



Evaluation of the implementation of the Commission Decision on Working Time and Hybrid Working

September 2023



Dear colleagues,

Together we have embraced a new way of working to achieve the Commission objectives. We have navigated these transformations and implemented them in our weekly routine. Your working conditions remain our utmost priority and we are committed to providing a supportive environment that fosters both personal growth and professional success, while taking into account the interest of the service.

With this in mind, we evaluated the implementation of the Commission Decision on working time and hybrid working with open communication, ensuring your voices are heard and your concerns are addressed.

Gertrud INGESTAD
 Director-General for Human Resources and Security

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1. Executive Summary

Evaluation

The Commission Decision C(2022) 1788 final on working time and hybrid working ('the Decision') was adopted on 24 March 2022 and entered into force on 1 April 2022.

The Decision aims to create an attractive workplace for all by offering flexible and modern working conditions, while complementing the Commission policies on [greening](#) and [buildings](#). It also aims at providing staff with autonomy through trust-based management, while ensuring that the interest of the service prevails. In addition, it aims at protecting the health and wellbeing of staff and improving their work-life balance.

Article 17 of the Decision requires the Directorate-General for Human Resources and Security (DG HR) to evaluate its implementation by 30 September 2023. On this basis, the Commission will assess whether adjustments are required, after concertation with the trade unions (see [Decision's objectives](#)).

DG HR evaluated the implementation, analysing quantitative and qualitative data from pulse surveys, detailed statistical data from Sysper, feedback from focus groups of staff, managers, and HR Correspondents as well as from the opinions of the consulted committees and other stakeholders. In addition, an analysis of other EU and international institutions' practices has been carried out (see [methodology](#)). Moreover, recent policies in private companies were observed.

However, it should be noted that the evaluation is based only on the experience gained in the last 18 months

and that the used data covers 12 months only. Therefore, the results of the evaluation are merely a picture of the situation of the last months.

Conclusions

Based on the results of the evaluation carried out as described in the methodology section under 5. Annex, DG HR believes that the implementation of the Commission Decision on working time and hybrid working generally works well, although some adjustments need to be built in. It provides reasonable assurance regarding compliance with the Decision's provisions and the achievement of the overall objectives of the Decision (see [Conclusion](#)).

Overall, staff and management appreciate the changes and the flexibility in working conditions. It **increased the autonomy of staff, their sense of empowerment, ownership, and responsibility**. It leads to staff going the extra mile with increased productivity and efficiency, finding more solutions and being more creative. Therefore, it can be considered that the institution benefits through better performance and higher motivation.

- The evaluation of the Decision has shown that the productivity of work was ensured while the new working conditions have improved **work-life balance** and have reduced the incidence of different types of leave and part-time work. Staff have adequately combined **working at the office and teleworking**.

- The implementation resulted in a wide degree of satisfaction of all staff, at all levels and in all places of employment which is a key element for the attractiveness of the Commission. This was confirmed by the trend observed in some private companies that decided to backtrack by reducing flexibility and realised quickly that this impacted their attractiveness, especially for young people who seek flexibility.
- For both staff and managers, a certain unclarity was observed regarding the authority deciding (e.g. staff themselves, the line manager or the Director-General) on the extent of the provided flexibility particularly regarding the physical presence (e.g. number of days present in the office) while taking into account the interest of the service. There was also uncertainty regarding occasions when office presence is mandatory such as inter-institutional obligations, College preparation related work and work enhancing team cohesion.
- The implementation of the Decision which underscores the significance of the right to disconnect, addresses psycho-social risks globally and on average enabled a **manageable assignment of tasks to staff**. However, additional clarifications regarding the implementation of the newly granted right to disconnect are asked for.
- A large majority of **staff have benefitted equally from the implementation** of the Decision while providing flexibility for Directorates-General to adapt working arrangements to their specific needs.
- The Decision **facilitates an output-based approach**, essential to trust-based management as a key priority of the HR strategy. However, it would require further guidance, including sharing best practices, in particular for managers and newcomers.
- The implementation of the Decision is a challenge regarding **the integration of newcomers and team cohesion, but measures can be introduced in this respect**.
- The implementation of the Decision has **positively impacted the CO2 emissions** of the Commission, through the decrease of commuting emissions, the reduction of office space and consequently reduced consumption of energy, therefore generating savings for Heading VII in the long run.
- The **Joint Committee on Working Time and Hybrid Working** was effectively established and worked in a constructive spirit.

Recommendations

Based on the evaluation, DG HR proposes to further strengthen the new working conditions environment while continuing with the current rules and with monitoring of the implementation of the Decision.

A number of areas for improvement were identified together with staff and managers that DG HR recommends focusing on through the following actions (see [Recommendations](#)):

- Develop further a hybrid management culture, with more guidance and raise awareness in particular for managers and newcomers to optimise the possibilities offered by the Decision.
- Provide best practices to support the integration of newcomers.
- Enhance team cohesion by sharing concrete good practices.
- Close follow-up of credit hours to avoid unreasonable accumulation of hours over time. The possibility of a limited and focused amendment to the Decision concerning the accumulation of credit time may have to be considered.
- Further identify tasks that are not compatible with teleworking.
- Follow up on the occurrence and the ability to address more specific situations, such as for carers of children/relatives with a disability and aiming at even closer monitoring the gender balance concerning the usage of different types of leaves, office presence and teleworking.
- Improve time registration tools for accurate, effective and efficient encoding and monitoring including tools to measure effective office presence in buildings (morning and afternoon), to be able to follow trends in behaviours, but also to determine and address non-compliance.
- Set up a standard procedure that determines the steps to be followed in case non-compliance is suspected and the measures to be taken in case non-compliance is confirmed. Staff should be made aware of the process and the consequences in case of non-compliance.
- Continue closely monitoring the implementation of the Decision to be assured that we continue to provide a supportive environment for all staff that fosters both personal growth and professional success, while taking account of the interests of the service.

2. Introduction

Context

In 2020, the COVID-19 pandemic drastically changed the way the European Commission works and colleagues interact. At the Commission, over 30 000 staff went from working predominantly at the office, to teleworking for almost 2 years based on a derogation to the former Commission Decision on Teleworking¹. It was the biggest change to the Commission staff's working life that the organisation had ever encountered. This increased the necessity to move away from traditional systems to a new more dynamic culture with increased flexibility and fluidity for all levels of staff. In 2022, a new [Human Resources strategy for the Commission \(HR strategy\)](#) was adopted setting out a common vision for the Commission where people come first. The Commission committed to working in an effective, smart and collaborative way, showcasing a trust-based, inclusive and respectful workplace in line with European values. Moreover, it committed to fostering and modelling a service culture and client-oriented mindset, built on the inherent motivation and sense of purpose of staff and achieving a flexible and green workplace.

