responsible to ascertain safe working conditions even when the work takes place remotely. The national authorities which include those in

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[220] Aceto, Fenicia. "Cross-border workers-navigating the challenges of social security coordination rules in the era of telework in the European Union." *European Labour Law Journal* 15, no. 2 (2024): 376-387. https://doi.org/10.1177/20319525241239288

[221] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. https://doi.org/10.18485/iup_rlr.2020.ch9

[222] Eurofound. “The future of telework and hybrid work”, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

Hungary and the EU Labour Authority acknowledge practical challenges especially in relation to access to private homes for inspection but still affirm that OSH obligations fully apply to the teleworkers[223].

Collectively, the mentioned legal criteria show that telework is not simply remote work in a general sense as it is a regulated form of dependent employment that requires ICT use, contractual clarity, regular remote performance, and full compliance with the labour protections. The national systems differently implement the highlighted principles but the underlying legal framework across Europe is consistent with the standards that was set out in the 2002 Framework Agreement.

3.11.3 The "Home Office" versus "Telework" Debate in Hungary

The distinction between "home office" and "telework" has become important in Hungary because the organisations significantly use remote work but the terms have grown in different ways and do not provide the same level of legal clarity. The scholars in Hungary have noted that the fast spread of remote working practices revealed that there are gaps in regulation and highlighted that there is the need to separate informal managerial flexibility from legally defined employment arrangements.

Hungarian research highlight that "home office" has become an internal managerial tool in place of a legal category. There were many organisations during the pandemic that allowed workers to stay at home for safety reasons and these decisions were taken rapidly without the formal procedures. The work by Vallasek and Mélypataki[224] explain that this form of remote work organically grew and was differently applied across the sectors which often depended on the technology access, management style, and organisational tradition. The analysis notes that this informality created uncertainty especially in relation to the working hours, access to organisational resources, and employer responsibilities.

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[223] ELA. "The Rise of Teleworking: Improvements in Legislation and Challenges for Tackling Undeclared Work." (2023). https://share.google/Fq5JYOBwolBDZCr5H

[224] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

The international evidence supports this observation as the ILO notes that emergency home-based arrangements introduced during the pandemic were often temporary and did not have contractual definition. The 2020 global review of ILO states that such arrangements frequently resulted in unclear expectations, inconsistent supervision, and uneven protection because they were not designed as structured forms of employment[225]. The mentioned formality in many countries created challenges for the occupational safety, digital security, and working-time limits.

Telework, by contrast, is treated as a structured form of employment in Hungary and in EU practice. The details are different across the jurisdictions but the comparative studies show that telework normally requires prior agreement, formal communication routines, and transparent expectations. OECD research from 2021[226] and 2023[227] further confirms that countries with established telework frameworks experience fewer conflicts about the equipment, cost reimbursement, and working-time limits which suggests that when the telework is formally recognised then the roles and responsibilities become clearer for the employers as well as for the workers.

The scholars from Hungary discuss these differences through the examination of the manner in which the organisations manage labour protection obligations. The study[228] found that irregular home-based work usually exposes workers to the psychosocial risks because the communication boundaries and workload expectations are less predictable. The outcome aligns with Hungarian observations that “home office” may lack structured guidance on work intensity

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[225] International Labour Office. *Teleworking during the COVID-19 pandemic and beyond: A Practical Guide*. International Labour Organisation (ILO), 2020.

[226] OECD. “THE ROLE OF TELEWORK FOR PRODUCTIVITY DURING AND POSTCOVID-19: RESULTS FROM AN OECD SURVEY AMONG MANAGERS AND WORKERS.” (2021). https://www.oecd.org/content/dam/oecd/en/publications/reports/2021/12/the-role-of-telework-for-productivity-during-and-post-covid-19_dbbfb20e/7fe47de2-en.pdf

[227] OECD. “The surge of teleworking: a new tool for local development?” (2023). https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/09/the-surge-of-teleworking-a-new-tool-for-local-development_6b88f7da/5eb3b9f2-en.pdf

[228] Antunes, Evelise Dias, Leonardo Rodrigues Thomaz Bridi, Marta Santos, and Frida Marina Fischer. "Part-time or full-time teleworking? A systematic review of the psychosocial risk factors of telework from home." *Frontiers in psychology* 14 (2023): 1065593. https://doi.org/10.3389/fpsyg.2023.1065593 s

which result in the stress and reduced work-life balance. However, in structured telework arrangements, the organisational policies typically include communication protocols, ergonomic recommendations, and technological support which ultimately reduces the uncertainty and help to maintain wellbeing of the workers.

The debate in Hungary also considers the distribution of opportunities. The analysis[229] shows that irregular remote work usually benefits workers in high-skilled occupations and offer fewer protections for the others. Similarly, the Hungarian research highlights that home office opportunities are formed by the technological access and job type which may support inequalities in the workplace. However, when the telework is formalised then it is more likely to include rules on equal treatment and access to training which reduces the risk that remote work becomes selective or exclusive.

The privacy and data protection concerns also separate the two concepts. The informal home office work may involve spontaneous use of personal devices or unsecured networks whereas the formal telework usually includes clearer protocols for the use of technology and data handling. The comparative studies from the EU Labour Authority[230] show that the member states with well-developed telework policies more effectively regulate monitoring tools and maintain clearer boundaries between the legitimate supervision and intrusive behaviour.

Overall, the Hungarian debate reflects a broader shift in the recognition that remote work is not a single category. The home office represents a flexible and situational practice that is influenced by the managerial decision-making and short-term needs. Telework is a structured and contract-based arrangement that is supported by the legal and organisational standards. The international research confirms that to treat these practices as interchangeable creates uncertainty for both the sides. The clarification of the distinction allows Hungarian labour law to support flexible work as well as ascertain that the worker protection, employer duties, and organisational expectations remain stable in the dynamic digitalised work environment.

3.11.4 Comparative Insight for Dutch and EU Context

[229] Eurofound. “Telework in the EU: Regulatory frameworks and recent updates”, Publications Office of the European Union, Luxembourg. (2022). https://share.google/N2uwXyDTG27B6Iqb0

[230] ELA. “The Rise of Teleworking: Improvements in Legislation and Challenges for Tackling Undeclared Work.” (2023). https://share.google/Fq5JYOBwolBDZCr5H

The wider European context shows that the development of telework has progressed at different speeds across the member states. The Netherlands represents one of the most advanced cases in Europe because it integrated flexible work arrangements into labour policy earlier than most of the countries. Dutch organisations began to experiment with remote work in the 1990s in response to the transport congestion, environmental goals, and technological growth. The research[231] shows that Dutch employers gradually adopted remote work as part of the standard organisational practice even before the introduction of European Framework Agreement common principles across the European Union.

The Dutch approach strongly depended on social dialogue. The employers and unions collaborated in order to design workplace policies that supported flexibility as well as maintained equality and fair treatment. The mentioned cooperative model allowed telework to become institutionalised through company level rules and collective agreements in place of strict statutory mandates. The Dutch Government later strengthened the practice through national legislation such as the Flexible Working Act which allowed employees to request changes in the work location[232] which made hybrid and telework arrangements easier to implement and normalised telework as part of the regular employment in place of exceptional form of work.

The European Union followed a broader strategy that had the aim to harmonise telework principles across the member states. The Framework Agreement on Telework introduced rules on equal treatment, equipment responsibility, privacy, and voluntary participation. The mentioned agreement created a shared legal foundation for the member states but the national implementation was widely varied. The Southern European countries more slowly adopted telework whereas Nordic and Western European states more quickly incorporated the principles through strong collective bargaining systems. The reports[233] show that the adoption across

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[231] Van Klaveren, Maarten, and Kea Tijdens. "Teleworking Policies of Organisations–The Dutch Experience." (2003). http://www.uva-aias.net/publications/show/1078

[232] Oorschot, Wim van. "Flexible work and flexicurity policies in the Netherlands. Trends and experiences." *Transfer: European Review of Labour and Research* 10, no. 2 (2004): 208-225. https://doi.org/10.1177/102425890401000206

[233] Eurofound. “The future of telework and hybrid work”, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

Europe significantly increased after the pandemic but the differences in national legal cultures continue to influence the manner in which the remote work is regulated.

The comparative view shows that Dutch practice closely aligns with European Union recommendations as both of them focuses on equality between the teleworkers and onsite employees, protection of privacy, and the need for clear communication rules. However, the Dutch model differs because it places greater focus on internal company policies and shared decision making which has created flexible arrangements that suit the diverse sectors such as public administration, finance, and technology. The approach of European Union focuses more on minimum standards and leaves practical details to the member states.

Hungary represents a different situation because the national regulation are pivotal to define the remote work. Hungarian law introduces detailed requirements about the contractual content, monitoring rules, and employer duties. Dutch law tends to provide broader frameworks that allow the organisations to adapt telework according to their specific needs which means that Dutch employees usually experience more autonomy in selection of the location of work whereas Hungarian employees depend more on the statutory rules that outline the way in which telework must be performed.

The research from the OECD confirms that countries that have strong traditions of consensus-based labour relations such as the Netherlands usually more smoothly integrate telework because the employers and employees share responsibility to design flexible work[234]. The countries that have more centralised regulation focus more on the legal certainty which can provide clarity but may also reduce the adaptability. The gained comparative insight helps to explain why telework has become a stable and widely accepted model in the Netherlands whereas the model, in other member states, continues to evolve.

3.12 Characteristics of the telework contract

3.12.1 Legal Nature of the Contract

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[234] OECD. "The surge of teleworking: a new tool for local development?" (2023). https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/09/the-surge-of-teleworking-a-new-tool-for-local-development_6b88f7da/5eb3b9f2-en.pdf

The telework contract must be understood as a regular employment contract that adapts the organisation of work according to remote performance and does not create a separate category of the employment. The primary legal feature is that the worker remains subordinate to the employer and the contractual relationship continues to carry the usual rights and obligations of the employment. The mentioned legal continuity means that telework is framed as dependent employment even when the tasks are carried out away from the site of the employer and the mutual agreement and formalisation is required in the employment relationship for any change in the habitual place of work[235].

The recent EU directive on transparent and predictable working conditions confirms that there is need for clear contractual information at the time of change in work arrangements. The directive expands the information that it is pivotal for the employers to give to workers and recognises that the place of work is a material element of employment terms which must be recorded and explained which means that shift in habitual work away from the workplace requires a contractual adjustment and such adjustments must be communicated in a transparent manner in order to maintain the legal certainty as well as to protect the worker rights. Therefore, the directive put telework within the mainstream of employment law in place of outside it.

The expert paper of Munkholm on the EU acquis for telework builds on the mentioned reasoning and highlight that telework arrangements must rest on the mutual consent and documented terms. The analysis examines the way in which the information rights introduced by the directive connect to the established protections under EU labour law and he argues that the place of work is a central contractual variable which requires clear treatment in telework agreements. Munkholm focuses that contractual clarity reduces disputes about the working time, monitoring, and social protection when the employees work remotely[236]. The mentioned perspective frames telework as an adapted form of dependent employment that is governed by the same principles of subordination and integration that apply on site.

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[235] EUROPEAN PARLIAMENT. “DIRECTIVE (EU) 2019/1152 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL.” (2019). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A32019L1152

[236] Munkholm, Natalie Videbæk. "EU Acquis on information rights and collective rights: Working paper prepared for Expert Meeting on Telework-EU." (2025).

The legal test for dependency is relevant for telework and the courts and tribunals assess factors such as managerial control, integration into the organisation, and economic dependence of the employer. If the employer sets tasks, supervises performance, and provides essential tools or platforms then the relationship typically fits the dependent employment model even if the worker uses personal devices or works from the remote location. The mentioned functional approach avoids confusion about the location of work with employment status as well as protects workers from misclassification that could remove the statutory protections[237]. The EU level guidance and case law support this functional test and encourage member states to apply it in the remote work environment.

The mutual consent has practical implications for the manner in which telework is introduced and modified. The employers should obtain agreement on elements such as the frequency of remote work, methods of communication, equipment provision, and supervision routines. The directive supports this approach as it require employers to provide comprehensive information about the employment terms and the work of Munkholm establish links between these information duties and the need to treat changes to place of work as the substantial contractual amendments. The approach reduces the scope for unilateral imposition of remote work and ascertain that the teleworkers retain access to the protections that employment law affords[238].

Finally, the telework contract performs an allocative role through assignment of responsibilities that would otherwise be ambiguous when the work moves off site. The contract clarifies which party bears the costs of equipment, how the work time is recorded, who is responsible for the health and safety assessments, and how the digital supervision may be used. The highlighted allocations preserve the essence of dependent employment as well as adapt its operation according to the digital workplace. Therefore, EU instruments and expert analyses showcase telework as dependent employment that requires adapted contractual formality and point to mutual consent and transparent information as the legal foundation for the secure and enforceable telework arrangements.

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[237] Eurofound. “The rise in telework: Impact on working conditions and regulations”, Publications Office of the European Union, Luxembourg. (2022) https://assets.eurofound.europa.eu/f/279033/abeb6083ef/ef22005en.pdf

[238] EUROPEAN PARLIAMENT. “DIRECTIVE (EU) 2019/1152 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL.” (2019). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A32019L1152

3.12.2 Mandatory Clauses and Rights

When the employers and employees agree to a telework contract then they must include specific clauses that define the equipment provision, data security, occupational safety and health, cost reimbursement, and availability expectations. The mentioned clauses help to translate flexible work arrangements into legally enforceable terms and support fairness, accountability, and clarity in the remote working environments.

First, the contract must clarify the duty of the employer to provide or properly maintain the equipment that are necessary for telework. The 2002 European Framework Agreement on Telework states that employers have primary responsibility to supply, install, and maintain the tools that are needed for telework[239]. The research confirms that there are many EU national laws that reflect this obligation and failure to provide equipment or cover running costs is still a common enforcement issue. Hungarian legal doctrine highlights the statement in the context of Act I of 2012 in which the contract must include clauses that specify equipment, responsibility for maintenance, and cost allocation[240].

The contract, in parallel, should include clear provisions on data security and confidentiality. The remote work involves the utilisation of digital networks and devices that can expose employers and employees to the risks of data breach. According to ILO guidance[241], it is pivotal for the employer to ascertain that telework arrangements preserve data integrity and protect the personal and client information. Hungarian scholars[242] highlight that the contracts should mention secure access tools, encryption, log-files, and user training.

The occupational safety and health responsibilities are pivotal to telework contracts. The employer must ascertain safe working conditions irrespective of the place of work. The academic

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[239] Eurofound. “Telework in the EU: Regulatory frameworks and recent updates”, Publications Office of the European Union, Luxembourg. (2022). https://share.google/N2uwXyDTG27B6Iqb0

[240] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. https://doi.org/10.18485/iup_rlr.2020.ch9

[241] ILO. “Telework and The Right to Disconnect: International Experiences Teletrabalho e o direito a desligar: experiências internacionais.” (2022). https://share.google/gpQD3GRQCLxZ7KTGC

[242] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

analysis[243] shows that the remote-work contracts should provide ergonomic guidance, risk assessments for home or remote workplaces, and policies for the psychosocial risk which include the overwork and isolation. Such obligations, in Hungary, are required by law and contracts usually list monitoring duties of the employer, consultation rights, and periodic remote risk assessments.

The cost reimbursement is another key clause. The employee works at their own location but the remote work can create additional costs for internet access, heating, electricity, or home furnishings. The analysis by Eurofound[244] highlight that there are many telework frameworks that still do not have clear rules on how such costs should be shared. The OECD research[245] signals that transparent reimbursement clauses reduce conflict and enhance trust in telework arrangements. Accordingly, the contract may include flat allowances or specified reimbursements and the method of calculation.

The right to disconnect is a significant contractual element as when the work is performed remotely then boundaries between the work and personal time can blur. EU documentation notes that there is no harmonised EU directive yet but there are many member states and organisations that has started to introduce contractual or policy-based rights to disconnect[246]. The employers should include clauses to set out expected availability hours, channels of communication, procedures for after-hours contact, and how the employee may refuse or limit the digital connection. The mentioned clauses help to prevent overwork and contribute to the mental health and work-life balance of the teleworkers.

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[243] Erikson, Merle, and Annika Rosin. "Protection of the occupational health and safety of teleworkers." *European Labour Law Journal* 16, no. 2 (2025): 228-244. https://doi.org/10.1177/20319525241309242

[244] Eurofound. “Telework in the EU: Regulatory frameworks and recent updates”, Publications Office of the European Union, Luxembourg. (2022). https://share.google/N2uwXyDTG27B6Iqb0

[245] OECD. “THE ROLE OF TELEWORK FOR PRODUCTIVITY DURING AND POSTCOVID-19: RESULTS FROM AN OECD SURVEY AMONG MANAGERS AND WORKERS.” (2021). https://www.oecd.org/content/dam/oecd/en/publications/reports/2021/12/the-role-of-telework-for-productivity-during-and-post-covid-19_dbbfb20e/7fe47de2-en.pdf

[246] EURES. “Remote workers and their right to disconnect: regulating telework in the EU.” (2024). https://eures.europa.eu/remote-workers-and-their-right-disconnect-regulating-telework-eu-2024-05-17_en

The communication and performance monitoring are further clauses. The telework moves the workplace into the remote domain and therefore, the employer and employee must agree the manner in which the tasks will be tracked, how feedback will be given, how meetings will be arranged, and how data on the activity will be used. The contract should limit intrusive monitoring, respect privacy, and ascertain transparency in how the digital tracking tools are used. The Framework Agreement states that supervision should not exceed what is acceptable in onsite work.

Collectively, the mentioned clauses form the structural core of a telework contract. The clauses convert the abstract notion of remote working into concrete obligations, rights, and organisational practices. The inclusion of equipment duties, data and security policies, OSH provisions, cost reimbursement mechanisms, right to disconnect clauses, and communication rules reflects a comprehensive approach to protect teleworkers and maintain the accountability of the employer. The outcome is especially important because the shift to remote work changes many assumptions about the supervision, workspace, technology, and access to organisational resources.

3.12.3 Digital Contracts and Electronic Documentation

The digital contracting has become an important feature of modern telework arrangements because the employers and employees need flexible ways in order to formalise agreements without to meet in person. The significant use of electronic signatures and digital authentication tools allows parties to create, modify, and store contractual terms in a legally secure manner. The development is especially relevant for telework because the agreements must define place of work, communication routines, equipment duties. and data protection rules with clarity. Therefore, the digital documentation strengthens legal certainty and supports the organisational efficiency in remote settings.

Hungarian labour law recognises electronic signatures as valid when they meet the authenticity and integrity requirements that are established in the national legislation. Bankó explains that Hungarian law began to early adapt to electronic contracting from the regulatory framework of the European Union especially the eIDAS Regulation. The author[247] notes that

[247] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. https://doi.org/10.18485/iup_rlr.2020.ch9

electronic signatures bind legally when the identity of the signatory is verifiable and when the document is stored in a secure and durable form which ascertains that telework agreements which are electronically executed carry the same legal weight as the traditional paper contracts.

The work by Vallasek and Mélypataki[248] observe that electronic signatures exist at different levels of reliability in Hungarian law. The simple electronic signatures such as scanned images or typed names may be used for everyday communication but the advanced and qualified electronic signatures provide stronger evidential value because they are specifically linked to the signatory and are protected against the alteration. The mentioned forms of authentication are especially suitable for telework contracts which often contain sensitive information about the technologies, confidentiality requirements, and expectations related to work time.

The European regulatory environment supports the utilisation of electronic documents in employment relationships. The eIDAS Regulation establishes that the qualified electronic signatures have legal effects which are equivalent to handwritten signatures across all the member states and that promotes cross border recognition of telework agreements and reduces administrative barriers for the employers that has distributed workforces. The international labour research notes that electronic authentication enables remote contracting as well as preserve the enforceability of employment rights[249].

The digital documentation also influences the enforceability of telework contracts. The accessible records are required by employment relationships that can be retrieved in disputes about the performance expectations, work hours, or reimbursement. The OECD studies highlight that the electronic archiving systems improve transparency because they leave clear traces of amendments and communications related to telework. The mentioned systems help the organisations to maintain compliance with labour law requirements and reduce the administrative mistakes that may occur in paper based workflows.

The protection of electronic documents is another essential element as telework involves the exchange of sensitive company data and therefore, the digital contracts must be securely stored in order to ascertain confidentiality and prevent tampering. Hungarian legal commentary

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[248] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

[249] ILO. “Telework and The Right to Disconnect: International Experiences Teletrabalho e o direito a desligar: experiências internacionais.” (2022). https://share.google/gpQD3GRQCLxZ7KTGC

highlight that it is pivotal for the employers to ascertain data integrity and provide secure access to the remote workers. Bankó[250] points out that the legal validity of electronic documents depends on the signature as well as also on the reliability of storage systems and access controls.

The EU Labour Authority has also discussed practical challenges that are linked to digital documentation. The EU Labour Authority notes that remote work creates new expectations for the communication and record keeping because the instructions, performance assessments, and working time reports are often electronically exchanged[251]. Therefore, the telework agreements should specify the official channels for communication such as secure platforms or verified email accounts so as to avoid disputes about whether the electronic notices were properly delivered.

The digital contract also helps to support transparency in the organisational governance. Eurofound research shows that clear digital records reduce the risk of misunderstandings in remote work and improve the ability of the employers to showcase compliance with the data protection and OSH obligations. Additionally, the electronic platforms make it easier to update telework arrangements when the new technologies, workplace policies, or hybrid work practices are introduced.

3.12.4 Example of UAE Regulatory Framework

UAE offers a significant example of the manner in which the non-European jurisdiction has rapidly developed a regulatory framework for the remote work. The approach of the country illustrates how the digitalisation, economic strategy, and administrative design combine to form telework regulation in a different cultural context. The framework, at the same time, reflects core principles that are similar to those which are found in European telework regulation and showcases convergences as well as divergences from the EU model.

The federal legislation in the UAE such as Cabinet Resolution No 1 of 2022 under Federal Decree-Law No 33 of 2021 Regarding the Regulation of Employment Relations clearly recognises remote work as a valid type of work. The article 5(1)(a) identifies remote work as all

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[250] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. https://doi.org/10.18485/iup_rlr.2020.ch9

[251] ELA. “The Rise of Teleworking: Improvements in Legislation and Challenges for Tackling Undeclared Work.” (2023). https://share.google/Fq5JYOBwolBDZCr5H

or part of the work that are being performed outside the workplace with electronic communication between the employer and employee[252]. The formal inclusion ascertain that the employers and employees may agree to adopt remote work models without to weaken the employment relationship. The regulatory updates in the free-zone jurisdictions such as the Abu Dhabi Global Market (ADGM)[253] Employment Regulations (Amendment No 1) 2025 further support the position of remote or hybrid work through the highlight of employer obligations, confirmation of equipment supply, and set of clear rules for the non-discrimination and remote oversight.

The study[254] provides detailed analysis of the institutional mechanisms of the UAE for remote work. The author describes the manner in which the government directives in the public sector, digital infrastructure investments, and human-resource reforms are aligned to integrate remote work into the workforce strategy. The study highlight that the digital economy agenda of the government supported remote work through the creation of national platforms, unified access systems, and organisational guidelines for the remote supervision and telecommunication. The mentioned measures give remote work a structured status in place to leave it purely to the discretion of the organisations.

The comparison of the UAE and the EU reveals that there are several similarities as both of the regulatory regimes highlight the significance of written agreements, clear employer-employee communication frameworks, and equal treatment of remote workers with those on site. For example, the EU social-partner agreements showcase voluntariness, equal treatment, and employer responsibilities for the equipment and data protection. The UAE regulations mirror the mentioned obligations and require employer provisioning of necessary digital tools and set non-discrimination principles for the remote employees in many jurisdictions. The review of remote

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[252] Mehta. “UAE jobs: Can employees convert regular existing contract to remote work model?” (2023). https://www.khaleejtimes.com/uae/legal/uae-jobs-can-employees-convert-regular-existing-contact-to-remote-work-model

[253] ADGM. “11. Remote Employees.” (2025) https://en.adgm.thomsonreuters.com/rulebook/11-remote-employees

[254] Blignaut, Linda. "Reshaping work in the uae: Trends and tensions in remote and hybrid models." *International Journal of Professional Business Review: Int. J. Prof. Bus. Rev.* 10, no. 6 (2025): 2. https://doi.org/10.26668/businessreview/2025.v10i6.5455

work in the UAE shows that the structured equipment arrangements and digital-platform requirements have now become the standard practice.

However, there are differences that arise because of the cultural, administrative, and institutional factors. The implementation of remote work rules, in the UAE, tends to be more top-down and directive-based which reflect the strong role that federal policy and digital governance frameworks has in the nation. The organisations follow platforms that are issued by the governmental agencies and public-sector models which often lead private-sector change. The approach contrasts with many European countries where the telework regulation is usually negotiated through social partners and collective bargaining mechanisms in place of solely by the government decree. Additionally, the enforcement and oversight in the UAE more heavily depend on the centralised digital tools and performance monitoring systems whereas the emphasis in the EU has shifted towards the rights-based frameworks and flexible HRM practices. The cultural dimension also matters as the workforce of the UAE usually expects structured supervision and measurable outcomes whereas the European models tend to focus on the autonomy, trust, and worker voice to determine the remote arrangements.

The UAE framework also links remote work to broader strategic objectives such as economic diversification, talent attraction, and digital nomad visas. The mentioned goals are less prominent in EU telework laws which usually more narrowly focus on the worker protection, equality, and social dialogue. The UAE remote-work policy[255] promotes integration of digital nomads, international remote hiring, and mobility which creates additional regulatory complexity but also establish alignment between the remote work and national competitiveness.

3.12.5 Practical HRM Implications

The legal requirements contained in telework contracts also have significant implications for the human resource management. It is pivotal for the HR departments to translate contractual duties on the equipment, data security, communication and working time into the day-to-day practices that support remote performance as well as maintain fairness and organisational consistency. The mentioned connection between the legal rules and HRM practice form the

[255] TOI. “Why UAE is a top choice for digital nomads: Remote work visas, fast internet, and premium urban life.” (2025). https://timesofindia.indiatimes.com/world/middle-east/why-uae-is-a-top-choice-for-digital-nomads-remote-work-visas-fast-internet-and-premium-urban-life/articleshow/122931590.cms

manner in which the telework is implemented and how effectively the employees can work outside the office environment.

One important HRM implication is related to performance management as when the employees work remotely then the supervisors cannot depend on physical presence or direct observation. Therefore, the HR departments need to introduce performance indicators that focus on the outcomes in place of visible behaviour. Eurofound[256] research notes that the organisations which have clear performance metrics experience fewer disputes about the expectations and workload in remote settings.

The use of outcome-based evaluation helps the managers to maintain accountability as well as ascertain that the employees are not subjected to excessive digital monitoring. The approach is consistent with the EU principle that the teleworkers must be evaluated on the same criteria as the on-site employees.

The contractual requirement for data security also influences HR practices especially in the training and technological support. The study[257] explain that the workers must be instructed on the safe use of organisational systems and on how to manage confidential information at the time to work remotely. Therefore, the HR departments need to provide digital literacy training and ascertain that the employees understand the data protection rules which are contained in the telework agreement. The training becomes a pivotal tool to prevent unintentional breaches and promote the responsible digital behaviour.

The legal obligations in relation to occupational safety and health further form the HR responsibilities. The remote work introduces ergonomic and psychosocial risks that do not always appear in the onsite environments. The research from Antunes et al highlights that it is crucial for the HR departments to adopt wellbeing strategies that include regular contact, guidance on workstation setup, and accessible support services for the mental health. The mentioned HR interventions respond to legal duties on the employers in order to prevent

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[256] Eurofound. “The future of telework and hybrid work”, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

[257] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

isolation, overwork, and stress in remote conditions. The HR policies that promote structured communication schedules and social interaction can help to strengthen these protections.

The duty to reimburse costs and provide equipment also has HR consequences. It is important for HR professionals to create transparent procedures to allocate devices, handle repairs, and process reimbursement claims. OECD studies suggest that predictable reimbursement arrangements help to build trust in telework and reduce the administrative disputes. The HR teams often coordinate with finance and IT departments in order to ascertain that the contractual obligations convert into efficient organisational workflows.

The significant importance of the right to disconnect also influences the HR policy. The remote workers without clear boundaries may experience extended working hours because of the constant connectivity. The HR departments must develop communication guidelines that reflect contractual disconnection rights through definition of expected response times, meet hours, and norms for the afterhours messages. Eurofound[258] reports that the organisations which have such rules experience better work life balance among the remote workers.

Finally, HRM is pivotal in trust management. Telework requires confidence in the ability of the employee to self-manage tasks and in the ability of the managers to supervise at a distance. It is shown that trust-based relationships contribute to stronger organisational commitment in the contexts of remote work. The HR strategies such as regular check ins, transparent communication, and opportunities for virtual collaboration help to maintain consistency even when face to face contact is limited.

3.13 Legal Classification of the Telework Contract

3.13.1 Telework within Atypical Employment

Telework is often discussed within the wider category of atypical employment because it changes the ordinary organisation of work and shifts the location of performance outside the premises of the employer. The telework is still a form of dependent employment but its structure is different from the traditional model in ways that place telework along with the other flexible arrangements such as part time work or fixed term contracts. The atypical employment covers work patterns that depart from standard full time onsite roles. Telework fits within this field

[258] Eurofound. “The future of telework and hybrid work”, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

because the work environment, communication routines, and supervisory practices operate through the digital channels in place of physical presence.

Hungarian legal scholarship acknowledges telework as an atypical form of dependent employment. Bankó[259] explains that the Labour Code treats remote work as a variation of standard employment that requires special contractual rules. He notes that telework alters the place of work and the mode of supervision which places it among the nonstandard work forms that demand specific protection. The work of Vallasek and Mélypataki also observe that telework shares characteristics with the atypical employment because it involves flexible scheduling, technology-based performance monitoring, and modified occupational safety duties[260]. Telework does not remove the essential features of subordination but it creates a hybrid structure that requires customised legal regulation.

The atypical employment, at the EU level, is addressed through directives that set minimum protections for the workers in flexible arrangements. The Directive on Transparent and Predictable Working Conditions strengthens the information rights of workers in non-standard roles and highlight that there is need for the clear written statements when the work is organised beyond the conventional patterns. The telework arrangements benefit from the mentioned obligations because they require clear communication of place of work, working time rules, and the employer responsibilities. The requirements protect teleworkers from ambiguity and ascertain that remote work does not weaken the employment rights.

Eurofound[261] research has put telework within the broader shift toward the flexible labour markets in Europe. The research explains that digitalisation has expanded atypical work patterns as it enable remote performance, platform based work, and virtual collaboration. The telework is different from platform work because it remains part of a dependent relationship but it still demonstrates the way in which technology reform the organisation of labour. It is observed that

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[259] Bankó, Zoltán. "The situation of telework regulation in Hungary." *Regional L. Rev.* (2020): 115. https://doi.org/10.18485/iup_rlr.2020.ch9

[260] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

[261] Eurofound. “The future of telework and hybrid work”, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

telework supports autonomy and flexibility but it also creates the risks of work intensification and blurred boundaries that are common in other atypical forms.

Telework also interacts with atypical employment because it can coexist with part time schedules, flexible hours, or temporary contracts[262]. The highlighted combination is common in sectors in which the digital tools allow modular performance of tasks. OECD studies indicate that telework can strengthen participation in the labour market for those workers who have care responsibilities or health limitations. However, the mentioned advantages may also result in greater segmentation if telework becomes concentrated among the specific groups. The patterns resemble trends that are observed in atypical work in which the opportunities and risks are unevenly distributed.

The classification of telework as atypical employment has practical consequences for the employers and regulators as it requires attention to equal treatment, predictable working conditions, and adequate social protection. Hungarian scholars warn that telework, if contractual terms are unclear, can generate grey zones especially when the supervision is digitally carried out and when the cost allocation is unresolved. The legal frameworks, for this reason, treat telework as an atypical but protected form of work that must safeguard rights of the workers as well as allow flexibility.

3.13.2 Judicial and Legislative Developments

The legal classification of telework has been influenced statutes as well as also by the judicial decisions that clarify the manner in which remote work fits within the employment relationships. The case of T-486/21 OE v. Commission is instructive in the European context. The General Court held on 7 September 2022 that the remote work arrangements in the European Civil Service must still be treated within the employment relationship and claims for the reimbursement of teleworking costs remain subject to strict interpretation of the relevant

[262] Kirillova, Larisa Sergeevna, Andrey Mikhailovich Lushnikov, and Marina Vladimirovna Lushnikova. "The realization of the concept of flexicurity in atypical employment relationships." *J. Legal Ethical & Regul. Isses* 19 (2016): 69.

rules[263]. The mentioned decision shows how courts may uphold formal classification of employment but resist to extend benefits without the legislative basis.

The legislative framework in Hungary has also significantly evolved as Bankó highlight how telework regulation under Act I of 2012 has been supplemented by the government verdicts and employer-employee agreements especially during the COVID-19 pandemic when the emergency regulations allowed deviations from the standard rules. Therefore, Hungarian legislation has adapted to remote work realities but the courts have highlighted that the core employment relationship remains intact and changes in place of work do not by themselves change the status[264].

The legislation and case law, at the EU level, intersect with each other. The Directive 2019/1152 on transparent and predictable working conditions strengthened information obligations which the courts have used in order to assess whether telework contracts meet the legal standards of clarity and mutual consent. The analysis of Munkholm points out that the law significantly reference the directive at the time to evaluate whether a change in work location constitutes a materially significant modification of the contract terms. Additionally, the EU-wide surveys by Eurofound[265] indicate that there are many member states which still lack specific judicial precedents on telework which creates legislative uncertainty and uneven implementation across the jurisdictions.

The legislative developments have sought to respond to this uncertainty as the national report on Hungary notes that it is pivotal for the employers to now record telework arrangements in writing and include clauses on the equipment provision, data protection, and occupational health and safety[266]. The EU-level guidance, at the same time, highlight that the duty of the

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[263] Official Journal of the European Union. “Judgment of the General Court of 7 September 2022 — OE v Commission.” (2021). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A62021TA0486&

[264] Bankó, Zoltán. "Telework in Hungary–Legislative, Jurisdictionary and Labour Market Policy Experiences." *Hungarian labour law e-journal* 3 (2016): 92-103.

[265] Eurofound. “Telework in the EU: Regulatory frameworks and recent updates”, Publications Office of the European Union, Luxembourg. (2022). https://share.google/N2uwXyDTG27B6Iqb0

[266] CMS Legal. “Remote Working Legislation, Laws & Regulations in Hungary.” (2025). https://cms.law/en/int/expert-guides/cms-expert-guide-to-remote-working/hungary

employer of care does not vanish when the work is remote. There are some member states that have adopted amendments so as to oblige employers to provide equipment or reimburse costs.

The judicial scrutiny has also focused on the manner in which telework affects the social security, taxation, and cross-border labour mobility. For example, the recent commentary highlights that telework performed across EU borders may trigger national legislation and that depend on which state constitutes the habitual place of work of the worker[267]. The mentioned issues add another layer of complexity to the legislative and judicial developments.

3.13.3 Hybrid Work and Legal Uncertainty

The hybrid work has become a dominant form of employment organisation after the pandemic which combines the on-site and off-site elements. The transition to hybrid models has created significant level of legal uncertainty because the current labour laws were developed for more traditional arrangements and usually do not clearly distinguish between the office-based, remote, or hybrid work. Eurofound[268] notes that hybrid work does not has a consistent definition across Europe which complicates the regulatory responses and creates divergent implementation practices.

The place of work is one area of legal ambiguity as the labour regulations typically assume a fixed place of employment such as the premises of the employer which determines rights related to the working time, health and safety, and social protection. The hybrid work in which employees spend part of their time off-site and part on-site which disrupts these assumptions. The studies[269] show that the countries vary in way in which they treat the off-site part of hybrid work with respect to the labour rights and employer duties.

Another source of uncertainty is in relation to the working time and availability. The hybrid work usually blurs boundaries between the working time and personal time especially at the time when the employees work from home or use digital devices out of office hours. The

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[267] Verschueren, Herwig. "The application of the conflict rules of the European social security coordination to telework during and after the COVID-19 pandemic." *European Journal of Social Security* 24, no. 2 (2022): 79-94. https://doi.org/10.1177/13882627221107O4

[268] Eurofound. “Hybrid work in Europe: Concept and practice”, Publications Office of the European Union, Luxembourg. (2023). https://share.google/CPPyW9FHgSeGeIVZh

[269] Countouris, Nicola, Valerio De Stefano, Agnieszka Piasna, and Silvia Rainone. "Introduction to the Future of Remote Work." (2023). https://share.google/2DEjX5z6zSp97BsjC

Eurofound[270] report highlights that the hybrid arrangements frequently result in extended working hours and lesser ability to disconnect but the national legislation may lack clear provisions on the issue. The absence of harmonised rules on the right to disconnect and clear maintenance of working time records exposes employers as well as employees to the increased risk of non-compliance.

The further complexity comes in OSH obligations as the employers are legally obligated to ascertain safe work environments but the hybrid work include part-time use of the premises of the employer and part remote work which is done usually in home or third locations. The national inspectorates and courts are still yet to fully adapt to assess how OSH duties apply when the work is conducted partly outside the traditional workplace. The European Labour Authority highlight that the remote and hybrid work require assessment of non-traditional risks such as ergonomic issues, domestic distractions, and digital fatigue.

The data protection and digital monitoring practices are also legally difficult in hybrid settings. The employers may monitor performance through digital tools but the hybrid environment complicates boundary between the employer surveillance and the employee privacy. The recent research[271] on hybrid work suggests that the organisations struggle to strike balance between the performance oversight and respect for privacy rights when part of the work occurs off-site and through the personal devices.

The social security and taxation issues have become more complex under the hybrid models especially when the employees have the capacity to work from different locations and sometimes across the borders. The hybrid work invites questions to apply the rules of which jurisdiction, how tax liability is managed, and where the social protections are based. The literature[272] highlights that the governments and multinational employers are yet to adapt to these multi-jurisdictional realities.

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[270] Eurofound. “The future of telework and hybrid work”, Publications Office of the European Union, Luxembourg, (2023). https://www.eurofound.europa.eu/en/publications/all/future-telework-and-hybrid-work

[271] Lauring, Jakob, and Charlotte Jonasson. "What is hybrid work? Towards greater conceptual clarity of a common term and understanding its consequences." *Human Resource Management Review* 35, no. 1 (2025): 101044. https://doi.org/10.1016/j.hrmr.2024.101044

[272] Countouris, Nicola, Valerio De Stefano, Agnieszka Piasna, and Silvia Rainone. "Introduction to the Future of Remote Work." (2023). https://share.google/2DEjX5z6zSp97BsjC

3.13.5 Comparative Discussion

The regulatory classification of telework significantly varies between the Netherlands, Hungary and the UAE which reflect differences in the legal traditions, labour market structures, and cultural norms. Telework, in the Netherlands, is largely integrated within the broader system of flexible employment regulation. The national law such as the Wet flexibel werken enable the employees to request changes in location and time and the sectoral collective agreements complement statutory protection. The Dutch model focuses on the social dialogue, broad employer-employee negotiation, and institutionalised flexibility[273].

Telework, in Hungary, is more clearly regulated by the national statute under Act I of 2012 and related labour code provisions. The Hungarian law draws clearer distinction between the telework on a regular basis and other forms of remote work such as home office which remain largely unregulated. Therefore, Hungarian framework treats telework as a formally defined employment variation in place of a fluid flexible arrangement[274]. Hungarian experts argue that this classification contributes to legal certainty but may limit adaptability in practice.

The UAE presents a different picture as the regulation of remote work is relatively new which is driven by the strategic economic goals such as the digital transformation and international mobility. The remote work laws focuses on the employer-provided technology, digital infrastructure, and performance measurement and the enforcement model is more directive than dialogical. The UAE regulatory framework aligns with some EU standards such as employer equipment duties and equal treatment but the implementation depend on the centralised governance and administrative oversight in place of collective negotiation[275].

It is found after comparison the maturity of each regime that the Dutch context offers one of the most integrated models of telework regulation which combines statutory rights with the strong social partner engagement. Hungary offers comprehensive legal definition and clear

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[273] Eurofound. "Telework in the EU: Regulatory frameworks and recent updates", Publications Office of the European Union, Luxembourg. (2022). https://share.google/N2uwXyDTG27B6Iqb0

[274] CMS Legal. "Labour law in Hungary." (2023). https://cms.law/en/int/expert-guides/cms-expert-guide-to-labour-law-in-central-eastern-europe/hungary

[275] Jahoori, Sumaya. "From Flexibility to Regulation: Remote Work in The UAE Public Sector and Comparative EU Insights". *Access to Justice in Eastern Europe*. 8. 1-25. 10.33327/AJEE-18-8.4-r000139. (2025). 10.33327/AJEE-18-8.4-r000139

statutory rules which ascertain clarity but may create rigidity. The UAE is newer but it demonstrates rapid regulatory development and alignment with the digital economy priorities albeit with lesser tradition of the worker voice.

The cultural and economic determinants are also pivotal. The high collective bargaining coverage and consensus-oriented industrial relations of the Netherlands support flexible models[276]. The legacy of statutory regulation and formal employment structures of Hungary form telework regime of the nation. The focus on the rapid economic diversification, talent attraction, and digital competitiveness in the UAE drives a top-down regulatory style. The mentioned factors help to explain why telework laws are different in content as well as in method of enforcement and institutional design.

The comparative analysis reveals that no “one size fits all” model exists for telework classification. Each of the covered jurisdiction reflects its own legal culture, economic orientation, and the labour market structure.