The HR strategy comprises [24 actions to reach this common vision](#). Many of the [actions](#) promised have already been delivered. Action 2 provides for a new [Commission Decision C\(2022\) 1788 final](#)

[on working time and hybrid working](#) ('the Decision') that was adopted on 24 March 2022 and entered into force on 1 April 2022.



Decision's objectives

The Decision aims to create an attractive workplace for all by offering flexible and modern working conditions. Moreover, it aims to **provide staff with autonomy through trust-based management, while ensuring the interest of the service prevails**. In addition, it aims to protect staff's health and wellbeing and improve their work-life balance.

The decision also sets out a series of specific objectives described in the next section.

¹ [Commission Decision C\(2015\)9151](#) final of 17.12.2015 on the implementation of telework

Main changes introduced by the Decision

While the rules on working time remained roughly the same compared to the previous Decision², there were a few important changes:

- The introduction of the right to disconnect by establishing a **disconnection period** from 19:00 to 8:00.
- The change from core time during which staff must work, to **interaction timeslots** during which staff at least have to be available for interaction.
- The possibility to **carry over any credit balance** per month instead of a maximum of 20 hours.
- Credit hours recorded during teleworking are now counted towards the **flexitime balance**.

The rules on teleworking for staff eligible to telework changed substantially compared to the previous Decision³:

- Teleworking 20% of the weekly working time became a right.
- There is no longer a distinction between structural and occasional teleworking.
- Teleworking is not limited to half or full days but can be taken in agreement with the line manager in shorter periods.
- The possibility to telework is extended from 2.5 days a week to a maximum of 3 days a week.

² [Commission Decision C\(2014\) 2502](#) final of 15.4.2014 on working time

³ [Commission Decision C\(2015\)9151](#) final of 17.12.2015 on the implementation of telework

- The option to telework outside the place of employment was introduced.

While the changes regarding the rules on telework were gradually introduced during the end of the COVID-19 pandemic, to facilitate the initial implementation and ensure consistent application of the Decision, an [overview of the key elements of the Decision](#) and [Frequently Asked Questions on the Decision](#) were provided shortly after.

Evaluation of the implementation of the Decision

Article 17 of the [Decision](#) requires [DG HR to evaluate its implementation by 30 September 2023](#). On the basis of this evaluation and after concertation with the trade unions, the Commission will assess whether adjustments are required.

The purpose of this report is to evaluate the implementation of the Decision by assessing whether it meets the specific objectives set by the Decision.

As indicated in 5. Annex contained in the [methodology](#), the evaluation is based on the assessment of quantitative and qualitative data from three pulse surveys, quantitative data from Sysper and qualitative data from focus groups and feedback from other stakeholders. In addition, the rules are benchmarked with other EU and international institutions, and recent policies in private companies were observed. The results of the assessments are addressed under the next sections, after which the report sets out conclusions and recommendations.

However, it should be noted that the evaluation is based only on the limited implementation experience gained in the last 18 months and that the data used

predominantly covers a period of 12 months only. Hence, the results of this evaluation are merely a picture of the post Covid-19 circumstances of the last months. However, this picture may adapt in the future, as the Commission, as well as the rest of the world, is still navigating new realities after the pandemic, with new insights coming every day. Therefore, it is also important to benchmark and share experiences with other EU Institutions and bodies which come across similar challenges and may have different solutions. In that way the Commission will continue to strive to find optimal solutions to ensure “People first” and therefore enjoy the best working conditions while taking into account the interest of the service.

3. Evaluation

This core section relates the results of the evaluation to the objectives of the Decision as specified in the following recitals:

- Improvement of work-life balance by combining working at the office and teleworking (Recital 1);
- Ensuring a reasonable and manageable workload taking into account the right to disconnect and psycho-social risks (Recital 6, 7 and 9);
- Ensuring equal treatment of all staff with access to equivalent means of working (Recital 12, 14 and 15);
- Development of an efficient remote and results-oriented management approach based on a culture of trust (Recital 4);
- Preservation of integration of newcomers and team cohesion (Recital 10);
- Reduction of CO2 emissions (Recital 2);
- Establishment of a Joint Committee on Working Time and Hybrid Working (Recital 17).

For each objective, an analysis of the implementation is provided based on, where applicable, pulse survey data, Sysper data, focus group and feedback received from other relevant stakeholders, including Joint Committees and the Corporate Management Board, and benchmarking with other EU and international institutions and bodies while recent policies in private companies were observed.



Improvement of work-life balance by combining working at the office and teleworking

Objectives

To promote a **modern**, digital and **flexible working** environment, to protect **staff's health** and **wellbeing**, to enhance efficiency and **improve work-life balance**.

To provide adapted rules on working time and set out a new legal framework facilitating 'hybrid working', that is to say a **combination of working at the office and teleworking**, where both modalities are considered equivalent (Recital 1).

Evaluation

Modern and flexible working environment

In the pulse survey for staff of February 2023, around **83% of the participants declared themselves satisfied with the current flexible way of working** (see Overall impact).



All feedback received from focus groups and other stakeholders show that they value flexible working. It **increased the autonomy of staff, their sense of empowerment, ownership, and responsibility**. It leads to staff going the extra mile with increased productivity and efficiency, finding more solutions and being more creative. However, it was also indicated that some staff are teleworking and simultaneously undertaking private

duties or tasks which reduce concentration and dedication.

Participants of focus groups **see flexible working as a clear recruitment advantage** enabling the Commission to be perceived as a **modern employer** giving it a competitive advantage in the highly competitive and dynamic labour market. This is of particular importance for Luxembourg. This is also observed with the trend that certain private companies that had decided to backtrack by reducing flexibility realised quickly that it impacted their attractiveness, especially for young people who seek for flexibility.

Moreover, hybrid working helps staff from different sites work together on an equal footing.



The overwhelming majority of feedback recognises that teleworking works for both staff and managers.

However, it has been noted by some managers and committees that **staff should be made more aware that the interest of the service prevails** and if necessary, managers can limit the flexibility temporarily, as is also provided by the Decision. Based on the findings there is an indication that staff and managers are not always mindful enough of their obligation to be present in the office when necessary in the interest of the service, for example due to inter-institutional obligations, College preparation, taking part in conferences, in particular when organised by the Commission or to increase the team cohesion. For both staff and managers, it was **not always clear who exactly has the authority to decide** (e.g. staff themselves, the line manager or the

Director-General) **to what extent flexibility** (e.g. number of days present in the office) **is indeed possible when taking into account the interest of the service.**

When looking at **other EU and international institutions and bodies, the rules are aligned.** They all provide for the possibility to telework on a more structural basis. Within the EU, most institutions and bodies have rules which allow for on average of 2 to 3 days (40%-60%) of teleworking per week. The models vary. For some institutions or bodies, the amount of acceptable teleworking time is fixed per week (for example 2 days per week of teleworking), whereas for others, it is fixed per month (for example: two weeks per month of teleworking). Most other EU institutions and bodies count on a weekly basis to ensure staff come to the office every week. Moreover, all EU institutions and bodies require teleworking in principle to be performed at the place of employment/residence (see [Benchmarking](#)).

Wellbeing and Work-life balance

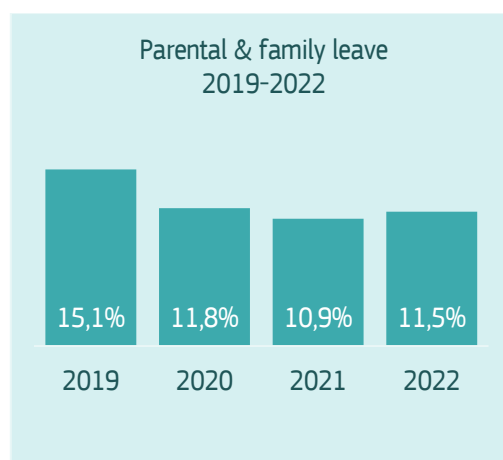
The survey of February 2023 indicated that all aspects of flexible working were rated positively by staff, with the highest ratings for **work-life balance** (84%), **performance** (77%), **motivation** (77%) and ability to stay focused (see [Overall impact](#)). These ratings all increased compared to the June 2022 survey, therefore, showing a benefit for the institution.

Participants of focus groups note that the Decision helps staff spend less time commuting. Moreover, they can **concentrate better on important projects, when required.**

According to multiple participants, the flexibility offered by the Decision makes it easier to accommodate certain situations without the need to use different types of leaves and/or work patterns. For example, to have short periods of absence during the working period to pick up the children from school.

These testimonies from focus groups are corroborated by the data on certain leaves and part-time work:

- The **parental & family leave rate for 2022 (11.5% of staff) is substantially lower than in 2019 (15.1%)** (see the graph below and [Parental & Family Leave](#)). The difference is consistent for all months. However, it is particularly noticeable during July and August.



- There is a decrease of 42% in the number of special leave days for the illness of a child, spouse or relative compared to 2019 (see [Special leaves](#)).
- There is also a decrease in the number and percentage of part-timers compared to 2019 (in 2019, 6.8% of the staff was on part-time

versus 4.7% in 2022) (see [Part time work](#)).

The decreases in these leaves and working patterns show that staff are less absent, which means an increase in the available workforce for the Commission. However, special care should be given to encourage staff to feel empowered when they need to use different types of leaves and part-time work patterns, to promote adequate work life balance and the right to disconnect.

Combination of working at the office and teleworking



In general, according to data in Sysper the average weekly office presence across the Commission is 54.4%

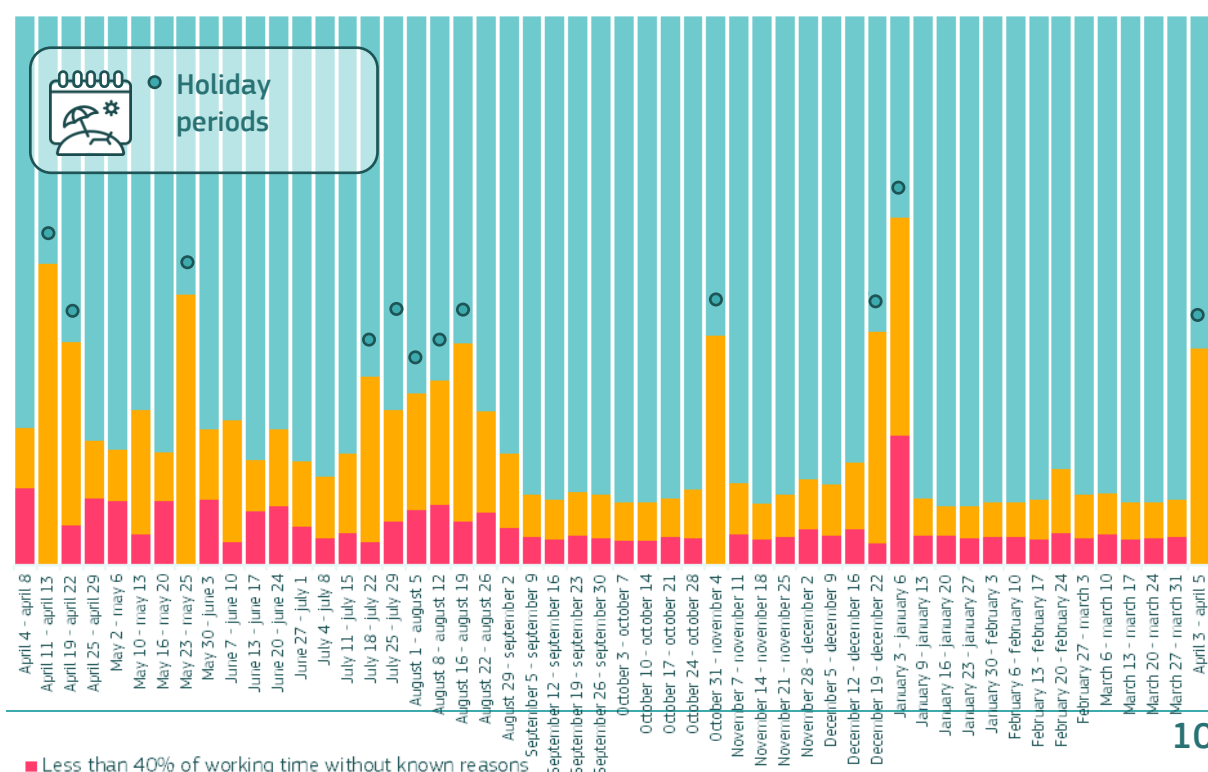
during the observed reference period from April 2022 to March 2023 (see [General office presence](#)). This presence is also relatively evenly spread across the week (see [Graph 13](#)).

There is a decrease in the percentage of staff coming to the office during holiday periods (see [Graph 12 below](#)). One explanation could be that more staff are making use of the 10 days of telework outside the place of employment during these periods.

Moreover, for end July/August 2022, some Directorates-General received an authorisation for 100% telework and in the first week of January 2023, the Buildings Energy Saving Together action took place, for which DG HR authorised everyone in Brussels and some JRC sites outside of Brussels to telework for 100% of their weekly working time.

The vast majority of staff complies with the requirement to come to the office for at least 40% of the weekly working time (see [Presence at the office](#)). For the staff that have been to the office less than 40% of their weekly working time, and for which there are no known reasons, this does not necessarily mean they are not compliant with the rules. Different reasons could be given for why they do not meet the minimum of

Staff grouped by office presence pattern, by week



40% office presence, such as the authorisation from the line manager to telework for reasons linked to the interest of the service or to mobility.