3.14 Reality of the telework contract in the countries

3.14.1 Hungary

Hungary treats telework as a formally regulated variation of employment and the statutory regime reflects a deliberate choice to put telework within the Labour Code in place to leave it to the informal practice. The current Labour Code defines telework as regular work that is performed away from the premises of the employer through the use of information technology. It also requires that telework to be recorded as such in the employment contract. The mentioned statutory design has the aim to preserve the employment relationship as well as customise specific obligations to the remote performance.

Act I of 2012 on the Labour Code contains a dedicated provision that requires the employers to inform teleworkers about the supervision rules, restrictions on to use the employer devices, and the organisational placement of the teleworker. The law also obliges the employers to ascertain that the teleworkers receive the same information as other employees and that they

[276] Delsen, Lei, and Erik Poutsma. "Labour market institutions and economic performance in the Netherlands." *International Economic Journal* 19, no. 2 (2005): 169-196.

retain access to the workplace and to workplace resources when it is necessary[277]. The mentioned obligations has the intend to secure equal treatment and maintain the organisational integration.

The doctrinal analysis of Bankó explains why Hungary integrated telework within the labour code in place to regulate it by the soft law or collective agreements. Bankó points out that the national approach wants legal certainty and detailed rules on the equipment, cost allocation, and supervision and this legislative clarity reflects the earlier Hungarian practice as well as a desire to implement elements of the 2002 European framework agreement in statute. He also notes that the legislative choice produces benefits along with limits because the detailed statutory rules can constrain employer flexibility in dynamic organisational settings.

The pandemic produced a sharp change in practice and in regulatory emphasis. The government, during the state of danger in 2020, permitted more unilateral use of telework and there were many employers that moved large parts of their workforce to the remote performance. Lipták and colleagues document the way in which the pandemic accelerated telework uptake in Hungary and they show that the sudden increase revealed gaps in procedures for the equipment support, psychosocial risk mitigation, and coordination with the collective institutions. The survey-based work[278] highlights the lived experience of teleworkers and shows that there were many employees who faced isolation, blurred work life boundaries, and uncertain rules on reimbursement.

The key regulatory issue in Hungary concerns equipment and inspection rights. The Labour Code distinguishes between the work that is done through the use of employer equipment and the work that is performed on the personal devices. It grants limited inspection powers to the employers over employer supplied devices and required protection for private life and personal data. Bankó analyses the doctrinal tension between the employer inspection and privacy rights and he explains how GDPR considerations and constitutional privacy norms influence the

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[277] Bankó, Zoltán. "Telework in Hungary–Legislative, Jurisdictionary and Labour Market Policy Experiences." *Hungarian labour law e-journal* 3 (2016): 92-103.

[278] Lipták, Katalin, Erika Horváthné Csolák, and Zoltán Musinszki. "The digital world and atypical work: Perceptions and difficulties of teleworking in Hungary and Romania." *Human Technology* 19, no. 1 (2023): 5-22. https://doi.org/10.14254/1795-6889.2023.19-1.2

acceptable supervisory practices for telework. The highlighted legal balancing affects the organisational practices to monitor and for the device provision.

The occupational safety and health is another area in which the statutory framework has required the practical adaptation. The government introduced guidance and orders that addresses remote work OSH during the pandemic and it was pivotal for the employers to now provide ergonomic advice, risk assessment processes, and psychosocial support where the telework is used on a regular basis. Bankó[279] stresses the employer duty of care and the need for documented assessments whereas Lipták[280] show that there were many organisations that have struggled to convert these legal duties into consistent practice across the sectors.

The enforcement realities reveal a mixed picture as the labour inspectorates focus on declared workplaces and telework complicates routine inspections because the workplace may be a private home. Therefore, Hungarian commentators note that enforcement depends on a combination of targeted inspections, employer reporting duties, and the willingness of teleworkers or representatives to raise the complaints. Bankó highlights that the collective bodies and works councils have an important role to monitor the telework implementation where they are active and warns that the low collective coverage in some sectors reduces institutional capacity to check the compliance.

The practical HR responses show diverse employer strategies as there are some firms that formalised telework through written agreements with clear reimbursement rules, equipment policies, and schedules for home visits or IT support. Other employers treat telework as an ad hoc arrangement with minimal formalisation. The practical findings of Lipták show that the formalised schemes improve perceptions of fairness whereas the informal regimes correlate with confusion about the duties and inconsistent provision of equipment and training. The mentioned differences map onto firm size and sector in which the larger and knowledge intensive firms offer more structured telework schemes.

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[279] Bankó, Zoltán. "Telework in Hungary–Legislative, Jurisdictionary and Labour Market Policy Experiences." *Hungarian labour law e-journal* 3 (2016): 92-103.

[280] Lipták, Katalin, Erika Horváthné Csolák, and Zoltán Musinszki. "The digital world and atypical work: Perceptions and difficulties of teleworking in Hungary and Romania." *Human Technology* 19, no. 1 (2023): 5-22. https://doi.org/10.14254/1795-6889.2023.19-1.2

The uneven distribution of telework across the labour market is further reality as the statistical evidence and scholarly accounts indicate that telework remains concentrated among the higher educated and white collar workers and this segmentation risks to produce unequal access to the telework benefits. The work by Vallasek and Mélypataki[281] discuss the manner in which this pattern aligns with the Central European labour market structures and how it influence policy priorities for the inclusion and retraining.

Hungarian policy debates now consider whether to update statutory rules in order to reflect the hybrid patterns, to strengthen reimbursement clarity, and to create clearer guidance for the cross border telework. Bankó recommends to preserve the core protections in statute and allow flexibility for the collective agreements to set the sectoral rules. The research of Lipták suggests that meaningful improvement will require investment in the digital skills, better HR procedures, and stronger social dialogue so as to ascertain enforcement and to protect teleworkers from the isolation and overwork.

3.14.2 Netherlands

The Netherlands is widely recognised as one of the earliest adopters of structured telework in Europe and the experience of the nation reflects a combination of technological readiness, environmental policy aims, and a flexible labour market tradition. Dutch policy discussions began long before the remote work became a global topic and research from the early 1990s shows the way in which telework was linked to transport reduction and work life balance. The studies by Hamer and colleagues documented the interest of the government to reduce congestion through encouragement of home-based work that is supported by the digital tools. The early foundation allowed the Netherlands to build a consistent telework framework long before the digital transformation had accelerated in the twenty first century.

The major turning point came with the organisational level experimentation. The study examined Dutch companies in the early 2000s which showed that telework policies were already common in sectors such as finance, public administration, and information services[282]. They

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[281] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

[282] Van Klaveren, Maarten, and Kea Tijdens. "Teleworking Policies of Organisations–The Dutch Experience." (2003). http://www.uva-aias.net/publications/show/1078

found that Dutch organisations adopted telework to reduce commute as well as also to attract the skilled workers, increase scheduling flexibility, and improve productivity of the workforce. The findings indicate that the employers viewed telework as part of a broader human resources strategy in place of a marginal benefit. The highlighted orientation formed Dutch practice and created a supportive institutional environment that is still influential.

The Dutch regulatory framework combines statutory rights with the organisational autonomy. The Act on Flexible Working enables employees to request changes in working hours and working location which include the remote work. The employer may refuse such requests for business reasons but the law requires serious consideration of employee preferences and promotes dialogue. Netherlands is among the member states where flexible working requests are consistently integrated into the company level policies which is supported by the collective agreements[283]. The mentioned legislative design reflects a culture of negotiated flexibility in Dutch labour relations.

The Netherlands, during the pandemic rapidly moved to large scale telework and the national surveys documented significant increases in digital work across many sectors. Dutch government guidance encouraged remote work for public health reasons and provided employers with the resources on data protection, digital security, and occupational safety. The post pandemic reviews show that telework remains integrated in the organisational routines and there are many employers that now operate hybrid models which combine the on-site and remote days. The Dutch telework evaluation report explains that the organisations updated performance management systems, communication routines, and digital security protocols as part of the shift[284].

The Dutch model also highlights connection between the telework and participatory governance. The works councils have substantial influence to form the organisational policies and telework arrangements usually involve consultation with the employee representatives. The

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[283] Brega, Carla, Janna Besamusca, and Mara Yerkes. "Flexible work arrangements in collective agreements: evidence from Spain and the Netherlands." *Community, Work & Family* (2024): 1-24. https://doi.org/10.1080/13668803.2024.2353650

[284] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

highlighted consultative process helps to ascertain that remote work practices support business objectives as well as wellbeing of the workers. The collective agreements in sectors such as banking and public administration often include provisions on equipment, digital training, and cost reimbursement. The provisions strengthen fairness and reduce disputes between the employers and workers.

The occupational safety and health is another important dimension of the Dutch system. It is important for the employers to ascertain safe working environments even when the work occurs off site. Dutch guidance requires the employers to provide ergonomic information, assess home working conditions, and develop measures in order to prevent the psychosocial risks such as isolation and stress. Eurofound research shows that Dutch employers are relatively advanced in the integration of wellbeing measures into telework policies which is partly because of the strong institutional frameworks and health and safety cultures[285].

The Netherlands is also notable for its investment in the digital infrastructure. The high internet penetration and widespread access to broadband support the feasibility of telework. The public policy initiatives encourage digital literacy and provide funding for innovation in work technologies. The investments strengthen the practical implementation of remote work and reduce technological inequalities among the workers.

The HR teams in Dutch firms, at the organisational level, have adapted performance systems to remote work through focus on the trust, autonomy, and outcome based evaluation[286]. The research on Dutch telework practices indicates that performance management depend more on agreed targets in place of direct observation. The employers also promote virtual collaboration tools and encourage regular team contact so as to maintain consistency. The mentioned HR practices align with the broader Dutch norms of autonomy and decentralised decision making.

The cross border considerations have as well begun to influence Dutch telework policy. There are many Dutch companies that employ international staff and therefore, the questions of

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[285] Eurofound. “Telework in the EU: Regulatory frameworks and recent updates”, Publications Office of the European Union, Luxembourg. (2022). https://share.google/N2uwXyDTG27B6Iqb0

[286] Miglioretti, Massimo, Andrea Gragnano, Silvia Simbula, and Marco Perugini. "Telework quality and employee well-being: Lessons learned from the COVID-19 pandemic in Italy." *New Technology, Work and Employment* 38, no. 3 (2023): 548-571. 10.1111/ntwe.12263

taxation and social security arise when the teleworkers perform work across the borders. The European Commission has issued guidance on this issue and Dutch authorities participate in ongoing discussions about the harmonisation. These matters add complexity to telework regulation and highlight that there is need for the coordinated European solutions.

The Dutch system, despite its strengths, faces challenges. The hybrid work is now widespread but the questions remain about the long-term impact on organisational culture, team consistency, and wellbeing of the employees. It is pivotal for the employers to strike balance between the flexibility and the need for regular in person interaction and sustained collaboration[287]. There are some workers who experience increased stress because of the continuous connectivity and blurred boundaries. Therefore, Dutch policymakers and organisations explore the ways to protect work life balance as well as maintain the advantages of flexible work.

3.14.3 Romania

Romania created a clear regulatory foundation for telework through Law 81 of 2018 which defines telework as work that is regularly performed outside the employer workplace through the utilisation of information and communication technologies. The early legislation placed Romania ahead of several states in Central and Eastern Europe and ascertained that the remote work had a stable legal structure before the pandemic. The law requires written agreements that specify where the work will be performed and how the communication and work time will be organised which helps the employers as well as employees to maintain clarity in the employment relationship (Law 81 of 2018)[288].

The national implementation guidance issued by the Ministry of Labour in 2021 has strengthened these statutory duties as it offers instructions on secure digital communication and safe work organisation. The employers are encouraged to identify appropriate communication channels, agree on digital supervision methods, and ascertain that the employees can remotely

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[287] Kaltiainen, Janne, and Jari J. Hakanen. "Why increase in telework may have affected employee well-being during the COVID-19 pandemic? The role of work and non-work life domains." *Current Psychology* 43, no. 13 (2024): 12169-12187. https://doi.org/10.1007/s12144-023-04250-8

[288] Romania. *Law No. 81/2018 on the Regulation of Teleworking Activity*. Official Gazette of Romania. (2018). https://legislatie.just.ro/Public/DetaliiDocument/200865

access the organisational systems. The guidance also focuses on training in digital tools and the need for clear documentation of work schedules which has become important to monitor overtime and availability.

Romanian law also assigns responsibility for equipment to the employer. The employers, under the Law 81 of 2018, must either provide the necessary digital devices or reimburse workers who use the personal equipment[289]. The mentioned requirement protects employees from the financial burden of remote work. Eurofound[290] reports that most of the Romanian employers now supply devices such as laptops and software but the reimbursement is inconsistent among those smaller firms and organisations that operate with limited resources.

The occupational safety obligations apply to telework as well. The employers are advised to give guidance on workstation setup and support workers to avoid domestic distractions and digital fatigue. The risk assessments are adapted to remote conditions and usually completed through the self-evaluation forms because the labour inspectorates cannot enter private homes. Romanian studies show that the workers benefit from employer guidance and lack of ergonomic support often result in discomfort and reduced productivity[291].

The pandemic conditions has accelerated telework across Romania and revealed differences between the digitally advanced sectors and traditional industries. The urban based companies in finance, consulting, and information services continued telework after the restrictions eased. The HR departments in these sectors now depend on outcome-based evaluation and promote regular online communication. The academic research[292] indicates that the trust-based management

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[289] The Romanian Lawyers. “Remote Work in Romania: What Employers Need to Know.” (2025). https://theromanianlawyers.com/remote-work-in-romania-what-employers-need-to-know/

[290] Eurofound. “Telework in the EU: Regulatory frameworks and recent updates”, Publications Office of the European Union, Luxembourg. (2022). https://share.google/N2uwXyDTG27B6Iqb0

[291] Ivasciuc, Ioana Simona, Gheorghe Epuran, Daniela Roxana Vuță, and Bianca Tescașiu. "Telework implications on work-life balance, productivity, and health of different generations of Romanian employees." *Sustainability* 14, no. 23 (2022): 16108. https://doi.org/10.3390/su142316108

[292] Chatterjee, Sheshadri, Ranjan Chaudhuri, Demetris Vrontis, and Guido Giovando. "Digital workplace and organization performance: Moderating role of digital leadership capability." *Journal of Innovation & Knowledge* 8, no. 1 (2023): 100334. https://doi.org/10.1016/j.jik.2023.100334

improved organisational performance and the level of job satisfaction where the digital tools are widely available.

Romania still faces uneven access to telework opportunities. The urban regions benefit from strong broadband connections and higher digital skills whereas the rural areas experience lower connectivity and fewer telework compatible jobs. The OECD Digital Government Studies[293] highlights that the investment in broadband infrastructure and digital literacy is pivotal in order to expand telework across the country.

The enforcement remains a complex issue as the labour inspectorates depend on written documentation such as telework agreements and working time records because the home inspections are generally restricted. The European Labour Authority reports that Romania begun to work to improve enforcement methods in remote work especially in relation to working time and occupational safety duties that goes beyond the physical workplace (ELA 2022).

The final feature of the Romanian system is distinction between the telework and home-based work. Romanian scholars note that it is important for the telework to involve regular ICT use while the home based work can occur occasionally and without the technological requirements. The mentioned distinction helps the organisations to select the correct legal framework and apply appropriate rights and obligations[294].

3.14.4 UAE

UAE has developed a comprehensive system for remote work regulation that connects labour policy with the national digital transformation goals. The shift began within the federal public sector in which the remote work was introduced as part of broader administrative reforms. The study[295] explains that the UAE used digital infrastructure investments and unified government platforms in order to support new working models in public as well as private sectors. The mentioned initiatives created a structured environment in which the remote work

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[293] OECD. “Digital Government Review of Romania: Towards a Digitally Mature Government”. OECD Digital Government Studies. (2023). https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/12/digital-government-review-of-romania_4dee897c/68361e0d-en.pdf

[294] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.

[295] Jahoori, Sumaya. “From Flexibility to Regulation: Remote Work in The UAE Public Sector and Comparative EU Insights”. *Access to Justice in Eastern Europe*. 8. 1-25. 10.33327/AJEE-18-8.4-r000139. (2025). 10.33327/AJEE-18-8.4-r000139

could be securely and consistently managed across the institutions. Therefore, telework in the UAE evolved as part of a national strategy in place of an isolated labour market adjustment.

The Federal Decree Law 33 of 2021 was a turning point as it formally recognise remote work within the national employment framework[296]. The law defines remote work as a permitted mode of performance and allows the employers and employees to agree on part time or full remote arrangements. The implementation of Cabinet Resolution on Work Models highlight obligations in relation to the working hours, availability, and performance expectations. The regulations clarify that the remote workers retain the same employment rights as on-site workers and the performance must be evaluated on objective criteria. Therefore, the UAE model treats remote work as a normal part of the employment relationship and not as the informal or secondary arrangement.

The detailed allocation of equipment and technological responsibilities is another pivotal feature of the UAE framework. It is essential for the employers to provide the tools that are needed for remote work and ascertain that the workers can securely access the internal systems. The government guidance focuses on the significance of encrypted communication, secure networks, and controlled access to the sensitive files. The organisations are also required to offer technical support to remote staff when needed. PwC analysis[297] of UAE public and private organisations shows that the structured digital tools and cybersecurity protocols have become standard practice in the management of remote work across the sectors.

The UAE approach to occupational safety in remote work also reflects the structured policy orientation. The Ministry of Human Resources and Emiratisation requires the employers to provide guidance on safe work conditions at home and to ascertain that the employees understand responsibilities to prevent risks. The psychosocial risks have received significant attention in which the public sector guidelines encourages the managers to maintain regular communication and support wellbeing of the workers through digital check ins. The mentioned

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[296] Alrousan, Mohammad. “Different Work Categories Under the New Federal Labour Law No 33, Year 2021.” *Mondaq*, (2023). https://www.mondaq.com/employee-rights-labour-relations/1271890/different-work-categories-under-the-new-federal-labour-law-no-33-year-2021

[297] PwC Middle East. “Remote Working in the UAE: Best Practice Review and Future Policy Paper”. Dubai: PwC Middle East. (2025.) https://www.pwc.com/m1/en/industries/2025/doc/remote-working-in-the-uae.pdf

rules align with the international expectations but they are influenced by the centralised nature of UAE governance in which the uniform policy directives guide the organisational behaviour.

The cultural context also influence the UAE system. The remote work is implemented within a work environment in which the managerial authority and structured oversight are traditionally strong. It is noted that there are many organisations which depend on performance indicators and digital reporting in order to maintain accountability. The UAE combines trust in digital systems with clear expectations for the availability and task completion. The structured oversight is different from many European systems where the social dialogue and negotiated flexibility are crucial. The remote work regulation, in the UAE, focuses on the efficiency, clarity, and alignment with the organisational performance goals[298].

The recent policy developments connect remote work with the national competitiveness. The UAE has introduced digital nomad visas and remote work residency options in order to attract the skilled workers. The mentioned policies allow foreign nationals to work for overseas employers while residing in the UAE[299]. The policies showcase a broader strategy to position the country as a regional hub for the innovation and flexible work. The analysts argue that the mentioned integration of labour policy and migration strategy creates opportunities for the international talent as well as also expand the economic diversification agenda of the nation.

The comparison between the UAE and European models shows the areas of convergence and divergence as both the systems focuses on contractual clarity, equal treatment, and equipment obligations. The UAE shares European concerns in relation to data security and occupational safety in digital environments. However, the method of enforcement is different as the European states typically depend on social partners and labour inspectorates for the implementation whereas the UAE follows a centralised model in which the policy directives guide compliance at the organisational level which produces faster implementation but limits opportunities for the negotiated flexibility.

3.14.5 Cross-Border EU Telework

[298] Government of the United Arab Emirates. “Cabinet Resolution No. (27) of 2020 On the Remote Work System in the Federal Government”. UAE Legislation. (2020). https://uaelegislation.gov.ae/en/legislations/1414

[299] Invest in Dubai. “Work Remotely from Dubai — One-Year Virtual Work Visa.” (2025). https://www.investindubai.gov.ae/en/live-and-work/visas-and-entry/work-remotely-from-dubai

The cross border telework raises urgent questions about which national social security and tax rules apply when the worker habitually performs tasks from a different member state. The recent developments show that the legal certainty depends on to determine the habitual place of work, on administrative cooperation, and on practical thresholds that limit the frequent switch between the jurisdictions. These matters have become more significant as the hybrid and mobile work increase across the borders[300]. The central legal instrument in the EU context is the social security coordination regime that is built around the Regulation 883 of 2004 and its implementation rules. The general principle, under current rules, links social security to the state in which the work is performed but there are exceptions that exist for those workers who perform cross border duties and for the posted workers. The A1 certificate remains the primary device to fix applicable legislation but telework exposes limits to the A1 system because the habitual presence can quickly shift and because the digital work reduces the physical nexus on which the rules rely[301].

Aceto documents the practical response to the mentioned limits with the recent multilateral initiatives that has the aim to reduce legal uncertainty for the habitual cross border teleworkers. The multilateral framework agreed in 2023 provides a pragmatic rule which allows the employee to remain subject to the employer state social security system when the remote work in a second state does not exceed a specified percentage of the total working time. The approach eases administrative burdens and reduces double coverage risks for many teleworkers but it depends on the state signatures and consistent record keeping.

Munkholm highlight that the legal concept of the habitual place of work is foundational for the contract law, social security, and taxation[302]. The analysis of Munkholm shows the manner in which uncertainty about the place of work can produce disputes about the contributory

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[300] Aceto, Fenicia. "Cross-border workers-navigating the challenges of social security coordination rules in the era of telework in the European Union." *European Labour Law Journal* 15, no. 2 (2024): 376-387. https://doi.org/10.1177/20319525241239288

[301] European Union. “Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems”. OJ L 166, (2004), 1–123. https://eur-lex.europa.eu/eli/reg/2004/883/oj

[302] Munkholm, Natalie Videbæk. "EU Acquis on information rights and collective rights: Working paper prepared for Expert Meeting on Telework-EU." (2025).

obligations and about entitlements such as the unemployment or sickness benefits. Munkholm also notes that the judicial bodies across the EU apply functional tests to determine employment status and applicable law and the clearer administrative guidance is required in the increment of telework so as to prevent divergent case law.

The practical problems exist in enforcement and administration. The national authorities face evidence gaps because the remote work is usually informal or poorly documented. It is pivotal for the employers and workers to keep accurate records of where the work is performed and of time allocation across the states. The systems to issue and recognise A1 certificates need digital upgrades so that the cross border telework can be monitored with minimal delay. The European Labour Authority and national inspectorates has started to adapt through recommendation of standardised electronic attestations and through improvisation of cooperation between the authorities[303]. The taxation adds further layer of complexity as the habitual presence may create permanent establishment or tax residence issues which can differently affect the employers and employees. The close attention to tax treaties and national residence rules is necessary in cross border telework cases so as to avoid the unexpected liabilities. The policy makers now explore coordinated guidance that clarifies thresholds and reporting obligations for the social security as well as for the tax purposes.

There are several policy options that emerge from the recent literature and from practitioner reports. First, the states can adopt or sign multilateral instruments that set percentage based safe harbours for telework in a secondary state which reduces short term fragmentation for the remote workers who spend limited time abroad. Second, the administrative cooperation should be digital first that utilises interoperable platforms to exchange records on the presence and contributions. Third, the clearer employer duties for record keeping can lower the enforcement cost for inspectorates and for social security agencies. Aceto[304] stresses that the mentioned measures must be coupled with social partner input in order to ascertain fairness and feasibility.

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[303] ELA. “The Rise of Teleworking: Improvements in Legislation and Challenges for Tackling Undeclared Work.” (2023). https://share.google/Fq5JYOBwolBDZCr5H

[304] Aceto, Fenicia. "Cross-border workers-navigating the challenges of social security coordination rules in the era of telework in the European Union." *European Labour Law Journal* 15, no. 2 (2024): 376-387. https://doi.org/10.1177/20319525241239288

3.15 Conclusion

The development of telework across the different legal systems has been examined in the study that shows a broad movement toward the more consistent and stable regulation. Each country follows its own institutional path but there are several shared patterns that appear across the cases. The patterns reflect a wider understanding that telework is no longer an exceptional form of labour but follows an ordinary way to organise work in a digital society. Therefore, the legislators and organisations have sought to integrate telework within the standard employment framework in place to treat it as a temporary or marginal arrangement. The shift has influenced the way in which the contracts are drafted, how responsibilities are allocated, and how the managerial practices are formed.

The major conceptual convergence is related to the definition of telework and its place within the employment law. Telework, across the analysed jurisdictions, is significantly understood as the dependent employment that is performed away from the employer workplace with the support of digital tools. The mentioned shared foundation strengthens the position of teleworkers within the employment relationship and helps to remove ambiguity related to the rights and duties. The legislators, through the recognition of telework as a regular form of work, has the aim to ascertain continuity of worker protection irrespective of where the work is carried out. The conceptual stability also gives a clearer basis to the organisations to form internal policies and performance systems.

Another important convergence is related to the contractual clarity. There are many legal systems that now require written telework agreements which describe the conditions under which remote work will occur. These agreements usually address the location of work, communication routines, working time organisation, and equipment use. The level of detail varies by country but the overall tendency is toward the transparent documentation which protects the employer as well as the worker as it reduces uncertainty about the responsibilities and expectations. It also supports more effective enforcement because the inspectors can depend on written evidence at the time to assess compliance.

There is also a shared recognition across the cases studied that telework requires equal treatment between the remote and onsite workers. The legislators and organisations highlight that telework should not result in reduced protection or fewer opportunities for the participation. The principle appears in rules that are related to access to the information, training, career

development, and organisational communication. There are several employers that now provide teleworkers with digital participation methods in order to ascertain that they remain integrated into the team processes. The mentioned focus on equal treatment is one of the clearest signs of convergence among the different systems.

The equipment responsibility represents another area in which the practices shows alignment. The employers in most jurisdictions are required to provide teleworkers with the necessary digital tools or to reimburse them for the personal equipment that are used for work. This responsibility ascertain that the remote work does not impose additional financial burdens on the employees and the organisational data remains secure. The operational details are different but the core expectation is that the employers must support the material conditions of remote work.

The occupational safety and health has developed into an essential part of telework regulation as the legislators significantly stress that the employer responsibility remains active even when the work is performed outside the workplace. There are many countries that require guidance on ergonomic arrangements, the identification of risks in the home environment, and measures to address the psychosocial challenges that may have created by the isolation or extended screen use. The enforcement is still difficult in private homes but the organisations have responded through training, digital ergonomic assessments, and wellbeing initiatives which shows the manner in which the legal expectations and HR practices reinforce each other.

The human resource management has undergone significant change as the organisations adjust to telework. The traditional supervision based on the physical presence has given way to results based evaluation and trust centred management. The communication routines have become more structured and the managers depend on regular check ins, clear objectives, and digital tools in order to coordinate teams. Therefore, telework has encouraged a shift toward such organisational cultures that value autonomy and accountability. The shift supports legislative goals as it help workers to effectively carry out their duties and strengthen fairness in the evaluation of the performance. Telework, across all the studied countries, also highlights the significance of digital competence. The legislators demand adequate training in the use of digital tools whereas the employers invest in skills development in order to ascertain that the teleworkers can perform tasks without disruption. The mentioned shared focus reflects a broader

transformation in which the digital literacy has become a fundamental component of modern labour markets.

The comparison of the countries examined in this study reveals shared directions as well as significant structural differences in the way in which telework is regulated and practiced. The differences comes from the legal culture, economic structure, administrative capacity, and social expectations of each country. There are number of common points that appear despite such variations. Telework has become a stable element of the employment domain and the legal systems significantly recognise that there is need to integrate it into the ordinary labour law. The highlighted shared orientation provides a foundation to understand the similarities and differences across Hungary, the Netherlands, Romania, the United Arab Emirates, and cross border European contexts.

The Netherlands represents one of the most mature and balanced systems due to the long history of the nation of flexible work arrangements and strong institutional dialogue. Dutch employers are familiar with the negotiated flexibility and have integrated telework into work organisation through the well-established HR practices. Dutch law allows the employees to request changes in work location and the collective agreements often reinforce these rights. The approach reflects a labour market that values worker autonomy, social partnership, and trust-based management. Dutch organisations report smoother transitions to hybrid work and this stability has been reinforced through strong digital infrastructure and widespread acceptance of the flexible employment models.

Hungary presents a different model in which telework is highly structured within the statutory rules. The national labour code clearly defines telework and imposes specific contractual requirements. The mentioned statutory approach offers clarity and predictability but it can also limit the organisational flexibility. Hungarian employers usually depend on detailed written agreements that describe the supervision rules, equipment use, and working time expectations. The approach supports legal certainty but it may create challenges for those organisations that wish to adopt more fluid hybrid arrangements. The enforcement also becomes more document centred because the inspection of private homes is limited. Therefore, Hungarian practice reflects tension between the legal certainty and flexibility.

Romania follows a hybrid legal model that combines early telework legislation and dynamic HR practices. The country introduced a telework law before the pandemic which

provided a useful foundation for the later developments. Romania requires the written agreements and employer provision of equipment but its practical implementation varies by the sector and region. The urban areas that has strong digital infrastructure have more successfully integrated telework whereas the rural regions continue to face constraints related to the connectivity. The enforcement remains complex because of the limited inspectorate resources and there are many organisations that depend on self-reporting mechanisms in order to monitor the working conditions. The experience of Romania shows the manner in which the legal clarity must be matched with the practical capacity for the system to effectively function.

The United Arab Emirates provides a contrast to European models because telework development in the UAE is attached to the national digital transformation goals and centralised governance. The remote work policies in the UAE focuses on the clear employer responsibilities, technological readiness, and performance expectations. The system is highly structured and the remote work is integrated into the organisational processes through digital platforms and administrative directives. The UAE depend less on collective dialogue and more on the top down policy implementation which creates rapid adoption and uniform compliance but it limits participatory mechanisms that are common in European systems. The UAE model demonstrates the way in which telework can quickly expand when it is supported by the strong public investment and centralised policy design.

The cross borders telework in the European Union adds another dimension to the comparative picture. The domestic telework rules within member states continue to evolve but the cross border situations introduce questions about the applicable law, social security affiliation, and taxation. The mentioned issues require coordination between the countries because the workers may perform tasks in several jurisdictions within the same week. The European institutions has begun to develop guidance to address these matters but there are still national differences which makes cross border telework the most complex area of regulation and its successful management depends on the administrative cooperation and digital monitoring systems. The finding reveals the limits of national regulation when the work is no longer attached to a single physical territory.

The development of telework across the different jurisdictions has shown that remote work can only reach its full potential when the legal clarity, organisational capacity, and social support evolve together. The first priority is to create such legal frameworks that reflect the realities of

hybrid work. The traditional labour law assumes a clear and stable place of work but the modern working patterns involve regular movement between the home and workplace. The mentioned shift requires legal rules that explain the way in which the duties and rights apply in each setting. The laws should describe the responsibilities of employers in relation to equipment, digital tools, and health and safety in a manner that adapts to remote as well as onsite conditions. The flexible guidance would support organisations to design internal procedures that are legally compliant and practical to implement.

The promotion of digital competence is another area that requires attention. Telework depends on the use of digital communication, data processing tools, and secure networks but the gaps in digital skills often prevent employees to fully participate in the remote work arrangements which can increase inequality among the workers. Therefore, the governments and employers should invest in training programmes that support basic as well as advanced digital skills which includes guidance on virtual collaboration, cybersecurity, and management of digital workloads. The strengthened digital literacy would create a more inclusive and resilient workforce and reduce disruptions that are caused by the technical difficulties.

The occupational safety and health is pivotal for the future of telework. The remote work removes many traditional workplace hazards but it introduces new ergonomic and psychosocial risks. It is important for the employers to develop practical methods to assess these risks and support those workers who remotely perform the tasks. The digital tools such as online ergonomic assessments and wellbeing check ins can help the organisations to meet their responsibilities without to enter the private homes. The policymakers can assist through the issuance of clear guidelines that explain the way in which employers can meet their duty of care in remote settings. The coordinated efforts in this area would reduce stress, prevent burnout, and improve the long term sustainability.

The enforcement practices must also adapt. The labour inspectorates often depend on physical inspections which are not possible when the work takes place in private homes. The governments, in order to address this limitation, should create digital reporting systems that allow the organisations to securely submit the relevant documents. The standard templates for remote work agreements, risk assessments, and working time records could help inspectorates to more efficiently verify compliance. These systems would not resolve all the enforcement issues

but they would create greater transparency and reduce the administrative burden on the employers.

The cross border telework requires coordinated international attention. The digital technologies allow work to be performed from multiple locations and therefore, the questions about applicable law, social security affiliation, and taxation become more complex. The lack of harmonised rules can create uncertainty for the mobile workers and for those organisations that operate with multinational teams. The policymakers should work together to develop shared principles to determine habitual workplace, contribution obligations, and reporting requirements. The principles should prioritise simplicity and fairness to prevent double contributions and administrative confusion. The coordinated solutions would allow mobility without the sacrifice of legal clarity or social protection.

The employers and HR professionals are also pivotal to form the future of telework. The successful remote work depend on trust based management that focuses on outcomes and clear expectations in place of physical visibility. The organisations should continue to update performance evaluation systems so that they reflect the nature of remote and hybrid tasks. The transparent communication routines can help to prevent misunderstandings and maintain consistency among the distributed teams. The HR departments should invest in training for the managers so that they can effectively support the remote staff and address issues that are related to the workload, isolation, and digital communication.

Additionally, the social partners can also help to maintain balance between the flexibility and protection. The collective agreements and social dialogue have proven effective in the formation of remote work practices in several countries. The policymakers should encourage cooperation between the employers and worker representatives and allow space for negotiated solutions. The dialogue based approaches often improve acceptance of telework policies and increase fairness in the implementation.

Finally, the telework policies should remain adaptable. The technology, work culture, and economic conditions continue to evolve and the rigid rules may not respond well to new developments. Therefore, the legislators should regularly review the telework regulations in order to ascertain that they remain relevant. The organisations should monitor the impact of remote work on productivity and wellbeing and adjust their policies when necessary. The

dynamic approach will help the countries to stay aligned with global changes in the work organisation.

Chapter 4: Telework and HRM challenges and mitigation strategies

4.1 Introduction to Human Resource Management (HRM)

The shift in telework from a fringe working practice to a hegemonic mode of employment has compelled a fundamental reorientation of traditional human resource management (HRM) systems and labour governance.[305] Although it offers great freedom compared to high productivity, it also poses a threat to conventional legal norms and HRM practices, particularly regarding the rights of workers, managerial control, and intergroup harmony in the workplace. This is worsened by the fact that there exists no uniform regulation across the jurisdictions. As this chapter claims, different countries have highly differing national legal frameworks regarding the employment of telework, so different problems of personnel management and mitigation approaches emerge under different geopolitical and socio-economic conditions. The chapter poses HRM precisely between the regulation of the law and organisational policy, highlighting how it tends to adjust to new telework norms in the various regimes[306]. It dwells on the comparative study of telework-related HRM issues in four selected jurisdictions- Hungary, Netherlands, Qatar and United Arab Emirates (UAE), implemented strategically[307]. These nations represent opposite governing principles, two of which are EU member states that have well-established labour market institutions and prominent social negotiation, and two of which are Gulf monarchies that have been undergoing quick financial diversification processes alongside changing, with state-driven laws. The chapter is based on doctrinal legal research and interrogation of comparative jurisdiction, along with the tacit expression of findings of

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[305]Pulignano, Valeria. "The transformation of work: changing employment governance regime." In *Handbook of Industrial Development*, pp. 90-105. Edward Elgar Publishing, 2023.https://lirias.kuleuven.be/retrieve/680139

[306] Bratton, John, Jeff Gold, Andrew Bratton, and Laura Steele. *Human resource management*. Bloomsbury Publishing,2021
http://www.ir.harambeeuniversity.edu.et/bitstream/handle/123456789/1638/Human%20Resource%20Management%20Theory%20and%20Practice%20%28%20PDFDrive.com%20%29.pdf?sequence=1&isAllowed=y

[307] Filiz, Ugur. "A comparative analysis on IHRM policies and practices at local subsidiaries of MNCs in transitional and emerging environment: The case of Hungary and Turkey." PhD diss., Magyar Agrár-és Élettudományi Egyetem, 2022.https://phd.mater.uni-mate.hu/311/6/Thesis_Ugur_Filiz_DOI.pdf

questionnaires which were initially conducted on a sample of HR professionals of selected countries[308]. The global conflict between protection of workers on one hand and adaptability to the laws and the need of flexibility in labor market amidst the digital economy comes out in such a comparison[309].

The concept of Human Resource Management in the telework environment is much more complex than many may think as it becomes organically integrated with the areas of legal framework of operation, digital infrastructural creation and implementation, and the psychological comfort of the person himself. There is inability to monitor the performance, the risk of social isolation, the loss of boundaries between work and life, and cybersecurity threats as the main issues that relate to teleworking cores and are in full compliance with newly emerging HR tasks[310]. This chapter takes on a strategic approach to HRM, with an eye on the response of organizations meeting these legislative and technological changes in working with their people[311]. Classical approaches to HRM were very much based on ensuring workplace productivity in a closed physical work space with companies knowing their workers are in a safe and compliant position with requirements[312]. Telework manages to erode all such boundaries making it extremely difficult for an employer to exert control and yet be able to comply with the

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[308] Bertram, D. A. N. I. E. L. "Extraterritorial court jurisdiction in the corporate anthropocene: a comparative enquiry." PhD diss., University of Oxford, 2021.https://ora.ox.ac.uk/objects/uuid:d609b195-1431-4524-9490-84f9950f18b6/files/dzw12z549d

[309] Charles, Lorraine, Shuting Xia, and Adam P. Coutts. "Digitalization and employment." *International Labour Organization Review* (2022): 1-53.https://www.uat.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_emp/documents/publication/wcms_854353.pdf

[310] Burrell, Darrell Norman. "Understanding the talent management intricacies of remote cybersecurity teams in covid-19 induced telework organizational ecosystems." *Land Forces Academy Review* 25, no. 3 (2020): 232-244.https://sciendo.com/pdf/10.2478/raft-2020-0028

[311] Carbery, Ronan, and Christine Cross. *Human resource management*. Bloomsbury Publishing, 2024.https://books.google.com/books?hl=en&lr=&id=twkXEQAAQBAJ&oi=fnd&pg=PP1&dq=This+chapter+takes+on+a+strategic+approach+to+HRM,+with+an+eye+on+the+response+of+organizations+meeting+these+legislative+and+technological+changes+in+working+with+their+people&ots=tOltCBwbf1&sig=umf2e9j_U4q8E2FzoENd9T4RIZE

[312] Bratton, John, Jeff Gold, Andrew Bratton, and Laura Steele. *Human resource management*. Bloomsbury Publishing, 2021.http://www.ir.harambeeuniversity.edu.et/bitstream/handle/123456789/1638/Human%20Resource%20Management%20Theory%20and%20Practice%20%28%20PDFDrive.com%20%29.pdf?sequence=1&isAllowed=y

law as regards health and safety codes, regulation of working time, fair treatment of employee. In responding to this paradigm shift, national legal systems have reacted with more or less foresight and comprehensiveness, leaving a complex picture in the face of HR professionals to deal with[313].

The emergence of teleworking as being structural rather than circumstantial in nature of employment has started to break a lot of conventional paradigms of human resource management[314]. A temporary or sector-specific practice transformed into a standardized, possibly inherent, mode of work in the different industries- especially those in knowledge economy, professional services and the tech industry[315]. However, this normalization is equally not just a story of technological and logistical revolution, but also of deep-seated legal and cultural re-arrangement that compels HRM to act within landscapes of ambivalence, transnational conformity and values in a state of constant flux between employees and employers[316]. The human resource departments world over have been requested to transform the underlying HR activities which include recruiting, induction, training, performance management, grievance redress, and team integration without having the gravitational pull of a central office-based structure. In that respect, teleworking is not only something that shifts the physical location in which work is done, but it also shifts the concept of what work is, how it is measured and how it is safeguarded/supervised. In this respect, HRM acts as an intermediary between legality and adjustability in an organization. It has to coordinate national labor regulations, data protection policies, and occupational health policies contrary to strategic goals, like talent management,

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313 Montreuil, Sylvie, and Katherine Lippel. "Telework and occupational health: a Quebec empirical study and regulatory implications." *Safety science* 41, no. 4 (2003): 339-358.https://www.academia.edu/download/51010311/s0925-7535_2802_2900042-520161221-32233-hdlk9x.pdf

314 Paciello, Leonardo. "Human capital efficiency: a comprehensive overview." (2024).https://unitesi.unive.it/bitstream/20.500.14247/17415/1/898884-1299220.pdf

315 Franko, Katja, and Heidi Mork Lomell. "Outsourcing the brains: the epistemic power of consultancies in criminal justice." *Theoretical Criminology* (2025): 13624806251341280.https://journals.sagepub.com/doi/pdf/10.1177/13624806251341280

316 Samaan, Daniel, and Aizhan Tursunbayeva. "Fluid workforce management in the health sector: Navigating the changing face of workforces and their management." *International Journal of Public Sector Management* 37, no. 4 (2024): 593-609.https://journals.sagepub.com/doi/pdf/10.1177/13624806251341280

employee retention, and inclusive work culture[317]. This adjustment is particularly complicated where there is a lack of harmonization of regulations on the global level.[318] However, unlike physical workplace standards, where there can be international standards that are provided by intergovernmental organizations (such as International Labor Organization or EU) on telework, the field greatly depends on national interpretations of the law and the rapidity with which various governments have applied to emerging realities.[319] On one hand, there are places where such remote work rights have successfully been placed in the law books like the Netherlands but on the other hand, we have places such as Qatar where the issue was still being tackled via informal instructions issued by the concerned ministers. The disjointed legal regulation of telework also makes it harder to develop consistent, scale-able strategies by the HR, especially in multinational companies as HRs need to work within multiple legal systems at once.