As regards the accuracy of hours encoded in Sysper, the staff survey of February 2023 indicates that **70% of the participants confirmed that they recorded their working hours / location as exactly as possible**, while 12% accepted the default hours / location in Sysper. Therefore, **it is possible that there is an overestimation of presence in the office** since the default place of work in Sysper changed from “telework” to “work at the workplace” in June 2022. For this reason, the default option of place of work was removed in July 2023 in order to have more accurate data in the future (see [accuracy of encoding hours](#)).

As indicated in the pulse survey for staff in February 2023, staff assigned to traditional offices spent more time in the office than staff in **flexible offices** (see [Type of office](#)). This is confirmed by the data derived from Sysper (see [Graph 17](#)).

The 20% right to telework is welcomed by most of the focus groups participants. More focused work at home is highlighted by some participants as an additional added value of teleworking. Some staff, HR Correspondents and some committees even see the need for an increase, **suggesting that the right to telework be increased to 40% or even 60%, especially for staff in dynamic collaborative spaces** (DCS). The reasons given for this were twofold: the working environment and the limited office space.

It must be noted, however, that in some situations more office presence is required, for example to develop and

reinforce team cohesion. Therefore, **there are requests to make managers more aware of the rules**, including the possibility to require staff to come to the office up to 100% of the weekly working time when it is in the interest of the service.

Nevertheless, in general the minimum 2 days' office presence is valued by many participants. **Some staff even prefer coming to the office 4-5 days**. It is seen as essential for better communication, running in-person meetings, socialising, and maintaining and/or improving interpersonal relationships.



From April 2022 to March 2023, **half of the active staff have teleworked outside the place of employment, with an average of 7 working days used**. Staff used this option mostly during the holiday periods (July, August and December) and have used this possibility multiple times during different months (see [Teleworking outside the place of employment](#)).

In the pulse survey, 92% of managers acknowledged that **telework outside the place of employment has a positive impact on staff's wellbeing and contributes positively to their availability (62%) and performance (61%)** (see [Teleworking outside the place of employment](#)).

HR correspondents and some committees highlight its importance mostly for business continuity, especially during holiday periods and in particular for small(er) teams. Moreover, the impact of teleworking outside the place of employment on the capacity of managers to manage their team was largely

considered neutral (48%), with far more managers assessing also this aspect positively (39%) rather than negatively (12%).

The overwhelming majority of participants of focus groups and some committees also value the possibility of teleworking from outside the place of employment, particularly to telework from their home countries. For some, the main reasons to use this possibility include the need to get help with **care for children during school holidays and/or to take care of aging parents**.

Almost all participants and other stakeholders (e.g. committees) see a potential improvement in the form of increasing the days of teleworking outside the place of employment. Some also suggest having a possibility to carry the days over to the next year and others even suggest that it should not matter where staff are teleworking. Highlighted reasons, apart from the above mentioned, include **modernising the institution, becoming more attractive for young(er) colleagues**, as well as the recognition of special circumstances, such as the closures of buildings following the Building Energy Savings Together (BEST) Actions or during permanence.

When comparing it to other **EU and international institutions and bodies, on average, the Commission allows staff to spend less days teleworking outside the place of employment**. It is, nonetheless, also not the institution that allows the least number of days. The European Parliament does not cater at all for this possibility, and the Council only allows for 5 days of teleworking outside the place of employment a year.



In addition to the 10 days of teleworking outside the place of employment, the Decision also introduced the possibility for DG HR to authorise **telework outside the place of employment for exceptional circumstances**, such as duly documented family reasons. Compared to other EU and international institutions, the basic provision again places the Commission in the middle of the list without taking account of the possibility for renewal which improves the Commission's position.

Based on the data in Sysper, more than 2% of the staff have been authorised to use this possibility. Moreover, **the staff who have used this possibility have requested on average less (14 working days) than the maximum amount**, which is 20/21 working days depending on the month (see [Exceptional Teleworking outside place of employment](#)).

A minority of all participants raised the topic regarding the process of telework outside the place of employment for exceptional circumstances. They asked for **clearer rules and procedures for obtaining telework outside the place of employment for exceptional circumstances, especially for special (urgent) cases for health-related reasons** (e.g., surgery, help with aging parents, death of a family member).

Some HR Correspondents advocate for more leeway and for having more of a say (concerning the staff of their Directorate-General) on those special cases and circumstances. More flexibility is requested by some participants and committees, as they find the current assessment too strict. The assessment should be based on the type of upcoming

tasks (if the same level of quality of output/results would be provided during teleworking for a longer period or not) and related to (exceptional) family-related reasons (e.g., for a certain limited period for health-related reasons), including long term and recurring situations. Therefore, suggestions to change the Decision concerned the coverage of serious long-term and/or recurring situations and the inclusion of the possibility for staff to come 40% of their working time to the office on a monthly, instead of weekly basis, while being authorised to telework outside the place of employment for exceptional circumstances to take care of the family member for the remaining working time.

Ensuring a reasonable and manageable workload taking into account the right to disconnect and psycho-social risks

Objectives

To protect the health and wellbeing of staff, line managers should ensure that the **tasks they assign to staff can be reasonably considered as manageable** within their working time schedule, taking into account peak periods (Recital 6).

To provide a **right to disconnect**, taking into account the European Parliament resolution of 21 January 2021 with recommendations to the Commission on the right to disconnect (Recital 7).

To implement teleworking arrangements taking into account **psycho-social risks** such as those linked to digital overload, a blurred line between professional and private lives or social isolation. Having accompanying measures that ensure good working conditions and, where relevant, provide targeted training and guidance (Recital 9).

Evaluation

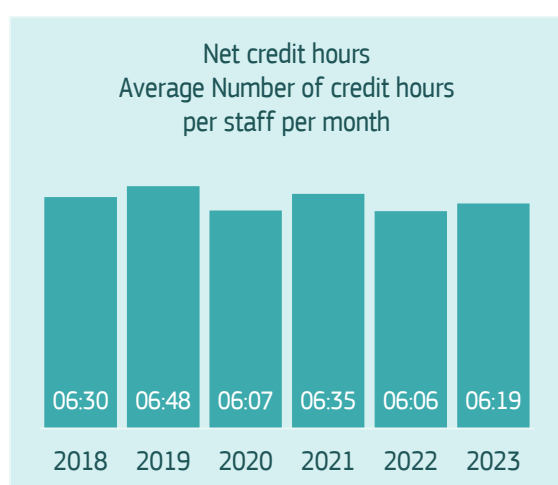
Manageable tasks and credit hours

Under the Decision, credit hours while teleworking are counted towards the flexitime balance. This was not the case before to prevent staff from working more while teleworking. On average, **staff work 6 minutes more per day at home (8:06 per day), and 18 minutes more per day working at the office (8:18 per day)**. Staff who are teleworking are more likely to start earlier and finish work earlier, as observed during the

reference period April 2022-March 2023 (see [Working Hours](#)).