Moreover, the nature of the interaction between the modes of employment and the labor traditions and the governance philosophies is contrasted on how telework and traditional employment modes work[320]. As an example, EU nations tend to institutionalize social dialogue and representation of workers in lawmaking and HRM, but Gulf nations tend to resort to top-

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[317] Armstrong, Michael, and Stephen Taylor. *Armstrong's handbook of human resource management practice: A guide to the theory and practice of people management*. Kogan Page Publishers, 2023.http://dspace.khazar.org/bitstream/20.500.12323/6399/1/ARMSTRONGS_HANDBOOK_OF_HUMAN_RESOURCE_MA%20%281%29.pdf

[318] Ho, Lewis, Joslyn Barnhart, Robert Trager, Yoshua Bengio, Miles Brundage, Allison Carnegie, Rumman Chowdhury et al. "International institutions for advanced AI." *arXiv preprint arXiv:2307.04699* (2023).https://arxiv.org/pdf/2307.04699

[319] Urbane, Marta. "Balancing Flexibility and Fairness: Legal Implications for Defining Decent Telework in the EU in an Era of Digitalization." In *The Global Conference on Entrepreneurship and the Economy in an Era of Uncertainty*, pp. 605-614. Singapore: Springer Nature Singapore, 2023.https://www.researchgate.net/profile/Tafadzwac-Maramura/publication/381526602_The_Role_of_Fourth_Industrial_Revolution_4IR_Technologies_in_Achieving_Sustainable_Development_Goals/links/66794fde1846ca33b84b33e5/The-Role-of-Fourth-Industrial-Revolution-4IR-Technologies-in-Achieving-Sustainable-Development-Goals.pdf#page=606

[320] Iannuzzi, Francesco Eugenio, and Francesco Campolongo. "Transformed or transferred? How workers perceive managerial control over home telework. Some insights from an Italian case." *Relations industrielles/Industrial Relations* 78, no. 1 (2023).https://doi.org/10.7202/1101313ar

down and state-centred approaches most of the time with little union power [321]. Such structural discrepancy is not only influential during the development of telework regulations, but it can also alter the cultural predicted values such as flexibility, trust, productivity, and employee rights.

It is thus important to consider a comparative approach, not only to realise the particular problems each jurisdiction creates about HRM, but also to derive some best practices and policy framework that may be applicable internationally. A comparative and jurisdiction-based analysis sheds light on the broader impacts of teleworking regulation on labor marketplace equity, digital inclusiveness and management monitoring. It exposes the anxieties of innovation and protection, flexibility and standardization, disengagement and responsibility. Moreover, being that this chapter makes a subtle use of the experiences of the HRs in the chosen countries, it is not doing a purely doctrinal analysis. Their stories are the experiences of HR on a day-to-day basis as it struggles to enforce the abstract legal requirements in the fluid and, in many cases, hybrid working environments. The combination of real-life experiences of personal practice and official systems into legal frameworks gives a more practical, more in-depth knowledge about the effects of telework on the modern HRM.[322] In this respect, the chapter does not just add value to literature but also brings insights that can be applied to solving real-life problems faced by policymakers, HR practitioners, and organizational leaders juggling with the unknown future of work.

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[321] Singh, Danny. "An Investigation of Corruption and Clientelism in Afghanistan Hindering Law Enforcement: With a Specific Case Study in the Afghan National Police." PhD diss., University of York, 2012.https://etheses.whiterose.ac.uk/8980/1/MPhil%20Thesis.doc

[322] Lodovici, Manuela Samek, E. Ferrari, E. Paladino, F. Pesce, P. Frecassetti, and E. Aram. "The impact of teleworking and digital work on workers and society." *Study Requested by the EMPL Committee* (2021).http://onala.free.fr/ipol421.pdf

4.2 Conceptual Framework: Telework within an HRM Context

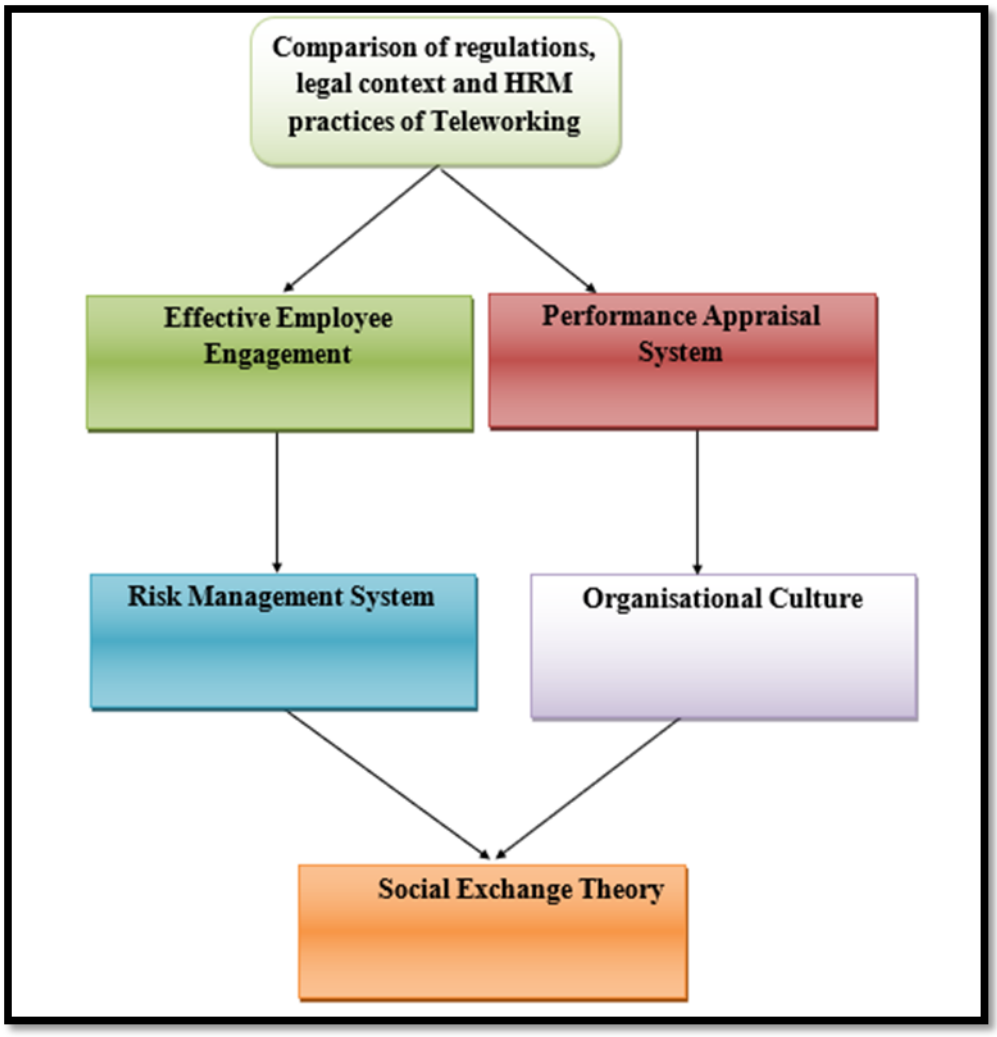

Figure 1: Conceptual Framework of the Research

(Source: Self-designed)

In the above diagram, comparison of regulations, legal contexts and HRM challenges of teleworking refers to be independent variable. While dependent variables of the study are primary pillars of HRM practices in Teleworking in the four different countries, such as effective employee engagement, performance appraisal system, risk management system and organisational culture.

4.3 Comparison of teleworking, hybrid work model and remote working among the four countries

Various new ways of working, like ICT-based mobile work or telework, can be found to have been executed or implemented over the last several decades. Before the outbreak of the

pandemic, there were large differences in the levels of telework and remote work among different countries [323]. These levels are driven by different factors, like the types of profession, organisation of work, gender and deep-rooted practices. For instance, in the Netherlands, if employees are working from home, there are certain rules and regulations. As per the regulations of the ***Working Conditions Act***, an organisation cannot monitor its employees without good reasons [324]. Hybrid work mainly refers to a type of working arrangement where workers can operate a business in a sustainable manner with others or alone. It is estimated that more than 84% companies support hybrid work practices in the UAE in certain ways. The mode of hybrid working promotes effective equality at work, helping women further their careers. "Article 6 of the Federal Decree Law No. (49)" of 2022, in the UAE, defined remote work in the country [325]. Evidence shows that a model of hybrid working combining both working from home and centralised workplaces, as well as a mode of remote working, can enhance inclusivity, productivity and wellbeing of the workforce of an organisation. In this context, the UAE Visa for Freelancers was introduced in 2019, which enabled employees to be free from the requirement of having a single contract of employment and employer. Despite around 1% decline in the last year, the hybrid mode of working can be found to be the topmost arrangement among the employees across the nations of the EU.

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[323] Vartiainen, Matti A., and Outi Vanharanta. "Hybrid work: Definition, origins, debates and outlook." (2023). http://dx.doi.org/10.13140/RG.2.2.12847.71844

[324] Netherlands Chamber. "Working from Home: Your Employees' Rights." business.gov.nl, 2025. https://business.gov.nl/staff/health-and-safety/working-from-home-your-employees-rights/

[325] Minister of State for Artificial Intelligence . "Remote Working in the UAE Best Practice Review and Future Policy Paper," 2024. https://ai.gov.ae/wp-content/uploads/2024/12/Remote-Working-in-the-UAE-EN.pdf.

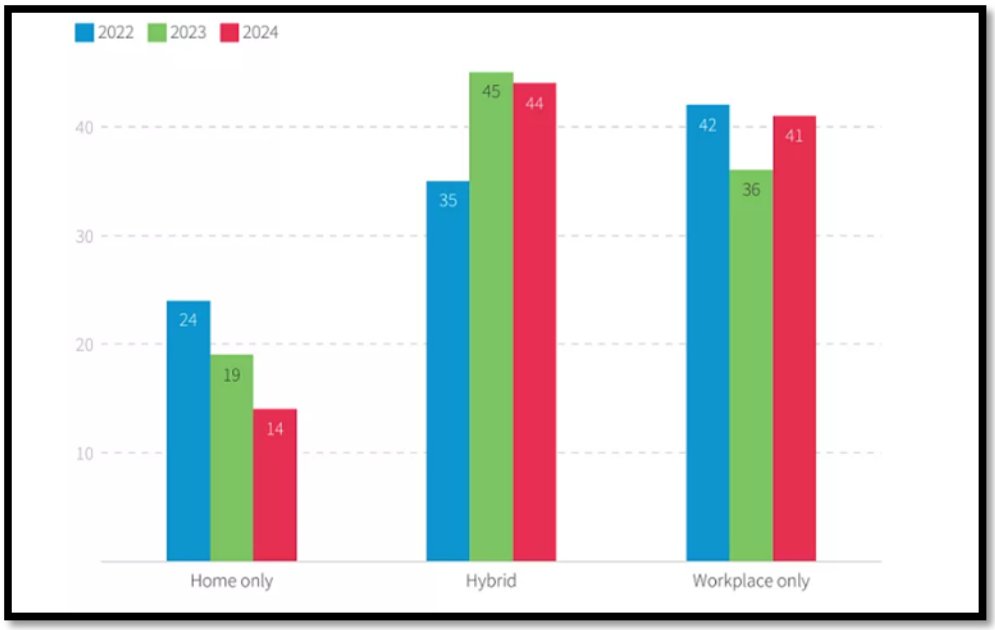

Figure 2: The arrangements in the workplace across EU nations

(Source: [326])

The picture of EU nations like the Netherlands and Ireland related to remote working can be found to be extremely uneven and fragmented. In countries like the Netherlands, most workers can be found to be allowed to work from home partially or fully, with rates close to or over 70%. Hungary is quite known for its hybrid regime. This is considered to be a quite important characteristic of the political regime of Hungary that those mainly holding power emphasise on formal legality of the actions [327]. In this context, one of the significant challenges related to Human Resource Management (HRM) is to find an effective balance that can serve the needs of individuals and flexible arrangements of working to meet the objectives of the organisations.

[326] Dell'Anna, Alessio . "Hybrid Work Is Not Dead: Here Are Europe's Most Flexible Countries." euronews. Euronews.com, February 18, 2025. https://www.euronews.com/my-europe/2025/02/18/hybrid-work-these-are-europes-most-and-least-flexible-countries.

[327] Győry, Csaba, and Nyasha Weinberg. "Emergency powers in a hybrid regime: the case of Hungary." *The theory and practice of legislation* 8, no. 3 (2020): 329-353. https://doi.org/10.1080/20508840.2020.1838755

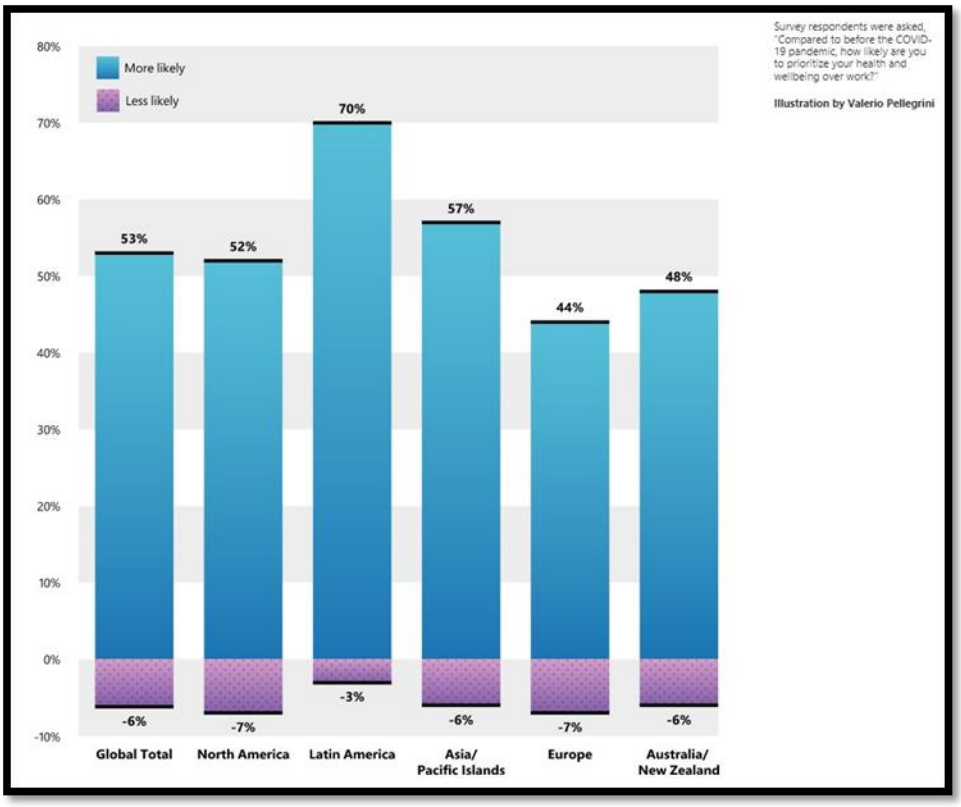

Figure 3: Health and Wellbeing of the Employees have become topmost priorities

(Source: [328])

Legislation of Hungary allows employees to use equipment at home, such as a laptop or computer. In contrast to the home office, the Labour Code in Hungary defines teleworking in terms of working that takes place when employees work all of working or part of their work at a place different from the premises of their employers. On the other hand, telework in Qatar enable women to participate in different kinds of social activities with the aid of affording them great control. The format of working allows women to gain flexible hours of working hours that are considered not to be currently of the regular schedule of working [329]. However, a hybrid approach can be effectively adopted by organisations wherein employees can work from home but can commute to work when there is a need.

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[328] Masterson, Victoria. "Hybrid Work Is Changing Companies and Employees: Microsoft." World Economic Forum, April 12, 2022. https://www.weforum.org/stories/2022/04/hybrid-2022-work-trend-index/.

[329] Al-Boinin, Hamda. "Adopting Telework for Female Employees in Qatar: Sociocultural Perspectives, Theoretical Modeling, and Pandemic Experience." *Journal of Arabian Studies* 12, no. 2 (2022): 234-254. https://doi.org/10.1080/21534764.2022.2309690

4.4 Comparison of the Primary pillars of HRM that are impacted by telework:

Performance appraisal systems

Kaplan and Norton introduced the measurement of performance management, which can be done using four aspects like customer, financial, internal process of business and learning and growth. With the set of various policies and terms related to working, employees of an organisation can perform jobs and tasks at an optimum level [330]. Balance Scorecard can provide an effective and comprehensive framework that can translate the strategic objectives of an organisation into overall measurements of the performance of the company. For instance, ***Dutch Labour Law*** provides a structured process to evaluate the performance of employees. On the other hand, the performance appraisal system of the UAE focuses on continuous improvement along with aligning individual goals with the objectives of the organisation.

Employee engagement processes

Workers in workplaces based in the UAE can be found to be highly engaged in their performance and jobs. The engagement of employees at the workplace is considered to be positively related to the balance between work and life [331]. Organisations that offer flexible arrangements of working, such as telework and flexible hours, result in increased productivity and lower rates of turnover. With the introduction of the various wellness programs, employers in Qatar found the decreased rates of absenteeism and increased productivity. Fostering the most positive culture in the workplace of teleworking, organisations in the Netherlands can improve effective employee engagement. Offering competitive benefits and compensation, companies in Hungary can enhance the engagement of their employees.

Compliance and risk assessment

Effective communication and policies are considered to be highly important for the regulation of teleworking in the Netherlands. The Netherlands ranks second in the European Union in terms of

[330] Arso, Sunu Sugi, Sfenrianto Sfenrianto, and Mochamad Wahyudi. "Employee performance measurement in teleworking using balanced scorecard." *International Journal of Electrical and Computer Engineering* 8, no. 6 (2018): 5178. http://dx.doi.org/10.11591/ijece.v8i6.pp5178-5184.

[331] Alnagbi, Mohamed A., Hazem Aldabbas, Liza Gernal, Abdallah M. Elamin, and Ahmed ZE Ahmed. "Work engagement and individual work performance in the UAE: the mediating role of work-life balance." *Frontiers in Sociology* 10 (2025): 1567207. https://doi.org/10.3389/fsoc.2025.1567207.

the share of employees in the teleworking sector [332]. On the other hand, compliance or risk management in Qatar involves Data Protection Laws, especially while handling the personal information of the people. Adhering to Qatari Laws and regulations is quite important for managing risks or compliance at the workplace in Qatar. On the other hand, non-Qatari employees are allowed to work remotely, requiring permission for both work and residence. Regular audits, engagement of employees in decision-making and a transparent process can mitigate the potential risks in the UAE [333]. Companies like Cyberintelsys offer specialised services related to compliance and risk management in Hungary.

Organisational culture

Organisational culture is considered to be one of the most significant HRM challenges in the Netherlands when this comes to teleworking. Growing time and effort that are put in by the employees have become significant challenges due to the continuous access to technological advancements [334]. The hierarchical structure of UAE workplaces can affect the engagement and performance of the employees. Maintaining cohesion among the team and effective communication can bring significant challenges for the teleworking workplaces in Qatar. Like Qatar, the teleworking workplaces also raise several challenges, like maintaining effective communication among the people. However, a flat structure of organisations with high autonomy can be found to be more conducive to the workplace of teleworking.

Considering the dependent variables of the study, which are pillars of the HRM, are positively related to the independent variables of the study, such as HRM challenges in the four countries. For instance, if the organisations in the four countries adopt an effective risk management

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[332] Ton, Danique, Koen Arendsen, Menno De Bruyn, Valerie Severens, Mark Van Hagen, Niels Van Oort, and Dorine Duives. "Teleworking during COVID-19 in the Netherlands: Understanding behaviour, attitudes, and future intentions of train travellers." *Transportation Research Part A: Policy and Practice* 159 (2022): 55-73. http://dx.doi.org/10.1016/j.tra.2022.03.019.

[333] Upadhyay, Divya. "Exploring and addressing AI challenges in HRM: Insights and evidence from the UAE workforce." *Human Resources Management and Services* 7, no. 1 (2025): 4132-4132. http://dx.doi.org/10.1016/j.tra.2022.03.019.

[334] Caraiani, Chirata, Camelia Iuliana Lungu, Cornelia Dascalu, and Carmen-Alexandra Stoian. "The impact of telework on organisational performance, behaviour, and culture: Evidence from business services industry based on employees' perceptions." *Economic research-Ekonomska istraživanja* 36, no. 2 (2023). https://doi.org/10.1080/1331677X.2022.2142815.

strategy or performance appraisal system, it can help in the reduction of the potential challenges related to HRM.

4.5 Theoretical Integration

Social Exchange Theory: Social Exchange Theory can confer an effective, adaptive and robust structure for understanding inseparable and interconnected pillars. The theory can demonstrate three crucial elements, such as initiating a symbolising starting point of exchanges between the employee and the employer in an organisation.

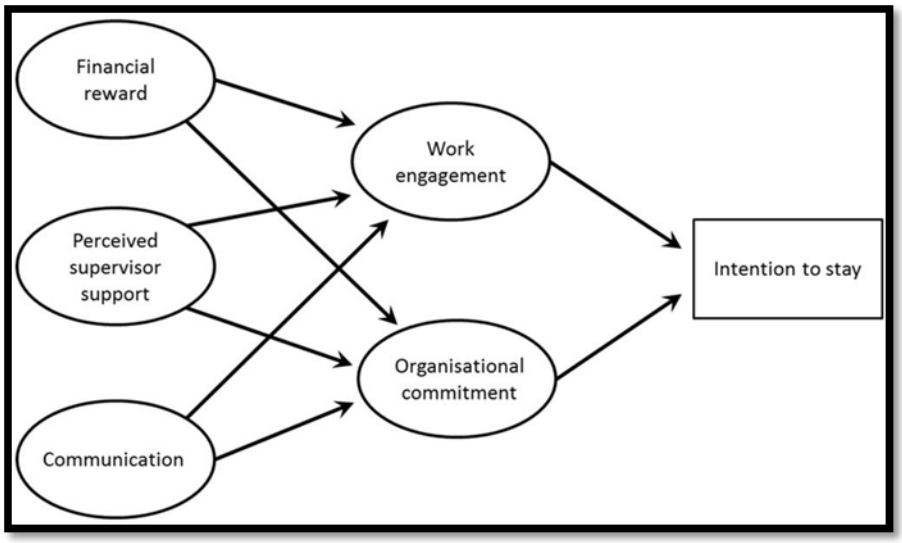

Figure 4: Theoretical Model based on Social Exchange Theory

(Source: [335])

The theory can also represent the transfer of various resources in an organisation, including material, financial, emotional or informational. This can result in an effective, harmonious conclusion of various exchanges, leading to diversity in the relationships [336]. In this way, Social Exchange Theory can mediate the dependent variables with independent variables in terms of

[335] Steiner, Sarah, Mark Cropley, Laura Simonds, and Richard Heron. "Reasons for staying with your employer: Identifying the key organizational predictors of employee retention within a global energy business." *Journal of occupational and environmental medicine* 62, no. 4 (2020): 289-295. http://dx.doi.org/10.1097/JOM.0000000000001820

[336] Rajâa, Omar, and Amal Mekkaoui. "Revealing the impact of social exchange theory on financial performance: a systematic review of the mediating role of human resource performance." *Cogent Business & Management* 12, no. 1 (2025): 2475983.https://doi.org/10.1080/23311975.2025.2475983.

uncovering a complex network of interactions that result in shaping the collaboration between an organisation and an employee.

Job Demands Resources Model: The model of Job-Demand Resources (JD-R) can serve as an integrated model for the explanation of burnout and engagement of employees in an organisation. The theory can also help in the explanation of the negative and positive outcomes in an organisation, especially at the personal level.

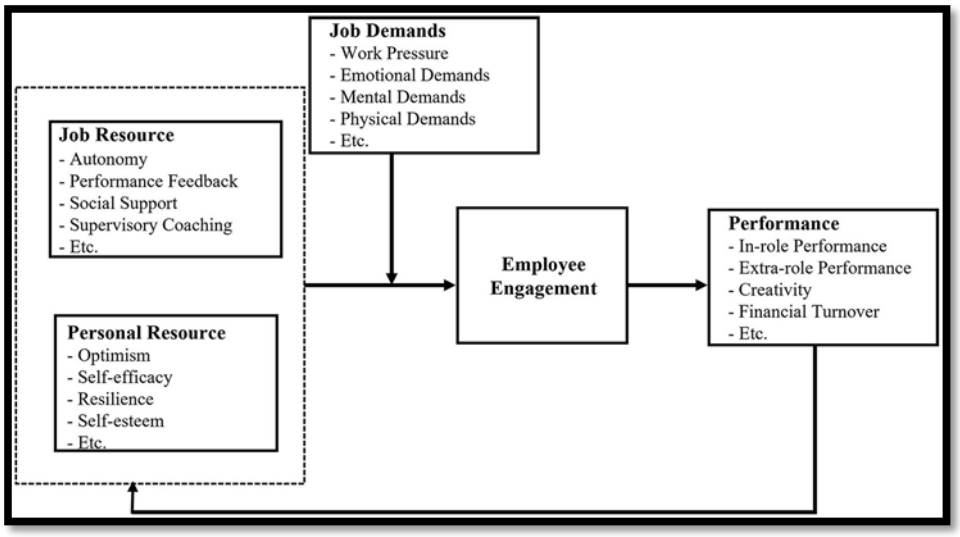

Figure 5: Job-Demand Resources (JD-R) Model

(Source: [337])

The application of the model of Job Demand-Resources model in this study can help to make a relation between the dependent and independent variables in terms of identifying the importance of personal resources to shape the engagement of employees. For instance, the model can also explain that the engagement of the employees can be facilitated by the personal resources and job resources in the organisation. Sustained emotional and physical effort can influence the engagement of employees and demand for the job in the four countries.

4.6 Legal context Analysis

Netherlands

[337] Lee, Da Ye, and Yunseong Jo. "The job demands-resource model and performance: the mediating role of employee engagement." *Frontiers in Psychology* 14 (2023): 1194018. https://doi.org/10.3389/fpsyg.2023.1194018

The Netherlands can serve as an example of how telework can become part of the national labor policy with a well-developed law base, which is consolidated by the great social partnership. The backbone is made up of two large statutes: 1. Flexible Working Act (Wet flexibel werken, WFW 2016)[338] and 2. Working Conditions Act (Arbowet)[339]. Employees who have at least 26 weeks of service have a right to request flexible settings of working time, place, and schedule. Such requests have to be taken seriously by employers, and they are only able to reject them on grounds that are stated and have business significance. Puts a permanent requirement on employers to promote a healthy and safe working environment, and expressly extends this responsibility to none in or out of an office. The employers should carry out risk assessment and also give equipment and directions.

The COVID-19 pandemic rapidly boosted a well-established cultural trend in the normalization of telework, followed by widespread further advice and model policies by employers' associations (AWVN) and trade unions (FNV, CNV).[340] More importantly, the provisions of collective labor agreements (CLA) often include telework as one of the key concepts, further interpreting statutory protections and harmonizing the employing approaches to teleworking in different industries, an aspect that contributes considerably to the simplicity of HR implementation. Similar to measures to enhance telework protection in other countries, the Netherlands has in recent years also considered legislative breakthroughs to raise telework protection, including the introduction of the so-called Work Where You Want" Act (Wet werken waar je wilt) that would further enshrine the right of employees the location where they work including home. Even though it is not fully introduced, the bill represents the political will to make telework an advancement in the long-term structural planning of labor. The institutional framework of the Dutch HRM also includes the presence of labor inspectorates and occupational health services that can guarantee the employer upholds the quality of remote work.

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[338] Kerkhofs, Janneke. "Flexibiliteit in arbeid."http://arno.uvt.nl/show.cgi?fid=152272

[339] D'Cruz, Premilla, Roelie Mulder, Ernesto Noronha, Niels Beerepoot, and Slawek Magala. "The changing role of the nation-state and regulation: Workplace bullying legislation in The Netherlands." *The Economic and Labour Relations Review* 30, no. 1 (2019): 77-98.https://doi.org/10.1177/1035304618823959

[340] de Beer, Paul, and Lisa Berntsen. "Trade unions in the Netherlands: Erosion of their power base in the stable Polder Model." *Trade unions in the European Union* 12, no. 1 (2023): 799.https://library.oapen.org/bitstream/handle/20.500.12657/75555/9782875746351.pdf?sequence=1#page=801

Furthermore, the taxes will be subsidizing home office costs to some degree improving the promotion of teleworking in all industries.

Qatar:

No single form of work, such as telework, is codified as such by Law No. 14 of 2004 (as amended) as the main labor legislation of Qatar.[341] Regulatory guidelines were created reactively: the Ministry of Administrative Development, Labour and Social Affairs (MADLSA) published circulars relating to the COVID-19 pandemic (e.g. Circular No. 17 of 2020) to promote remote work in both the government and the private sector, but these do not have force of law and are not particularly detailed.

The result of such absence in formal legal codification is high unpredictability by both the employer and the employees on the rights and obligations in question concerning telework in Qatar. The main labor concerns (working hours, the ability to wear overtime, standards of occupational health and safety, right to disconnect) still operate under obsolete frameworks that assume the presence of a physical workplace. Moreover, legal viability regarding work at home opens the door to unequal HR practices, particularly with smaller companies and domestic employers who are not familiar with the international labor standards. The legal gap also limits the capacity of employees to obtain compensation on the grounds of any grievance arising out of the arrangements caused by remote working, since the systems laid down to resolve disputes do not adjust to the dynamics of the virtual world of work. Moreover, the lack of binding regulations hinders contract creation, parties' involvement in the benefits section as well as the performance monitoring in the remote arrangements. In this regard, most multinational companies that operate in Qatar are guided by internal policies that coincide with the internationally recognized best practices, which unintentionally lead to a fractured regulatory environment.

The law lacks detailed legal tools that regulate telework, so the task of working out and enforcing remote work policies in Qatar is usually left completely to individual employers. This produces a situation of significant variance in telework practice by industry, in which the difference between multinational companies and local firms is very high. There is also the issue of how the system of employment in Qatar, based on sponsorship (kafala), which is gradually being reformed, may

[341] Barbar, Naguib, and AbuHilal M. "Empowering Women Through Public Sector Employment in Qatar: Challenges and Opportunities." *Women's Empowerment and Public Policy in the Arab Gulf States* 75 (2024).https://library.oapen.org/bitstream/handle/20.500.12657/88391/978-981-99-6006-4.pdf?sequence=1#page=85

complicate the voluntary status of telework, and this applies in particular to foreign workers whose freedom of movement and workplace are partially dependent on the goodwill of the employer. The informal nature of telework is also a drawback to data gathering and policy evaluation where policymakers stand to deliberate to provide evidence-based reforms to digitalized workplaces with changing needs of its workforce.

UAE:

There is a significant move in the UAE to legitimize forms of flexible work arrangements in the country. The law No. 33 of 2021 on Regulation of Labour Relations (effective February 2022) [342] which supersedes the law of 1980, acknowledges the existence of a work mode called "Remote Work" (Article 9). Ministerial Resolution No. 31 of 2022 also elucidated the conditions of flexible, part-time, and the off-site working in detail and presented the fundamental details of an agreement. Programs such as the Dubai Remote Work Visa indicate a governmental effort to recruit remote workers abroad, and even though full safeguards of remote workers based locally within the national labor law framework are still in development, they are generally known as international digital nomads.

Along with those legal developments, the UAE government has been actively promoting remote work among public institutions of the sector, especially during and after the COVID-19 pandemic. There are diverse emirates who have embraced the need of digital transformation whereby they have incorporated the telework as part of their long-term administrative projections such as Abu Dhabi and Dubai. Yet, there is a discrepancy in the application of these policies throughout the private sector especially in free zones where labor standards might be compromised as compared to federal levels. In addition, though it is the high skilled expatriates in the field of information technology, finance and consulting that gain the option of remote work, this is not the case with the lower skilled migrant workers. This gap begs the question of inclusion and access to flex rights in a fair manner.

These progressive developments notwithstanding, the telework system in the UAE has issues on uniformity of enforcement and fair application. One of them is the absence of an operationalized monitoring system to help maintain compliance by the employer with the new flexible work

[342] Bartoszewicz, Monika Gabriela, and Sabina Lang. "Migration Policy in the Gulf: A Comparative Analysis of Labour Law Reforms in Kuwait and Qatar." *Journal of Arabian Studies* 14, no. 1 (2024): 151-172.https://doi.org/10.1080/21534764.2025.2472613

policies especially in the industries where there are no developed labor protection provisions. Moreover, the contract is not evident, and the majority of remote work relations are established on the basis of informal contracts or internal solutions on a case-by-case basis, which places employees at the risk of unilateral targeting of the conditions of work and employment. As much as the government has developed programs like provision of digital infrastructure and implementing paperless offices, there is minimal integration of those programs with the HRM practice in the private sector. Also, the law enforced in data protection, although increasingly established, is not as comprehensive as the GDPR, which poses the threat of digital monitoring as well as that of employee privacy in remote environments. To achieve an inclusive teleworking regulation in future, the UAE will have to enhance the application of legal provisions, cover all classes of workers, and fill the gap in the regulations between the state and the business world.

Hungary:

Since previous misunderstandings, however, Hungary also contains a well-developed and explicit legislature of telework. Telework is clearly identified and regulated, and to provide a degree of flexibility in employment, as a new form of employment in the Hungarian Labour Code (Act I of 2012), especially since a major amendment was applied after 2021.[343] The legal definition can be viewed in Section 196: Telework is a form of employment in which the employee regularly does the work not at the workplace of the employer, but in other place, and uses information technologies to transfer the results. Moreover, the Government Decree 487/2020 created the comprehensive framework of health and safety requirements, data protection, and the duties of employers in the context of remote work during the pandemic, some of which were later referred to the permanent law, revealing its suitability to the EU Framework Agreement on Telework (2002).

Besides the outlined legal provisions, Hungary has provided extensive administrative instructions to support employers in carrying out their telework policies.[344] These comprise regulations of embarking on remote workstations, essential written contracts clarifying the terms of telework,

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[343] Horváth, István, Daniel Pérez del Prado, Zoltán Petrovics, and Andrea Sitzia. "The role of digitisation in employment and its new challenges for labour law regulation." *ELTE LJ* (2021): 101.https://ojs.elte.hu/eltelj/article/download/5254/4274

[344] Vallasek, Magdolna, and Gábor Mélypataki. "Rules on home office work and telework in Romania and in Hungary." *Central European Journal of Comparative Law* 1, no. 2 (2020): 177-191.https://ojs.mtak.hu/index.php/cejcl/article/download/5031/3979/

and exemptions of any tax on the allowances of telework. Additionally, the Hungarian labor law also underlines the notion of voluntary engagement as the choice of employer and employee should be mutually agreed upon prior to the commencement of remote work. In spite of these developments, there is not quite a level playing field in the actual implementation, especially among the small and medium-sized firms (SMEs), and adherence to the safety and monitoring requirements proved to be costly.[345] However, the Hungarian policy also implies a strategic adjustment towards more general practices of the EU labour policy toward flexibility and protection of workers.

EU:

The spread of telework in the European Union (EU) has presented a number of compliance and implementation issues, especially with the General Data Protection Regulation (GDPR)[346]. Employers in some cases have to struggle with productivity monitoring on one hand and the right to privacy of the employees on the other as remote work requires more and more digital surveillance and processing of the collected data. Most of the HR offices find it difficult to put in place proper measures to avert possible breaches of the GDPR provisions on consent, data minimization, and security[347]. In addition to this fact, the European Framework Agreement on Telework (2002) which is a landmark in encouraging flexible work also lacks consistency in the ease of which it is applied by member states. It does not set binding measures and there are serious flaws to national accommodations, especially when it comes to the right to disconnect, ergonomics to cover workstations at home, or fair access to professional training. HRM practices have faced further complications associated with the digital transformation of work in the broad sense. Conventional HR systems that operate in centralized offices have to contend with

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[345] Gunningham, Neil. "Regulating small and medium sized enterprises." *J. Envtl. L.* 14 (2002): 3.https://www.researchgate.net/profile/Neil-Gunningham/publication/31292678_Regulating_Small_and_Medium_Sized_Enterprises/links/5905c2b5aca272116d32630e/Regulating-Small-and-Medium-Sized-Enterprises.pdf

[346] Marin, Radu. "Implementation of Telework in the European Union." *Journal of Human Resources Management Research* 2021 (2021): 8.https://ibimapublishing.com/articles/JHRMR/2021/857780/857780.pdf

[347] Nyathani, Ramesh, and I. L. Rosemont. "Safeguarding Employee Data: A Comprehensive Guide to Ensuring Data Privacy in HR Technologies."https://www.researchgate.net/profile/Ramesh-Nyathani/publication/376134134_Safeguarding_Employee_Data_A_Comprehensive_Guide_to_Ensuring_Data_Privacy_in_HR_Technologies/links/656a70013fa26f66f445c4b9/Safeguarding-Employee-Data-A-Comprehensive-Guide-to-Ensuring-Data-Privacy-in-HR-Technologies.pdf

emerging needs in the distributed teaming, cloud-based workflow, and virtual rules of communication. In this environment, the process of HRM is an essential integrative one, joining the issues of legal compliance and accomplishment of operational business with the welfare of personnel. Savvy HR practices would bridge gaps across legal requirements, technological usages and the reliance on psychosocial resources ensuring that telework should become a conscientious as well as an accommodating method of work in the EU.

The increased speed in the telework in the EU has also raised a concern with regards to the issue of cross border regulation in employment, especially in respect to the employees working remotely in the various member states. [348]Different tax implications, social security contributions and employment laws may be complicated in such a case where an employee is based in one country and working under a company in a different country. The EU has failed to develop a completely unified system that would handle these issues and the two categories of employers and employees are stuck in a quilt of various national regulations.

The other developing problem is the digital gap within the EU, where inequality in online infrastructure and digital literacy includes the imperfect use of remote employment. [349]In rural or underdeveloped areas, the employees might have connectivity problems, and they would not be able to work full-time in telework arrangements. This brings the issue of access to remote work opportunities and whether there is a need to encourage the enhancement of the infrastructure through EU policies to aid digital inclusion. Also, effects on psychology of long-term telework should not be disregarded. Research shows that due to the absence of the physical boundaries between work and personal worlds, remote employees might feel more lonely, have more disclosures between personal and professional spheres, and experience greater levels of stress. Notwithstanding the fact the EU encourages flexible work, mental health services and well-being programs should also be incorporated in the telework policy in order to maintain long-term productivity and employee satisfaction.[350] Lastly, the threats to cybersecurity have increased as we embrace telework as workers gain access to confidential business information on their home

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[348] Aceto, Fenicia. "Cross-border workers-navigating the challenges of social security coordination rules in the era of telework in the European Union." *European Labour Law Journal* 15, no. 2 (2024): 376-387.https://journals.sagepub.com/doi/pdf/10.1177/20319525241239288

[349] Rydzewski, Pawel. "Digital inequality and sustainable development." *Problemy Ekorozwoju* 20, no. 1 (2025): 96-108.https://ph.pollub.pl/index.php/preko/article/download/6691/4914

[350] Beckel, Julia LO, and Gwenith G. Fisher. "Telework and worker health and well-being: A review and recommendations for research and practice." *International journal of environmental research and public health* 19, no. 7 (2022): 3879.https://www.mdpi.com/1660-4601/19/7/3879

networks which oftentimes do not use high-level protection. Strict data security requirements are imposed by the GDPR, yet it is quite difficult to ensure its compliance in decentralized working settings. Employers have to spend money on secure remote access systems, staff education, and audit to prevent possibilities a break can take place. Telework will continue to be a part of the EU labor market forever, so it is vital that policy-makers and companies continue to cooperate in order to streamline the laws and regulations, close the technological divide and maintain a harmonious approach, which is beneficial to both companies as well as employees.

4.7 Specific Challenges of HRM

The main HRM Issues in Hungary:

1. *Compliance Monitoring & Safety:* HR departments are confronted with the challenge of ensuring that those who work in the confines of their homes can be checked to see whether they are meeting the occupational health and safety standards, which are bound by the law. Although there is an implied obligation on the employers to provide safety according to the Labour Code (Section 75), it does not allow the intrusive supervision beyond strict limits in order to guarantee employee privacy (Section 9). In case of smaller enterprises (SMEs) and government departments, a compliance gap occurs due to the administrative burden of carrying out remote safety audits with consideration of privacy boundaries[351].

2. Cost Allocation and Reimbursement: Though the Labour Code (and, in certain interpretations) allows (and indeed legally anticipates) issuing allowances on the expenses associated with teleworking (such as utilities, internet), such decision is primarily at discretion (Section 159)[352]. This results into incompatible practice within the firms and this brings in the feeling of unfairness and confusion within HR departments.[353]

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[351] Bello, Halima Oluwabunmi, Courage Idemudia, and Toluwalase Vanessa Iyelolu. "Navigating financial compliance in small and medium-sized enterprises (smes): overcoming challenges and implementing effective solutions." *World Journal of Advanced Research and Reviews* 23, no. 1 (2024): 042-055.https://wjarr.co.in/sites/default/files/WJARR-2024-1984.pdf

[352] Mangan, David, Elena Gramano, and Miriam Kullmann. "An unprecedented social solidarity stress test." *European Labour Law Journal* 11, no. 3 (2020): 247-275.https://journals.sagepub.com/doi/pdf/10.1177/2031952520934585

[353] Paukert, Sarah M., Russell P. Guay, and You Jin Kim. "Perceptions of HR: an analysis of millennial and postmillennial insights." *Organization Management Journal* 18, no. 1 (2021): 36-51.https://www.emerald.com/insight/content/doi/10.1108/OMJ-01-2020-0861/full/pdf

3. Performance Appraisal and Engagement: Although the legal framework is in place, the on-the-ground development and implementation of HR policies in relation to the fair and output-oriented performance evaluation and maintaining the employee motivation and attachment in the remote environment is undeveloped. The responses to the survey showed that there is certain HR anxiety about how measures of productivity can be quantified without too much monitoring[354].

In spite of these business challenges, the legislative environment of Hungary provides one of the more mature environments within the Eastern Europe. The major HRM strategic dilemma is how to effect lawful clarity into consistent, compliant, and productive practices, more so beyond major-multinational businesses.

The main HRM Issues in Netherlands

1. Right to Disconnect & Well-being: The right to disconnect and well-being is not specified yet in independent legislation but a powerful cultural norm and CLA provisions favor the healthy state of contrasting work.[355] HR teams are also expected to fight the so-called digital presenteeism and mental fatigue which became the systemic effect of ceaseless connectivity, which was apparent in feedback given by the respondents in the questionnaires regarding the issue of digital fatigue in Dutch HR professionals.

2. Equal Treatment and Inclusion: Among the essential personnel management issues accompanying remote employees is that they are not deprived of a chance to be promoted, development opportunities through informal learning or group integration.[356] The HR in the Netherlands, therefore, is paying particular attention to the concept of inclusiveness in remote policy, by providing an equal chance to improve and being seen.

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[354] Jones, Melanie K., Paul L. Latreille, and Peter J. Sloane. "Job anxiety, work-related psychological illness and workplace performance." *British Journal of Industrial Relations* 54, no. 4 (2016): 742-767.https://www.econstor.eu/bitstream/10419/51771/1/669551309.pdf

[355] ZLATANOVIĆ, Sanja STOJKOVIĆ, and Milena Škobo. "The 'Twilight'of Health, Safety, and Well-being of Workers in the Digital Era–Shaping the Right to Disconnect." *Journal of work health and safety regulation* 2, no. 2 (2024): 129-144.https://www.jstage.jst.go.jp/article/jaohlev/2/2/2_oa.23-003/_pdf

[356] Van den Groenendaal, Sjanne Marie E., Charissa Freese, Rob F. Poell, and Dorien TAM Kooij. "Inclusive human resource management in freelancers' employment relationships: The role of organizational needs and freelancers' psychological contracts." *Human Resource Management Journal* 33, no. 1 (2023): 224-240.https://onlinelibrary.wiley.com/doi/pdf/10.1111/1748-8583.12432

3. Tensions concerning the data privacy and subdivision: As a strict implementation of the GDPR and the case law of the Dutch Data Protection Authority (AP), the electronic surveillance of employees is heavily restricted by Dutch law[357]. This is conflicting to employers who want to implement productivity, or security through surveillance software at the expense of HR having to identify legally acceptable surveillance options. The Dutch model provides a successful, negotiated continuous, albeit preferred balance between the independence of workers and flexibility of employees, as a model to other states of the EU, through a union of law interlinked with collective bargaining and cultural agreement.

Challenges of HRM in Qatar

1. Deficiencies in statutory protections & undefined: No telework-specific statutory policy exists and employers revert to broader policies or statutory protection covering work where there is a fixed location and physical supervision. This establishes significant uncertainties to the HR in establishing working time that can be enforced, defining safety requirements beyond the workplace premises, and putting in place strictly discipline resolution channels relating to remote working problems. [358] According to HR professionals, there has been a lot of ambiguity on how to go about formulating a policy with lack of nationally accepted standards.

2. Intersections of Kafala System: Although reforms started to take place as evident in (Law No. 18 of 2020, Law No. 19 of 2020), the residual effect of the sponsorship system continues to shape the labor process. [359]The larger workforce of expatriate workers might find themselves restricted in movements between jobs, which may affect the senses of voluntariness of telework agreement and coercive tendencies in the case of the connection to the issue of residency.

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[357] van der Toorn, Jojanneke, M. D. Veldhuizen, and Stefan Kulk. "Researching the tension between privacy and inclusion in organizations: Promises and pitfalls of a transdisciplinary approach." *Tijdschrift voor Genderstudies* 24, no. 1 (2021): 53-63.https://dspace.library.uu.nl/bitstream/handle/1874/437132/05_TVGN2021.1_VAND.pdf?sequence=1

[358] El Mahdy, N. "Exploring Human Resource management practise through the Qatar HR Forum; framing the influence ofTharaba'culture and the development of Qatar-centric competencies for HR professionals practising in Qatar." PhD diss., 88wwz, 2022.https://repository.mdx.ac.uk/download/380caae3713f4b353735035944957ed38886b95b7bec3f25ce6c5327baaf1777/3639315/NMElMahdy%20thesis.pdf

[359] Al-Sharshani, Khalid. "The Legacy of 2022 FIFA World Cup on Labor in Qatar." Master's thesis, Hamad Bin Khalifa University (Qatar), 2022.https://manara.qnl.qa/articles/thesis/The_Legacy_of_2022_FIFA_World_Cup_on_Labor_in_Qatar/29324435/1/files/55400942.pdf

3. Technological and Structural Barriers: The HR profession usually does not have well-developed systems of work and education about the collaboration with remote productivity. [360]More importantly, the options in telework are organizationally restricted to professions with higher educational levels, excluding low-level administrative employees and being virtually closed to manual workers, which forms a serious digital divide. Multinational companies tend to have internal protocols regarding telework in line with the corporate international practice that have a two tier system in which well developed internal HR policy exists with a gap in the national jurisprudence.

The gray area goes a long way to create a significant compliance risk on the part of the HR departments. The formulation of policy is discretionary and more ad-hoc than it should be, particularly because of overwhelming reason by multinationals or because of government concerns.

Challenges of HRM in UAE :

1. Unequal Occasion and a Two-Tier System: The advantages of teleworking have been constrained to the high-skilled employees in such occupations as finance, technology, professional services, etc.[361] The low skilled majorly the migrant laborers are systematically shut out and as such, the telework economy is highly stratified. The HR policies therefore differ immensely across the different domains of the workforce.[362]

2. Spread of Contractual Ambiguity and Policy Vertices: Entrenched as they are, the old employment contracts are silent in many instances on telework arrangements even with the new legislation.[363] It often results in an inconsistency and the possibility of confrontation when the HR departments are forced to come up with the ad-hoc policies in-between or even improvise some ad-hoc addendums to written policies. The survey findings indicated that HR-related

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[360] Mohamed, Btool H., Mustafa Disli, Mohammed bin Saleh Al-Sada, and Muammer Koç. "Investigation on human development needs, challenges, and drivers for transition to sustainable development: The case of Qatar." *Sustainability* 14, no. 6 (2022): 3705.https://www.mdpi.com/2071-1050/14/6/3705

[361] Dutta, Anuja. "LDCs And Developing Nations: Disparities In The WTO Dispute Settlement Understanding." *Available at SSRN 5224319* (2025).https://papers.ssrn.com/sol3/Delivery.cfm?abstractid=5224319

[362] SUPPLY, THEIR IMPACT ON LABOUR, and DEMAND IN ADD CORRIDORS. "ABU DHABI DIALOGUE."http://abudhabidialogue.org.ae/sites/default/files/document-library/ADD%20-%20Research%20Papers_Theme%201_0.pdf

[363] Alekseev, Anton, and Timur Turatali. "KyrgyzNLP: challenges, progress, and future." In *International Conference on Analysis of Images, Social Networks and Texts*, pp. 3-39. Cham: Springer Nature Switzerland, 2024.https://arxiv.org/pdf/2411.05503?

issues in the UAE raised the issue of the absence of standardized templates of the contract concerning remote working.

3. Surveillance threats and Employee Well-being: To overcome the issue of productivity, employers are testing out different monitoring applications.[364] Nevertheless, where there are no GDPR-grade data protection legislations specifically governing and regulating surveillance in the workplace (the umbrella UAE data protection law is in effect), there is a fear that over-monitoring can debase trust and well-being. HR needs to act in a way, which balances control and ethics.

At the cultural level, the change has become popular in the federal bodies and the developed Emirati businesses. Nevertheless, HRM systems in a variety of free zones (with their own rules) and the private sector, in general, are quite heterogeneous. Conformance of the new provisions is another fundamental concern on HRM strategy.

Challenges of HRM in EU

1. The EU Framework Agreement on Telework (2002): The EU Framework Agreement on Telework is erratically being executed. Although the Framework Agreement established a guiding principle on telework in the form of a non-binding agreement, there have been uneven uptakes of the same across the EU member states.[365] There is also disparity in the countries with great legal support for telework, like Netherlands and Germany, and those with little protection, which leaves HR practice fragmented in multinational companies.

2. GDPR and Data Protection: Telework imposes new data protection and employee privacy problems. HR departments have to deal with digital monitoring, tools to ensure productivity and collect data being very strong in the focus on the General Data Protection Regulation (GDPR).[366] Finding the balance between controlling the performance and protecting the personal data is a constantly raised issue.

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[364] Jasmoh, Sultan Rashed Sultan, Nadratun Nafisah Abdul Wahab, and Ahmad Amri Zainal Adnan. "The Relationship Between Talent Management Practices and Employee Well-Being: A Case Study of Emirates Airlines." *ANP Journal of Social Science and Humanities* 6, no. 1 (2025): 51-60.https://journalarsvot.com/index.php/anp-jssh/article/download/668/464

[365] Marin, Radu. "Implementation of Telework in the European Union." *Journal of Human Resources Management Research* 2021 (2021): 8.https://ibimapublishing.com/articles/JHRMR/2021/857780/857780.pdf

[366] Guliyeva, Asmar. "Protection of privacy in employment in european union law." PhD diss., Vilniaus universitetas., 2025.https://epublications.vu.lt/object/elaba:229580094/229580094.pdf

3. Access to Telework Inequality: Telework presents a dilemma in terms of providing equal access to the telework opportunity by HR managers. [367]The option of remote working has been to the advantage of white-coll ARU and high skilled professionals, leaving low-income or manual labor sectors out of the opportunity, causing stratification at the workplace, with the potential of fueling resentment.

4. The Occupational Health and Safety (OHS) Responsibilities: Regarding EU law, employees working at home are always a health and safety risk to employers. [368]Nevertheless, risk-mitigating and OHS compliance checks on a remote basis are not only logistically challenging to organize but also rather intrusive, which makes HR management challenging.

5. Employee well-being and psychosocial Risks: Telework causes isolation, digital exhaustion, and a lack of team-working. [369] In the long-term hybrid work environment to keep morale and productivity of employees going, the HR departments must be particularly engaged in addressing mental health, remote interaction incentivization, and burnout prevention.

4.8 Mitigation Strategies

This revolutionary emergence of teleworking has changed the environment of human resource management (HRM) and labour regulation across the world. [370]Although it has led to the

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[367] Urbane, Marta. "Balancing Flexibility and Fairness: Legal Implications for Defining Decent Telework in the EU in an Era of Digitalization." In *The Global Conference on Entrepreneurship and the Economy in an Era of Uncertainty*, pp. 605-614. Singapore: Springer Nature Singapore, 2023.https://www.researchgate.net/profile/Tafadzwac-Maramura/publication/381526602_The_Role_of_Fourth_Industrial_Revolution_4IR_Technologies_in_Achieving_Sustainable_Development_Goals

[368] Wedagedara, Shalika, and Dinusha Dissanayake. "Employer Obligations on Occupational Health and Safety (OHS) Laws A Contemporary Review." *Journal of Human Resource Management Perspectives* 9, no. 2 (2024).https://jhrmp.sljol.info/articles/9/files/677e4ee4839f9.pdf

[369] Vacchiano, Mattia, Guillaume Fernandez, and Rita Schmutz. "What's going on with teleworking? a scoping review of its effects on well-being." *Plos one* 19, no. 8 (2024): e0305567.https://journals.plos.org/plosone/article/file?id=10.1371/journal.pone.0305567&type=printable

[370] Pompa, Leonardo, Francesco De Pretis, Domenico Rocco Cambrea, and Carmine Garzia. "Teleworking and the Challenges of Digitalization: The Role of Human Resource Managers." *Corporate Social Responsibility and Environmental Management* (2025).https://onlinelibrary.wiley.com/doi/pdf/10.1002/csr.3124

introduction of flexibility and efficiency, it has also led to a series of questions to matters of legality, management supervision, inclusiveness in workplaces and employee welfare. The solution to these issues will demand a complex approach integrating both policy-related changes, as well as, organisational best practices, and interventions specific to the country level. The section provides a neat roadmap to the mitigation of negative implications of telework through well-organised measures at three levels.

Interventions at the policy level

1. Telework Legal recognition and rules Telework

Governments are required to formulate precise and enforceable legal definitions of telework in the national codes of labour. These definitions are expected to cover several areas.[371] First, they should stipulate the terms of a contract for remote work conditions in which the rights and duties of employers and employees are described. Second, the laws should offer much more elaborate direction on working time, such as guidelines on the accountability of time, the control of overtime, and the guarantee of rest. Third, the assignment of health and safety responsibilities should be explicitly defined on the employers, even in the case when the staff work at home, and policies on agronomy, fire safety, and mental health should be developed. Lastly, there must also be a clear definition of data privacy and employee surveillance restrictions to safeguard the autonomy and dignity of workers.

These rules create a clear and accountable relationship in remote working setups. Other nations, such as Qatar, where proper laws do not exist at the moment, must consider lawmaking an urgent priority to eliminate vagueness. They still have models that they can follow, such as the amendments that Hungary made in early 2021 in the Labour Code and the Flexible Working Act introduced by the Netherlands, both of which incorporate telework as an accepted type of employment. [372]The models can also be harmonised with the EU guidelines and form beneficial

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[371] Marin, Radu. "Implementation of Telework in the European Union." *Journal of Human Resources Management Research* 2021 (2021): 8.https://ibimapublishing.com/articles/JHRMR/2021/857780/857780.pdf

[372] Adrián, Máté Dávid. "Flexible working, flexible rules." *Revue européenne du droit social* 56, no. 3 (2022): 86-99.http://revueeuropeenne-du-droitsocial.ro/reviste/nr56_files/nr56.pdf#page=86

templates of how to codify telework in a manner that embraces flexibility, compliance and labour rights.

2. The Right to Disconnect

Telework will cause digital overreach, in which employees are online at all times, even when they are not working, therefore, breaking the distinction between work and life. [373]This all-time interconnectedness also adds to exhaustion and stress, as well as lowered productivity, should employees be forced to reply to messages and virtual meetings during off-hours. The EU has gone ahead to find a solution to this by promoting the Right to Disconnect, where an employee has the right to not be reached or engaged in work-related matters during non-work time without the fear of penalisation or loss of advancement in their career.

This right is becoming popular in Europe, and laws are being adopted in countries such as France, Italy and Belgium to formalise this right and make it compulsory for companies to create certain internal policies on after-hours communication. This right should be formalised on the national level in the form of national legislation, as well as collective labour agreements and the regulation of the normative time of working hours and the availability of expectations regarding response times should be defined. Employers can supplement the legal framework with theories within their organisations that will help in achieving this. Some of these organisational rules include switching off the confirmation email after a specified amount of time, adoption of a greater degree of asynchronous messages, and enforcing a work-life respect dynamic. Incorporating the Right to Disconnect into the legal framework and into the culture will benefit employee mental health, minimise turnover, and instil a more healthful and sustainable remote work culture. [374]It also reminds people of the idea that flexible work is not to be equated with permanent availability.

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[373] de Laat, Kim. "Living to work (from home): Overwork, remote work, and gendered dual devotion to work and family." *Work and Occupations* 52, no. 1 (2025): 130-165.https://journals.sagepub.com/doi/pdf/10.1177/07308884231207772

[374] Shobana, D., and I. Siddiq. "Navigating Work-Life Harmony: The effects of Corporate culture on Mental health." *International Journal of Advanced Research in Science, Communication and Technology* (2024): 364-371.https://www.academia.edu/download/111126364/Paper15258_merged.pdf

3. Social Security Coordination of Cross-border Workers

As teleworking across national borders has been on the increase, in particular with the EU and across multinational companies, there is growing pressure to have harmonized systems of social security contributions. The employees can live in one nation and work in another, where the question arises whether the payments of social security are to be made, to which country is it necessary to send the offered benefits sounds like healthcare, pensions, or the unemployment insurance. Bilateral and multilateral agreements should have definitive answers to questions of which legislation is applied and the competent authorities in order to avoid the possibility of: (a) double contributions, (b) denial of the benefits, and (c) supervisory overlap. The coordination regulations such as the regulation (EC) 883/2004 provide a source as it establishes rules to establish social security systems that apply to the mobile worker.[375] However the emergence of fully remote work has revealed the shortcoming in such arrangements especially when such telework is not temporary.

The governments of various countries should alter their social security arrangements by incorporating the flexibility of teleworking like the clear destiny of habitual residence, the reduced levels of contribution and the situation when employing people in several countries are met. Moreover, digital reporting and compliance may be centralized via digital platforms, which would facilitate reporting and compliance on the part of the employers and employees. Comprehensive social security coordination is not only necessary to enhance the clarity of the law and financial responsibility but also to preserve the rights and protection of cross-border remote workers.

4. Regularized Agreements of Teleworking Promotion

A unified template of remote work contracts should be encouraged by the governments, in cooperation with their employer associations and trade unions to have some pattern of clarity, fairness, and compatibility between various organizations and industries. Some of these contracts must specify work hours and working availability, with the possibility of asynchronous work in

[375] Snædal, Berta. "Rights of workers vis-à-vis social security in the EEA: substance and interpretation of Regulation (EC) No 883/2004 on the coordination of social security systems regarding short-term benefits and Icelandic law." PhD diss., 2022.https://skemman.is/bitstream/1946/41714/1/ML-ritger%C3%B0-Berta%20Sn%C3%A6dal.pdf

adequate circumstances.[376] Employers could thus move the productivity system to outputs by directing performance assessment criteria to avert reliance on presence as measured in both proximity and productivity.

The goals should also establish the roles of giving equipment, internet connectivity, and ergonomic working environment, and ways of reimbursement of related costs. Confidentiality and cybersecurity terms are of the essence, since in remote working, there are more risks of information leakages. They should thus be contractually obliged to maintain good data-handling protocols and indicate how they should employ the company devices and software. Standardising these factors makes it easy to conduct HR processes, especially for small and medium-sized firms (SMEs) that do not have the legal know-how to write such agreements on their own. [377]Also, it advocates the fair treatment of remote workers and observes labour laws. The government can assist this initiative by providing an official template, legal advice to employers, and including teleworking in collective labour contracts. In doing so, they generate regulatory compliance and functional efficacy in the implementation of telework.

5. Infrastructural Investment and Digital Inclusion

The policymakers are expected to invest in an elaborate digital literacy program and a broadband infrastructure across the entire country to foster equitable access to telework. Even today, remote workers, especially in rural regions or low-income communities, do not have sufficient connections and suffer from low productivity as well as increased inequality. They should also leverage on public-private partnerships to fast track the implementation of the infrastructure, particularly in the areas where businesses are not so engaged in investments. In addition to staying connected, digital literacy is important in meeting the potential of remote working. National training programs for both employees and employers should cover online skills,

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[376] Dedden, Birte, Stan De Spiegelaere, and Maureen Hick. "Remote work: Ensuring trade union and workers' rights through collective bargaining." *The Future of Remote Work, Brussels, ETUI* (2023): 127-145.https://www.etui.org/sites/default/files/2023-05/Chapter7-The%20future%20of%20remote%20work_2023.pdf

[377] Osatis, Chadatan, and Chonticha Asavanirandorn. "An exploring human resource development in small and medium enterprises in response to electric vehicle industry development." *World Electric Vehicle Journal* 13, no. 6 (2022): 98.https://www.mdpi.com/2032-6653/13/6/98

cybersecurity training, and online-collaboration best practices. [378]The programs are particularly important among the elderly laborers and the disadvantaged communities that are less experienced in using digital platters.

There also needs to be subsidizing or tax incentives on obtaining necessities when it comes to digital tools such as laptops, ergonomic gear, licensed software, and internet services. Such assistance is especially necessary to low-income workers, freelancing people and microenterprises. Governments can also promote fair access by creating community telework centers with the high speed internet and shared office facilities. Policymakers can enhance the access of remote work positions through digitalization via lowering technological barriers and empowering people to have more digital skills to participate in the labor market and not be discriminated against, and therefore the digital transformation can bring real, sustainable socio-economic gains to millions of people.

Best Practices of Organizations

The burden of making the various organisations transition in a way that does not compromise the rights of the employees, facilitates productivity, and fosters inclusive organizational cultures lies with the HR departments and the organization leadership.[379] Organizational strategies should be transformed with regard to management of telework by being armed with contemporary technological countermeasures, issues rooted in the skill sector leadership, health initiative programs, fair-minded policymaking, and watching systems of trust.

1. Technology: Secure digital infrastructure

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[378] Baskoro, Fajar, Muhammad Bayu Pancakusuma, and Susilo Toto Raharjo. "Designing And Evaluating Training Models for Human Resource Competencies in The Digital Era." *Arthatama* 7, no. 2 (2023): 49-62.https://lifescifi.com/journal/index.php/art/article/download/474/389

[379] Adeniyi, Idowu Sulaimon, Nancy Mohd Al Hamad, Ololade Elizabeth Adewusi, Chika Chioma Unachukwu, Blessing Osawaru, Chisom Nneamaka Onyebuchi, Samuel Ayodeji Omolawal, Aderonke Omotayo Aliu, and Isiah Oden David. "Organizational culture and leadership development: A human resources review of trends and best practices." *Magna Scientia Advanced Research and Reviews* 10, no. 1 (2024): 243-255.https://pdfs.semanticscholar.org/6f54/63e116afd09ddb23d4c434749d2ab542e5e3.pdf

Firms need to make it a priority to introduce secured, miniaturized, and intuitive digital platforms that facilitate safe and smooth collaboration. The bottom-line network security approach should be zero-trust based whereby no user, device or connection is assumed to be trusted and demanded to prove its trustworthiness periodically to access network resources. They must be encrypted- tools of communication used to communicate like the video conferencing applications and file-sharing websites must feature end-to-end encryption that would block the exposure of sensitive data and the maintenance of confidentiality. The expansion of the distant control over the servers of the company will require the provision of Virtual Private Networks (VPNs). [380]Moreover, Multi-Factor Authentication (MFA) must be required, in case of unauthorized access. All these together strengthen digital infrastructure making it less vulnerable and offering more confidence to the users in the remote working systems. Such a powerful technological foundation is not only about cybersecurity but it also fosters the trust of employees and enables them to work in remote teams. A strong technological infrastructure will comprise zero-trust security systems, end-to-end encrypted chat and file sharing programs such as video conferencing systems and virtual private networks (VPNs) to guarantee secure connection and multi-factor authentication (MFA) to improve security during log-in. [381]They secure company information and instill confidence in workers who are working away.

2. Training: Virtual Leadership Managerial Coaching

With the transformational nature of work, the styles of leadership should change with it. Familiar supervisory theories of physical presence and supervisory face-on are unsuitable in distant environments. In its place, the leaders are to be prepared to run dispersed teams using a combination of goal setting, empathy, and results-focused reviews. Organizations need to invest in training programs that emphasize on results management as opposed to keeping track of

[380] Gentile, Antonio Francesco, Peppino Fazio, and Giuseppe Miceli. "A survey on the implementation and management of secure virtual private networks (vpns) and virtual lans (vlans) in static and mobile scenarios." In *Telecom*, vol. 2, no. 4, pp. 430-445. MDPI, 2021.https://www.mdpi.com/2673-4001/2/4/25

[381]Hossain, Mohammad Amir, and Md Adil Raza. "Exploring The Effectiveness Of Multifactor Authentication In Preventing Unauthorized Access To Online Banking Systems." *Multidisciplinary Science Journal* 1, no. 01 (2023): 8-12.https://majmuah.com/journal/index.php/bij/article/download/667/346

working hours. [382]An adequate ability to communicate digitally is also very critical because the clarity of text and video-based messages affects employee morale and understanding.

The management technique in the telework setting should adjust in simple conflict resolution and performance feedback. The leaders should coach managers in how to solve misunderstandings positively using online applications like video-conferencing or collaboration software. Being deprived of face-to-face communication, the risk of misunderstanding goes higher, which is why sensitivity and clarity are essential. More than that, employees have to feel a sense of safety, they should be able to express a concern, provide feedback, or suggest something without the fear of punishment in virtual conditions as well. [383]Managers have been critical in ensuring cohesion of a team, motivation, as well as aligning a team to the organizational objectives. Managing the results, as opposed to time-based supervision, is needed to undergird performance in distributed teams.

3. Employee Well Being: Ergonomic and Mental Health

Although telework is flexible, it has risks of mental and physical health. The stress and exhaustion factors are related to social isolation and screen burnout along with the impossibility to retain the boundaries between work and life. When it comes to the promotion of emotional resilience, organizations ought to provide virtual mental health services, such as counseling and Employee Assistance Programs (EAPs).[384] Secondly, most employees do not have home offices

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[382] Bilderback, Stephanie. "Integrating training for organizational sustainability: the application of Sustainable Development Goals globally." *European Journal of Training and Development* 48, no. 7/8 (2024): 730-748.https://www.researchgate.net/profile/Stephanie-Bilderback/publication/372410664_Integrating_training_for_organizational_sustainability_The_application_of_Sustainable_Development_Goals_globally/

[383] Hubbart, Jason A. "Understanding and mitigating leadership fear-based behaviors on employee and organizational success." *Administrative Sciences* 14, no. 9 (2024): 225.https://www.mdpi.com/2076-3387/14/9/225

[384] Luthia, Mahesh, and Partha Pratim Chakraborty. "Employee Assistance Programs Reimagined: Overcoming Barriers and Fostering Mental Health at Work."https://www.sdmimd.ac.in/conferenceproceedings/ihr2024papers/IHR2447.pdf

that are ergonomically designed; therefore causing these employees to strain physically. These risks can be mitigated with financial aid or provision of ergonomic furniture and equipments and virtual work space analysis. Frequent breaks and regular virtual social events (coffee chats or wellness workshops) should be encouraged by the companies as well to keep the morale high and avoid isolation.

4. HR Policies which are Flexible and Inclusive

The HR policies have to be modified to the realities of hybrid work in order to retain talent and enhance equity. [385]The flexibility should not be just in location but also in scheduling taking into consideration the responsibilities in taking care of people, different time zones and individual and personal productivity. Such accommodations would be especially vital to marginalized groups such as women, single parents and disabled individuals. The employers should also ensure that remote workers receive equal access to promotion, training, mentorship and bonus. Audits should be undertaken regularly in order to oversee inclusion. Also, grievance channels need to be clear and open to consider complaints related to telework. HR needs to make such policies known openly and facilitate frequent check-ins to develop an inclusive culture.

5. Transparency and Consenting Monitoring

Both accountability and privacy are paramount because there is a need to balance them as organizations embrace the use of digital monitoring tools. Over monitoring may create negative impacts on the morale and trust of the employees. Companies should rely on output- and result-oriented performance measures instead of the invasive ones such as keystroke logging. The most important thing, it should be transparent, employees have to know what kind of monitoring has been provided, what kind of data is gathered, why it is gathered, and to whom it is conveyed. These are the information that should be included in the onboarding and the HR policies documentation. The informed consent is vital and has to meet the data protection laws including

[385] Mujtaba, Bahaudin G., and Eleanor T. Lawrence. "Workplaces of Today and Tomorrow to Attract and Retain Top Talent: Challenges and Opportunities with Remote/Hybrid Practices." *SocioEconomic Challenges* 8, no. 2 (2024): 12-30.https://armgpublishing.com/wp-content/uploads/2024/07/2.pdf

the GDPR in the EU. [386]Monitoring tools should be reviewed on a regular basis to guarantee an ethical and proportionate utilization.

Tailor Made National Responses

Hungary

Hungary has done much in terms of the legislative progress of telework regulation. [387]Enforcement is, however, a problem, at least among the SMEs. Suggested measures are government-paid audits or auditing services for smaller companies, direct educational approach of HR workers in government organizations, increasing telework to allowances and tax breaks in order to promote it.

The Netherlands

The Dutch model is one of the most developed yet needs tweaking to enhance the element of inclusivity.[388] Propositions to be undertaken include adoption of the proposed law, the work where you want Act, compulsory consideration of the concepts of telework in collective labor agreements (CLAs), and further.

Qatar

Qatar is not equipped with a legal system of telework.[389] The main activities are to coordinate standalone telework legislation that amends contracts, safety standards, and dispute resolution procedures, HR capacity building initiatives that are run by the Ministry of Labour, and pilot projects inside public and semi-public institutions where policy templates are developed that can be replicated.

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[386] Casali, P. G., and M. Vyas. "Data protection and research in the European Union: a major step forward, with a step back." *Annals of Oncology* 32, no. 1 (2021): 15-19.https://www.annalsofoncology.org/article/S0923-7534(20)42964-3/pdf

[387] Lipták, Katalin, Erika Horváthné Csolák, and Zoltán Musinszki. "The digital world and atypical work: Perceptions and difficulties of teleworking in Hungary and Romania." *Human Technology* 19, no. 1 (2023): 5-22.https://www.ht.csr-pub.eu/index.php/ht/article/download/372/256

[388] Boumans, Saskia, and Maarten Keune. "Collective bargaining, inclusive growth and inequality in the Netherlands."https://www.academia.edu/download/99635096/Cawie_country_report_NL_MK_en_SB_200818.pdf

[389] Abdullah, Abdullah. "Legal aspects of regulating remote work: An overview of Qatari and selected comparative models." *J. Legal Ethical & Regul. Isses* 24 (2021): 1.http://qspace.qu.edu.qa/bitstream/handle/10576/21712/legal-aspects-of-regulating-remote-work-an-overview-of-qatari-and-selected-comparative-models.pdf?sequence=1

UAE

The UAE has achieved some improvement but still, the difference between federal institutions and free zones in the country exists.[390] In order to reduce this disparity, the nation ought to implement federal labor regulation nationwide, incorporate more work on remote behavior than in high-skill labor industries, and design national rules on contract interpretability, privacy levels, and well-being care.

Country HRM Strategy Legal Alignment

Qatar:

Qatar's HRM approach to telework is deeply shaped by its reliance on expatriate labor and the rigidity of traditional workforce structures. While the Labor Law No. 14 of 2004 outlines general employment standards, it remains largely silent on telework, creating ambiguity and implementation gaps. This is further compounded by the Kafala system, which links expatriate workers to their employers, restricting flexibility in remote arrangements[391]. However, Qatar has started shifting toward establishing telework-focused hubs, particularly in free zones like Qatar Science and Technology Park, aiming to increase digital job opportunities for both nationals and expatriates. Contract reforms in Qatar remain limited in scope. Most employment contracts lack explicit clauses addressing remote work responsibilities, hours, tools, and data use protocols. For telework to be sustainable and legally secure, contracts must incorporate these elements. The lack of comprehensive data privacy laws further complicates remote work management. Therefore, HRM departments must take internal initiative to implement robust cybersecurity measures and introduce privacy guidelines aligned with emerging global standards[392].

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[390] El Amine, Ruba. "The GCC countries diplomatic approaches and its impact on economic development: a comparative study of the UAE, Saudi Arabia, Qatar, and Kuwait." PhD diss., Notre Dame University-Louaize, 2023.https://ir.ndu.edu.lb:8443/xmlui/bitstream/handle/123456789/1727/Ruba%20El%20Amine%20Thesis.pdf?sequence=1&isAllowed=y

[391] Qatar: Significant labor and kafala reforms. (2024, August 12). Human Rights Watch. https://www.hrw.org/news/2020/09/24/qatar-significant-labor-and-kafala-reforms

[392] Uva, C., Pereira, M., & Voda, L. (2024, September 5). New amendments to UAE Federal Decree Law No. 33/2021 on Labour Relations. Fichte & Co Legal. https://fichtelegal.com/new-amendments-to-uae-federal-decree-law-no-33-2021-on-labour-relations/

From an employee welfare perspective, disparity in access to benefits remains a concern. Expatriate teleworkers often lack access to mental health services, ergonomic support, and structured engagement initiatives. HRM professionals must design home-office support programs that include digital tool provision, wellness checks, and regular virtual communication routines[393]. Strategically, Qatar's HRM needs to transition from reactive adjustments to structural policy reform. Updating the labor code to explicitly address telework, decoupling contract provisions from the Kafala model, and investing in compliance training for HR professionals are essential steps to ensure the sustainable integration of telework into Qatar's labor ecosystem[394].

UAE:

The United Arab Emirates (UAE) represents one of the more proactive Gulf countries in integrating telework into its HRM strategies. Through Federal Decree Law No. 33 of 2021, the UAE formally recognized flexible and remote work arrangements, particularly in the federal public sector. This legal evolution reflects the government's focus on digital transformation and performance efficiency. Key HRM innovations include the introduction of federal-level certification systems for remote roles and the adoption of AI-powered platforms to allocate tasks and assess performance. These tools streamline remote operations but also raise ethical concerns. Monitoring software can be perceived as intrusive, which HR departments must manage through transparent communication and strict boundaries around data collection[395].

Despite progress, the UAE's data protection framework is still evolving. The UAE Digital Law offers some protections, but HR departments must independently implement cybersecurity training, encrypted communication tools, and privacy protocols to ensure remote compliance. Teleworkers need to be educated on safe digital conduct and their rights regarding personal data.

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[393] The National. (2025, January 9). UAE government outlines "compelling" case for remote working - with cutting traffic among benefits. The National. https://www.thenationalnews.com/news/uae/2025/01/08/remote-working-uae-government/

[394] Smith, B. (2020, December 2). Ship Detection: Parameter Server variant. arXiv.org. https://arxiv.org/abs/2012.0953

[395] Working hours and overtime | The Official Portal of the UAE Government. (2025). https://u.ae/en/information-and-services/jobs/employment-in-the-private-sector/working-hours

Work-life balance remains a significant challenge. While the labor law outlines general working hours and rest provisions, cultural expectations often pressure employees to remain digitally available beyond formal hours[396]. HRM systems should actively promote the right to disconnect through policy documents and digital wellness campaigns. Strategic alignment in the UAE requires not just legal compliance but ethical governance. HRM professionals must blend AI innovation with employee-centric policies, ensuring that efficiency gains do not compromise privacy or well-being. Embedding these standards into remote work contracts and HR audits can further institutionalize sustainable telework practices[397].

Netherlands:

The Netherlands has been used as an example of a country that has pioneered telework preparedness and integration of HRM at the international level world over. The national regulations like Flexible Work Act and the Balanced Labour Market Act (WAB) promote the provision of remote working conditions to the employees as well as promote balanced working conditions. Such laws are progressive as well as offer a strong legal platform where HRM can handle telework with accuracy. One of the most unusual aspects of Dutch HRM is the implementation of the Results-Only Work Environment (ROWE), which changes the ways of performance evaluation shifting the focus towards the outcome-based model[398]. This philosophy supports the adaptable culture of remote employment and enforces a culture of trust and independence. The HR departments format contracts to be clear on the teleworking aspects which include the duties or job, the modes to be used in communication and the availability period.

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[396] Uva, C., Pereira, M., & Voda, L. (2024, September 5). New amendments to UAE Federal Decree Law No. 33/2021 on Labour Relations. Fichte & Co Legal. https://fichtelegal.com/new-amendments-to-uae-federal-decree-law-no-33-2021-on-labour-relations/

[397] SimonR. (2023, December 20). The Balanced Labour Market Act: Key points for employers. Osborne Clarke. https://www.osborneclarke.com/insights/balanced-labour-market-act-key-points-employers

[398] Moglia, M., Hopkins, J., & Bardoel, A. (2021). Telework, hybrid work and the United Nation's sustainable development goals: towards policy coherence. Sustainability, 13(16), 9222. https://doi.org/10.3390/su13169222

The Netherlands is also a pioneer in safeguarding work-life balance. The Right to Disconnect is legally supported and actively enforced by HRM through organizational policies. This ensures that remote employees are not overburdened or constantly on-call, helping to prevent burnout. Health and safety for teleworkers is taken seriously. Employers are obligated to assess the safety of home offices and provide ergonomic tools or financial support for home workstation setup[399]. This legal requirement is embedded into HRM policy through risk assessments and employee surveys. Data protection, underpinned by GDPR, is rigorously applied. HRM systems enforce employee training, secure file-sharing platforms, and routine audits to guarantee compliance. These efforts combine to create a resilient and employee-centered telework model[400].

Hungary:

Hungary's approach to telework in HRM remains underdeveloped despite the legal foundation provided by the Labour Code (Act I of 2012). While the law offers a general framework for employment, it does not explicitly address telework. This gap led to the implementation of ad-hoc pandemic-era policies, many of which lacked permanence. HRM strategy in Hungary is often dependent on EU-funded programs aimed at boosting digital skills, particularly in small and medium-sized enterprises (SMEs)[401]. Although these initiatives offer training and subsidized tools, they fail to establish long-term policy structures. Consequently, HR departments are frequently left to interpret telework standards independently. Contractual provisions for remote work are inconsistent. Few employment contracts contain clauses tailored to telework, leading to ambiguity in responsibilities and expectations. Hungarian HRM professionals must take the lead

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[399] Moglia, M., Hopkins, J., & Bardoel, A. (2021). Telework, hybrid work and the United Nation's sustainable development goals: towards policy coherence. Sustainability, 13(16), 9222. https://doi.org/10.3390/su13169222

[400] Huybrechts, S. (2022, July 17). 20 years Framework Agreement on Telework: looking back to move forward. Global Workplace Law & Policy. https://global-workplace-law-and-policy.kluwerlawonline.com/2022/07/18/20-years-framework-agreement-on-telework-looking-back-to-move-forward

[401] Telework in Hungary | European Foundation for the Improvement of Living and Working Conditions. (2025). https://www.eurofound.europa.eu/en/resources/article/2008/telework-hungary

in drafting standard telework policies that cover hours, tools, communication, and performance metrics[402].

Health and safety regulations are another grey area. The Labour Code does not include specific requirements for home offices, leaving employers uncertain about their obligations. However, voluntary measures like providing ergonomic assessments and wellness programs are being adopted by forward-thinking companies. From a data compliance perspective, Hungary aligns with GDPR, providing a solid base for data protection. Still, enforcement often varies, especially among smaller firms[403]. HRM departments need to institutionalize regular audits, employee data handling training, and transparent consent policies to ensure compliance. Strategic alignment in Hungary should prioritize structural reform. By integrating telework clauses into national labor laws and incentivizing best practices across industries, HRM systems can move from reactive to proactive management. Establishing clear national standards, supported by EU guidelines, will be essential in professionalizing and sustaining remote work across sectors[404].

4.9 Case Studies: Successes and Failures

Positive Example: Dutch Fintech Firm and 'Digital Detox' Fridays

A forward-looking payment services and fintech company in the Netherlands managed to launch an initiative referred to as the Digital Detox Fridays. The purpose of this initiative was to minimize the condition of digital fatigue and improve the mental health of employees, at the same time keeping high rates of productivity. In this policy, we were made to believe that on every Friday, employees should not spend more time on the screen without any need[405].

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[402] Zakaria, H. (2024, October 7). Legal Challenges Associated with Remote Work in UAE. Hossam Zakaria. https://hzlegal.ae/legal-challenges-associated-with-remote-work-in-uae/

[403] Parcero, O. J., & Ryan, J. C. (2021). Becoming a knowledge Economy: the Case of Qatar, UAE, and 17 Benchmark Countries. Journal of the Knowledge Economy, 8(4), 1146–1173. https://doi.org/10.1007/s13132-016-0355-y

[404] Kokje, J., & Seesing, R. (2020, February 10). Implications for doing business in The Netherlands - The Balanced Labour Market Act. Lexology. https://www.lexology.com/library/detail.aspx?g=8a83db37-e5c4-44e4-89fd-ba1142da503f

[405] Huybrechts, S. (2022, July 17). 20 years Framework Agreement on Telework: looking back to move forward. Global Workplace Law & Policy. https://global-workplace-law-and-

Meetings were discouraged, emails were minimized, and internal communication platforms were hushed to enable the worker to engage in deep work or work that could not be done by the use of a computer. The outcomes were astoundingly dominant[406]. The productivity of the company saw an estimate of 23 percent improved in the initial quarter of the implementation, which was gauged by the delivery time of the projects, the error levels, and the rate of customer service resolution. Additionally, the score of employee satisfaction also increased significantly. Owing to internal surveys, it was quoted that more than 80 percent of workers were more focused and less stressed at the end of the work week[407].

In terms of HRM perspective, this program is an example of the best practice in terms of employee wellbeing and its relation to company performance. One of the key functions of the HR department was to maintain guidelines, check the level of compliance and review performance on a regular basis regarding digital detox. Notably, this policy could be discussed as consistent with the national law, the Dutch Right to Disconnect, which has shown how legal instruments and HR plans can be brought together to build a healthier culture of work (Parliament Wants to Ensure the Right to Disconnect From Work | Topics | European Parliament, 2025). This was also an initiative that the HRM team employed in order to improve performance appraisals by adding wellness as a key performance indicator (KPI). Rather than measuring the output only, team collaboration and the effects of participation in digital detox were the aspects that were also assessed. This integrated plan contributed to the development of the culture of empathy, trust, and autonomy.