The most net credit hours per month on average per person⁴ were registered in 2019 (6 hours and 48 minutes). When looking at 2022, it is still half an hour below the average of 2019. Therefore, **staff have worked fewer credit hours on a monthly basis in 2022 than in 2019.**



When looking at the accepted credit time by the system and the line managers, a similar trend can be seen, where more credit hours were accepted and registered per person in 2019 than in 2022 (see [Credit Hours accepted](#)). Therefore, based on the data, **the fact that there is no limit any more to carry over credit hours on average does not necessary seem to lead to an extreme number of credit hours being worked and accepted on average compared to before.** Hence,

⁴ It is the time worked during the month in addition to the work pattern minus any offsetting and without carry-over from the previous month. It also does not take into account whether hours were deducted by the line managers or the system.

the overall workload on average in 2022 seems to have been lower than in 2019.

While the total number of credit hours recorded on average has slightly decreased compared to 2019, credit hours continue to be registered, indicating that on average staff register still more than 40 hours per week. As a consequence, if the hours are not offset, or no recuperation is taken, **it can lead to high numbers of credit hours over a longer period.**

In the focus groups, both staff and managers raised the fact that it is difficult to lower the balance of accumulated credit hours, when recuperation can only be taken for two days per month. Moreover, in some Directorates-General there is constant time and workload pressure, making it difficult for managers to accept the possibility to recuperate. While this is not visible in the current data from Sysper, it may become problematic in the future.

Therefore, participants are asking for clarification on how to recuperate and/or offset those hours in practice. Moreover, some committees suggest that for accumulated hours that are often never taken by staff, other solutions should be found to reduce the hours, for example, by offering special leave based on a case-by-case analysis instead.

Staff's health & safety



In general, participants of focus groups acknowledged the overall clarity of the rules of the Decision.

This provides balance and stability, which is appreciated.

Some committees highlight that more focus should be put on health and safety of teleworking, including how to ensure **wellbeing and prevent digital overload and burnout**. Many hybrid and online meetings are planned back-to-back and run late in the afternoons. Moreover, more information should be provided on how to have a good hybrid working environment with safe ergonomic equipment, including for staff with a disability. For managers a training session should be organised on how to manage staff in a hybrid working environment.

Some staff, managers, a significant number of HR Correspondents and committees mention and ask for the **reimbursement of costs of teleworking from home**. On the other hand, some are mindful of the current global financial challenges and are fine with bearing those costs. However, they prefer that at least staff in the lower grades receive some compensation to deal with the costs of energy/internet.

According to the data from Sysper, the **annual leave rate** is higher than in 2019. This is good for the wellbeing of staff, as annual leave allows staff to rest and recharge. That the rate is higher than in 2019, may be due to the fact that in previous years staff used less annual leave and now need to use them in order not to lose them (see graph [26](#) and [27](#)).

Some participants of focus groups and committees observe that **teleworking**

and flexible working hours brought about a decrease in sickness absences taken due to minor colds or mobility issues or special leave for sick children. Some managers highlight their preference for staff to stay home teleworking instead of potentially spreading viruses in the office. The same applies for staff who feel slightly unwell but are still able and willing to continue working.

This is confirmed by data in Sysper. **The sick leave rate for 2022 is lower (4%) than 2019 (4.2%) and the Covid-19 years were even lower** (see [Sick Leaves](#)). It is particularly the case for **sick leaves where a maximum of 3 days have been taken**. In 2019 around 17% of all the sick leave days taken were less than 3 days, while in 2022 this was only 11.7%. Hence, when staff are on sick leave, they are more likely to use and require it for a longer period.



Nevertheless, concerns are also raised by almost all stakeholders that **some sick staff are working from home instead of taking the appropriate sick leave**, which is why there is less sick leave of less than 3 days taken. Therefore, while acknowledging that **staff are also responsible for their own wellbeing**, although **managers must be more cautious in allowing staff to telework** when they indicate that they are not feeling well.

Right to disconnect



Many participants of focus groups praise the newly established right to disconnect. Some committees note that this right and respecting it, is crucial in a context where staff are exposed to a very **significant workload, and the health risks of digital overload**.

Nevertheless, potential risks are raised. Some of the staff and committees have indicated that the right to disconnect is not always respected, either by the management or by colleagues themselves. If many colleagues work during the disconnection period, the pressure on others to work as well increases unintentionally. Staff members struggle to disconnect and work while they are on leave, including sick leave.

Therefore, staff **should be actively discouraged to work during the disconnection period**. Moreover, line managers are called upon to be more careful when requesting staff to work during the disconnection period, to prevent unnecessary health risks.

In general, the majority of participants would prefer **additional clarifications regarding the implementation of the right to disconnect and its concepts, more specifically regarding working hours, the disconnection period and the concept of being reachable/available for interaction**. For instance, they would like to know how to deal with organising/attending meetings that are scheduled outside the interaction timeslots and start earlier than 8:00 and finish later than 19:00.

DG HR is aware of how working lives have changed since 2020 when teleworking became a new way of working. As part of

its duty of care to staff, it organises **training courses on Digital Detox**, available to all staff, to draw attention to issues linked to over connection which could impact staff health or wellbeing. The course outlines how working lives have altered and offers practical preventative advice to participants on how to navigate new working ways, while protecting a healthy work-life balance.

Ensuring equal treatment of all staff with access to equivalent means of working

Objectives

Within the scope of this report, the objective is to evaluate equal treatment only in respect to the working time and the Decision. To ensure all staff are **treated equally**, regardless of their working arrangements, and all have access to equivalent means of working. Respect for the principle of equality should include all diversity aspects, in particular **disability, gender and age** (Recital 12).

To monitor the ratio of teleworking and working at the office, with special focus on the use of **teleworking per gender**. When monitoring that ratio, where relevant, DG HR should analyse the options to encourage the equal use of teleworking by men and women (Recital 14).

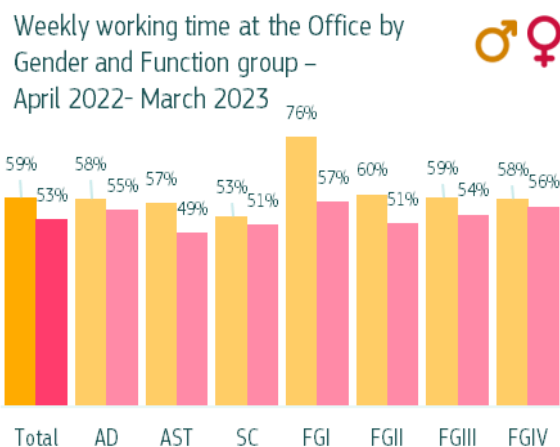
To pay special attention to the implementation of teleworking arrangements and their impact on **staff with a disability**, notably with regard to necessary equipment and reasonable accommodations in accordance with Article 8 of Commission Decision C(2004) 1318⁵ (Recital 15).