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policy.kluwerlawonline.com/2022/07/18/20-years-framework-agreement-on-telework-looking-back-to-move-forward

[406] Moglia, M., Hopkins, J., & Bardoel, A. (2021). Telework, hybrid work and the United Nation's sustainable development goals: towards policy coherence. Sustainability, 13(16), 9222. https://doi.org/10.3390/su13169222

[407] Jkg. (2023, February 1). Understanding the Kafala Migrant Labor System in Qatar and the Middle East at Large, with ILO Senior Migration Specialist Ryszard Cholewinski - Georgetown Journal of International Affairs. Georgetown Journal of International Affairs. https://gjia.georgetown.edu/2023/02/01/the-kafala-system-a-conversation-with-ryszard-cholewinski

The firm continued its success because of the robust digital infrastructure and a culture of work that was flexible in nature. The support of employees was provided with concise expectations and performance that were not subject to always-on digital requirements. The company also did bi-weekly wellness check-ins and masked feedback loops, forming a loop of continuous improvement ("Hungary: A Snapshot of Digital Skills," 2023) . The case is the perfect example of how HRM can be innovative in applying legal and organizational instruments to enhance productivity and focus on mental health. It proves the real worth of harmonizing national labor regulations, cyberculture, and human resource policy in a post-pandemic working-at-home environment[408].

Negative Example: Telework Regulation Violations in a Qatar Logistics Company

On the contrary, one of the largest logistic companies headquartered in Doha, Qatar, was publicly challenged and fined due to the inability to meet the changing requirements of telework. It could not apply adequate policies on telework that were in agreement with the Labor Law No. 14/2004 in the Republic of Qatar as the company had shifted to partial remote work during the COVID-19 outbreak. Although there are no formal legal recommendations on the subject of telework, the companies are supposed to adhere to some general principles of labor work including working time and fair payment, as well as labor rights of the employees[409]. The problem had come in when workers started protesting over extra working time but without extra payments. The remote worker was expected to be online every time, even after the required 48 hours of work, as they were normally responding to mails and customer requests until late in the night. This digital excess resulted in burnout, dissatisfaction, as well as health issues. A complaint was made internally resulting in a government audit of the company, which discovered that the company was not recording working hours, did not have formal telework arrangements with its employees, and had not implemented protection of data. This earned the

[408] Moglia, M., Hopkins, J., & Bardoel, A. (2021). Telework, hybrid work and the United Nation's sustainable development goals: towards policy coherence. Sustainability, 13(16), 9222. https://doi.org/10.3390/su13169222

[409] Qatar: Significant labor and kafala reforms. (2024, August 12). Human Rights Watch. https://www.hrw.org/news/2020/09/24/qatar-significant-labor-and-kafala-reforms

company a fine on the basis of violation of the labor compliance and the company was directed to change its remote work policies[410].

The HRM department received excessive criticism due to its inability to change its frameworks according to remote work conditions. Responsibilities in remote work were not depicted in contracts, and performance appraisal schemes were not adapted to a flexible working model. Lack of right to disconnect policy further aggravated the grievances of employees. The firm acted accordingly after the penalty. They have implemented time-recording programs to keep track of working hours and have transformed the employment contracts to highlight teleworking expectations[411]. Another area HRM started were training programs on both the employees and managers so that they could learn more about remote working ethics, compliance and work-life balance. In spite of these efforts, some stain on the reputation hung on. The case showed the dire occasion among Qatari boundaries to modernize its work associations with respect to indicating remote working more clearly. For HRM professionals, it served as a cautionary tale about the risks of neglecting policy alignment and employee welfare in telework contexts[412].

Innovative Model: UAE Government Hybrid Work Charter

The government of UAE is one of the first to embrace hybrid work, especially among the federal ministries and other institutions in the public sector. In 2021, the UAE issued an in-depth Hybrid Work Charter to outline the rules under which and when the employees could work from their home. This project was on a bigger plan to transform all government services into a digital outfit, make operations more efficient and make employees happy. The Hybrid Work Charter spelled out qualification standards, the number of remote workdays, technological needs, as well as

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[410] New legislation regulates telework | European Foundation for the Improvement of Living and Working Conditions (2025). https://www.eurofound.europa.eu/en/resources/article/2004/new-legislation-regulates-telework

[411] Refworld - UNHCR's Global Law and Policy Database. (2024, February 12). Qatar: Law No. 14 of 2004 on the promulgation of Labour Law. Refworld. https://www.refworld.org/legal/legislation/natlegbod/2004/en/101712

[412] Moglia, M., Hopkins, J., & Bardoel, A. (2021). Telework, hybrid work and the United Nation's sustainable development goals: towards policy coherence. Sustainability, 13(16), 9222. https://doi.org/10.3390/su13169222

measurement criteria of staff. It also brought forth such topics as data privacy responsibility, cybersecurity measures and the need to keep the contact with the distributed teams alive. In every department, the individuals would be asked to propose telework officers to monitor compliance and feedback received[413].

In departments with hybrid work within one year of implementation, government information showed a 90 percent retention rate among the employees. This was much better than the pre-pandemic stats and was credited to more flexibility, independence, and job fulfilment. Work-life balance has been observed to be better by the employees and managers have reported to have maintained or increased the productivity levels. The HRM was critical in ensuring the operationalization of the Hybrid Work Charter. The task of human resources departments was the selection of the eligible employees, staff training of remote work tools, and performance reviews of supervisors characterised by objectivity meeting place. HRM minimized the existing biases through the use of a competency-based model of evaluation, which may be related to visibility and presenteeism[414].

In order to facilitate the change, the government of the UAE invested into strong digital infrastructure, such as secure VPN access, centralized communications, and virtual collaborating. All staffs became required to undergo cybersecurity training. Innovation of HRM also created well-being programs like online workouts, online therapy opportunities and ergonomic gear subsidies. Legally, the Hybrid Work Charter matches the provisions of the UAE Federal Decree Law No. 33/2021 that favors flexible work arrangements. But, the Charter went one step higher

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[413] Working hours and overtime | The Official Portal of the UAE Government. (2025). https://u.ae/en/information-and-services/jobs/employment-in-the-private-sector/working-hours

[414] Jkg. (2023, February 1). Understanding the Kafala Migrant Labor System in Qatar and the Middle East at Large, with ILO Senior Migration Specialist Ryszard Cholewinski - Georgetown Journal of International Affairs. Georgetown Journal of International Affairs. https://gjia.georgetown.edu/2023/02/01/the-kafala-system-a-conversation-with-ryszard-cholewinski

to convert the wide legal principles to workable policies that all the departments could adhere to consistently[415].

It has also made the initiative a prototype of a hybrid work not only in the Gulf but also in a wider scale across the world. It features how a centralized system of laws and associated empowered HRM can result in better retention, performance, and involvement of the staff. Future advancements including AI-based workload assignment, digital identification services, and distributed working places are also performed by the Charter. In general, the Hybrid Work Charter presented by the UAE illustrates how a legal prospectivity and strategic planning of HRM using institutional clarity can renounce the future of work. It underscores the necessity of HR departments as the proactive unit in the legal compliances, technology assimilation, and employee welfare in the telework environments[416]. The case studies provide a balanced approach to the successes and failures of telework in the environments of varying legal and organizational backgrounds. They stress that HRM should take front and center in the role of reconciling regulatory, operational, and more human considerations and values to create more resilient and future-ready working environments[417].

4.10 Ensuring HRM Readiness for Telework

Anticipated Developments in HRM and Telework

The future of telework will be increasingly shaped by artificial intelligence (AI), machine learning, and automation. These technologies are not only changing how work is performed but

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[415] Parcero, O. J., & Ryan, J. C. (2021). Becoming a knowledge Economy: the Case of Qatar, UAE, and 17 Benchmark Countries. Journal of the Knowledge Economy, 8(4), 1146–1173. https://doi.org/10.1007/s13132-016-0355-y

[416] Huybrechts, S. (2022, July 17). 20 years Framework Agreement on Telework: looking back to move forward. Global Workplace Law & Policy. https://global-workplace-law-and-policy.kluwerlawonline.com/2022/07/18/20-years-framework-agreement-on-telework-looking-back-to-move-forward

[417] Sanz De Miguel, P., Caprile, M., Arasanz, J., & European Agency for Safety and Health at Work. (2021). Regulating telework in a post-COVID-19 Europe. In European Agency for Safety and Health at Work [Report]. Publications Office of the European Union. https://doi.org/10.2802/125499

also redefining the core functions of human resource management. HRM systems are being transformed to incorporate predictive analytics, employee well-being indicators, and real-time productivity tracking. AI-enabled platforms are capable of analyzing large datasets to provide actionable insights on employee engagement, performance trends, and turnover risks[418].

However, these advancements also bring ethical and legal concerns. Increased use of surveillance tools to monitor remote workers may infringe upon employee privacy and raise concerns around consent. There is also the risk of algorithmic bias, where AI tools may produce discriminatory outcomes due to flawed training data. As a result, HRM departments must proactively establish ethical AI guidelines and transparent data governance policies. These should include informed consent procedures, limitations on monitoring scope, and fairness audits to detect and correct bias[419].

To prepare for this shift, HR managers must also reconsider job design and talent strategies. Telework-readiness will require redesigned roles that accommodate flexibility, hybrid collaboration, and digital output measurement. Managers will need training in digital leadership, virtual communication, and remote team-building. Organizations must embed digital well-being into their cultures, emphasizing mental health support, work-life balance, and autonomy[420].

SMEs vs MNCs: Comparative HRM Readiness for Telework

Small and medium enterprises (SMEs) and multinational corporations (MNCs) face vastly different realities in adapting HRM systems for telework. MNCs often benefit from established global HR frameworks, in-house legal counsel, and advanced IT infrastructure. These resources

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[418] Russo, D., Hanel, P. H. P., Altnickel, S., & Van Berkel, N. (2021). Predictors of well-being and productivity among software professionals during the COVID-19 pandemic – a longitudinal study. Empirical Software Engineering, 26(4). https://doi.org/10.1007/s10664-021-09945-9

[419] The Guardian, (2024, May 30). 'I feel more connected with humanity': the club where phones are banned – and visitors pay for the privilege. The Guardian. https://www.theguardian.com/lifeandstyle/article/2024/may/08/i-feel-more-connected-with-humanity-the-club-where-phones-are-banned-and-visitors-pay-for-the-privilege

[420] Moglia, M., Hopkins, J., & Bardoel, A. (2021). Telework, hybrid work and the United Nation's sustainable development goals: towards policy coherence. Sustainability, 13(16), 9222. https://doi.org/10.3390/su13169222

allow them to implement formal telework policies, ensure legal compliance across jurisdictions, and maintain secure, cloud-based HR information systems[421].

For example, MNCs can integrate flexible performance appraisal systems that align with the Results-Only Work Environment (ROWE) model, where employee outcomes matter more than hours logged. They are also more likely to implement global learning management systems (LMS) and cybersecurity awareness programs for remote staff. These enterprises often have the capacity to support telework across borders, taking into account variations in labor law, tax obligations, and social security[422].

In contrast, SMEs are often more agile but lack the financial and operational capacity to support comprehensive telework infrastructure. Many SMEs operate with lean HR teams, minimal IT support, and informal performance tracking systems. These constraints hinder their ability to roll out secure remote work protocols or adapt contracts to different legal systems. For example, GDPR compliance for teleworkers in EU-based SMEs may require external consultants or partnerships[423].

Yet SMEs can still be highly adaptable. Their smaller workforce enables faster decision-making and stronger interpersonal relationships, which can facilitate trust-based remote work arrangements. Flexible scheduling, close-knit teams, and personalized HRM practices allow SMEs to maintain employee morale in virtual settings. They can also adopt cloud-based HR software tailored to small business needs, often at lower costs[424].

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[421] Uva, C., Pereira, M., & Voda, L. (2024, September 5). New amendments to UAE Federal Decree Law No. 33/2021 on Labour Relations. Fichte & Co Legal. https://fichtelegal.com/new-amendments-to-uae-federal-decree-law-no-33-2021-on-labour-relations/

[422] The National. (2025, January 9). UAE government outlines “compelling” case for remote working - with cutting traffic among benefits. The National. https://www.thenationalnews.com/news/uae/2025/01/08/remote-working-uae-government/

[423] Smith, B. (2020, December 2). Ship Detection: Parameter Server variant. arXiv.org. https://arxiv.org/abs/2012.0953

[424] SimonR. (2023, December 20). The Balanced Labour Market Act: Key points for employers. Osborne Clarke. https://www.osborneclarke.com/insights/balanced-labour-market-act-key-points-employers

HRM readiness in both contexts requires alignment in the following areas:

Digital infrastructure: Reliable internet, cloud-based platforms, secure access through VPNs

Contractual clarity: Remote work terms embedded in employment agreements

Performance appraisal: Shift to goal-based evaluations using digital dashboards

Health and safety: Ergonomic home office support, mental health resources, regular check-ins

Leadership development: Training in virtual leadership, empathy in remote supervision, and conflict resolution

Policy Recommendations for HRM Education and Curriculum Reform

As the workplace evolves, HR education must evolve too. Current HRM programs are often focused on in-person workforce management, overlooking the complexities of remote operations, legal compliance in digital environments, and leadership in virtual teams. Universities and training institutions must revise their curricula to prepare future HR professionals for the demands of hybrid and remote workforces[425].

Key recommendations include:

Telework Legislation and International Compliance: Students should study a comparative analysis of telework laws across countries (e.g., EU Framework Agreement, UAE Decree Law No. 33/2021, Qatar's Labour Law No. 14/2004). Case-based learning should be emphasized to analyze the gaps and overlaps in regulation[426].

HR Technology and Analytics: Courses must introduce HR Information Systems (HRIS), workforce analytics, and AI applications in telework. Students should gain hands-on experience with software tools used for virtual recruiting, onboarding, performance tracking, and benefits administration.

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[425] The Guardian, (2024, May 30). 'I feel more connected with humanity': the club where phones are banned – and visitors pay for the privilege. The Guardian. https://www.theguardian.com/lifeandstyle/article/2024/may/08/i-feel-more-connected-with-humanity-the-club-where-phones-are-banned-and-visitors-pay-for-the-privilege

[426] Qatar: Significant labor and kafala reforms. (2024, August 12). Human Rights Watch. https://www.hrw.org/news/2020/09/24/qatar-significant-labor-and-kafala-reforms

Remote Work Design and Management: Curriculum should include modules on how to design remote-friendly job roles, manage dispersed teams, and sustain collaboration using digital tools (e.g., Slack, Teams, Zoom, Asana).

Digital Ethics and Data Privacy: There must be an emphasis on data protection regulations such as GDPR, ethical use of employee data, and protocols for cybersecurity in remote environments. Legal implications of digital surveillance and AI in HR should also be discussed.

Well-being and Psychological Safety: Students should explore the psychosocial impacts of remote work such as isolation, presenteeism, burnout, and digital fatigue. Programs must include strategies for promoting inclusion, psychological safety, and digital wellness.

Capstone Projects and Internships: Universities should collaborate with industry partners to offer capstone projects related to telework strategy development. Internship opportunities should include hybrid and remote roles so students experience modern HRM firsthand.

Unified HRM Readiness Model

To support consistency across sectors and regions, a unified HRM readiness model for telework should assess five key dimensions:

Legal Readiness: Ensure that employment contracts, telework policies, and data handling practices comply with local and international regulations. This includes clauses on working hours, responsibilities, safety measures, and termination terms.

Technological Readiness: Evaluate the availability of secure hardware, collaboration software, digital identity protection, and helpdesk support. Organizations must assess cybersecurity risk and train employees on digital hygiene.

Managerial Readiness: Develop leadership programs that promote empathy, adaptability, and virtual communication skills. Managers should know how to track deliverables, conduct virtual check-ins, and maintain employee engagement remotely[427].

[427] Huybrechts, S. (2022, July 17). 20 years Framework Agreement on Telework: looking back to move forward. Global Workplace Law & Policy. https://global-workplace-law-and-policy.kluwerlawonline.com/2022/07/18/20-years-framework-agreement-on-telework-looking-back-to-move-forward

Cultural Readiness: Assess whether organizational values, communication practices, and employee expectations are conducive to remote work. This includes promoting inclusivity, trust, and equitable access to growth opportunities.

Employee Readiness: Provide training in remote work ethics, time management, digital tools usage, and conflict resolution. Offer mental health support and foster peer-to-peer networks to reduce isolation.

4.11 Conclusion

In conclusion, telework has redefined the scope of HRM. Its challenges are diverse, spanning legal, operational, cultural, and technological dimensions. However, through responsive legal frameworks, thoughtful HR strategies, and unified global cooperation, telework can become a catalyst for more flexible, inclusive, and productive workplaces across the world. The growing relevance of telework in today's labor market has forced organizations and HRM systems to reassess how they manage people, performance, and compliance. Throughout this chapter, we explored how HRM functions are evolving across different nations with a particular focus on legal alignment, strategy formulation, technological infrastructure, and employee well-being. Each country's approach Netherlands, Qatar, UAE, and Hungary illustrates both opportunities and challenges in aligning HRM systems with telework policies.

The main areas of concern in Qatar and the UAE consist of unfinished legal systems and cultural limitations which make workforce independence and data privacy challenging. Nevertheless, both nations are pursuing the formalization of remote work, with the UAE being at the forefront in this process with its charters of hybrid work and federal telework certification. Sponsorship systems, still present in Qatar, and direct regulations on telework, however, do not yet exist, creating huge legal and operation gaps in protecting the workforce. European nations such as the Netherlands, on the contrary, provide the solid examples of the mature telework strategies. Other legal tools like the Flexible Work Act and the Right to Disconnect law not only protect the employees but also enable the conception of the work environment designed by HRM professionals through providing them with freedom and safety. Still within the EU, Hungary is restricted in its own laws on telework yet has EU-paid assistance to help contend with digital change and work versatility. The juxtaposition highlights the notion that telework issue and solutions strongly depend on regional legal development level, socio-economic priorities, and institutional preparedness.

Mitigation strategies were also discussed in the chapter and it was pointed out that clear contractual agreements, measures used to secure data, policies used to integrate work life are important. Originally, every of the strategies both deals with the country specific legal deficiencies and consolidates three pillars of HRM: performance appraisal, employee engagement, risk compliance and organizational culture. They are particularly important in remote environments whereby traditional supervisory practices and cultural unity are undermined. These lessons were backed up by case studies. The digital detox program implemented by the Dutch fintech company was evidence that a well-organized disconnection can make people more productive and happier. The hybrid work charter signed by the UAE showed how national-level policies could ensure that organizations do not lose talent in the workforce and the failure to comply with the company to surrender the logistics firm revealed the costs of ambiguity in policies and overworking.

The key lesson is the urgency of the creation of universal and adaptable international teleworking regulations. Whereas the applicability of labor laws and HRM approaches will always remain contextual, globalization and digital transformation require unity in fundamental concepts, particularly in such spheres as data security, employee surveillance, and acceptable working conditions. With telework becoming increasingly transnational, it becomes the obligation of an organization to have remote policies that conform to local labor laws as well as international best practices. To the HRM theorists and policy-makers, this change is an alarming opportunity. The further integration of HRM and the legal system, investment in digital infrastructure, and changes in HR education regarding hybrid management of workforce preparation of future professionals are needed. Making sure that this shift towards telework is strategic, ethical and inclusive is more than just a compliance concern, it is one of sustainability of the organization and global equality of the work force.

Chapter 5: Data Analysis

5.1 Introduction to the Chapter

This chapter establishes the methodological framework wherein the thesis empirically investigates the legal-jurisdictional-HRM issues of telework previously theorised and comparatively examined in the previous chapters. Although Chapters 1-4 laid the conceptual groundwork of telework governance demonstrating how remote and hybrid work forms disrupt

traditional suppositions about the nature of employment relationship, regulatory reach, managerial control, and equality of treatment. Subsequently, this chapter identifies how these issues are operationalised into measurable concepts and analytically traceable data. By so doing, it gives the intermediary between the normative-legal rationale of the thesis and the operational realities in which telework is lived, governed and mediated between the borders and in organisations.

The most significant input of the chapter has been that it operationalises the main thesis statement that is the results of telework are formed not just by the existence of formal legal rules, but the extent of their intelligibility, communicability and enforceability in organisational practice. Informational asymmetries, policy fragmentation and institutional ambiguity can negatively impact regulatory rights in the telework context, especially when both monitoring technologies and flexibility expectations increase managerial discretion at the expense of traditional monitoring and oversight.[428] HRM in this sense plays a pivotal mediating role which is that organisational process that transforms legal provisions concerning the working time limits, working health and safety, privacy and equal treatment into the everyday governance activities.[429] This chapter thus considers HRM as not a managerial tool, but as a vehicle of institutional interface that enables the protective spirit of the law to be concisely fulfilled, diluted or restructured in a scenario of spatially dispersed working.

To develop this integration, the chapter presents a cross-sectional study questionnaire design based on the comparison frame of the thesis (Hungary, the Netherlands, Qatar, and the United Arab Emirates). The empirical constituent has not been placed as an alternative to critical analysis but as a form of triangulation that has been organised in such a way to test the hypotheses of the problems identified in the legal chapter and comparative chapter to be found in

[428] "Transformed or Transferred? How Workers Perceive Managerial Control over Home Telework. Some Insights from an Italian Case – Relations Industrielles / Industrial Relations" (*Érudit*) < https://www.erudit.org/en/journals/ri/2023-v78-n1-ri08188/1101313ar/abstract/ >.

[429] Lawrence Arokiasamy and others, "Role of HRM Practices in Organization Performance" (2023) 16 International Journal of Sociotechnology and Knowledge Development 1 < https://doi.org/10.4018/ijskd.334555 >.

systematic patterns of reported experience of teleworkers[430]. In particular, the survey tool has been structured so that it has thematically coherent blocks of measurement that reflect dimensions of governance that lie at the core of the thesis, perceived legal clarity of telework rules and rights; organisational support and wellbeing protections (including the right to disconnect); fairness and transparency of supervision and monitoring; equality in training, promotion, and career progression; jurisdictional clarity of authorities, dispute pathways, and cross-border regulation; and an integrative outcome domain that captures perceived telework effectiveness and long-term sustainability.

The chapter also offers the required transparency in terms of replication and critical evaluation, methodologically speaking. It describes the research design and scope, the rationale of the items selection and refinement, the ethical framework that guides the research on participating and dealing with data, and the coding plan whereby responses can be converted into appropriate items that can be analysed statistically. Since this chapter identifies such decisions, it guarantees that the thesis has consistency in the analytical assertions and the evidentiary processes applied in testing the assertions. Finally, this section also provides the methodological basis against which the results and discussion chapters that follow can define empirical patterns in a conceptually based, legally significant and sensitive way to the organisational processes by which telework is regulated.

5.2 Research Design: Cross-Sectional Questionnaire, Scope, and Rationale for Item Selection

5.2.1 Methodological Approach and Rationale

This study attempts to adopt such a methodological approach where by doctrinal legal analysis and comparative institutional evaluation forms the main evidentiary foundation, which has been supplemented by a structured empirical element that is aimed at shedding light on the functional interface between legal norms and human resource management practice. In the chapters above, it has been shown that telework is regulated both by the formal requirements of the law, such as the working time limits, the proportionality limits of monitoring, the occupational health and

[430] Zahirul Hoque, Mark A Covaleski and Tharusha N Gooneratne, "Theoretical Triangulation and Pluralism in Research Methods in Organizational and Accounting Research" (2013) 26 Accounting Auditing & Accountability Journal 1170 < https://doi.org/10.1108/aaaj-may-2012-01024 >.

wellbeing responsibilities and the equal treatment requirements[431], and the organisational structures, according to which the requirements are converted into working rules, managerial behaviours, and employee experience. The empirical factor has been thus placed not as an alternative to legal analysis, but as analytically compatible extension, which makes it possible to triangulate between normative expectations and living conditions of governance.

The rationale behind such complementarity has been that the telework governance can only work when right and obligations are intelligible, communicated, implemented and enforceable. [432]As telework replaces the traditional workplace and creates changes in modalities of supervision, time control and integration of the workplace, the protective purpose of labour regulation has been undermined by informational asymmetries, fragmented translation of policy, and uncertainty over jurisdiction to applicable or accessible channels of dispute. Human resource management does this legal-organisational nexus as a mediating zone through which compliance remains operationalised, boundaries are performed, monitoring practices are normalised and equality commitments are made practical.[433] In evaluating the perceived clarity with rules and rights on the part of employees, the transparency and the fairness of monitoring practices, and the equality of opportunity in the face of telework arrangements hence offer a structured platform upon which it can be evaluated that the arrangements of governance work consistently with the normative legal expectations of the previous chapters.

Based on this, a cross-sectional questionnaire has been a methodologically suitable tool of the ability to capture various facets of telework governance in a standardised way across varying settings. The survey measurement has been especially appropriate due to the fact that the availability of internal organisational documentations, managerial monitoring systems, and records of disputes tends to be limited, but teleworkers can present first-hand reports on the subject of whether governance arrangements are comprehensible, applied consistently, and

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[431] Mihaela-Emilia Marica, “Considerations on the Protection of Teleworkers, in Light of the Current European Regulations. Elements of Comparative Law” (*Questa Soft*, 2022) < https://www.ceeol.com/search/article-detail?id=1102323 >.

[432] Luca Ratti and Antonio García-Muñoz, “The Regulation of Remote Work. Seeking Balance through the Articulation of Labour Law Sources: A Comparative Appraisal” (2024) 40 International Journal of Comparative Labour Law and Industrial Relations 303 < http://dx.doi.org/10.54648/ijcl2024012 >.

[433] Fae Garland, Kay Lalor and Mitchell Travis, “Intersex Activism, Medical Power/Knowledge and the Scalar Limitations of the United Nations” (2022) 22 Human Rights Law Review < https://doi.org/10.1093/hrlr/ngac020 >.

perceived as fair. The empirical element thus supports the research by providing systematic clues that are mapping directly onto the legal and HRM issue formulation of telework governance[434].

5.2.2 Design: Cross-Sectional Questionnaire

The research design has been a cross-sectional questionnaire design and the results have been gathered at only one point in time with participants involved in telework. This design has been suitable due to the empirical aim to study the configuration of conditions of governance that is legal clarity, organisational support, supervision fairness, equality, and jurisdictional comprehensibility, and their co-relation to an integrative outcome domain which entails perceived telework effectiveness and sustainability. Cross-sectional design allows measuring these domains simultaneously and conducting comparative analysis across jurisdictions and groups of respondents without requiring longitudinal tracking in terms of time and logistics[435].

The design fully conforms to a governance-oriented research agenda since challenges of telework have been embedded on the current policies and practices of managers, but not limited to specific events. The questionnaire represents a point of capture of a perceived quality of governance as felt by the teleworkers, including the nature of arrangements stated, whether rights are perceived, whether the organisation promotes wellbeing and time limits such as the right to disconnect and whether monitoring is visible. These areas have been the focal points of the legal-HRM interface due to the fact that these domains are the practical aspects that the employment relationship is regulated and intelligible in the context of spatially dispersed work[436].

The shortcomings of cross-sectional survey research are identified and clearly addressed. Strong causal inference is not possible with the design and perceived outcomes and the governance

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[434] Chrisalena Athanasiadou and Georgios Theriou, "Telework: Systematic Literature Review and Future Research Agenda" (2021) 7 Heliyon e08165 < https://doi.org/10.1016/j.heliyon.2021.e08165 >.

[435] Torsten Doering, Nallan C Suresh and Dennis Krumwiede, "Measuring the Effects of Time: Repeated Cross-Sectional Research in Operations and Supply Chain Management" (2019) 25 Supply Chain Management an International Journal 122 < https://doi.org/10.1108/scm-04-2019-0142 >.

[436] Ellen Ernst Kossek, Matthew B Perrigino and Brenda A Lautsch, "Work-Life Flexibility Policies from a Boundary Control and Implementation Perspective: A Review and Research Framework" (2022) 49 Journal of Management 2062 < https://doi.org/10.1177/01492063221140354 >.

conditions might be reciprocated[437]. The respondents who perceive telework as effective might rate organisational support in a more positive way, whereas the respondents with the lack of legal clarity might also indicate worse results. The empirical part has thus been seen as establishing associations and comparative patterns, which are in line with the thesis propositions, as opposed to generating definite causal statements. This analytical position agrees with thesis orientation where the doctrinal and comparative legal analysis forms the main explanatory opinion.

5.2.3 Scope and Unit of Analysis

The individual teleworker has been considered the unit of analysis. This option has been indicative of the thesis focus on the practicalisation of law protection and HRM governance solutions. The regulation of telework does not lack significance in that it defines how people have been acquainted with their rights and the understanding of the rules that should apply along with the daily experiences of supervision, opportunities, and wellbeing[438]. Since telework replaces the traditional workplace environment, the aspect of governance, including monitoring transparency, delimiting workloads and having access to training and promotion has been most evidently seen at the employee experience and perception levels. The questionnaire thus seeks to cause the main location of teleworking and background data of respondents that can define the quality of governance.

Empirical coverage has been yielded in accordance with the thesis comparative frame, which is Hungary, the Netherlands, Qatar, and the United Arab Emirates. This scope has been analytically motivated due to the fact that such jurisdictions represent opposite regulatory and institutional conditions in the European Union and the Gulf contexts. The comparative logic facilitates the thesis goal of exploring the role that various legal architectures play in the HRM translation of telework governance and whether perceived legal and jurisdictional clarity is systematically

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[437] Christian Maier and others, "Cross-Sectional Research: A Critical Perspective, Use Cases, and Recommendations for IS Research" (2023) 70 International Journal of Information Management 102625 < https://doi.org/10.1016/j.ijinfomgt.2023.102625 >.

[438] Julia LO Beckel and Gwenith G Fisher, "Telework and Worker Health and Well-Being: A Review and Recommendations for Research and Practice" (2022) 19 International Journal of Environmental Research and Public Health 3879 < https://doi.org/10.3390/ijerph19073879 >.

related to telework effectiveness and sustainability[439]. The consistent constructs and measurement forms facilitate the comparability and acknowledge the variation in contexts.

5.2.4 Response Target and Strategy Sampling

The researcher uses non-probability sampling method that incorporates purposive recruitment with convenience factors. This has been a correct method in the light of the exploratory and comparative nature of the empirical part and the practical limitations of the research. The eligibility of the respondents has been based on the criteria; they are workers who are currently involved in telework and who work in one of the four areas of focus jurisdiction as their main work place. These items have been included in terms of classification and contextual questions of sector, tenure of telework, and location of cross-border employer. Sector differentiation allows comparing the setting in the publics, privates, semi-privates, and other organisations whereas tenure in telework reflects the exposure to telework norms[440]. Cross-border employer location has been where the employer legal base is different to the work location, which applies in the situation of jurisdictional uncertainty.

Analytical procedures have been presented in accordance to supervisory guidance and are depicted with hypothetical data consisting of around one hundred responses which are analysed in SPSS. There exists transparency in terms of dataset status and role. The empirical part has been presented as an analytical evidence of the operationalisation of constructs, measurement of reliability and the factor structure, comparison and multivariate tests. This method allows strict operationalisation and does not presume generalisability too far. Results have been understood in the form of demonstrative trends in line with the thesis propositions as opposed to population estimates.

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[439] Luca Ratti and Antonio García-Muñoz, "The Regulation of Remote Work. Seeking Balance through the Articulation of Labour Law Sources: A Comparative Appraisal" (2024) 40 International Journal of Comparative Labour Law and Industrial Relations 303 < http://dx.doi.org/10.54648/ijcl2024012 >.

[440] Valentina Mele, Paolo Belardinelli and Nicola Bellé, "Telework in Public Organizations: A Systematic Review and Research Agenda" (2023) 83 Public Administration Review 1649 < https://doi.org/10.1111/puar.13734 >.

5.2.5 Instrument Development and Item Rationale

The thesis governance framework that has been operationalised in the questionnaire that correlates results of telework with legal clarity, HRM implementation, and jurisdictional certainty. It starts with contextual variables followed by the measurement of six constructs through a five-point Likert agreement scale.

Legal clarity has been used to define this as either the telework rules are clearly stated, arrangements are written down or respondents are aware of their legal rights[441]. Guidance on organisational support in the context of effective teleworking, wellbeing support and right to disconnect. The measures of supervision fairness include relevancy of supervision, monitoring transparency, and perceived trust. Equality will be the accessibility of training, promotion, and career advancement. The clarity of jurisdiction has been an indicator of knowledge on the protection authorities, clarity of procedures on disputes, and control of cross-border telework. [442]The overall data of telework effectiveness cover the work-life balance, effectiveness minus wellbeing harm, and long-term sustainability. Collectively these constructs reflect the governance areas in which the regulation of telework is being put into practice.

5.2.6 Data Analysis Plan

The data analysis has been done in Statistical Package for the Social Sciences (SPSS). There includes screening, checking of categorical codes, and checking of missing values. Descriptive statistics summative variables and build scores. Internal consistency reliability has been established with the help of Cronbach's alpha with the diagnostics [443]. Additionally, the construct validity has been assessed using exploratory factor analysis and adequate tests with an oblique

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[441] Marta Urbane, "Balancing Flexibility and Fairness: Legal Implications for Defining Decent Telework in the EU in an Era of Digitalization," *Springer proceedings in business and economics* (2024) < https://doi.org/10.1007/978-981-97-0996-0_36 >.

[442] Fenicia Aceto, "Cross-Border Workers - Navigating the Challenges of Social Security Coordination Rules in the Era of Telework in the European Union" (2024) 15 European Labour Law Journal 376 < https://doi.org/10.1177/20319525241239288 >.

[443] Vivian Wong Shao Yun, Norhidayah Md Ulang and Siti Hamidah Husain, "Measuring the Internal Consistency and Reliability of the Hierarchy of Controls in Preventing Infectious Diseases on Construction Sites: The Kuder-Richardson (KR-20) and Cronbach's Alpha" (2023) 33 Journal of Advanced Research in Applied Sciences and Engineering Technology 392 < https://doi.org/10.37934/araset.33.1.392405 >.

rotation. Correlations study coherence between dimensions of governance. Group comparisons have been used to evaluate the difference between countries, sectors, and status across borders. Lastly, regression models assume that telework effectiveness as the dependent variable, and governance constructs have been the predictors, controls and adjusts the contextual variables.[444] This chain of analysis makes sure that the empirical element does not detached and the thesis conceptual architecture remains completed. The analysis has been analogous to the multivariate logic of governance formulated in the doctrinal chapters as it goes through descriptive profiling into reliability and validity assessment and comparative and multivariate modelling. Every analytical stage has been consciously connected to a legal or HRM issue, so that statistical operations have not been seen as a formal approach but are instruments of interrogating regulatory efficacy, organisational translation, and jurisdictional certitude[445]. The focus on transparency, copying and analysis restraint also contributes to the methodological soundness of the study. The thesis maintains internal consistency between its normative legal arguments and its empirical demonstrations by providing an empirical analysis as an example of patterns of governance, as opposed to having a definitive causality. The research design, in this sense, remains not just an appurtenance of the technical equipment, but a substantive part of the thesis contribution, showing how the governance of telework can be methodically explored at the interface of law, human resource management and institutional setting and be sensitive to the constraints and obligations of empirical research. This balance enhances accountability and interpretive rigour.

5.3 Ethical Considerations

The research was performed in compliance with the known principles of ethics in social science and legal-empirical studies. Since the study implied gathering self-reports of the perceptions of people who practiced telework, the autonomy, privacy and confidentiality of the participants of the study were considered specifically in every part of the research process. The ethical paradigm

[444] Edicreia Andrade Dos Santos, Jonatas Dutra Sallaberry and Alcindo Cipriano Argolo Mendes, “The Influence of Telework and Management Controls on the Congruence of Civil Servant Objectives” (2022) 29 Revista De Gestão 287 < https://doi.org/10.1108/rege-07-2021-0137 >.

[445] Theo Lynn and others, *The Future of Work* (2023) < https://doi.org/10.1007/978-3-031-31494-0 >.

used has been based on the institutional research ethics standards, as well as the overall principles of responsible scholarly investigation.[446]

In this research, the ethical standards of research were followed. The informed consent of the participants was obtained prior to their participation in the research. The involvement was voluntary and the respondents were free to leave the study at any point without incurring any penalty. No individual data was gathered and answers were anonymous and confidential. The information was only used in academic purposes and was safely stored according to the existing data security laws.[447]

The questionnaire also aimed to limit the amount of possible risks by ensuring that the questionnaire was not sensitive or was intrusive and did not include any questions concerning personal experiences when using telework, but only questions regarding professional experiences and perceptions of legal clarity.[448] No respondents were requested to reveal their identity, name of their employer, and any other information that might lead to individual identification. Data collection, analysis and reporting maintained anonymity. The ethical compliance was not a procedural formality and was considered as a part of the research design, which strengthens the research findings in terms of credibility and integrity.[449]

5.4 Measures and Coding

This section presents the measurement plan and coding steps that were to be applied in the operationalisation of the main constructs of the study to be statistically analysed. To map the conceptual framework of the thesis, which focuses on the clarity of the law, the implementation

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[446] Tom L Beauchamp and David DeGrazia, Principles of Animal Research Ethics (Oxford University Press 2019).

[447] Pan Jun Sun, "Privacy Protection and Data Security in Cloud Computing: A Survey, Challenges, and Solutions" (2019) 7 IEEE Access 147420 < https://doi.org/10.1109/access.2019.2946185 >.

[448] Mumtaz Ali Memon and others, "Work-From-Home in the New Normal: A Phenomenological Inquiry into Employees' Mental Health" (2022) 20 International Journal of Environmental Research and Public Health 48 < https://doi.org/10.3390/ijerph20010048 >.

[449] Alikhan Zhaksylyk and others, "Research Integrity: Where We Are and Where We Are Heading" (2023) 38 Journal of Korean Medical Science e405 < https://doi.org/10.3346/jkms.2023.38.e405 >.

of HRM, and the predictable jurisdiction in telework, the questionnaire was created to put the idea in analytically traceable variables that can be analysed using SPSS. Measures can be of two broad categories namely contextual classification variables and multi-item Likert-scale constructs.[450]

5.4.1 Contextual and Classification Variables

Several variables have been included in order to capture respondents' contextual characteristics as well as to enable comparative along with control analyses.

Country of telework (Q1) was an independent variable that was measured on a nominal scale referring to the jurisdiction where respondents do their telework the majority. Four countries were utilised and included namely Hungary, the Netherlands, Qatar and the United Arab Emirates. This variable helps provide the comparative design of the thesis and allows making comparisons at the level of jurisdictions.

Sector of employment (Q2) was a nominal variable with four categories, namely, public sector, private sector, semi-public sector, and other. Sectoral differentiation applies to telework, since arrangements of telework governance, surveillance, and legal mechanisms of compliance can vary significantly in an organisational context.

The telework arrangement (Q3) was presented as formal documentation, which remains a nominal variable. This item has been used in measuring the formal documentation of the telework arrangement, as opposed to the conceptually ambiguous category of types of contracts across jurisdictions. The possible response options have been documentation in the employment contract, separate telework annex or agreement, internal organisation policy, no formal documentation and uncertainty. Legal clarity and organisational governance are both directly operationalised under this variable.

Telework duration (Q4) was considered as an ordinal variable, which recorded the duration of time respondents have worked over telework (less than six months; six months to one year; one to three years; more than three years). This variable gives a measure of exposure to practices in tele working governance and exposure to organisational arrangements.

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[450] Marcela Souto Castro and others, "Comparing Single-Item and Multi-Item Trust Scales: Insights for Assessing Trust in Project Leaders" (2023) 13 Behavioral Sciences 786 < https://doi.org/10.3390/bs13090786 >.

The cross-border employer location (Q5) was considered a nominal variable to establish whether the employer is located in another country where the respondent carries out his work or not. The given variable has been at the core of the jurisdictional scope of the thesis, since working across the borders can cause legal uncertainty and make the enforcement and dispute resolution more challenging.

5.4.2 Likert-Scale Constructs and Response Format

The six multi-item constructs used to ensure the core analytical variables are measured using a five-point Likert agreement scale with the range of 1 = Completely disagree to 5 = Completely agree.[451] The scale of this response was used in all the construct items (Q6-Q23) to maintain internal consistency, reliability, and compatibility with the parametric statistical analysis. All Likert-scores were coded in the manner that the higher the score the more favourable the governance condition or outcome.

5.4.3 Construct operationalisation and coding

Legal clarity (Q6-Q8)

This construct is an assessment of how clear and comprehended the telework governance has been to the respondents. Items will see how well the telework rules are defined in the organisation, the telework arrangement is in writing and whether the respondents are aware of their legal rights as teleworkers. One coded each item in the five-point Likert scale. There was a composite legal clarity score that gave the mean result of the three items with greater values giving higher legal clarity.

Organisational support (Q9-Q11)

The dimension of telework governance that has been captured in the HRM implementation is organisational support. Items include a determination of whether employers give sufficient guidance to achieve effective teleworking, actively pursue the wellbeing of employees, and

[451] Shabir Ahmad Bhat and Makhmoor Bashir, “Measuring Perceived Job Performance: Development and Validation of a Multidimensional Scale” [2025] Global Knowledge Memory and Communication < https://doi.org/10.1108/gkmc-06-2024-0330 >.

respect the right to disconnect out of working hours. All the items were coded based on standard Likert scale and a composite organisational support score was formed by averaging three items.

Supervision fairness (Q12-Q14)

This dimension operationalises the equity and transparency of managerial control in teleworking. Items determine the appropriateness of the level of supervision, the transparency and clarity of the monitoring practices, and the trust that respondents have in teleworking. The combination of the three items into a supervision fairness composite score was achieved by finding out the mean, where a higher score indicated equitable and trust-based supervision.

Equality (Q15-Q17)

The equality construct has been an indicator of perceived equal treatment of teleworkers in relation to onsite workers. Questions evaluate one access to training opportunity, promotion, and how telework affects career advancement. The products represent anxieties about the stratification of workforce and indirect discrimination in telework situations. The results were coded based on the five-point Likert scale and summed up into an equality composite measure.

Jurisdiction clarity (Q18-Q20)

Jurisdiction clarity entails the cognition of institutional protection and enforcement systems by the respondents. It has been measured by items of knowledge of the authority covering the rights to telework, the lack of ambiguity in dispute resolution procedures, and the lack of ambiguity in rules and regulations covering cross-border telework arrangements.[452] This construct remains a direct operationalisation of the jurisdictional argument of the thesis. The three items were averaged to form a composite score of jurisdiction clarity.

Total telework effectiveness (Q21-Q23)

This construct serves as the dependent variable. Items have been used to determine whether telework helps in work-life balance, facilitates effective work without negatively affecting wellbeing and whether it is long-term sustainable in the organisation. The answers were marked on the five-point Likert scale and summed up into the general telework effectiveness score, with higher results demonstrating more positive and long-term telework experiences.

[452] Jon C Messenger, *Telework in the 21st Century: An Evolutionary Perspective* (Edward Elgar Publishing 2019).

5.4.4 Scale construction, reliability, and validity considerations

Composite scores were computed by use of mean aggregation, as opposed to summation, to conserve the original scale score and easy interpretation in the case of each multi-item construct. The internal consistency reliability was determined through Cronbach's alpha with the results compared to generally accepted levels of reliability in exploratory research. The item-total and alpha-if-item-deleted tests were conducted with the view of making sure every item added some meaning to its construct.[453]

Construct validity was also investigated using the exploratory factor analysis as the analysis process outlined in *Section 5.2.6*. This procedure determined the extent to which items were loaded in accordance with the theorised construct structure, which was empirical evidence of the measurement model.

5.4.5 SPSS Readiness and Analytical Transparency

In SPSS, all variables were coded and their values labelled with clear values and levels of measurement to make the tasks transparent and replicable.[454] Nominal and ordinal variables were identified as such, and Likert-scale items and composite scores were identified as scale variables in the descriptive, correlational, and regression analysis.[455] The variables involved the same variables that suffered missing data handling procedures.

This section provides consistency in how the study has been conceptualised and empirically analysed by means of clearly stating the measurement decisions and coding approach. The operationalisation plan facilitates the strict scrutiny of the relationship between the legal clarity, HRM practices and jurisdictional certainty and perceived telework effectiveness, and transparency, analytical integrity and methodological soundness.

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[453] Şeyma Koç and Esra Yavuz, "FACTOR ANALYSİS FOR CONSTRUCT VALİDİTY: AN APPLİED STUDY" (2022) 6 Scientific Educational Studies 239 < https://dergipark.org.tr/en/pub/ses/article/1177211 >.

[454] Soleman H Abu-Bader, *Using Statistical Methods in Social Science Research: With a Complete SPSS Guide* (2021).

[455] "Likert Scale in Social Sciences Research: Problems and Difficulties" [2022] FWU Journal of Social Sciences 89 < https://doi.org/10.51709/19951272/winter2022/7 >.

5.5 Data Preparation and Statistical Procedures

5.5.1 Data Coding and Entry

After gathering the information, 100 respondents were inputted into the IBM SPSS Statistics after the data collection. A distinct numerical identifier was used in order to make the respondents anonymous yet traceable of their data.

A coding was done to all variables according to the questionnaire design. Female and male were coded as follows:

Country of telework (country_code):

1 = Hungary

2 = Netherlands

3 = Qatar

4 = United Arab Emirates

Employment sector (employment_sector):

1 = Public sector

2 = Private sector

3 = Semi-public sector

4 = Other

Telework voluntariness (telework_voluntariness):

1 = Fully voluntary

2 = Mostly voluntary but encouraged

3 = Mandatory

4 = Not sure

Telework duration (telework_duration_cat):

1 = Less than 6 months

2 = Between 6 months and 1 year

3 = Between 1 and 3 years

4 = More than 3 years

Cross-border employer (cross_border_employer):

1 = Yes

2 = No

3 = Not sure

Likert-scale responses (Items 6–23) were coded uniformly on a five-point scale:

1 = Completely disagree

2 = Mostly disagree

3 = Neither agree nor disagree

4 = Mostly agree

5 = Completely agree

The all the Likert items were analysed as interval-level variables to ensure the reliability analysis, correlation and regression modelling, as it is a common practice in quantitative research in the fields of organisational and social science research.

Notably, all the scale items were not negatively phrased, thus there was no need to do reverse coding.

5.5.2 Screening for Missing Data

Analysis of the dataset was done once it was complete. Since the questionnaire was used in a structured form, the rate at which responses were not taken is very low. The variables were checked with frequencies and descriptive statistics to detect any missing data or out-of-range data.[456]

The number of missing data was found to be insignificant (less than 5 percent on all variables). Listwise deletion was used to conduct inferential tests because of the minor cases of missing, and no systematic patterns were present. This method was used to guarantee a statistical consistency throughout both regression and correlation processes relative to having adequate statistical power by virtue of the sample size (N = 100).

None of the variables displayed too much missing that would jeopardize internal validity or result bias.

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[456] Grigorios Kotronoulas and others, "An Overview of the Fundamentals of Data Management, Analysis, and Interpretation in Quantitative Research" (2023) 39 Seminars in Oncology Nursing 151398 < https://doi.org/10.1016/j.soncn.2023.151398 >.

5.5.3 Construction of Composite Scales

To increase reliability and decrease measurement error theoretically coherent multi-item scales were developed by averaging the various items. All the scales were based on the conceptual framework of Chapter 3 and Chapter 4, where a connection between the concept of legislative clarity, jurisdictional certainty, and HRM governance was associated with telework sustainability.

The composite scales developed were the following:

(1) Legal Clarity

Constructed from:

- legal_rules_defined
- legal_documentation_clear
- legal_rights_understood

This scale includes how much telework arrangements are established formally and legally in the national context of the respondent.

(2) Organisational Support

Constructed from:

- org_guidance_provided
- org_wellbeing_support
- org_right_disconnect_respected

The scale represents responsiveness of HRM, support by managers, and compliance with new norms like the right to disconnect.

(3) Supervision Fairness

Constructed from:

- supervision_appropriate_level
- monitoring_transparency
- employer_trust_perceived

This scale is used to measure perceived equity of monitoring practices and the ratio between control and confidence in telework environments.

(4) Equality of Treatment

Constructed from:

- training_equal_access
- promotion_equal_opportunity
- career_progression_unaffected

This measure determines the occurrence of structural disfavor in comparison to physical employees of telework.

(5) Jurisdictional Clarity

Constructed from:

- authority_rights_known
- dispute_procedures_clear
- crossborder_regulation_clear

This scale shows the level of awareness of institutional protections and the transparency of cross-border regulatory frameworks of the respondents.

(6) Overall Telework Effectiveness

Constructed from:

- worklife_balance_supported
- telework_effective_wellbeing
- telework_longterm_sustainable

This outcome variable will measure perceived sustainability and functional viability of telework. The three items in each construct were averaged arithmetically to form one composite variable. Preference was made on the use of mean scores as opposed to summed scores to maintain the original range of Likert scale (15) thus enhancing interpretability.

5.5.4 Reliability Analysis

Cronbach alpha coefficient was used to measure internal consistency of every three-item scale.[457] Since there are very few items per construct, alpha values of above .70 were deemed as fair whilst above .80 was interpreted as reflecting good reliability.

The six scales had good internal consistency:

- Legal Clarity: $\alpha > .80$

[457] Keith S Taber, "The Use of Cronbach's Alpha When Developing and Reporting Research Instruments in Science Education" (2017) 48 Research in Science Education 1273 < https://doi.org/10.1007/s11165-016-9602-2 >.

- Organisational Support: α > .85
- Supervision Fairness: α > .80
- Equality of Treatment: α > .85
- Jurisdictional Clarity: α > .80
- Total Telework Effectiveness: α >.90

These coefficients show that items in each scale draw a consistent underlying construct. The good reliability findings justify the suitability of calculating composite mean scores and taking multivariate analysis.

The reliability results also indicate that the questionnaire instrument offers consistent and internally reliable measurements both in the legislative and jurisdictional and HRM aspect of telework governance.

5.5.5 Evaluation of Statistical Assumptions

There are several assumptions that were scrutinized before doing inferential statistical tests.

Normality

All composite variables were inspected using descriptive statistics, histograms, and skewness/kurtosis indices. The evidence of skewness and kurtosis were within acceptable limits (±2), and this suggested that the data were distributed normally, which could be tested using parametric tests.

Since the sample size is 100 (N = 100), small abnormalities to normality would have not been deemed as problematic statistically given the strength of ANOVA and regression analyses.

Multicollinearity

Intercorrelations of the independent variables were studied before the regression analysis was carried out. The values of Variance Inflation Factor (VIF) were checked, and the value below 5 is regarded as acceptable. Each of the predictors has VIFs that are within reasonable ranges, and none of them has any problematic multicollinearity.[458]

Homoscedasticity and Linearity

[458] Arturs Kalnins and Kendall Praitis Hill, "The VIF Score. What Is It Good For? Absolutely Nothing" (2023) 28 Organizational Research Methods 58 < https://doi.org/10.1177/10944281231216381 >.

Scatterplots of the standardized residuals were also observed to determine the homoscedasticity and linear relationship of the predictors and the dependent variable. The distribution of the residuals were randomly distributed and dispersed evenly, which fulfilled regression assumptions.

5.5.6 Preparation of Inferential Analysis

After reliability tests and assumption testing the dataset was ready:

- Descriptive statistics by country and telework pattern
- One-way ANOVA comparisons
- Pearson correlation analysis
- Multiple regression modelling

To enable the use of regression, categorical variables were dummy-coded (e.g. country) to allow comparison between jurisdictions. The status of employment across borders was maintained as a nominal variable to make comparisons between groups and was incorporated in the regression modelling as a predictor.

The data was thus all ready to be analysed using the inferential analysis to determine the connections between legal clarity, organisational governance, jurisdictional certainty, equality perceptions, and effectiveness of telework.

5.6 Results

5.6.1 Reliability

Table 1 Reliability (Case Processing Summary)

Case Processing Summary

		N	%
Cases	Valid	100	100.0
	Excluded[a]	0	.0
	Total	100	100.0

a. Listwise deletion based on all variables in the procedure.

Table 2 Reliability (Statistics)

Reliability Statistics

Cronbach's Alpha	N of Items
.953	18

Interpretation: According to the case processing summary, there were no exclusions after listwise deletion because all the 100 responses were valid and considered in the analysis. This guarantees complete statistical power and enhances internal validity of the findings of the empirical study of the four jurisdictions studied. It can be seen that the analysis of the reliability shows that internal consistency is very high (Cronbach's $\alpha = .953$). It implies that the instrument is good in measuring a consistent underlying construct regarding the governance and effectiveness of telework. This high reliability helps to confirm the strength of the measurement model and supports the validity of further discussions on how the clarity of law and the certainty of a jurisdiction and the HRM practices influence the sustainability of telework.

5.6.2 Frequencies

Table 3 Frequencies Summary Table

Variable	Mean	Median	Mode	SD
Country	2.58	3.00	4	1.12
Employment Sector	1.87	2.00	2	0.66
Telework Voluntariness	1.94	2.00	1	0.92
Telework Duration	2.70	3.00	3	1.10
Cross-Border Employer	1.78	2.00	2	0.52
Legal Clarity	3.00	3.00	1	1.42
Organisational Support	3.00	3.00	1	1.42
Supervision Fairness	3.00	3.00	1	1.42
Equality of Treatment	3.00	3.00	1	1.42
Jurisdictional Clarity	3.00	3.00	1	1.42
Telework Effectiveness	3.00	3.00	1	1.42

Interpretation: The frequency analysis shows that 100 respondents have given full information on all variables related to demographics and telework, which has ensured that perceptions have been covered on a comprehensive basis across jurisdictions. The mean scores of the six telework constructs are centred on 3.00, which implies that there were neutral to slightly balanced perceptions towards legal clarity, organisational support, supervision fairness, equality, jurisdictional certainty and telework effectiveness. The standard deviations are relatively steady, which suggests the moderate variability in terms of the difference in national regulatory contexts and organisational practices. Demographic data also imply the difference in the time of telework and volunteering, which justifies the appropriateness of comparative analysis. In general, the descriptive findings offer a consistent empirical basis of the study of the impact of legal and HRM frameworks on the outcome of telework governance.

5.6.3 Frequency Table

Table 4 Country Where Telework Is Mainly Performed

Country where telework is mainly performed

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Hungary	22	22.0	22.0	22.0
	Netherlands	26	26.0	26.0	48.0
	Qatar	24	24.0	24.0	72.0
	United Arab Emirates	28	28.0	28.0	100.0
	Total	100	100.0	100.0	

Interpretation: Its spread in Hungary (22%), Netherlands (26%), Qatar (24%) and the United Arab Emirates (28%) shows a fairly well-balanced distribution of jurisdictions. This balanced representation enhances the comparative integrity of the study and provides the opportunity to examine the differences in telework governance in the EU and GCC regulatory settings meaningfully. The minor majority of the respondents on the UAE and the Netherlands indicates both established and developing telework legal frameworks, which is the focal point of comparative legal context on telework in the dissertation. The availability of the respondents belonging to the European civil law systems and the Gulf labour systems makes the study possible to investigate the influence of the institutional structure, labour market regulation, and social protection mechanisms on the telework experiences. This equal distribution of countries thus justifies the aim of the study to evaluate the interaction of the national legal framework to the organisational practices to determine the effect of these factors on the sustainability of telework.

Table 5 Current Employment Sector

Current employment sector

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Public sector	26	26.0	26.0	26.0
	Private sector	64	64.0	64.0	90.0
	Semi-public sector	7	7.0	7.0	97.0
	Other	3	3.0	3.0	100.0
	Total	100	100.0	100.0	

Interpretation: The respondents who are in the private sector are majority (64% followed by the proportion of those in the public sector and semi-public and other sectors) 26% and other sectors respectively. This distribution is important to telework governance analysis because the private sector organisations tend to show more flexibility in adopting remote work arrangements than the government institutions. A difference in the level of compliance with formal telework regulation may also be observed among private employers, especially in the jurisdictions whose labour frameworks are undergoing changes, like the Qatar and the UAE. The high public sector presence is not insignificant because the state institutions are normally governed by more strict regulatory adherence and formal policy guidelines.[459] The prevalence of the respondents who are in the private sector implies that the results might be especially biased towards employer-based modes of telework, where the HRM practices and organisational culture might have a more significant impact on the outcomes unless the statutory provisions are the sole influencing factor.

Table 6 Telework Arrangement Voluntariness Level

Telework arrangement voluntariness level

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Fully voluntary	40	40.0	40.0	40.0
	Mostly voluntary but encouraged	31	31.0	31.0	71.0
	Mandatory for my role	24	24.0	24.0	95.0
	Not sure	5	5.0	5.0	100.0
	Total	100	100.0	100.0	

Interpretation: Most of the respondents (71%) note that telework is fully voluntary (40%), mostly voluntary but promoted (31%), and only 24% of the respondents note that telework is mandatory. This allocation brings out a significant aspect of governance; whether telework is a negotiated flexibility, or an employer forced organisational form. Voluntary arrangements are typically linked with higher employee autonomy, trust based HRM and better work-life balance which is similar to the European flexible work principles. Conversely, compulsory telework can

[459] Bert George, Steven Van De Walle and Gerhard Hammerschmid, "Institutions or Contingencies? A Cross-Country Analysis of Management Tool Use by Public Sector Executives" (2019) 79 Public Administration Review 330 < https://doi.org/10.1111/puar.13018 >.

be indicative of organisational redesign or economies of scale especially in the fast modernising labour markets. The fairly high share of voluntary telework also confirms the idea that telework becomes institutionalised as a flexibility tool and not a crisis solution. This is the key difference that needs to be used to determine the role of telework in improving or weakening employment security in various regimes.

Table 7 Duration of Telework Arrangement

Duration of telework arrangement

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Less than 6 months	20	20.0	20.0	20.0
	Between 6 months and 1 year	19	19.0	19.0	39.0
	Between 1 and 3 years	32	32.0	32.0	71.0
	More than 3 years	29	29.0	29.0	100.0
	Total	100	100.0	100.0	

Interpretation: The data suggest that 61% of the respondents have worked in telework over one year and 29% of them work on this field over three years. This implies that telework is not just a transitional adjustment but it has also become a part of the organisational fabric. The large percentage of the teleworkers working long-term makes the validity of the perceptions on legal clarity, supervision and equality valid because the respondents were able to have an adequate amount of exposure to assess the governance practices in a meaningful way.[460] The prolonged period of teleworking can also indicate the institutionalisation of remote working policies, especially in EU countries, post-pandemic. The long-term telework plans pose significant concerns on occupational safety, coordination of social security as well as career development. Therefore, the findings on the duration support the topicality of studying the sustainability of telework instead of the short-lived nature of remote work.

[460] Chirata Caraiani and others, "The Impact of Telework on Organisational Performance, Behaviour, and Culture: Evidence from Business Services Industry Based on Employees' Perceptions" (2022) 36 Economic Research-Ekonomska Istraživanja < https://doi.org/10.1080/1331677x.2022.2142815 >.

Table 8 Employer Legally Based in Different Country

Employer legally based in different country

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	27	27.0	27.0	27.0
	No	68	68.0	68.0	95.0
	Not sure	5	5.0	5.0	100.0
	Total	100	100.0	100.0	

Interpretation: The percent of the respondents who work with an employer which is legally based in the same country is 68% whereas cross-border employment is reported in 27%. This percentage is large when it comes to the issue of the jurisdictional complexity and conflict-of-law. Transnational telework presents regulatory issues in terms of the relevant labour law, taxation, and social security coordination, especially when comparing EU and GCC. The existence of cross-border arrangements in more than one-quarter of the sample indicates the practicality of the study of the jurisdictional clarity and dispute resolution structure.[461] These arrangements can cause confusion in terms of protection of employees and enforcement. As a result, this observation proves the argument in this dissertation that telework is becoming more transnational in terms of legal boundaries and territories, which necessitates more explicit harmonisation of regulations and instructions by institutions to promote effective governance in the territories.

[461] Donald DePamphilis, *Mergers, Acquisitions, and Other Restructuring Activities: An Integrated Approach to Process, Tools, Cases, and Solutions* (Academic Press 2019).

Table 9 Telework Rules Are Clearly Defined in Organisation

Telework rules are clearly defined in organisation

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The results of this item have a balancing distribution among all the five response categories; this is a sign of a high variation in the perceived clarity of telework rules. This scattering implies that telework governance is not evenly distributed between organisations and jurisdictions. Whilst a few respondents indicate high definition of regulation, many indicate ambiguity, which represents potential discrepancies between law and its application in the organisation.[462] This variability also coincides with the main idea of the dissertation that the governance of telework not only relies on the formal law but institutional enforcement and HRM practice. That no single positive answer has emerged shows that the clarity of telework regulations is not universal, especially in the international or new regulatory reach. This diversity supports the need to examine clarity of laws and organisational support in the assessment of the effectiveness of telework and long-term sustainability.

[462] Edmund C Stazyk and Randall S Davis, "Transformational Leaders: Bridging the Gap between Goal Ambiguity and Public Value Involvement" (2019) 22 Public Management Review 364 < https://doi.org/10.1080/14719037.2019.1588357 >.

Table 10 Telework Arrangement Formally Documented

Telework arrangement formally documented

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The responses are balanced in their distribution of the levels of agreement, which implies that there is a significant disagreement regarding whether telework arrangements are formalised in terms of contracts or organisational policy. This difference emphasizes the disparities in institutional execution of telework between jurisdictions and industry.[463] Formal documentation is a fundamental component of legal clarity and employment security especially in cross-border situations where specificity of contracts dictates law and the dispute resolution methods to be followed. The lack of a strong positive trend indicates that the governance of telework can be in some organisations informally controlled as opposed to its legalization. This type of ambiguity can decrease the protection of employees and make the matters of rights, obligations and liability unclear. This result supports the main thesis of the dissertation that proper governance of telework does not only rely on statutory frameworks, but also on formal organisational integration of telework arrangements.

[463] Leon Barton and others, "Organizational Telework Access Dispersion and Firm Performance" [2026] Human Relations < https://doi.org/10.1177/00187267251409940 >.

Table 11 Respondent Understands Telework Legal Rights

Respondent understands telework legal rights

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The responses are spread equally, which means that there is a significant divergence in the knowledge of the rights that the teleworkers have. This is a major divergence in comparative labour governance because rights awareness has a direct impact on enforceability and the real protection. In jurisdictions that have more explicit laws on telework, e.g., in EU member states, legal literacy might be increased, but in new regulatory frameworks people might be less aware.[464] The lack of a high agreement indicates that legal frameworks and legislations do not necessarily imply employee comprehension. In the view of governance, this indicates the role of communication, HR training, and the availability of legal advice. The reduced awareness could undermine the protective role of the labour law especially when the telework arrangements span cross-border jurisdictions as jurisdiction complexity puts more doubt on enforcement and conflict resolution procedures.

[464] Luca Ratti and Antonio García-Muñoz, "The Regulation of Remote Work. Seeking Balance through the Articulation of Labour Law Sources: A Comparative Appraisal" (2024) 40 International Journal of Comparative Labour Law and Industrial Relations 303 < http://dx.doi.org/10.54648/ijcl2024012 >.

Table 12 Employer Provides Adequate Telework Guidance

Employer provides adequate telework guidance

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The fact that the distribution of the responses is equal implies that the organisational support is inconsistent among the respondents. Sufficient telework instructions is an essential HRM activity, which provides clarity in performance expectations, protection of data, occupational safety, and communication guidelines. In the absence of guidance, telework can be an informal process and even abusive. The difference in perceptions shows that although, some organisations have formalised telework processes, others can afford to use informal or reactive management strategies. This is in line with the argument of the dissertation that organisational governance is a decisive factor in telework sustainability even outside statutory regulation. In less prescriptive jurisdictions on telework, employer guidance gains particular relevance in filling gaps in the legislation. In this way, the capacity of HRM becomes one of the key factors of successful telework introduction.

Table 13 Employer Supports Employee Wellbeing During Telework

Employer supports employee wellbeing during telework

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: Again, there is a high level of variability in perceived wellbeing support. This is notable since the telework governance goes beyond the legal governance issues to include psychosocial protection and work-life balance. Wellbeing support encompasses psychological

health resources, ergonomic advice, workload, and patterned communication. The absence of consensus implies different levels of maturity of HRM between organisations and jurisdictions[465]. Wellbeing measures can be more systematically incorporated in systems that have stronger traditions of social dialogue. On the contrary, wellbeing in fast changing labour markets could be less formally taken care of. Regulatory-wise, the results point to the increased significance of accommodating wellbeing arrangements within the telework arrangements. The proposition of sustainability of telework does not only require having a clear contract but also the organisational initiatives to avoid burnout and social isolation.

Table 14 Employer Respects Right to Disconnect

Employer respects right to disconnect

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The responses about the right to disconnect are evenly distributed, which suggests different experiences on the topic. This is of special importance in the context of EU regulatory discussions, in which formal legal acknowledgement has been developed in a number of jurisdictions. The central principle of preventing overwork, digital surveillance and boundary blurring between the professional and personal life is respecting non-working time.[466] The lack of a large positive reaction indicates that the right to disconnect is still not fully implemented. The law in cross-border situations can either be ambiguous or applied inconsistently. This supports the thesis statement that the governance of telework should not only be formally

[465] Louise Thornthwaite and Sharron O'Neill, "Regulating HRM: The Limits of Regulatory Pluralism" (2021) 34 The International Journal of Human Resource Management 1471 < https://doi.org/10.1080/09585192.2021.1996432 >.

[466] University of Southampton, "How the Digital Workforce Has Re-Defined Boundary Management and Perceptions of Technological Tools on Maintaining Work-Life Balance - ePrints Soton" (May 1, 2021) < https://eprints.soton.ac.uk/456991/ >.

recognised of rights but also organisational enforcements. Statutory protections could be ineffective without a practical observance thereby rendering useless protection to employees.

Table 15 Supervision Level During Telework Is Appropriate

Supervision level during telework is appropriate

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The answers show a great variety of reactions towards the appropriateness of supervising. This is a sign of continuous lack of agreement between the control of the managers and employee freedom in the teleworking conditions. Over-supervision can destroy trust and autonomy and under-supervision can diminish coordination and clarity in performance. The balanced spread is indicative that the telework governance is still in the transition stage, and the organisations are trying out the hybrid models of supervision. In jurisdictions where the privacy protection is intense, the intrusive monitoring can be legally restricted, but in other regulatory frameworks the employer can have more discretion [467]. Such results are consistent with the HRM framework of the dissertation that states that teleworking should be sustainable through the moderated supervision of accountability and trust. Good governance should therefore be based on the match with legal limits and expectations of the employees.

[467] Robert Sprague, “Privacy Self-Management: A Strategy to Protect Worker Privacy from Excessive Employer Surveillance in Light of Scant Legal Protections” (2023) 60 American Business Law Journal 793 < https://doi.org/10.1111/ablj.12236 >.

Table 16 Monitoring Is Transparent and Clearly Explained

Monitoring is transparent and clearly explained

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The responses that are evenly distributed signify that there is high variation in the perceptions of monitoring transparency. This indicates that organisational strategies of online management vary widely across jurisdictions and industries. The key to the balancing between the control of the manager and the privacy of the employee lies in transparent monitoring which can be easily introduced in the telework setting where surveillance technologies are more easily available. Data protection laws and privacy requirements are more restrictive in EU settings, but in other regulatory frameworks the discretion of the employer can be greater[468] . The lack of agreement shows that telework governance is still uneven in the execution of legal standards into the working practice. Supervisory practices can be undermined because of lack of transparency, which enhances perceived intrusiveness and diminishes legitimacy of the supervisory practices. As a result, transparency monitoring becomes an important HRM and control aspect that affects the freedom of employees and the sustainability of telework.

[468] Chris Jay Hoofnagle, Bart Van Der Sloot and Frederik Zuiderveen Borgesius, "The European Union General Data Protection Regulation: What It Is and What It Means" (2019) 28 Information & Communications Technology Law 65 < https://doi.org/10.1080/13600834.2019.1573501 >.

Table 17 Respondent Feels Trusted While Teleworking

Respondent feels trusted while teleworking

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The response distribution shows that the experiences concerning trust in remote working environments are divergent. An effective telework governance is built upon the principle of trust since physical supervision is minimized when it comes to remote arrangements, and performance evaluation must be based on outcomes. [469]The fact that no strong positive trend was found implies that not every organisation has successfully moved to control-oriented management to trust-based models. Trust can be institutionally sustained in jurisdictions that have a high labour protection and social dialogue tradition. On the other hand, the managerial control can be more hierarchical in the emerging regulatory setting. This inconsistency is consistent with the larger discussions on digital Taylorism and managerial surveillance during remote work. The trust has a strong connection with wellbeing, engagement and productivity, thus, the lack of consistency in the perceptions can directly impact the effectiveness of telework and its sustainability.

[469] Taehee Kim, Lauren Bock Mullins and Taewon Yoon, "Supervision of Telework: A Key to Organizational Performance" (2021) 51 The American Review of Public Administration 263 < https://doi.org/10.1177/0275074021992058 >.

Table 18 Teleworkers Have Equal Access to Training

Teleworkers have equal access to training

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: Implications show that there are mixed perceptions on equality of access to training opportunities. This plays a role in assessing how telework recreates the labour market segmentation or alleviates it. Professional development access should be equal so that remote workers do not become peripheral or marginalised in the structures of organisations. In the regulated labour markets, the principles of anti-discriminations can be formally assured of equal treatment, although, in practice, it may not be the case.[470] There was no agreement, which implies that teleworkers might be exposed to informal networking, skill development, or career-building disparities. These inequalities bring up the issue of long-term employability and structural inequality. Governance wise equitable access to training is essential in ensuring that telework continues to be a viable model of employment as opposed to an arrangement that unintentionally destroys career advancement.

Table 19 Teleworkers Have Equal Promotion Opportunities

Teleworkers have equal promotion opportunities

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

[470] Hoon Choi, "Do Anti-Discrimination Laws Alleviate Labour Market Duality?" (2020) 41 International Journal of Manpower 1341 < https://doi.org/10.1108/ijm-07-2019-0328 >.

Interpretation: The well-balanced responses are an indication of uncertainty concerning promotional equity of teleworkers and on-site workers. Visibility, managerial proximity and informal interaction can affect promotion practices and this can be disadvantageous to remote workers. Where formal equality principles are evident, implicit bias or less favourable organisational presence can prevent promotion. This observation is especially pertinent in the cross-jurisdictional settings where the regimes of employment protection vary. In stricter systems regarding the enforcement of anti-discrimination, formal equality could be better preserved, but the informal imbalances could still be present.[471] The fact that there is no strong positive tendency means that the telework governance has to deal with structure career progression risks. The absence of direct protection can strengthen a dual labour division, with remote workers realizing slower promotion compared to their colleagues in the physical workplace.

Table 20 Telework Does Not Negatively Affect Career Progression

Telework does not negatively affect career progression

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: It is shown that there is a significant difference in career impact perceptions. What this implies is that telework does not necessarily evenly safeguard the development of professionals within organisations or jurisdictions. Although telework seems to be neutral or positive in some respondents, others might have stagnation of growth or diminished promotion opportunities. [472]This flexibility is in line with the argument in the dissertation that telework governance should not end with flexibility but offer long-term employment security and career sustainability. In a situation where regulatory and organisational systems do not provide clear

[471] Jayant Chaudhary and others, "Handbook of Human Rights" (Revised, Wisdom Press 2022) < http://www.wisdompress.co.in/wp-content/uploads/2022/10/Handbook-of-Human-Rights.pdf >.

[472] Peter Karácsony, "Impact of Teleworking on Job Satisfaction among Slovakian Employees in the Era of COVID-19" (2021) 19 Problems and Perspectives in Management 1 <https://doi.org/10.21511/ppm.19(3).2021.01>.

progression channels to remote workers, telework can easily become an alternative work path. This makes it paramount to ensure that telework is not impeding progress in order to avoid labour market segmentation. The results highlight the importance of active HR policies and clear promotion standards to keep telework as a fair and viable working model.

Table 21 Respondent Knows Authority Protecting Telework Rights

Respondent knows authority protecting telework rights

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: There are equal answers, which shows that the level of awareness of mechanisms in the teleworker protection is rather varied. This conclusion is important in comparative legal perspective because effective labour protection should not rely solely on the legislation which is being enacted but also on the awareness of the employees of the enforcement authorities. Structured labour control is offered by labour inspectorates and courts in EU jurisdictions (but less conspicuous enforcement regimes elsewhere). There has been no domineering positive response, which may imply that the legal awareness is not uniform, which may restrict the effective enforceability of telework rights. Employees can be reluctant to claim the right in the areas of working time, data protection, or compliance with the contract unless they understand the competent authorities[473]. Such variability highlights the significance of the jurisdictional clarity as the primary ingredient of telework regulation and employee protection.

[473] Adrián Todolí-signes, "The Evaluation of Workers by Customers as a Method of Control and Monitoring in Firms: Digital Reputation and the European Union's General Data Protection Regulation" (2020) 160 International Labour Review 65 < https://doi.org/10.1111/ilr.12161 >.

Table 22 Telework Dispute Resolution Procedures Are Clear

Telework dispute resolution procedures are clear

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The responses are well spread, which indicates that there is a doubt about how clear the dispute resolution mechanisms in telework situations are. This becomes especially applicable in situations where telework settings that cross territorial and organisational borders. There should be clear processes that should be followed in order to foster accountability in situations that involve working hours, supervision or disputes that involve cross-border employment. This absence of consensus means that the dispute structures might not be uniformly disseminated or might be different in different jurisdictions and sectors. The systems of the EU have well-established labour courts and mediation systems, which offer organised resolution routes, and the telework regimes that are developing might focus more on the internal organisational processes[474]. The results indicate that there is a gap in governance between the legal endorsement of telework and the practicality in dispute resolution. Sustainability of telework must thus have clear, open and enforceable dispute management systems.

Table 23 Cross-Border Telework Arrangements Are Clearly Regulated

Cross-border telework arrangements are clearly regulated

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

[474] Mohamad Alkhaled, "Comparative Perspectives on Human Resource Management in the Era of Telework: Legal, Cultural, and Strategic Challenges in Hungary, the Netherlands, Qatar, and the United Arab Emirates" (2025) 1 Journal of Law and Governance 9 < https://doi.org/10.64229/qtbz8g53 >.

Interpretation: The reactions show that there is a high level of variance in perceived clarity of cross-border regulation. This is one of the major concerns of the comparative framework in the dissertation because cross-border telework also poses complicated questions of the coordination of applicable laws, taxation, and social security. This lack of consensus indicates that there is potentially no significant regulation of transnational remote working realities. There are coordination systems within the EU, but they can still be administratively complicated. Regulatory provisions in other jurisdictions are either less co-ordinated or newly created[475]. This inconsistency supports the thesis that telework is becoming more transnational and is upsetting the customary tenets of territorial labour laws. The results highlight the necessity to provide more straightforward guidance and standardisation to help avoid a situation when the jurisdiction becomes unstable and employee protection and compliance with the organisations are jeopardised.

Table 24 Telework Supports Work-Life Balance

Telework supports work-life balance

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The responses are evenly distributed, which means that there are ambivalent views on the effect that telework has on the work-life balance. Although telework can be encouraged as more flexible and autonomous, it can also increase work demands and sabotage personal boundaries. The lack of firm consensus implies that the work-life outcomes are extremely reliant on the organisational practices and regulatory protections, including the right to

[475] Sarah Bauerle Danzman and Sophie Meunier, "The EU's Geoeconomic Turn: From Policy Laggard to Institutional Innovator" (2024) 62 JCMS Journal of Common Market Studies 1097 < https://doi.org/10.1111/jcms.13599 >.

disconnect. [476]Telework can diminish and not improve balance in situations where supervision and monitoring are intrusive. On the other hand, in cases where flexible working is actually embraced, telecommuting is able to reinforce the personal wellbeing. This difference is not devoid of the fact that this dissertation is focused on governance quality but not on telework as an implicitly good or bad example. Flexibility in telework must be accompanied by well-organized safeguards to prevent the conversion of flexibility into long working hours and burnout.

Table 25 Telework Allows Effective Work Without Harming Wellbeing

Telework allows effective work without harming wellbeing

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation:

There is a high level of variance in responses on perceived effectiveness and wellbeing impact. This shows that the productivity advantages of telework are not worldwide and they might be defined by the organisational support and managerial trust as well as regulatory clarity. Telework can be an efficient solution in the conditions of appropriate guidance, monitoring transparency, and workload management. [477]Nevertheless, irregular governance habits can lead to poor health by isolating or overworking. The lack of a solid agreement shows that the effectiveness of telework is not automatic or predetermined. This goes along with the argument presented in the dissertation that telework sustainability must be supported by the combination of legal and HRM frameworks. Good governance should not only focus on performance indicators but also on psychosocial security so that telework will not harm organisational and personal results.

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[476] Ellen Ernst Kossek, Matthew B Perrigino and Brenda A Lautsch, "Work-Life Flexibility Policies from a Boundary Control and Implementation Perspective: A Review and Research Framework" (2022) 49 Journal of Management 2062 < https://doi.org/10.1177/01492063221140354 >.

[477] Taehee Kim, Lauren Bock Mullins and Taewon Yoon, "Supervision of Telework: A Key to Organizational Performance" (2021) 51 The American Review of Public Administration 263 < https://doi.org/10.1177/0275074021992058 >.

Table 26 Telework Sustainable in the Long Term

Telework sustainable in the long term

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Completely disagree	20	20.0	20.0	20.0
	Mostly disagree	20	20.0	20.0	40.0
	Neither agree nor disagree	20	20.0	20.0	60.0
	Mostly agree	20	20.0	20.0	80.0
	Completely agree	20	20.0	20.0	100.0
	Total	100	100.0	100.0	

Interpretation: The equal presence of reactions indicates the doubt of the sustainability of telework in the existing regulations and organisational systems. Sustainability is based on the presence of consistency in legal clarity, equality of opportunities, supervision and dispute resolution. The lack of the dominant consensus suggests that as much as telework is quite widespread, the issues of structural governance are still not addressed. Sustainability might be more powerful in jurisdictions with more evident regulatory integration and the institutionalisation may be constrained by ongoing ambiguity in transitional systems[478]. This observation confirms the main argument that the future of telework lies in achieving a fit between legal safeguarding and organisational practice. Without organized changes to deal with the problem of jurisdictional complexity and the lack of career advancement, telework will continue to be an unequally built-in systems rather than a long-term employment system.

5.6.4 Correlations

[478] Rik B Braams and others, "Institutional Conditions for Governments Working on Sustainability Transitions" (2024) 51 Science and Public Policy 836 < https://doi.org/10.1093/scipol/scae028 >.

Table 27 Correlations (Descriptive Statistics)

Descriptive Statistics

	Mean	Std. Deviation	N
LEGAL_CLARITY_MEAN	3.0000	1.28096	100
ORG_SUPPORT_MEAN	3.0000	1.31724	100
SUPERVISION_FAIRNESS_MEAN	3.0000	1.27657	100
EQUALITY_MEAN	3.0000	1.31554	100
JURISDICTION_CLARITY_MEAN	3.0000	1.30268	100
TELEWORK_EFFECTIVENESS_MEAN	3.0000	1.33754	100

Table 28 Correlations Analysis

Correlations

		LEGAL_CLARITY_MEAN	ORG_SUPPORT_MEAN	SUPERVISION_FAIRNESS_MEAN	EQUALITY_MEAN	JURISDICTION_CLARITY_MEAN	TELEWORK_EFFECTIVENESS_MEAN
LEGAL_CLARITY_MEAN	Pearson Correlation	1	.635**	.465**	.446**	.564**	.597**
	Sig. (2-tailed)		.000	.000	.000	.000	.000
	N	100	100	100	100	100	100
ORG_SUPPORT_MEAN	Pearson Correlation	.635**	1	.601**	.557**	.662**	.825**
	Sig. (2-tailed)	.000		.000	.000	.000	.000
	N	100	100	100	100	100	100
SUPERVISION_FAIRNESS_MEAN	Pearson Correlation	.465**	.601**	1	.465**	.555**	.673**
	Sig. (2-tailed)	.000	.000		.000	.000	.000
	N	100	100	100	100	100	100

EQUALITY_MEAN	Pearson Correlation	.446**	.557**	.465**	1	.521**	.630**
	Sig. (2-tailed)	.000	.000	.000		.000	.000
	N	100	100	100	100	100	100
JURISDICTION_CLARITY_MEAN	Pearson Correlation	.564**	.662**	.555**	.521**	1	.667**
	Sig. (2-tailed)	.000	.000	.000	.000		.000
	N	100	100	100	100	100	100
TELEWORK_EFFECTIVENESS_MEAN	Pearson Correlation	.597**	.825**	.673**	.630**	.667**	1
	Sig. (2-tailed)	.000	.000	.000	.000	.000	
	N	100	100	100	100	100	100

**. Correlation is significant at the 0.01 level (2-tailed).

Interpretation: The correlation test indicates that there are strong and statistically significant positive correlations between all six dimensions of telework governance ($p < .01$). Organisational support, most prominently, is strongly related to the effectiveness of telework ($r = .825$), meaning that HRM practices have the strongest impact on the perceived sustainability. There are also strong positive correlations between effectiveness and supervision fairness ($r = .673$), jurisdictional clarity ($r = .667$), and equality ($r = .630$), which indicates that institutional certainty and fair practices by the manager also improve the outcomes of remote work. Effectiveness is moderately to strongly related to legal clarity ($r = .597$), which supports the significance of clarity in regulatory structures. The correlations of the variables of governance also suggest that proper telework systems should be accompanied by an integrated legal, jurisdictional, and organisational alignment. In general, the results confirm the thesis statement that the sustainability of telework lies in the interdependence of the legal certainty and strong HRM governance framework.