Evaluation

⁵ Commission Decision C(2004) 1318 of 7.4.2004 implementing Article 1d(4) of the Staff Regulations.

Office presence and use of other leaves and work patterns by gender

It should be noted that before the implementation of the Decision, 63% of the structural and occasional teleworkers were female.



In 2022, **there is only a small difference between office presence by gender** (see [Office presence by Gender](#)). With 59% of the weekly working time at the office for men compared to 53% for women, male staff members are coming slightly more to the office than female staff. This conclusion can be drawn for all function groups. However, there are larger differences in gender, when it comes to presence in the office for the AST group and Function Group 1. For the AST group 57% of male and 49% of female colleagues are present in the office. For Contract Agents in Function Group 1, the figures are 76% and 57% respectively. This may have to do with the tasks of these groups which require them to come to the office. A deeper analysis should be carried out once the register of tasks that are not compatible with teleworking is finalised and published.

When looking at [parental and family leave](#), [part-time work](#) and [special leave for serious illness of a child/spouse/relative](#), women still make

substantially more use of these options than men. However, the gap between the genders did decrease with the introduction of hybrid working.

Office presence by age group

As hybrid working is indicated as a way to become a more attractive employer, data has been extracted regarding the office presence by age group. Interestingly, the younger age groups are not the ones spending the least percentage of their weekly working time at the office compared to other age groups. It is the middle groups (mainly 40-49-year-olds). This may be explained by the fact that the younger age groups are often at the start of their careers and/or may not have the appropriate working conditions at home to telework. Therefore, they prefer to come more to the office. This also helps them to learn more from colleagues. However, the eldest age group (65+) does come to the office the most of all the age groups (see [Office presence by age group](#)).

Office presence by management level

When looking at the presence by management level (see [Office presence by management level](#)), managers spend on average more time at the office than the staff. However, the percentage decreases by level of seniority of the staff. Therefore, **senior managers spend most time (around 74% per week), while middle managers and advisers spend on average respectively 63% and 61%**. This confirms what managers indicated in the pulse survey of March 2023, in which they indicated that they spend more time in the office on average than their staff. AD staff spend on

average 53% at the office, which is in line with the average for staff.

Office presence by DG

When looking at the office presence rate per Directorate-General, there are some substantial differences between the highest percentage of office presence and the lowest (see [Office presence by DG](#)). **The College has, with a 76% office rate, the highest percentage of staff in the office on a weekly basis.** However, it is an outlier, as the next highest ones are all around 66%. DGT and OP are, with respectively 42% and 43%, the Directors-General of which the staff comes less often to the office, but still in line with the minimum requirement of 40%. This shows that there is different level of flexibility needed among DGs as foreseen by the Decision. It was also indicated by participants of focus groups that the possibility to cater for different circumstances was appreciated.

While the approach not to have a one size fits all seem to work for some, alignment in days of mandatory office presence across the Commission is asked by others (i.e. participants of focus groups and one committee). This is to avoid the concern of discrimination and potential “DG shopping”, as the Directorates-General with 2 days’ office presence are seen as more attractive than others. To prevent frustration and discrimination, there is a request for more harmonisation between Directorates-General and Units in terms of implementation of the Decision.

As different Directorates-General have different implementation practices, it can lead to “inter and intra DG competition” when it comes to recruitment of talent who want more flexibility. Therefore,

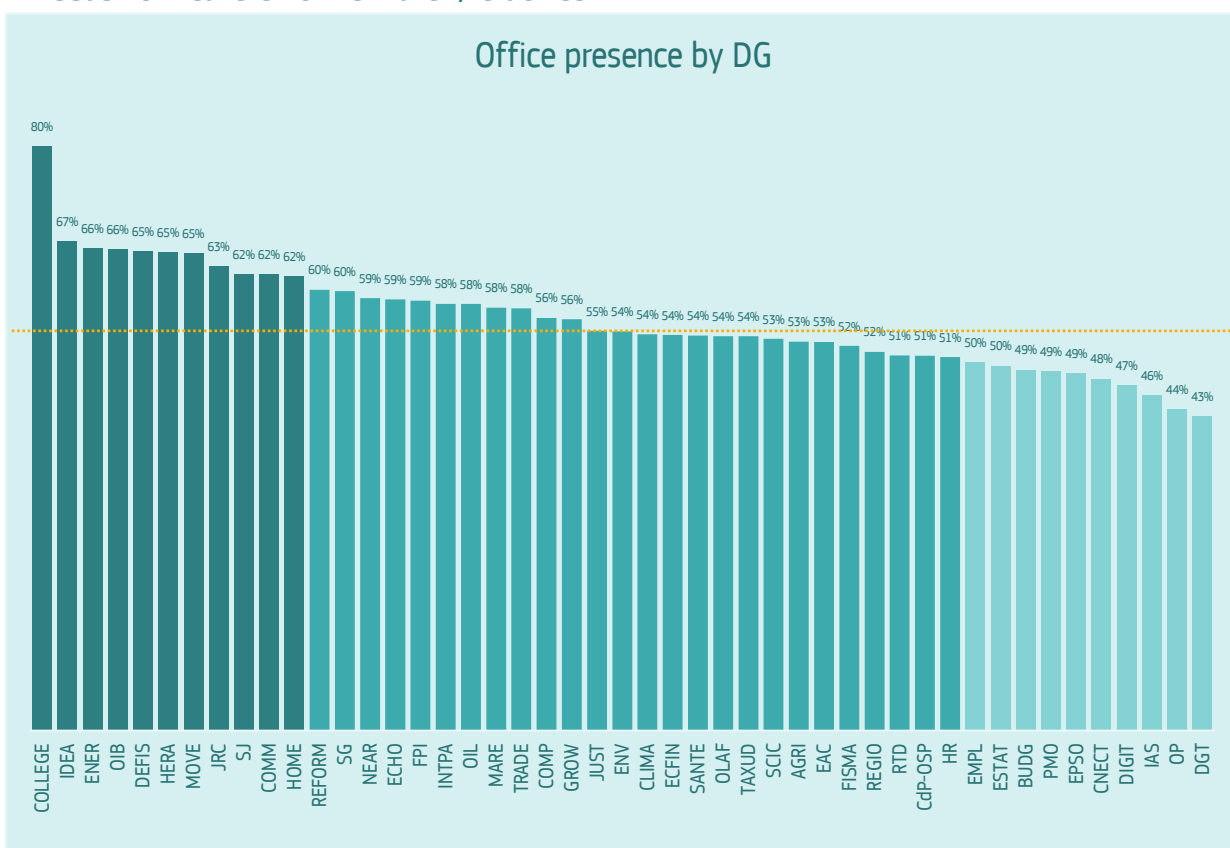
more clarification and alignment on teleworking, including on the tasks that are not compatible with teleworking, should be provided. For this reason, multiple HR Correspondents and committees have indicated the need to receive the register with tasks that are not compatible with teleworking.

with disabilities, for whom for example calculating office presence on a monthly basis would be more convenient.