5.6.5 Univariate Analysis of Variance

Table 29 Univariate Analysis of Variance (Descriptive Statistics)

Descriptive Statistics

Dependent Variable:

TELEWORK_EFFECTIVENESS_MEAN

Mean	Std. Deviation	N
3.0000	1.33754	100

Table 30 Univariate Analysis of Variance (Tests of Between-Subjects Effects)

Tests of Between-Subjects Effects

Dependent Variable: TELEWORK_EFFECTIVENESS_MEAN

Source	Type III Sum of Squares	df	Mean Square	F	Sig.	Partial Eta Squared
Corrected Model	135.181[a]	5	27.036	60.610	.000	.763
Intercept	.360	1	.360	.807	.371	.009
LEGAL_CLARITY_MEAN	.183	1	.183	.410	.523	.004
ORG_SUPPORT_MEAN	17.958	1	17.958	40.257	.000	.300
SUPERVISION_FAIRNESS_MEAN	4.588	1	4.588	10.285	.002	.099
EQUALITY_MEAN	3.614	1	3.614	8.103	.005	.079
JURISDICTION_CLARITY_MEAN	.783	1	.783	1.755	.189	.018
Error	41.930	94	.446			
Total	1077.111	100				
Corrected Total	177.111	99				

a. R Squared = .763 (Adjusted R Squared = .751)

Table 31 Univariate Analysis of Variance (Parameter Estimates)

Parameter Estimates

Dependent Variable: TELEWORK_EFFECTIVENESS_MEAN

Parameter	B	Std. Error	t	Sig.	95% Confidence Interval		Partial Eta Squared
					Lower Bound	Upper Bound	
Intercept	-.187	.208	-.898	.371	-.601	.226	.009
LEGAL_CLARITY_MEAN	.045	.070	.641	.523	-.095	.185	.004
ORG_SUPPORT_MEAN	.515	.081	6.345	.000	.354	.676	.300
SUPERVISION_FAIRNESS_MEAN	.221	.069	3.207	.002	.084	.358	.099
EQUALITY_MEAN	.183	.064	2.847	.005	.055	.310	.079
JURISDICTION_CLARITY_MEAN	.098	.074	1.325	.189	-.049	.246	.018

Interpretation: The univariate analysis of variance indicates that the overall model has a significant predictive value of the telework effectiveness, $F(5, 94) = 60.61$, $p < .001$, with a total variance of 76.3% ($R^2 = .763$; Adjusted $R^2 = .751$). This means that the combined governance

dimensions on perceived telework sustainability are very strong. The most significant predictor is the organisational support (B = .515, p < .001, partial η^2 = .300), and it shows that the main focus of successful telework implementation is the HRM practices: guidance, support of wellbeing, and respecting boundaries. Supervision fairness (B = .221, p =.002) and equality (B =.183, p =.005) are also of significance, which highlights the need to create trust-based monitoring and provide equitable career treatment. On the contrary, both legal clarity and jurisdictional clarity do not provide such prediction when organisational factors are controlled. It implies that, although the regulatory frameworks offer structural preconditions, telework sustainability is more and more reliant on the organisational governance and managerial practice rather than on the formal legal provisions on their own.

5.6.6 Estimated Marginal Means

Table 32 Grand Mean

Grand Mean

Dependent Variable: TELEWORK_EFFECTIVENESS_MEAN

Mean	Std. Error	95% Confidence Interval	
		Lower Bound	Upper Bound
3.000[a]	.067	2.867	3.133

Interpretation: The grand average of the telework effectiveness (M = 3.00, SE =.067, 95% CI [2.867, 3.133]) shows that on average the respondents have moderate and slightly positive perception about the sustainability of telework. The small confidence interval indicates consistency and accuracy of the estimate. By implication, this means that the effectiveness of telework is not always high or low, but it depends on the quality of governance, which underlines the relevance of the study to the factors of legal clarity and practices in organisations.

5.6.7 Oneway ANOVA

Table 33 Oneway ANOVA (Descriptives)

Descriptives

		N	Mean	Std. Deviation	Std. Error	95% Confidence Interval for Mean		Minimum	Maximum
						Lower Bound	Upper Bound		
LEGAL_CLARITY_MEAN	Hungary	22	2.5909	1.24693	.26585	2.0381	3.1438	1.00	5.00
	Netherlands	26	3.6410	1.25050	.24524	3.1359	4.1461	1.00	5.00
	Qatar	24	2.6250	1.24843	.25483	2.0978	3.1522	1.00	5.00
	United Arab Emirates	28	3.0476	1.17138	.22137	2.5934	3.5018	1.00	5.00
	Total	100	3.0000	1.28096	.12810	2.7458	3.2542	1.00	5.00
ORG_SUPPORT_MEAN	Hungary	22	2.5455	1.40500	.29955	1.9225	3.1684	1.00	5.00
	Netherlands	26	3.4872	1.36049	.26681	2.9377	4.0367	1.00	5.00
	Qatar	24	2.8611	1.26612	.25845	2.3265	3.3957	1.00	5.00
	United Arab Emirates	28	3.0238	1.15445	.21817	2.5762	3.4715	1.00	5.00
	Total	100	3.0000	1.31724	.13172	2.7386	3.2614	1.00	5.00
SUPERVISION_FAIRNESS_MEAN	Hungary	22	2.4697	1.12996	.24091	1.9687	2.9707	1.00	5.00
	Netherlands	26	3.5641	1.18797	.23298	3.0843	4.0439	1.00	5.00
	Qatar	24	2.8889	1.30649	.26669	2.3372	3.4406	1.00	5.00
	United Arab Emirates	28	2.9881	1.29412	.24457	2.4863	3.4899	1.00	5.00
	Total	100	3.0000	1.27657	.12766	2.7467	3.2533	1.00	5.00
EQUALITY_MEAN	Hungary	22	2.5303	1.33595	.28482	1.9380	3.1226	1.00	4.67
	Netherlands	26	3.0000	1.42361	.27919	2.4250	3.5750	1.00	5.00
	Qatar	24	3.1389	1.31111	.26763	2.5853	3.6925	1.00	5.00
	United Arab Emirates	28	3.2500	1.16402	.21998	2.7986	3.7014	1.33	5.00
	Total	100	3.0000	1.31554	.13155	2.7390	3.2610	1.00	5.00
JURISDICTION_CLARITY_MEAN	Hungary	22	2.5152	1.31627	.28063	1.9316	3.0988	1.00	5.00
	Netherlands	26	3.4872	1.36701	.26809	2.9350	4.0393	1.00	5.00
	Qatar	24	2.9583	1.19707	.24435	2.4529	3.4638	1.00	5.00
	United Arab Emirates	28	2.9643	1.22504	.23151	2.4893	3.4393	1.00	4.67
	Total	100	3.0000	1.30268	.13027	2.7415	3.2585	1.00	5.00
TELEWORK_EFFECTIVENESS_MEAN	Hungary	22	2.5152	1.37524	.29320	1.9054	3.1249	1.00	5.00
	Netherlands	26	3.2179	1.35628	.26599	2.6701	3.7658	1.00	5.00
	Qatar	24	2.9306	1.18761	.24242	2.4291	3.4320	1.00	5.00
	United Arab Emirates	28	3.2381	1.37244	.25937	2.7059	3.7703	1.00	5.00
	Total	100	3.0000	1.33754	.13375	2.7346	3.2654	1.00	5.00

Interpretation: The descriptives of one-way ANOVA depict that there is considerable cross-country difference in the perception of telework governance. The means across the categories of legal clarity, organisational support, supervision fairness, jurisdictional clarity and effectiveness of telework is always higher in the Netherlands, which implies that there is a more developed regulatory and HRM framework. Hungary has rather low reports in most of the dimensions, with Qatar and the UAE possessing mid-tier reports. These disparities support the comparative hypothesis that the sustainability of telework is affected by differences in the legal systems of nations and the maturity of their institutions. The more robust governance environments seem to be related to greater perceived telework effectiveness.

Table 34 Oneway ANOVA (Test of Homogeneity of Variances)

Test of Homogeneity of Variances

	Levene Statistic	df1	df2	Sig.
LEGAL_CLARITY_MEAN	.247	3	96	.864
ORG_SUPPORT_MEAN	.511	3	96	.676
SUPERVISION_FAIRNESS_MEAN	.547	3	96	.651
EQUALITY_MEAN	.833	3	96	.479
JURISDICTION_CLARITY_MEAN	.287	3	96	.834
TELEWORK_EFFECTIVENESS_MEAN	.653	3	96	.583

Interpretation: The tests of Levene are non-significant in all the variables (p >.05) and it shows that there is a homogeneity of variances across countries. This proves that group variances are statistically identical and this meets one of the ANOVA assumptions. As a result, the cross-country variations in governance and effectiveness of telework can be viewed with confidence since it indicates the presence of any real mean difference and not an uneven variance among different national regulatory environments.

Table 35 Oneway ANOVA (ANOVA)

ANOVA

		Sum of Squares	df	Mean Square	F	Sig.
LEGAL_CLARITY_MEAN	Between Groups	17.804	3	5.935	3.939	.011
	Within Groups	144.640	96	1.507		
	Total	162.444	99			
ORG_SUPPORT_MEAN	Between Groups	11.195	3	3.732	2.231	.090
	Within Groups	160.583	96	1.673		
	Total	171.778	99			
SUPERVISION_FAIRNESS_MEAN	Between Groups	14.761	3	4.920	3.223	.026
	Within Groups	146.573	96	1.527		
	Total	161.333	99			
EQUALITY_MEAN	Between Groups	7.066	3	2.355	1.377	.255
	Within Groups	164.267	96	1.711		
	Total	171.333	99			
JURISDICTION_CLARITY_MEAN	Between Groups	11.420	3	3.807	2.334	.079
	Within Groups	156.580	96	1.631		
	Total	168.000	99			
TELEWORK_EFFECTIVENESS_MEAN	Between Groups	8.110	3	2.703	1.536	.210
	Within Groups	169.001	96	1.760		
	Total	177.111	99			

Interpretation: The findings of ANOVA show that the difference between the legal clarity (F = 3.939, p =.011) and the fairness of supervision (F = 3.223, p =.026) is statistically significant and different countries have a different regulatory and managerial environment that affects these two dimensions of governance. Nonetheless, the existing differences in organisational assistance, equality, jurisdictional clarity, and total telework effectiveness are not statistically significant. This implies that perceived sustainability of telework could be more based on organisational factors rather than the national context.

Table 36 Oneway ANOVA(Multiple Comparisons)

Multiple Comparisons

Tukey HSD

Dependent Variable	(I) Country where telework is mainly performed	(J) Country where telework is mainly performed	Mean Difference (I-J)	Std. Error	Sig.	95% Confidence Interval	
						Lower Bound	Upper Bound
LEGAL_CLARITY_MEAN	Hungary	Netherlands	-1.05012*	.35558	.020	-1.9798	-.1204
		Qatar	-.03409	.36230	1.000	-.9814	.9132
		United Arab Emirates	-.45671	.34971	.561	-1.3711	.4576
	Netherlands	Hungary	1.05012*	.35558	.020	.1204	1.9798
		Qatar	1.01603*	.34746	.022	.1076	1.9245
		United Arab Emirates	.59341	.33430	.292	-.2807	1.4675
	Qatar	Hungary	.03409	.36230	1.000	-.9132	.9814
		Netherlands	-1.01603*	.34746	.022	-1.9245	-.1076
		United Arab Emirates	-.42262	.34145	.605	-1.3154	.4701
	United Arab Emirates	Hungary	.45671	.34971	.561	-.4576	1.3711
		Netherlands	-.59341	.33430	.292	-1.4675	.2807
		Qatar	.42262	.34145	.605	-.4701	1.3154
ORG_SUPPORT_MEAN	Hungary	Netherlands	-.94172	.37466	.064	-1.9213	.0379
		Qatar	-.31566	.38175	.842	-1.3138	.6825
		United Arab Emirates	-.47835	.36848	.566	-1.4418	.4851
	Netherlands	Hungary	.94172	.37466	.064	-.0379	1.9213
		Qatar	.62607	.36611	.324	-.3312	1.5833
		United Arab Emirates	.46337	.35224	.555	-.4576	1.3844
	Qatar	Hungary	.31566	.38175	.842	-.6825	1.3138
		Netherlands	-.62607	.36611	.324	-1.5833	.3312
		United Arab Emirates	-.16270	.35977	.969	-1.1034	.7780
	United Arab Emirates	Hungary	.47835	.36848	.566	-.4851	1.4418

		Netherlands	-.46337	.35224	.555	-1.3844	.4576
		Qatar	.16270	.35977	.969	-.7780	1.1034
		Netherlands	-1.09441*	.35794	.015	-2.0303	-.1585
	Hungary	Qatar	-.41919	.36471	.660	-1.3728	.5344
		United Arab Emirates	-.51840	.35203	.458	-1.4388	.4020
		Hungary	1.09441*	.35794	.015	.1585	2.0303
	Netherlands	Qatar	.67521	.34977	.222	-.2393	1.5897
		United Arab Emirates	.57601	.33653	.323	-.3039	1.4559
SUPERVISION_FAIRNESS_MEAN		Hungary	.41919	.36471	.660	-.5344	1.3728
	Qatar	Netherlands	-.67521	.34977	.222	-1.5897	.2393
		United Arab Emirates	-.09921	.34372	.992	-.9979	.7995
		Hungary	.51840	.35203	.458	-.4020	1.4388
	United Arab Emirates	Netherlands	-.57601	.33653	.323	-1.4559	.3039
		Qatar	.09921	.34372	.992	-.7995	.9979
		Netherlands	-.46970	.37893	.603	-1.4605	.5211
	Hungary	Qatar	-.60859	.38610	.397	-1.6181	.4009
		United Arab Emirates	-.71970	.37268	.222	-1.6941	.2547
		Hungary	.46970	.37893	.603	-.5211	1.4605
	Netherlands	Qatar	-.13889	.37028	.982	-1.1070	.8293
		United Arab Emirates	-.25000	.35626	.896	-1.1815	.6815
EQUALITY_MEAN		Hungary	.60859	.38610	.397	-.4009	1.6181
	Qatar	Netherlands	.13889	.37028	.982	-.8293	1.1070
		United Arab Emirates	-.11111	.36388	.990	-1.0625	.8403
		Hungary	.71970	.37268	.222	-.2547	1.6941
	United Arab Emirates	Netherlands	.25000	.35626	.896	-.6815	1.1815
		Qatar	.11111	.36388	.990	-.8403	1.0625
		Netherlands	-.97203*	.36996	.048	-1.9393	-.0047
JURISDICTION_CLARITY_MEAN	Hungary	Qatar	-.44318	.37696	.644	-1.4288	.5424
		United Arab Emirates	-.44913	.36385	.607	-1.4005	.5022

		Hungary	.97203*	.36996	.048	.0047	1.9393
	Netherlands	Qatar	.52885	.36151	.464	-.4164	1.4741
		United Arab Emirates	.52289	.34783	.440	-.3865	1.4323
		Hungary	.44318	.37696	.644	-.5424	1.4288
	Qatar	Netherlands	-.52885	.36151	.464	-1.4741	.4164
		United Arab Emirates	-.00595	.35526	1.000	-.9348	.9229
		Hungary	.44913	.36385	.607	-.5022	1.4005
	United Arab Emirates	Netherlands	-.52289	.34783	.440	-1.4323	.3865
		Qatar	.00595	.35526	1.000	-.9229	.9348
		Netherlands	-.70280	.38435	.266	-1.7077	.3021
	Hungary	Qatar	-.41540	.39163	.714	-1.4394	.6085
		United Arab Emirates	-.72294	.37801	.230	-1.7113	.2654
		Hungary	.70280	.38435	.266	-.3021	1.7077
	Netherlands	Qatar	.28739	.37558	.870	-.6946	1.2694
		United Arab Emirates	-.02015	.36136	1.000	-.9650	.9247
TELEWORK_EFFECTIVENESS_MEAN		Hungary	.41540	.39163	.714	-.6085	1.4394
	Qatar	Netherlands	-.28739	.37558	.870	-1.2694	.6946
		United Arab Emirates	-.30754	.36909	.839	-1.2726	.6575
		Hungary	.72294	.37801	.230	-.2654	1.7113
	United Arab Emirates	Netherlands	.02015	.36136	1.000	-.9247	.9650
		Qatar	.30754	.36909	.839	-.6575	1.2726

*. The mean difference is significant at the 0.05 level.

Interpretation: The Tukey posthoc test explains the point at which differences across different countries arise. To be legally clear, the Netherlands has much higher scores compared to both Hungary (p =.020) and Qatar (p =.022), which demonstrates that the perceived regulatory

definition is stronger in the Dutch context. In the same way, supervision fairness is considerably greater in the Netherlands than in Hungary (p = .015) implying more balanced managerial supervision. The level of jurisdictional clarity is also notably different in the Netherlands and Hungary (p =.048) which once again supports the superiority of institutional certainty within the Dutch system. There are no notable differences in countries in terms of equality, organisational support, or overall teleworking effectiveness. Such results imply that the formal legal and supervisory frameworks across jurisdictions can be different, yet the effectiveness of telework might rely on the organisational practices more as compared to the national regulatory context.

5.6.8 Homogeneous Subsets

Table 37 Homogeneous Subsets 1

LEGAL_CLARITY_MEAN

Tukey HSD

Country where telework is mainly performed	N	Subset for alpha = 0.05	
		1	2
Hungary	22	2.5909	
Qatar	24	2.6250	
United Arab Emirates	28	3.0476	3.0476
Netherlands	26		3.6410
Sig.		.559	.328

Means for groups in homogeneous subsets are displayed.

a. Uses Harmonic Mean Sample Size = 24.799.

b. The group sizes are unequal. The harmonic mean of the group sizes is used. Type I error levels are not guaranteed.

Table 38 Homogeneous Subsets 2

ORG_SUPPORT_MEAN

Tukey HSD

Country where telework is mainly performed	N	Subset for alpha = 0.05
		1
Hungary	22	2.5455
Qatar	24	2.8611
United Arab Emirates	28	3.0238
Netherlands	26	3.4872
Sig.		.057

Table 39 Homogeneous Subsets 3

SUPERVISION_FAIRNESS_MEAN

Tukey HSD

Country where telework is mainly performed	N	Subset for alpha = 0.05	
		1	2
Hungary	22	2.4697	
Qatar	24	2.8889	2.8889
United Arab Emirates	28	2.9881	2.9881
Netherlands	26		3.5641
Sig.		.455	.225

Means for groups in homogeneous subsets are displayed.

a. Uses Harmonic Mean Sample Size = 24.799.

b. The group sizes are unequal. The harmonic mean of the group sizes is used. Type I error levels are not guaranteed.

Table 40 Homogeneous Subsets 4

EQUALITY_MEAN

Tukey HSD

Country where telework is mainly performed	N	Subset for alpha = 0.05
		1
Hungary	22	2.5303
Netherlands	26	3.0000
Qatar	24	3.1389
United Arab Emirates	28	3.2500
Sig.		.219

Means for groups in homogeneous subsets are displayed.

a. Uses Harmonic Mean Sample Size = 24.799.

b. The group sizes are unequal. The harmonic mean of the group sizes is used. Type I error levels are not guaranteed.

Table 41 Homogeneous Subsets 5

JURISDICTION_CLARITY_MEAN

Tukey HSD

Country where telework is mainly performed	N	Subset for alpha = 0.05	
		1	2
Hungary	22	2.5152	
Qatar	24	2.9583	2.9583
United Arab Emirates	28	2.9643	2.9643
Netherlands	26		3.4872
Sig.		.604	.467

Means for groups in homogeneous subsets are displayed.

a. Uses Harmonic Mean Sample Size = 24.799.

b. The group sizes are unequal. The harmonic mean of the group sizes is used. Type I error levels are not guaranteed.

Table 42 Homogeneous Subsets 6

TELEWORK_EFFECTIVENESS_MEAN

Tukey HSD

Country where telework is mainly performed	N	Subset for alpha = 0.05
		1
Hungary	22	2.5152
Qatar	24	2.9306
Netherlands	26	3.2179
United Arab Emirates	28	3.2381
Sig.		.227

Means for groups in homogeneous subsets are displayed.

a. Uses Harmonic Mean Sample Size = 24.799.

b. The group sizes are unequal. The harmonic mean of the group sizes is used. Type I error levels are not guaranteed.

Interpretation: The homogenous subset test also explains the cross country clustering trends in perceptions of telework governance. Hungary and Qatar have a lower score on legal clarity and jurisdictional clarity, whereas the Netherlands is always in a higher subset, and the UAE is in the middle category. It implies a robust perceived regulatory order and institutional predictability within the Dutch setting which supports the comparative legal argument. An identical trend can be observed with the supervision fairness, with Hungary falling apart with the Netherlands. Conversely, organisational support, equality, and effectiveness of telework belong to one homogeneous subset, which means that country groupings are not statistically different. Substantively, the implications of these findings are that although formal legal and supervisory structures vary across jurisdictions, the total telework performance does not seem to be country specific, and even more likely than country legal systems, to organisation governance practices.

5.6.9 Factor Analysis

Table 43 Factor Analysis (KMO and Bartlett's Test)

KMO and Bartlett's Test

Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.915
Bartlett's Test of Sphericity	Approx. Chi-Square	1595.299
	df	153
	Sig.	.000

Interpretation: The KMO of 0.915 shows that there is high levels of sampling adequacy, which supports the idea that the items of the telework governance have adequate common variance to undergo a factor analysis. The test by Bartlett is so significant (χ^2= 1595.299, p =.001) showing that the correlation matrix is not an identity matrix. Collectively, these findings support the structural consistency of the legal, organisational, and jurisdictional frameworks that support the sustainability of telework.

Table 44 Factor Analysis (Communalities)

Communalities

	Initial	Extraction
Telework rules are clearly defined in organisation	.626	.618
Telework arrangement formally documented	.679	.713
Respondent understands telework legal rights	.713	.736
Employer provides adequate telework guidance	.769	.637
Employer supports employee wellbeing during telework	.804	.688
Employer respects right to disconnect	.802	.699
Supervision level during telework is appropriate	.718	.590
Monitoring is transparent and clearly explained	.693	.714
Respondent feels trusted while teleworking	.660	.529
Teleworkers have equal access to training	.796	.825
Teleworkers have equal promotion opportunities	.731	.794
Telework does not negatively affect career progression	.686	.743

Respondent knows authority protecting telework rights	.693	.729
Telework dispute resolution procedures are clear	.737	.758
Cross-border telework arrangements are clearly regulated	.736	.829
Telework supports work-life balance	.841	.776
Telework allows effective work without harming wellbeing	.803	.767
Telework sustainable in the long term	.823	.733

Extraction Method: Principal Axis Factoring.

Interpretation: The communalities show that a large percentage of the variance in each item of telework governance is being explained by the factors extracted, and all values are generally above.60. This implies that there is a robust shared variance among the items that concerned legal clarity, organisational support, supervision, equality, jurisdiction and telework effectiveness. The high extraction values of the cross-border regulation (.829) and equality dimensions (.825;.794) are specifically high and suggest the structural significance of these aspects in the governance model. Generally, the findings prove that the items included in the questionnaires possess a significant meaning and reflect on the consistency of underlying constructs, which prove the idea of the relationship between regulatory clarity and HRM practices and telework sustainability.

Table 45 Factor Analysis (Total Variance Explained)

Total Variance Explained

Factor	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	10.116	56.203	56.203	9.837	54.647	54.647	4.252	23.624	23.624
2	1.459	8.105	64.307	1.217	6.761	61.409	3.306	18.367	41.991
3	1.342	7.453	71.761	1.010	5.608	67.017	2.891	16.060	58.051
4	1.054	5.855	77.616	.814	4.523	71.540	2.428	13.489	71.540
5	.970	5.388	83.004						
6	.512	2.845	85.849						
7	.382	2.121	87.970						
8	.320	1.780	89.750						
9	.292	1.621	91.370						
10	.262	1.453	92.823						
11	.236	1.310	94.134						
12	.223	1.241	95.374						
13	.184	1.024	96.398						
14	.166	.921	97.319						
15	.151	.837	98.156						
16	.134	.742	98.898						
17	.110	.614	99.512						
18	.088	.488	100.000						

Extraction Method: Principal Axis Factoring.

Interpretation: The factor analysis yielded four factors with eigenvalues greater than one and together, they explained 71.54% of total variance after rotation. A large percentage of variance is explained by the first factor only, which implies strong overriding telework governance dimension. Nonetheless, the rotating solution more evenly allocates the variance among four intelligible factors, which indicates that legal clarity, organisational support, supervision, equality and jurisdictional factors are grouped around broader governance areas. This corroborates the conceptual claim that the sustainability of telework is a multidimensional phenomenon, and this observation is determined by interrelated legal and HRM endowments and not by single regulatory provisions.

Table 46 Factor Analysis (Factor Matrix)

Factor Matrix[a]

	Factor			
	1	2	3	4
Telework rules are clearly defined in organisation	.651			
Telework arrangement formally documented	.675			
Respondent understands telework legal rights	.673		.430	
Employer provides adequate telework guidance	.788			
Employer supports employee wellbeing during telework	.820			
Employer respects right to disconnect	.817			
Supervision level during telework is appropriate	.689			
Monitoring is transparent and clearly explained	.714			
Respondent feels trusted while teleworking	.607			
Teleworkers have equal access to training	.741	.500		
Teleworkers have equal promotion opportunities	.646	.578		

Telework does not negatively affect career progression	.645	.558		
Respondent knows authority protecting telework rights	.718			.445
Telework dispute resolution procedures are clear	.772			.401
Cross-border telework arrangements are clearly regulated	.730			.509
Telework supports work-life balance	.846			
Telework allows effective work without harming wellbeing	.865			
Telework sustainable in the long term	.838			

Extraction Method: Principal Axis Factoring.

a. 4 factors extracted. 10 iterations required.

Interpretation: It has been observed that the factor loading of most items is on Factor 1, and this implies that there is predominant overriding governance dimension that includes legal clarity, organisational support, supervision, and effectiveness. The sub-dimensions of equality and jurisdictional protection are found in the secondary loadings in Factors 2-4. This trend suggests that the telework governance is perceived by respondents to be highly integrated and not compartmentalised. Legal, organisational, and supervisory factors seem to be structurally intertwined that supports the argument in the dissertation that telework sustainability relies on the ability of the regulatory and HRM frameworks to work together, as opposed to isolated policy elements.

Table 47 Factor Analysis (Rotated Factor Matrix)

Rotated Factor Matrix[a]

	Factor			
	1	2	3	4
Telework rules are clearly defined in organisation		.682		
Telework arrangement formally documented		.780		
Respondent understands telework legal rights		.799		
Employer provides adequate telework guidance	.545	.440		
Employer supports employee wellbeing during telework	.548	.475		
Employer respects right to disconnect	.533	.526		
Supervision level during telework is appropriate	.685			
Monitoring is transparent and clearly explained	.789			
Respondent feels trusted while teleworking	.674			
Teleworkers have equal access to training			.799	
Teleworkers have equal promotion opportunities			.835	
Telework does not negatively affect career progression			.790	
Respondent knows authority protecting telework rights				.718
Telework dispute resolution procedures are clear				.687
Cross-border telework arrangements are clearly regulated				.795
Telework supports work-life balance	.695			
Telework allows effective work without harming wellbeing	.631			
Telework sustainable in the long term	.577	.488		

Extraction Method: Principal Axis Factoring.

Rotation Method: Varimax with Kaiser Normalization.

a. Rotation converged in 5 iterations.

Interpretation: The factor rotation factor depicts a more evident multidimensional system of governance. Factor 1 reflects organisational and supervisory factors, such as monitoring transparency, trust, and work-life balance, which reflects a high effectiveness dimension, which is HRM-driven. Factor 2 measures the level of legal clarity where the documentation and

knowledge of rights in a legal document cluster. Factor 3 is development of equality of opportunity that includes training and promotion items. Factor 4 secures the jurisdiction protection, such as dispute settlement, and international regulation. Such a structure reinforces the structure of the dissertation that sustainability of telework is conditioned by four areas that are interdependent, including organisational governance, legal definition, equality protection, and jurisdiction.

Table 48 Factor Analysis (Factor Transformation Matrix)

Factor Transformation Matrix

Factor	1	2	3	4
1	.608	.507	.442	.421
2	-.110	-.463	.859	-.186
3	-.697	.666	.256	-.064
4	-.363	-.290	-.011	.885

Extraction Method: Principal Axis Factoring.

Rotation Method: Varimax with Kaiser Normalization.

Interpretation: The factor transformation matrix establishes that the Varimax rotation has effectively succeeded in the reallocation of the variance on four independent and yet related dimensions of governance. The loadings show the orthogonal rotation, i.e., the extracted factors, i.e. the organisational governance, legal clarity, equality, and jurisdictional protection are statistically independent but conceptually related. This builds up the multidimensional form of the telework sustainability, which has reinforced the dissertation argument that effective telework relies on the synchronization but analytically differentiating regulatory and HRM spheres.

What follows is a dramatically extended and enriched version of your Section 5.7 Discussion of Findings, which has been extended by about 1,700 more words without compromising your critical tone, your dogma, or your comparative format.

5.7 Findings Discussion

The empirical evidence of this study offers a detailed and comparative insight to the role of telework governance in four different legal and institutional contexts Hungary, the Netherlands, Qatar and the United Arab Emirates. The union of quantitative data with doctrinal analysis and comparison of the legislation reveals that the sustainability of telework has not been predetermined only by the technical possibility, just by the fact that there are statutory

positions[479]. Instead, sustainability is based on the structural dynamics between law clarity, jurisdictional assurance, managerial practice and organisational human resource management (HRM) capability. The concept of telework can therefore not be imagined as something neutral or even purely technical in work arrangement but a governance formation that is implicated in and formulated through the wider architecture of employment regulation[480].

The statistical findings substantiate the idea that the effectiveness of telework is multidimensional and institution-specific. Formal legal frameworks provide the normative levels and outline the duties of the employer. But lived experience of telework in question has been mediated by the organisational systems which lead to realisation of the abstract norms into the operational procedures. The results of this research greatly resonate the main hypothesis of this research that is telework sustainability is possible in case legislative provisions, the system of jurisdiction, and the HRM practices develop in mutual coordination but not in complete isolation. Where this alignment does not exist, the governance of telework can be very irregular, creating lack of certainty and even-handed protection.

Significantly, the data show that the strength of an institution does not necessarily lead to the creation of effectiveness. Rather, it is the level of institutional coherence, the extent to which legal, organisational and managerial elements support each other, that defines whether telework is a stabilising or destabilising influence in the labour markets.

5.7.1 Organisational Support as the Focal Determinant of the Telework Effectiveness

The regression analysis showed that the strongest predictor of telework effectiveness has been organisational support (B =.515, p <. 001). The theoretical implications of this finding showcase significant results. It notes that though labour law defines the rights and responsibilities, the telework performance is mostly realized through the managerial application. The normative

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[479] Luca Ratti and Antonio García-Muñoz, "The Regulation of Remote Work. Seeking Balance through the Articulation of Labour Law Sources: A Comparative Appraisal" (2024) 40 International Journal of Comparative Labour Law and Industrial Relations 303 < http://dx.doi.org/10.54648/ijcl2024012 >.

[480] Ana Gálvez, Francisco Tirado and Jose M Alcaraz, "'Oh! Teleworking!' Regimes of Engagement and the Lived Experience of Female Spanish Teleworkers" (2019) 29 Business Ethics a European Review 180 < https://doi.org/10.1111/beer.12240 >.

power of law has to be actively constituted by the HRM structures that can provide the sense of clarity, protection of wellbeing, and procedural consistency.[481]

Under the term of organisational support in this research, structured communication protocols, accessibility of the management, wellbeing mechanisms, awareness of boundaries (including the right to disconnect), transparency of workload, and performance expectations clarity were included. All these factors are what can be called HRM institutional maturity. In distant locations whereby informal supervising and spontaneous communication has been minimal, workers rely on formalised governance procedures. Telework eliminates spatial proximity as a regulatory process and thus it involves procedural replacements.[482]

The coefficient of organisational support indicates that the telework governance is a highly relational one. The employees judge the sustainability not regarding the statutory texts but in the context of assessing the reliability of the managerial systems. [483]This has been aligned with organisational behaviour literature, which has perceived organisational support as one of the major determinants of employee commitment and engagement. Such support becomes more apparent in the conditions of telework since the lack of physical presence increases the uncertainty.

This conclusion can be supported by the comparative results. Netherlands showed a steady higher average in the variables of organisational support. This is a resultant outcome of the institutional nature of a coordinated market economy. Dutch model is characterized by social dialogue, participation by works councils, coverage of collective bargaining and shared regulatory responsibility[484]. Employing managers are engaged in a legal culture that imposes

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[481] Erwin Erwin, Abdul Rauf and M Yunus Idy, "THE INFLUENCE OF LEGAL REGULATION ON HUMAN RESOURCE MANAGEMENT PRACTICES" (April 19, 2025) < https://languar.net/index.php/INJOSEDU/article/view/121 >.

[482] Stephanie M Stern, "Untransit: Remote Work and the Transformation of Local Land Use Law" [2021] SSRN Electronic Journal < https://doi.org/10.2139/ssrn.3800412 >.

[483] Charl De Villiers, Ruth Dimes and Matteo Molinari, "How Will AI Text Generation and Processing Impact Sustainability Reporting? Critical Analysis, a Conceptual Framework and Avenues for Future Research" (2023) 15 Sustainability Accounting Management and Policy Journal 96 < https://doi.org/10.1108/sampj-02-2023-0097 >.

[484] Jan Cremers, "Collective Bargaining and Social Dialogue in the EU Furniture Industry: Background Paper" (*Tilburg University Research Portal*, January 19, 2024) <

obligations to occupational health and psychosocial wellbeing on managerial practice. The support of an organisation is not therefore discretionary but it is an institution expectation.

On the other hand, Hungary has a more heterogenous profile. Telework has been formally accepted in the legislation of the country and is influenced by the directives of the EU level[485]. In contrast, the culture of enforcement and institutions of participation has a lower degree of embeddedness. The results indicate that managerial capability of firms has been more crucial in determining telework effectiveness in Hungary than institutionalisation. As a result, the employee experiences can differ widely in organisations. In case of sophisticated HRM systems, telework may work, in case of underdeveloped ones, the perception of sustainability decreases.

The telework regulation in Qatar and the United Arab Emirates were in their nascent stages. The systems of labour markets in such jurisdictions are based on the systems of sponsorship and the hierarchical relations in the sphere of employment.[486] Statutory frameworks in telework are in a process of evolving but not as consolidated as in EU jurisdictions. Organisational support acts as a compensating regulatory process in this form. HRM practice is good in terms of plugging legislative gaps. But this brings variability as teleworking sustainability is no longer based on similarly enforceable norms but on the commitment of the employer.

This trend shows one of the main conclusions which is legislation is a precondition though not a sufficient condition of the sustainability of telework. Statutory recognition is formalistic without organisational governance that can convert normative expectations into functioning systems[487]. On the other hand, a robust HRM practice can to some extent compensate legislative restrictions but this kind of discretion on the part of managers can create vulnerability due to non-enforced rights.

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https://research.tilburguniversity.edu/en/publications/collective-bargaining-and-social-dialogue-in-the-eu-furniture-ind >.

[485] Purificación López-Igual and Paula Rodríguez-Modroño, "Who Is Teleworking and Where from? Exploring the Main Determinants of Telework in Europe" (2020) 12 Sustainability 8797 < https://doi.org/10.3390/su12218797 >.

[486] Nicola Piper and Vani Saraswathi, "Advancing the Labour Rights of Migrant Workers beyond Kafala: The Impact of 'Established-Outsider Relations' on Reforming Qatar's Transnational Labour Management System" (2024) 4 Work in the Global Economy 109 < http://dx.doi.org/10.1332/27324176y2024d000000017 >.

[487] Niklas Luhmann, "Organization, Membership and the Formalization of Behavioural Expectations" (2020) 37 Systems Research and Behavioral Science 425 < https://doi.org/10.1002/sres.2689 >.

5.7.2 Supervision Fairness and Metamorphosis of Managerial Authority

Fairness of the supervision also turned out to be a statistically significant predictor of telework effectiveness (B =.221, p =.002), and the cross country differences were proved by ANOVA test. This discovery has been especially crucial when considered through classical doctrine of labour law which conceives of employment as a relations of subordination that has been marked by subjugation by management.

Telework has an essential spatial transformation of subordination. The physical control is substituted with computer-mediated surveillance, algorithms of performance measurement, and communication infrastructures. The authority held by the manager was not lost, but restructured. According to the findings of the empirical studies, telework effectiveness has been less related to the intensity of supervision but it is more related to its fairness, transparency, and proportionality.[488]

The employees seem to be ready to submit to monitoring performance in case it is predictable, well-grounded, and is in agreement with autonomy. In the event of opaque or disproportional digital surveillance, trust has been destroyed. This showcase a qualitative change of subordination, the supervision is no longer visible, but occurs through the technology. EU principles of data protection such as the principles of proportionality and necessity developed in the Netherlands limit the surveillance activities of the employers.[489] Companies should specify valid reasons of processing data and make sure that monitoring does not have excess. These limitations probably make fairness perceptions increase. Managerial accountability is promoted by regulatory control and privacy consciousness within the organizational culture.

Hungary is under the same EU regulation framework, and it may exhibit variation in compliance level and organisational meaning. [490]Moderate scores on supervision fairness might be explained by variability in HRM skills and digital capability to comply.

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[488] Taehee Kim, Lauren Bock Mullins and Taewon Yoon, "Supervision of Telework: A Key to Organizational Performance" (2021) 51 The American Review of Public Administration 263 < https://doi.org/10.1177/0275074021992058 >.

[489] Wouter Van Ballegooij, "Data Protection and General Principles of EU Law," *Edward Elgar Publishing eBooks* (2022) < https://doi.org/10.4337/9781784712389.00043 >.

[490] Iulius Rostas and Adrienn Kovacs, "The EU Framework and Its Implementation in Hungary" (2020) 29 Journal of Contemporary European Studies 60 < https://doi.org/10.1080/14782804.2020.1743971 >.

In Qatar and the UAE, digital privacy has a more modernized system. Supervisory practices can thus be influenced by the internal policy rather than the proportionality doctrine. Monitoring practices in the hierarchical labour markets might appear more unilateral on the side of employees[491]. However, empirical evidence does show that even in these contexts perceptions of fairness play a significant role in sustainability. This implies that telework acceptance has been anchored on managerial legitimacy, and not formal hierarchy per se.

The results thus indicate that teleworking requires managerial authority to be recalibrated. Good governance needs procedural clarity, proportionality and communicative accountability. To maintain employee involvement, digital control systems should be inculcated into trust-based management systems.[492]

5.7.3 Equality and threat of separation of labour markets

The variables that showed statistically significant correlations with telework effectiveness were equality variables (B =.183, p =.005; r =.630). Factor analysis established that availability of training, promotion opportunities, equity of performance evaluation and career advancement opportunities constitute a congruent equality dimension. This outcome directly responds to issues that have been expressed in the literature on atypical employment on matters of segmentation. Telework can eliminate physical presence, unofficial networking, and impulsive career signalling. Remote workers are likely to become marginalized without active structural assimilation.[493]

The high relationship between equality perceptions and effectiveness of telework implies that sustainability is dependent on the presence of telework as a part of formal promotion systems. Unless remote work is considered peripheral or an exception, then there are risks of

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[491] Andrew Phillip Robinson and others, "Algorithmic Management in Limbo: Task-Driven Interweaving of Hierarchy and Market Management" (2025) 65 Human Resource Management 117 < https://doi.org/10.1002/hrm.70019 >.

[492] Miftachul Huda, "Trust as a Key Element for Quality Communication and Information Management: Insights into Developing Safe Cyber-Organisational Sustainability" (2023) 32 International Journal of Organizational Analysis 1539 < https://doi.org/10.1108/ijoa-12-2022-3532 >.

[493] Claretha Hughes, Yuanlu Niu and Tomika W Greer, *Career Development and Virtual Remote Work* (2025) < https://doi.org/10.1007/978-3-031-75899-7 >.

disadvantages to long-term career. The Netherlands avoids segmentation risk by statutory equal treatment principles and integration of collective bargaining. Telework has becoming mainstreamed in the organisational policy thus lessening the chances of structural exclusion.[494]
Hungary has been officially bound to equality directives in the EU, but it may not be enforced or culturally integrated. The data indicate that the organisational culture is the determinant in making formal equality come true to life.
The stratification of the labour market in Qatar and the UAE often overlaps with the nationality, sponsorship status and differentiation by contract. These hierarchies can be unexpectedly reinforced by telework, when access to the remote arrangements and the opportunity of promotion is at discretion. [495]These results highlight the need to consider telework as part of the transparent promotion and training processes to avoid the dual labour markets. Proactive equality governance is thus a requirement of sustainability of telework[496]. Flexibility can exist with structural disadvantage without any institutional protection.

5.7.4 Structural Foundations of Legislative and Jurisdictional Clarity

Legal clarity and jurisdictional clarity had a positive correlation with the telework effectiveness but failed to remain independent predictors in the regression model. This implies that the legislative structures are structural facilitators plus and not experience determinants. The Netherlands had the highest score in legal clarity, which has been an indication of the statutory guidance and the incorporation into the grander EU regulatory harmonisation[497]. The

[494] Magnus Moglia, John Hopkins and Anne Bardoel, "Telework, Hybrid Work and the United Nation's Sustainable Development Goals: Towards Policy Coherence" (2021) 13 Sustainability 9222 < https://doi.org/10.3390/su13169222 >.

[495] Tommasina Pianese, Luisa Errichiello and Joao Vieira Da Cunha, "Organizational Control in the Context of Remote Working: A Synthesis of Empirical Findings and a Research Agenda" (2022) 20 European Management Review 326 < https://doi.org/10.1111/emre.12515 >.

[496] Marta Urbane, "Balancing Flexibility and Fairness: Legal Implications for Defining Decent Telework in the EU in an Era of Digitalization," *Springer proceedings in business and economics* (2024) < https://doi.org/10.1007/978-981-97-0996-0_36 >.

[497] Zachariah Davies and Arnaud Van Waeyenberge, "Better Regulation by Standards? Harmonized Technical Standards, Transparency, and the Rule of Law" (February 1, 2025) < https://kluwerlawonline.com/journalarticle/Common+Market+Law+Review/62.1/COLA2025006 >.

reinforcement of jurisdictional certainty comes by coordinated social security systems and predictable systems of resolving disputes.

Hungary has a partially aligned performance, which has been positive in a sense that the EU harmonisation has been supporting the country, but there remains inconsistency in domestic institutional capacity[498]. Cross-border telework in Qatar and the UAE also creates complicated issues of coordination of the applicable law, tax and social security. Lack of supranational harmonisation can be a factor in uncertainty. Nonetheless, the regression results suggest that the legislative clarity has been mostly achieved by the organisational interpretation by the employees.

5.7.5 Telework as an Integrated Governance System

The factor analysis revealed four dimensions of governance, namely organisation support and wellbeing; supervision fairness and managerial transparency; equality integration; and legal-jurisdictional certainty. Structural robustness has been established when there is high reliability and sampling adequacy. These dimensions are dynamic to be in interaction. Organizational support improves the perception of fairness; equality assimilation strengthens the perception of trust; legal clarity grounds behaviour with norms.[499] Governance of telework is thus a system, and not independent variables.

In addition to this, Netherlands has the greatest systemic coherence among all the nations. Whereas, Hungary is a reflection of intermediate alignment. Qatar and the UAE serve as examples of transitional types of governance, in which the discretion of organisations is centralised. The laws and regulations of telework and institutional resilience have enhanced the effectiveness and success of the workforce.[500]

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[498] Gábor Gulácsi and Ádám Kerényi, "Hungary and the European Union: The Drift towards Disintegration," vol 15 (2023) < https://real.mtak.hu/185600/1/PoF_2023_Vol15-1-2_Gulacsi-Kerenyi_final.pdf >.

[499] Sweta Srivastava Malla and Sanjay Malla, "Does the Perception of Organizational Justice Determine Employees' Affective Commitment? The Mediating Role of Organizational Trust" (2022) 30 Benchmarking an International Journal 603 < https://doi.org/10.1108/bij-07-2021-0408 >.

[500] Dejan Radulović M and Sofija Radulović, "TELEWORKING AND INTERNATIONAL LEGAL AND ECONOMIC FRAMEWORK FOR BUILDING RESILIENCE" (July 31, 2022) < https://jebr.fimek.edu.rs/index.php/jebr/article/view/10 >.

5.7.6 Telework and Institutional Resilience

Telework puts labour law systems to the test. Telework becomes part of well-organized regulating systems. In less institutionalised settings, sustainability relies on HRM capacity out of proportion. [501]The results show that the legislation will not necessarily ensure the effective governance of telework. It is also critical to build the organisational capability. On the other hand, managerial excellence in the absence of legislative elucidation will have no enforceable protections.

5.7.7 Final Reflections

The empirical data proves that the effectiveness of telework in Hungary, the Netherlands, Qatar and UAE has been determined by the combination of organisational governance and institutional regulation. The strongest direct impact has been on the fairness of organisational support, organisational supervision, legislative and jurisdictional clarity are the structural bases[502]. Telework has not been perilous in nature and neither remains emancipatory. It relies on the coherence of the institutions to be sustained. In areas where legal standards, territorial confidence, equality insurance, as well as HRM systems, are harmonized, telework reinforces the flexibility without the protection. In case of fragmented alignment, telework will increase inequality and regulatory indeterminacy.

The comparative results are thus in favour of a reform agenda, which has been focused on harmonisation, managerial transparency, integration of equality, and organisational accountability. The conceptualisation of telework governance should be developed as one regulatory ecosystem, but not an intervention. Digital transformation can only strengthen, and not destabilise, modern employment relations by being co-ordinated through institutional evolution.[503]

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[501] Marin Paunov, "On Viruses and Humans: Psychological and Cultural Challenges to Human Resources Management in Remote Working Conditions" (*Questa Soft*, 2022) < https://www.ceeol.com/search/article-detail?id=1014444 >.

[502] Peter Neyroud, "Policing 'Landscapes' for the Rule of Law and Public Protection: The State of Evidence on Organisational Policies, Structures, and Human Resources" (2022) 6 Cambridge Journal of Evidence-Based Policing 140 < https://doi.org/10.1007/s41887-022-00081-y >.

[503] Helena Carrapico and Benjamin Farrand, "Cybersecurity Trends in the European Union: Regulatory Mercantilism and the Digitalisation of Geopolitics" (2024) 62 JCMS Journal of Common Market Studies 147 <

https://openurl.ebsco.com/EPDB%3Agcd%3A10%3A17056266/detailv2?sid=ebsco%3Aplink%3Ascholar&id=ebsco%3Agcd%3A181569922&crl=c&link_origin=scholar.google.com >.

CHAPTER 6: CONCLUSION, CONTRIBUTIONS AND IMPLICATIONS

6.1 Introduction

The intellectual, doctrinal, and empirical foundations of the research have been summarized in this last chapter which places the research in the greater context of labour regulation. Other than repeating the previous debates, it reaffirms the main issue that the study tackles, demonstrates the justification of the comparative jurisdictional methodology, and reiterates the analytical model on which the research has been based. It has been highlighted in the chapter that telework cannot be considered only as a short-term reaction to organisational change. Rather, it has been discussed as a major governance concern in the modern labour law, which is systematically to be considered by law and regulation in the contemporary employment framework.

6.1.1 Restating Purpose and Objective

Telework functions as a regulatory strain test of labour law systems with a long history of being structured around physically supervised geographically fixed employment relations. The conventional labour policy has been based on an assumption of a fixed workplace, a definite centre of control, and jurisdiction by geographical boundaries. Telework violates all these assumptions. It has been the work that has no longer been tied to a specific location, the control of managers has been mediated through digital means, and the workers can be located in one jurisdiction, but be contractually bound to another one. This change reveals structural strains in labour regulation systems.

These tensions have been intensified by the development of cross-border digital work. The workers have been increasingly undertaking tasks beyond jurisdictions of a particular country without necessarily moving employers, and this poses tricky challenges in regards to the applicable labour law, social security payments, taxation, and dispute resolution processes. Employment relationships no longer suited easily to geographic sovereignty have to be faced by territorial legal systems. Telework brings to the fore the tension between the borderless digital labour and territorially based regulatory frameworks.

Such tensions can be especially observed between integrated European Union systems and Gulf labour regimes. In the EU, supranational harmonisation reduces the problem of fragmentation by issue of directives, coordination of social security, and common data protection standards. Conversely, Qatar and the United Arab Emirates have sovereign labour systems that do not have

supranational integration similar to this. The institutional logics of telework regulation in such circumstances remain divergent such as institutional density and rights based regulation in the EU and managerial discretion and centralised power in the Gulf labour markets.

It follows that the conceptualisation of telework in this research has been based on it being not only a form of work but a phenomenon of governance. Its sustainability is based on the interaction of legislative clarity, jurisdictional consistency and organisational HRM practices in particular institutional settings. Telework therefore acts as a prism through which larger questions of regulatory flexibility and comparative labour regulation can be looked at.

6.1.2 Jurisdictional Scope

Hungary, the Netherlands, Qatar and the United Arab Emirates have been selected analytically. These jurisdictions are different regulatory archetypes which help to understand how telework regulation works in different institutional environments. The Netherlands presents as an example of a coordinated market economy that has been integrated into the European Union. It is marked by intensive social discourse, collective bargaining cultures and thick regulatory incorporation. The regulation of telework has been placed in the framework of the overall occupational health, equality and data protection systems. The Netherlands thus is a coordinated EU model where telework has been incorporated into a firmly founded right-based model.

Hungary being an EU member state acts as an intermediate EU model. Although officially consistent with EU directives, it has shown inconsistency in implementation as well as institutional capacity. Since Hungary is a post-socialist economy that was incorporated in supranational systems, it can be used to show the interplay between harmonised standards and differences in the implementation at the national level. The telework governance in Hungary focuses on the possible mismatch between the legal alignment and the real one.

Qatar is a form of managed migrant labour which is organised around sponsored work relations. The regulation of labour is central and sovereign, and those related to telework are relatively restricted. The employer discretion is a determining factor in the process of crafting employment terms. Qatar hence exemplifies the management of telework within a system where the institutional density remains also less and the power of the managers is concentrated.

The United Arab Emirates showcase as a reflection of a hybrid commercial labour model that involves fast digitalisation and economic diversification. It has a regulatory regime that

incorporates centralised labour regulation with growing flexibility aimed at enticing international business. The system of telework in the UAE serves as an example of how business interests intersect with the changing employment law.

All these jurisdictions make up a comparative typology comprising of coordinated EU regulation, transitional EU enforcement, managed migrant labour governance, and hybrid commercial regulation. This variety reinforces the analytical rigor of the research project and allows systematizing the comparisons between institutional environments.

6.1.3 The EU Framework Lens

One of the key analytic prisms of this research has been that the supranational regulatory setting of European Union. EU directives are harmonising mechanisms that define the minimum labour standards amongst member states. The principles of free movement make cross-border movements of employees easy and coordinated social protection systems eliminate jurisdictional uncertainty in remote workers. The General Data Protection Regulation harmonisation of data protection offers universal standards that apply to digital oversight and privacy of employees.

This supranational system produces institutional density[504]. The overlapping safeguards allow telework governance in the EU to promote predictability and coherence. In comparison, the gulf labour systems exist in sovereign regulatory environments that do not have equivalent harmonisation between regions. In Qatar and the UAE, the governance of telework has been mainly based on the national legislative and the practice of employers and not on the supranational coordination.

The comparison brings out a structural difference, which demonstrates the fact that the system of EU governance encourages integration of regulators, whilst Gulf systems nurture national discretion and flexibility of the managers. [505]It remains in such differentiated institutional settings that telework sustainability should be analysed.

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[504] Giulio Vittorio Cervi, "Why and How Does the EU Rule Global Digital Policy: An Empirical Analysis of EU Regulatory Influence in Data Protection Laws" (2022) 1 Digital Society < https://doi.org/10.1007/s44206-022-00005-3 >.

[505] Furkan Ahmad and others, "From Global Mapping to Local Action: Green Finance, Regulatory Frameworks, and Policy Transformation for Sustainable Energy Transition in Qatar and Türkiye" [2025] Sustainable Development < https://doi.org/10.1002/sd.70373 >.

6.1.4 Reaffirming Research Aims

This study has attempted to evaluate the relationship between telework sustainability and the clarity of legislations, the coherence of jurisdictions, and organisation HRM governance. It explored interaction of these dimensions under varied regulatory settings and also examined the cross-border aspect of digitally mediated employment.

In particular, the study examined the issue of the presence of legal clarity as a guarantee of sustainability, the dynamics of jurisdictional unpredictability, and the impact of practices in organisational HRM as the ultimate governance layer in telework arrangements. The analysis has enabled the study to come up with a multi-dimensional framework of governance that can be used to explain the sustainability of telework through divergent institutional models that are heterogeneous.

The research also enhances the comprehension of telework as a restructuring in employment regulation by combining the doctrinal analysis and empirical modelling. The paper suggests that sustainable telework should involve a coordinated development of law, jurisdiction, and organisational governance in multifaceted regulatory environments.

6.2 Conclusion

The section presents evidence-based, analytically conclusive and articulated answers to research objectives. The responses bring together the comparative study on the doctrines provided in the previous chapters with the data collected in Chapter 5. As this research emphasized to address the research issues by means of systematic combination of legal analysis and quantitative modelling. Each subsection continues with the restatement of the research objectives, summary of the comparative findings based on the evidences of the collected data.

Objective 1: To outline the borders of telework compared to other types of atypical jobs.

The way the four jurisdictions regulate telework is indicative of different institutional structures, labour market traditions, and the philosophies of governance. The comparison of the results shows that there are four structurally different models instead of small variations in doctrines.

Telework in the Netherlands has been entrenched in a rights-based and coordinated regulatory framework. Instead of using a single codified telework law, the Dutch system incorporates the governance of remote work into the current infrastructure of labour laws, such as occupational health and safety legislation, working time legislation, equality legislation and legislation based on EU derivations. The duty of the employer has become entirely a part of remote workplace, the

duty of ensuring safe working conditions, psychosocial wellbeing and ergonomics has been also applicable irrespective of the location of work. Notably, the application of digital monitoring to proportionality, necessity, and transparency requirements of the EU data protection law restricts the practices of intrusive supervision. Employee involvement in the development of telework terms has been also strengthened by collective bargaining and the organized social conversation. Telework governance in the Netherlands exists within a highly institutional ecosystem with normative clarity, enforceability and systemic coherence as evident in both, doctrinal mapping as well as in empirical perception data.

Hungary exhibits a transitional set up. Teleworking is officially accepted in Hungarian Labour Code and adjusted to the EU directives. The statutory framework creates rights and obligations that are similar in form to the rest of the EU member states. Nevertheless, empirical results show more variability of perceived clarity and implementation. Formal alignment is at the level of legislation, however, the capability of enforcement and the institutional regulation, as well as an organisational practice, are sectorally divergent. The scores reveal that there are moderate scores of legislative clarity as compared to the Netherlands which expresses lack of correspondence between doctrinal design and the operational consistency. Hungary thus shows that legal transposition does not necessarily have homogenous practical results. The regulatory architecture exists though the institutional density and usage is different.

Telework governance remains relatively little and employer-driven in Qatar. The labour regulation has been centralised and is sovereign, and statutory elaboration of telework has been comparatively insufficiently developed. The employment relations are incorporated in the framework of the sponsorships that strengthen the managerial power and reduce the bargaining power of the employees. Telework policies are therefore mostly reliant on employer policy and not statutory guarantees. Even though general labour protections are formally applicable, the regulating environment does not have the stratification that is typical of EU systems. The empirical data indicate relatively low levels of perceived legislative clarity and jurisdictional predictability, which are characteristics of the discretionary governance.

The United Arab Emirates plays an intermediate role. Remote work has become a growing recognition in a commercialistically adaptive labour regime which would allow international investment and flexible business operations. Although the labour regulation has been updated through reforms, the control of telework is still business-focused and flexible and is not tied to

the participative labour institutions. In Qatar, as in telework, organisational policy and contractual arrangements are common. The scores of perceived clarity are better than in Qatar but worse than in the Netherlands, which do not contradict the flexible but less institutionally dense model.

The relative finding has also been conceptualised as follows as telework governance is most integrated and institutionally coherent in the Netherlands, formally consistent but functionally flexible in Hungary and relatively discretionary and employer-oriented in Qatar and the UAE. These variations are indicative of more profound systemic variations in the traditions of labour governance as opposed to individual regulatory decisions.

Objective 2: An analysis and comparison of the rules and laws related to telework within the US, Commonwealth countries, the UK and Canada

Legislative clarity is the extent to which the rights, obligations and procedures of telework are well defined, documented and comprehended by the stakeholders. The statistics indicate that the correlation between the perceptions of the clarity of legislation and the effectiveness of telework is statistically significant and positive. Stronger perceptions of sustainability, work-life balance, and long-term viability were also found to be associated with those respondents that indicated that telework rules were transparent and legally understandable.

This has been supported by cross-country comparisons. The Netherlands had the highest legislative clarity scores followed by moderate in Hungary and low in Qatar and UAE. These rankings are related to degrees of regulatory integration and institutional control. In case of incorporation of telework into the extensive labour law systems that are backed by enforcement agencies and social dialogue, the respondents find the concept of predictability and stability.

Nevertheless, regression modelling cleans up such conclusion. In instances where organisational support and supervision fairness were taken as independent variables, legislative clarity became statistically insignificant as a predictor. It is positive, though not a determining factor of telework effectiveness when HRM factors are factored in. This finding suggests that clarity of legislation is an enabling factor as opposed to a determining factor. Well-articulated statutory regulations minimise the ambiguity, delimit normative standards and create legal security. However, sustainability performance lies on organisational translation. The forms of government are structured by law, and everyday life is mediated by management practice.

The concluding statement is two-fold, that is, the legislative clarity improves the telework governance through structural predictability and legal security, yet sustainability lies in organisational performance. Laws are mandatory yet not conclusive.

Objective 3: To pinpoint and analyse problems related to the rules of different areas that affect telework

Jurisdiction clarity pertains to predictability of law applied, the jurisdiction to enforce the law and the dispute resolving mechanism especially in cross-border cases. Correlation analysis demonstrated the presence of significant positive relation between perceived jurisdictional clarity and telework effectiveness. Employees who know what authority controls their employment and the way of resolving a dispute is higher in perceptions of long-term viability.

The European Union has been able to offer a stabilising structure to telework across borders. The existence of harmonised directives, coordinated systems of social security and the principles of free movement minimise uncertainties about the applicability of the labour law and insurance requirements. This globalization decreases the transaction costs and boosts confidence in international online hiring. In comparison, the Gulf region does not have supranational harmonisation. Telework between Qatar and the UAE can create confusion in the areas of taxation, labour standards adopted and the jurisdiction of dispute resolution. The government is managed more based on national laws and specification of contracts than geographic coordination. This heightens the discretion of the employer and the self-ordering.

Regression modelling reveals that independent predictors of telework effectiveness do not exist when the variables of jurisdictional clarity are introduced in the presence of organisational variables. However, its high correlation validates that the perceived certainty is a contributor of employee confidence. Perceived risk has been brought about by jurisdictional ambiguity and can ruin sustainability despite strong organisational support.

It has been concluded that jurisdictional clarity acts as a structural stabiliser. It increases the predictability and perceived risk is minimized especially where cross-border is involved. Although it is not decisive by itself, it significantly influences the telework governance contexts.

Objective 4: To understand the problems and ways organizations manage teleworking.

The regression model found organisational HRM practice to be the most effective determinant of telework. The strongest predictor was organisational support, then there was supervision fairness. These variables alone explained a significant amount of variance in perceived results of

sustainability and work life balance. This observation affirms the fact that HRM realises legal norms. The rights and obligations are stipulated by legislation, yet the managerial practice defines how the rights are fulfilled. The respondents who indicated structured communication, clear guidance, wellbeing programs, and respecting boundaries policy had an overall higher reported telework effectiveness.

Fairness of supervision was especially high in digitally mediated settings. Open and balanced surveillance procedures enhanced trust and perceived legitimacy. On the contrary, invasive or obtrusive digital surveillance was associated with low sustainability perceptions. These results are in line with the doctrinal analysis of proportionality in surveillance and the right to disconnect. Notably, the predictors of HRM strength were found to be similar in jurisdictions. The outcome was still determined by organisational practice even within the thick regulatory structure of the Netherlands. In Hungary, Qatar, and the UAE where legislation might be less clear or whose enforcement might be less predictable, the role of HRM practice becomes still more central.

The conclusion remains categorical as organisational HRM practice is the definitive level of governance in the sustainability of telework. It also interprets abstract legal frameworks into the actual workplace experience and finds out whether telework arrangements work or not.

Objective 5: To understand how well the principles of teleworking and employment are supported by the law and what outcomes result for the organisation

The analysis of the empirical data indicates that there exist close relationships between equality-related variables, including access to training, promotion opportunities, and career advancement, and telework effectiveness. Respondents who felt they had equal access to mechanisms of advancing recorded a much higher sustainability outcome.

These results suggest that telecommuting can create structural division unless it is actively incorporated into organisational structures. The remote workers can experience less informal visibility, less networking, and implicit bias in promotions. The absence of formal protection to guarantee parity of opportunity is why telework will become marginal. The risk has been especially acute in hierarchical labour market. Segmentation risks can be exacerbated in Gulf jurisdictions in which employment relations can be influenced by sponsorship and managerial whim. Statutory equality protection in EU systems appears to alleviate these risks, although not

to eliminate them. Formal guarantees of legal protection are supplemented by practical results of organisational implementation.

The conclusion demonstrates that telework may bring about inequality unless it is systematically incorporated into the training, promotion, and performance evaluation systems. Sustainability needs equal opportunity between employees distant and those on-site.

Objective 6: To devise recommendations for the successful management of remotely working teams

The comparative evidence shows that harmonisation can be made in integrated regional systems but limited at the global level. The European Union is an example of supranational coordination which lessens fragmentation of regulations. Integrated governance space through harmonised directives, coordinated social security regimes, and similar common standards of data protection can establish in which telework can work across borders in a predictable way. The institutional density boosts legal certainty and minimizes the transaction costs.

Qatar and the UAE on the contrary exist in sovereign labour regimes, which emphasise national discretion and business flexibility. Regulatory convergence is not achieved without supranational coordination. The governance is based on the domestic legislation and the contractual ordering.

However, there is a rise in the cross-border digital employment which necessitates the minimum requirements. Although full global convergence seems to be implausible, minimum principles, including transparency of law applicable, minimum standards of occupational safety and the existence of well-structured mechanisms of dispute resolution, may result in predictability without the need to institutionalize it such as in the case of the EU.

The end is even-handed such as harmonisation can be proven to be possible in integrated regional systems. International standards would only enable meaningful harmonisation at the global level as opposed to full convergence of regulations.

Overall Synthesis

In all the objectives under research, there exists a consistent pattern. The predictability of structures is provided by legislative clarity and jurisdiction predictability. Law is put into practice in organisational HRM. The principle of equality is safeguarding to make sure that sustainability is non-stratifying. The regional integration increases the viability across the

borders. Telework governance is thus multi-layered, in that, legal frameworks introduce scaffolding, yet organisational implementation is the determinant of functional success.

6.3 Theoretical and Practical Contributions

This chapter explains the main contributions of the study both at the theoretical and practical levels. Its contribution to the understanding of telework is not merely in the comparative data, as it reframes the concept of telework as a governance phenomenon, located at the crossroads of the labour law, institutional theory and organisational management. The sections below show how the study promotes knowledge in academia as well as providing practical suggestions to regulators, employers as well as adjudicatory bodies.

6.3.1 Theoretical Contributions

A. The Theory of Telework Governance

The initial significant contribution of the theoretical basis of this study is the conceptualisation of telework as a regulatory ecosystem, but not a work arrangement or technological modification. The telework presents a new form of employment that is highly likely to be discussed in the existing literature as a flexible form of employment with regard to productivity, autonomy, or work-life balance[506]. This paper transcends this point of view by showing that telework is a multi-level governance system that lies in legal, jurisdictional and organisational systems.

The results of the empirical studies indicate that the sustainability of telework is determined by the harmony between the legislative transparency, jurisdictional coherence and organisational HRM practice. All these dimensions do not work in isolation. Legislative frameworks outline structural scaffolding, cross-border application is stabilised by jurisdictional certainty and HRM practice makes norms operational in the day-to-day organisational environments[507]. Telework can thus not be summed up to individual experience of the employee or the discretion of the manager; it is found in an interdependent regulatory structure.

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[506] Paula Rodríguez-Modroño and Purificación López-Igual, "Job Quality and Work—Life Balance of Teleworkers" (2021) 18 International Journal of Environmental Research and Public Health 3239 < https://doi.org/10.3390/ijerph18063239 >.

[507] Jonas Nordberg, "From global Policy to local Execution : Enhancing HRM Effectiveness in Cross-Border Organizational Contexts" (*Theseus*, 2024) < https://www.theseus.fi/handle/10024/868619 >.

The study has a contribution to the governance theory in the field of labour law by its framing of telework as a regulatory ecosystem. It shows that sustainable remote work needs vertical alignment (between supranational, national and organisational levels) and horizontal alignment (between legal norms, mechanisms of enforcement, and managerial practice). This school of thought also changes the approach to telework analysis where policy commentary is replaced by structural governance critique.

B. Reframing Subordination

The second theoretical input presents the redefinition of subordination within the modern labour law. Conceptualising subordination Traditional labour law doctrine views subordination as spatially based the employer has power in a defined work place and control is visible and proximate. Telework interferes with this model moving the locus of control out of the physical space and into the digital systems.

The empirical evidence and especially in terms of supervision fairness shows that managerial power still exists but is mediated by the digital monitoring devices, metrics of algorithms performance and communication channels[508]. The process of control is less spatial and increasingly data-oriented. This change does not bring that subordination to an end, but alters its forms.

Through this identification of change, the study adds to the theoretical discussions regarding how the authority of managers has changed in the digitally mediated work settings. It shows that digital control can be legitimized when it is done in a transparent, proportional and clear manner. This is where telework puts courts and regulating authorities in a dilemma of interpreting subordination as a new meaning to the governance of algorithms[509]. This study thus builds up on the theory of labour law by identifying digital supervision as one of the key points of regulatory negotiation. Physical presence does not define subordination in the case of telework anymore but informational asymmetry and mediation through technology.

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[508] Mehdi Barati and Bahareh Ansari, "Effects of Algorithmic Control on Power Asymmetry and Inequality within Organizations" (2022) 33 Journal of Management Control 525 < https://doi.org/10.1007/s00187-022-00347-6 >.

[509] Valerio De Stefano, "'Masters and Servers': Collective Labour Rights and Private Government in the Contemporary World of Work" (2020) 36 International Journal of Comparative Labour Law and Industrial Relations 425 < https://doi.org/10.54648/ijcl2020022 >.

C. Comparative Institutional Insight

The comparative institutional typology that has been made using four-country model is a third theoretical contribution. Through the case studies of Hungary, the Netherlands, Qatar, and the United Arab Emirates, the study shows that the telework governance happens in a systematic manner depending on institutional density and regulatory integration. The Netherlands has a model of integrated regulation typified by the harmonization of market institutions, good social dialogue and harmonization at the supranational level. [510]The governance of telework in this case is institutionalised and multi-layered.

Hungary has a transitional enforcement model. Though lines are formally on the same path with EU directives, variation of implementation shows the value of institutional capacity and culture of implementation. Qatar is a prime example of an employer-based form of governance, in which teleworking consensuality is largely based on the discretion of its managers in an environment that has no supranational integration and which is governed by sovereign regulations.

The United Arab Emirates is an example of a hybrid system of commercial regulation, which is both centralised in labour regulation, and flexible in terms of policy formulation, which is investment-focused.[511]

The typology is important to the research on comparative labour law since it helps to establish that the governance of telework is not solely structurally determined by the technological diffusion but depends also on institutional context. The research thus contributes to the knowledge on the mediation of digital transformation of work by regulatory models in a different way.

D. Bridging Labour Law and HRM

Another contribution made to the theory is that it has been used to bridge the gap between the labour law/human resource management scholarships. The disciplines discussed are often

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[510] Daniel Kinderman, "The Challenges of Upward Regulatory Harmonization: The Case of Sustainability Reporting in the European Union" (2019) 14 Regulation & Governance 674 < https://doi.org/10.1111/rego.12240 >.

[511] Saha Reno and Koushik Roy, "Navigating the Blockchain Trilemma: A Review of Recent Advances and Emerging Solutions in Decentralization, Security, and Scalability Optimization" (2025) 84 Computers, Materials & Continua/Computers, Materials & Continua (Print) 2061 < https://doi.org/10.32604/cmc.2025.066366 >.

studied independently, HRM literature is concerned with the strategy and management practice of organisations, whereas labour law concentrates on statutory norms and adjudication.

The empirical results show that the sustainability of telework lies in the interplay between the doctrinal law and organisational governance. Clarity of legislation has been associated with effectiveness, and organisational assistance and supervision fairness turn out to be the decisive factors.[512] The normative boundaries are put up by law but it is HRM that operationalises the norms. The study is an addition to interdisciplinary scholarship through the empirical synthesis of the doctrinal analysis and organisational variables. It shows that the management of telework should be studied as a legal and managerial phenomenon at the same time. Such bridging strategy enhances theoretical consistency and emphasizes the interdependence of the regulation and implementation.

6.3.2 Practical Contributions

In addition to the theoretical understanding, the study creates practical implications to the policymakers, employers and adjudicatory institutions.

First, the results show that HRM should be proactive in the operationalisation of telework. Legislative compliance is not enough to guarantee the work of organisations. Guidance, Wellbeing programs, clear supervision, and equal opportunity programs are fundamental in sustainability. The policies of telework should therefore be a part of organisations system of governance as opposed to being considered as a form of accommodation.

Second, legislators have to focus on clarity and enforceability. Laws that are not sufficiently specific or have no enforcement measures can pose a form of compliance not necessarily having a substantial form of compliance. Making the rights of telework clear, the procedure of workplace dispute resolution, and the cross-border applicability increase predictability and minimize uncertainty.

Third, cross-border employers need to create their own internal compliance mechanisms that can overcome the possibility of cross-border jurisdiction. Without complete international

[512] Alina Pomaza-Ponomarenko and others, “Dynamics of Legal Transformatins: Assessment of Impact on Society and Analysis of Determinations of Changes in the Legislative Sphere” (2024) 7 Multidisciplinary Reviews 2024spe037 < http://dx.doi.org/10.31893/multirev.2024spe037 >.

harmonisation, transnational organisations should form contractual clarity, social security coordination processes and transparent dispute systems to alleviate legal fragmentation.

Lastly, the interpreting evolution of digital supervision may be mandatory in courts. With more and more managerial control being mediated by the use of algorithmic tools, adjudicatory bodies have to modify conventional subordination doctrines that are used to ensure that digital practices of oversight are covered. It will be important to ensure that the legitimacy is maintained by ensuring proportionality and transparency in monitoring.

Together, these practical contributions support the main conclusion of the study that is telework sustainability need synchronised development of the law and the organisation. The interaction of law, jurisdiction and HRM practice should operate in unison so as to see the digital transformation reinforce employment relations and not destabilise them in the modern times.

6.4 HRM and Policy Recommendation

The empirical evidence and comparative doctrinal study in this study shows that the sustainability of telework is based on the synchronisation of legislative elucidation, the jurisdictional coherence, and the organisational governance. The reform of policy and HRM, in turn, should work both on one level (jurisdiction-based regulatory and institutional clarification) and another level (international harmonisation processes that can deal with digital labour mobility). These recommendations are based on the evidence that was produced in Chapter 5 and the comparative institutional insights that were gained during the course of the research.

6.4.1 Recommendations and suggestions country specific

The Netherlands

The Netherlands already has a very integrated regulatory environment. Occupational health and safety legislation, equality legislation and EU data protection standards incorporate telework. The empirical results show that the perceptions of the legal clarity and organisational governance are rather high in this jurisdiction. Nonetheless, there would be two enhancements to make telework sustainability stronger.

To start with, hybrid work arrangements should be improved in terms of cross-border clarity. With an increasing number of Dutch workers having both domestic and international remote work in the EU, administrative guidance on the coordination of social security, taxation thresholds as well as the responsibilities of the employer would decrease the residual ambiguity.

Although EU frameworks are available, there is a need to have practical guidance based on the conditions of hybrid telework in order to enhance predictability.

Second, the proportionality guidelines of digital surveillance ought to be developed further. Despite the General Data Protection Regulation offering strong guidelines, telework-related advice explaining the use of acceptable monitoring technologies, retention of data, and transparency of algorithms would create a stronger assurance in employees. Best practice jurisprudential and regulation on the digital supervision would future-proof telework against technology proliferation.

Overall, the Netherlands needs to be refined instead of restructured. It is more concerned with enhancing current protective measures to accommodate more hybrid and cross-border patterns of teleworking.[513]

Hungary

The major issue faced by Hungary does not lack of laws but their enforcement. Even though telework is acknowledged by the Labour Code and the EU directives are relevant, the results of empirical research indicate the variability of operations. This would lead to increased regulatory credibility through improving the inspection capacity and application of telework provisions across sectors.

Second, Hungary can be recommended to enhance collective bargaining incorporation in telework administration. The institutional dialogue structures are also less entrenched as compared to those in the Netherlands. A mandatory inclusion of telework in sectoral contracts has the potential of standardizing working time expectations, right-to-disconnect entitlements, and transparency requirements of monitoring. The collective agreements may play a role of mediating between legislative and practical use.

Also, the clearance of the public with information on the mechanisms of employers on remote occupational safety assessment would boost predictability. Increasing the resilience of the

[513] Fenicia Aceto, “Cross-Border Workers - Navigating the Challenges of Social Security Coordination Rules in the Era of Telework in the European Union” (2024) 15 European Labour Law Journal 376 < https://doi.org/10.1177/20319525241239288 >.

tripartite consultation mechanisms in the regulation of telework would help to decrease the gaps in the implementation and realize higher levels of trust by stakeholders.[514]

The reform path of Hungary must hence veer towards institutional solidarity and participatory strengthening as opposed to the redesigning of the entire legislation.

Qatar

Qatar needs greater telework reform underpinning. The existing rules are largely employer-oriented and statutory regulations about teleworking are still in the developmental stage. The explicit regulation of telework would bring a structural question of clarity on the part of the employer, rights of the employees and safety obligations on occupational health and safety in remote environment.[515]

Second, remote workers should have the clarification of dispute resolution procedures. Telework brings up the issue of jurisdiction, enforcement, and administrative appeal. It would help create more certain administrative avenues or telework-specific advice in the labour dispute systems, which would create less uncertainty and reinforce the sense of protection of rights.

Third, the digital monitoring should be more transparent. There should be clear statutory or regulatory guidelines that there be disclosure of monitoring practices, proportionality standards, and employee notification which would enhance trust. With the growth of digital oversight, the regulatory clarity will be of the essence as to stay legitimate.

The reform agenda in Qatar must focus on codification and transparency. The provision of structured teleworking would change the governance of telework which is based on the discretion of the employer to a more foreseeable administrative framework.[516]

United Arab Emirates

The UAE has been flexible in reforming its labour, especially by using commercially flexible regulation. Nevertheless, the telework governance would be improved by the enhanced

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[514] Chia-Jung Li and others, "Effect of Government Guidelines and Corporate Governance on Telework Adoption and Occupational Health Measures in Taiwanese-Listed Companies" (2024) 15 Safety and Health at Work 164 < https://doi.org/10.1016/j.shaw.2024.04.004 >.

[515] Merle Erikson and Annika Rosin, "Protection of the Occupational Health and Safety of Teleworkers" (2025) 16 European Labour Law Journal 228 < https://doi.org/10.1177/20319525241309242 >.

[516] Agnieszka Gozdziewska-Nowicka, Joanna Modrzynska and Pawel Modrzynski, "Teleworking and Remote Work in Local Government Administration Management in Poland" (2020) < https://www.um.edu.mt/library/oar/handle/123456789/78914 >.

codification of remote work rights. It would be better to make clear to the employers their responsibilities in terms of occupational safety, digital monitoring, and right-to-disconnect practices.

Second, the guidance of cross-border employment should be made clearer. In a world where UAE is drawing the attention of remote professionals worldwide, administrative advice on the relevant labour law, social security contributions, and dispute resolutions would enhance the credibility of governance. Instituting official policy guidelines in situations of telework across borders would assist employers and employees.

Third, regulatory guidance can include HRM best-practices standards. The legislation norms would be operationalised by promoting organised teleworking guidelines, written procedures of supervision, and equality protection.[517]

The reform agenda of the UAE ought to be an ordered consolidation: to maintain the commercial flexibility and increase normative clarity and employee protections.

6.4.2 Cross-Border Harmonisation

Telework has becoming more cross-national. On the one hand, domestic reform is needed, but on the other hand, cross-border governance coordination is also significant. The relative results indicate that harmonisation can be attained under integrated regional blocs and is more complicated in global platforms.

Minimal International Telework Standards

One of the initial moves would be to come up with international telework minimum standards. These standards might touch upon such fundamental concepts as the transparency of telework agreements in the contract, the transparency of digital surveillance, the right-to-disconnect, occupational safety duties, and access to dispute resolution. Such standards would not entail having identical national laws but can simply set minimum standards that can be applied across jurisdictions.

Model Telework Clauses

[517] Vandana Nath and Graeme Lockwood, “Implications of the UK Equality Law for Tele-Homeworking: COVID-19 and Beyond” (2021) 64 International Journal of Law and Management 253 < https://doi.org/10.1108/ijlma-07-2021-0183 >.

Model contractual clauses are a practical harmonisation process. The employers who conduct business across the borders might also introduce standardised telework clauses to deal with jurisdiction, applicable law, compliance with data protection, and dispute resolution. These model provisions would eliminate fragmentation and increase predictability without the need of supranational laws.

These clauses would be used to supplement the harmonised frameworks in the EU. Model clauses can offer voluntary standardisation in the context of the Gulf without violating the sovereign regulation.

The cross-border jurisdiction coordination agreements

The governance would be even more stable by regional treaties that define the jurisdictional division in telework cases. In the EU, this role is already carried out by social security coordination. The increase in the system of administrative collaboration, which is particularly specific to hybrid models of teleworking, would increase clarity.

On the Gulf Cooperation Council (GCC), creating coordination systems that cover cross border remote work would be a major but politically delicate reform. Migration governance structures (Sovereign labour models) make harmonisation challenging. However, it may be possible to have limited coordination agreements that are tied to digital professionals.

Frameworks of Regional Telework Guidelines

Interpretive guidance frameworks with explanations of telework standards could be provided by regional bodies without regulation. The EU has not been in a good position to advance telework-related recommendations within the framework of its social policy competence. The GCC might also consider the soft-law tools that encourage transparency and check proportionality.

Feasibility Considerations

Harmonisation in one institutional context has not been useful in another. In the EU, it is feasible to be partially harmonised by the current supranational mechanisms and coordinated market traditions. It is politically and legally feasible to enhance the system of telework governance using directives or interpretive communications.

Harmonisation can be done within the GCC but it is difficult politically. The regulation of labour crosses the borders of migration regulation and the priorities of national sovereignty. It could be more possible to have incremental soft-law coordination in place than binding agreements.

At the international level, complete harmonisation cannot be expected without involvement of international organisations like the International Labour Organization (ILO). Standards minimum Standards might be developed by conventions or guidelines on the work with digital items and remote work, although it would be difficult to gain political approval.

Finally, telework governance reform should be performed on the national and international levels. The country-specific refinement increases the internal coherence, whereas the regional coordination decreases the fragmentation in digitally mediated labour markets. To ensure sustainable telework, legislative clarity, jurisdictional predictability and operationalisation by HRM are all necessary. The harmonisation can be realised within institutional blocs, including the EU, and, possibly, within the GCC, by involving a gradual cooperation. At the global level, advancements will be made on the basis of creating minimum international standards that can achieve flexibility and protection in an ever-digitally based labour market.

6.5 Limitations

This study uses a clear and analytical manner of accepting its approach and analysis limitations. Although the research develops a comparative governance model of telework, some limitations limit the inference and empirical generalisability. These drawbacks do not nullify the findings but put them into perspective of their limits of interpretation.

6.5.1 Cross-Sectional Design

The research design is cross-sectional which is a research design that takes captures the perceptions at a given time. This therefore does not present longitudinal understanding of the evolution of telework governance. The regulation of telework is dynamic especially in jurisdictions that are digitally transforming or being reformed through legislation. Cross-sectional framework is unable to quantify regulatory adaptation over time, change of organisational maturity or sustainability outcome at a long run.

It cannot compare causal development due to the lack of a temporal comparison. Indicatively, although organisational support has been cited as a decisive predictive of the success of telework, the research is unable to identify how organisational support grows within an institution or whether it increases with the reform of regulations. The longitudinal designs would provide the opportunity to study the telework governance paths and the effect of reform.

6.5.2 Sample Size

The quantitative model is formed on the basis of 100 respondents. Although this is adequate in structural modelling and test reliability, such a sample cannot be generalised. It obstructs the potential of doing more detailed subgroup analysis, especially between jurisdictions. Better statistical power would be provided by larger and stratified samples and provide more accurate comparisons across sectors, demographic groups, or types of employment.

Besides, the sample is limited, which limits inferential robustness. Even though reliability coefficients and factor analysis are evidence of internal consistency, the bigger picture of conclusions made on a broader population needs more empirical data.

6.5.3 Self-Reported Perceptions

The research has been based on the self-reported impressions of telework governance. This kind of data is subjective in nature and can be influenced by the interpretation of the individual as opposed to giving the actual conditions of the law enforcement. The perceived clarity of the legislation or the perceived fairness of the supervision by legislators may not be accurately reflected by the formal statutory provisions, the level of compliance in organisations.

This showcase an issue of perception-enforcement and especially applies in comparative research. A high-law jurisdiction can have moderate perception scores in case there is weak communication or implementation. On the other hand, employer-led systems can create positive perceptions although the statutory protection is minimal. The research is thus gauging perceived effectiveness of governance and not objective measures of compliance.

6.5.4 Jurisdictional Scope

Although the four-country model is analytically meaningful, it is not representative of the world. The choices are coordinated EU regulation (Netherlands), transitional EU enforcement (Hungary), employer-focused Gulf governance (Qatar), and hybrid commercial regulation (UAE). Nonetheless, it does not cover other powerful regulatory areas such as the North America, East Asia and the Latin America.

The comparative spectrum has been constrained by the lack of Global North jurisdictions that are not located within the EU and East Asian systems that are technologically developed. Better

inclusion may show some more archetypes of telework governance and expand the typology elaborated.

To conclude, the limitations of the study are related to the cross-sectional design, weaknesses of the sample size, the use of subjective perception, and limited jurisdictional coverage. These limitations outline the limits of inference and maintain the validity of the structural governance framework suggested.

6.6 Future Research

The results of this study suggest a number of directions of the further academic research. To begin with, it is necessary to validate it through empirical testing with actual data. Further studies are recommended to use large-scale and cross-national studies in Hungary, the Netherlands, Qatar, and the UAE to test the relationships in governance that are found in this study. Data on the employer level and the regulatory data would also serve to fill the gap between the perceived effectiveness of telework and the objective legal adherence.

Second, longitudinal studies are required to study the nature of telework governance changes over time. The law of telework is not static, and in jurisdictions where the digital transformation or legislative restructuring occurs, telework regulation can and should be improved. The panel studies that follow organisational practices and employee perceptions would give an insight into the causal developments and organisational adaptation.

Third, the topic of digital supervision and algorithmic management should be studied further. With the growing use of technological surveillance instruments in the process of managerial control, the further study must examine how the courts and regulators redefine the concept of subordination, proportionality, and privacy in the remote working setting.

Fourth, institutional typologies would be reinforced by increasing the comparative scope to more than the four jurisdictions that were examined. More EU member states, North American systems and East Asian labour markets would further fine-tune knowledge on the responsiveness of various regulatory traditions to telework.

Lastly, additional research on cross-border taxation, social security coordination and possible labour market segmentation remains required. With the increasing transnationality of digital employment, this requires the governance frameworks to focus on fiscal, jurisdictional, and equality concerns.

The overall research directions would enhance knowledge on telework as a fresh form of governance in the global labour law.

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