Disability

The Ad hoc committee on reasonable accommodation is ensuring that eligible **staff have the right equipment both at the office and at home to be able to work properly**. This also enables staff with a disability to make use of the hybrid working arrangements. While there are some challenges with accommodation in dynamic collaborative spaces, appropriate solutions were found.

However, the current rules on office presence and teleworking do not always allow for an easy way to **address all the needs of carers of children/relatives**



Development of an efficient remote and results-oriented management approach based on a culture of trust

Objectives

To combine hybrid working with more flexible rules on working time to provide a higher degree of autonomy for staff, as well as a greater sense of responsibility. For line managers, it will imply taking an objectives-based and results-oriented approach and developing an efficient remote management style based on a culture of trust.

To adapt these methods to the management of teams that use teleworking on a regular basis, in order to ensure proper work organisation and integration of team members. In that respect, DG HR should provide adequate guidance, training and material resources as well as streamline good practices throughout the institution (Recital 4).

Evaluation



Many participants of focus groups indicated that the **Decision facilitates the output-based approach. It increased the quality of work and the efficiency.**

Another aspect raised by a strong majority of all participants of focus groups was the **importance of the trust-based approach** established by the Decision. The fact that it goes in both directions was the most acknowledged, while highlighting the value of good trust-based management. The role of the head

of unit/line manager was noted to be crucial, particularly in the implementation of the Decision.

Some managers in the focus groups note that flexibility creates a bigger burden on them, particularly from the implementation and follow-up angle. They highlight some difficulties in follow-up on precision of working hours and presence in the office recorded by staff in Sysper. Some suggest having the registration of presence cross referenced with badging data. Moreover, some staff, managers and HR Correspondents have indicated that not all possibilities offered by the Decision are implemented in Sysper, including granting 100% telework for the interest of the service.

Moreover, the need for tools for managers to be able to address non-compliance was highlighted as important, but also the need for clarity on the possibilities for both staff and managers in case trust is diminished. That there are cases of non-compliance is confirmed by the pulse survey results, as some staff still refuse to come to the office (see [graph 8](#)) or do not come often enough (see [graph 9](#)). Therefore, a standard procedure should be set up that determines the steps to be followed in case non-compliance is suspected and the measures to be taken in case non-compliance is confirmed. Staff should be made aware of the process and the consequences in case of non-compliance.

To additionally improve trust-based management, an **increased awareness of rules by the manager** is advocated for by several HR Correspondents, staff and committees. This is especially necessary for the implementation of the rules in situations where the interest of the service should prevail. Moreover,

more guidance and training for managers should be provided, including on remote management.

HR Correspondents and committees indicated that the list of tasks not compatible with teleworking would be very useful for the implementation.

In addition, more sharing of best practices, for example with a page on MyIntraComm, could have a positive effect and might show pathways for managers to improve their way of working and laying more trust upon their staff. This is especially important when bearing in mind that some staff mention that the hierarchy needs to trust them more.

Preservation of the integration of newcomers and team cohesion

Objectives

To implement hybrid working in a way that preserves an adequate welcoming of newcomers, transmission of knowledge and know-how, as well as effective teamworking in a multi-cultural context and informal collaborative exchanges as a source of creativity (Recital 10).

Evaluation

The results of the February 2023 pulse survey indicated that **inclusion** (52%), **relationships** (50% to 57%) and career opportunities (41%) are the lowest rated aspects of flexible working development (see [Overall Impact](#)).

As previously mentioned, minimum 2 days' office presence is valued by participants of focus groups as being essential for better communication, running in-person meetings, socialising, and maintaining and/or improving interpersonal relationships. Some participants specifically highlight the importance of **in-person meetings**, conferences and live events with stakeholders who have travelled. That staff overall find it important to attend certain meetings in person is confirmed by the pulse survey results of February 2023 and of March 2023. In these surveys, staff indicated that they attend meetings in person, when possible (see graphs [6 and 7](#)).

At the same time, while the minimum of the 2 days' presence in the office is valued, it is sometimes found to be too limited. Some participants of focus

groups see a decrease in **team cohesion**, because there is not always enough office space on the same floor for the whole unit to be present on the same days. Some participants indicated a decrease in learning from others, and that interactions with colleagues have eroded, which could potentially **lead to a lack of cohesion, lack of a sense of belonging and loneliness**. Several of the participants indicated that increasing the budget for teambuilding, instead of decreasing it, would allow them to organise/participate in teambuilding activities, which would be useful in building more team cohesion in a hybrid working environment.

Another issue raised with only 2 days at the office is the **integration of newcomers**, including trainees. The vast majority of feedback highlights the need for them to come to the office more often, particularly at the beginning, to help with their integration and establish team cohesion. It also acknowledges the importance of providing the conditions for newcomers to build their social and professional networks. Some ask for an increased weekly mandatory presence in the office during the onboarding period, for newcomers and their mentor, together with core team members.

Reduction of CO2 emissions

Objectives

To see how teleworking contributes to reducing CO2 emissions arising from staff commuting and the resulting congestion, particularly for those who drive to work and supports the Commission's efforts, under the European Green Deal, to become climate neutral by 2050 (Recital 2).

Evaluation

Teleworking resulted in fewer trips to the office and therefore in savings in CO2 and CO2 equivalent ('CO2e') emissions from commuting. In some cases, however, this resulted in additional emissions from teleworking at home, particularly from heating (or cooling) the home when it would otherwise have been unoccupied.

Under the Eco-Management and Audit Scheme (EMAS)⁶, the Commission estimated, and published for the first time, its emissions generated by teleworking as part of its overall carbon footprint in the [2022 Environmental Statement](#) (for performance up to 2021). By combining national data on the energy mix for space heating, with Commission staff survey data on teleworking arrangements, **teleworking emissions were estimated to be about 8% of the total carbon footprint of the Commission, representing 10 766 tonnes of CO2e**. This was less than the **reduction in commuting emissions**

⁶ Since 2002 the European Commission implements the EMAS in order to improve its environmental performance by systematically setting objectives and targets, and measuring progress towards achieving them. DG HR is in charge of coordinating the system Commission-wide. See more: [EMAS in DG HR \(europa.eu\)](#)

between 2019, the last 'normal' year and 2021 which was 15 146 tonnes CO₂e. There has therefore been an overall net saving in CO₂e emissions, not yet taking into account that teleworking also contributes to emissions reductions in other areas such, e.g. buildings as described below.

Work is constantly ongoing to improve the quality of carbon footprint data, standardising approaches to calculations across the Commission sites. The EMAS team is currently working to estimate teleworking emissions back to 2019 and this should be reported in the 2023 Environmental Statement (for performance up to 2022), currently under preparation.

The Decision, and the possibility for staff to telework maximum 3 days per week has enabled the Commission to roll out more flexible and efficient offices, with a greater number of staff in DCS. As staff are spending less time at the office, it is not necessary to have an assigned desk available for everyone. Implementing this approach in newer, and more energy efficient buildings, while moving out of older ones, will reduce costs. In Brussels, draft EMAS data indicates that the **number of buildings decreased from 61 in 2021 to 53 in 2022 with a corresponding decrease of more than 70 000 sq. m. surface area.** Further reductions are planned.

Finally, it is estimated that there was a reduction by **8 000 tonnes of the CO₂e emissions in Brussels' based buildings as a result of the reduction of office space occupied by the Commission.**⁷

⁷ This data still needs to be EMAS verified.

Establishment of a Joint Committee on Working Time and Hybrid Working

Objectives

To establish a joint committee that assists DG HR in monitoring the effective implementation and compliance with this Decision. The joint committee may issue recommendations to DG HR in case it detects inconsistencies and/or unequal treatment in the implementation of this Decision (Recital 17).

Evaluation



The Joint Committee on Working Time and Hybrid Working was effectively created. It adopted its internal rules in December 2022. More information can be found on [My IntraComm](#).

To determine whether more changes are necessary, some participants and one of the committees consulted suggested that DG HR continues to take pulse surveys regarding satisfaction of staff, and to take appropriate follow-up measures. For this follow-up, the **Joint Committee on Hybrid Working** should consolidate and enhance its role in monitoring the implementation of the Decision.

The committee has been working in a constructive spirit. However, it indicated that they need more information from DG HR concerning the type of questions and issues that are emerging. To enhance information gathering, it is suggested to include the possibility for the committee to hear individual cases, which is now excluded.

4. Conclusion and Recommendations

Conclusion

Based on the results of the evaluation carried out as described in the methodology section in Annex, DG HR believes that the implementation of the Commission Decision on working time and hybrid working generally works well, although some adjustments need to be built in. The evaluation provides reasonable assurance regarding the compliance with the Decision's provisions and the achievement of the overall objectives of the Decision.

Overall, staff and management appreciate the changes and the flexibility in working conditions. It **increased the autonomy of staff, their sense of empowerment, ownership, and responsibility**. It leads to staff going the extra mile with increased productivity and efficiency, finding more solutions and being more creative. Therefore, it can be considered that the institution benefits through better performance and higher motivation.

The evaluation of the Decision has shown that the productivity of work was ensured while the new working conditions have improved work-life balance and have reduced the different types of leave and part-time work. Staff have adequately combined working at the office and teleworking.

Current arrangements have led to an increase in **satisfaction of staff at all levels and in all places of employment** compared to the previous rules, in particular as regards their work-life balance, productivity and motivation, which is beneficial to the Institution. Satisfaction is a key element for the attractiveness of the Commission. This was confirmed by the trend observed in some private companies that decided to backtrack by reducing flexibility and realised quickly that impacted their attractiveness, especially for young people who seek flexibility.

As a result of the new flexibility provided by the Decision, staff do not use as much of different types of **leave** (Sick leave, parental and family leave, special leave for the illness of a child, spouse or relative)

and **part-time** work, which all show a decrease. The new flexibility therefore led to the efficiency gains, in terms of more available workforce, for the Commission on one side and for improved work-life balance and improved staff's satisfaction on another.

Staff made good use of hybrid working with an average of **54% of staff's working time spent in the office**. However, staff and managers should be more aware that the interest of the service prevails and when presence is mandatory, such as inter-institutional obligations, College preparation related work and work enhancing team cohesion.

Related to physical presence, a certain unclarity was observed regarding the **authority deciding** (e.g. staff themselves, the line manager or the Director-General) **on the extent of the provided flexibility particularly regarding the physical presence** (e.g. number of days present in the office) **while taking into account the interest of the service**. There was also uncertainty regarding occasions when office presence is mandatory such as inter-

institutional obligations, College preparation related work and work enhancing team cohesion.

The vast majority of **staff complies with the requirement** to come to the office for at least 40% of the weekly working time.

The Commission's arrangements are relatively **aligned with other EU institutions/bodies and international organisations**.

Flexible working is seen as a clear recruitment advantage enabling the Commission to be perceived as a **modern employer**.

Staff value the possibility to **telework outside the place of employment** and made a reasonable use of this opportunity. Nevertheless, many requested to have an increase in the number of days allowed in line with some other EU institutions and bodies.

The implementation of the Decision which underscores the significance of the right to disconnect and addresses psycho-social risks, globally and on average enabled a manageable assignment of tasks to staff. However, additional clarifications regarding the implementation of the newly granted right to disconnect are asked for.

Staff have worked **fewer credit hours** on average on a monthly basis in 2022 than in 2019.

The fact that there is no limit any more to carry over credit hours does **not necessarily seem to lead to an extreme number of credit hours** being worked and accepted compared to before.

If the hours are not offset, or no recuperation is taken, it can lead to high numbers of credit hours over a longer

period leading to **potential risk of digital overload and burnout**.

The **sick leave rate for 2022 is lower than 2019**. It is particularly the case for sick leaves of up to 3 days. However, some sick staff are working from home instead of taking the appropriate sick leave.

Staff praise the newly established right to disconnect. However, it may not always be correctly implemented. Additional clarifications regarding the implementation of the disconnection period and the concept of being reachable/available for interaction is asked for. For instance, staff and managers asked for more guidance on how to deal with organising/attending meetings that are scheduled outside the interaction timeslots and start earlier than 8:00 and finishing later than 19:00.

A large majority of staff have benefitted equally from the implementation of the Decision while providing flexibility for Directorates-General to adapt working arrangements to their specific needs.

Staff have been treated equally regardless of their **age group** and **gender**.

There is a different office presence **rate per Directorate-General**, which shows there are different levels of flexibility needed, as foreseen by the Decision. Additionally, this is also due to different types of tasks performed in different Directorates-General i.e., compatible or non-compatible with teleworking. It was also indicated that the possibility to cater for different circumstances was appreciated.

Staff with a disability have the right equipment to be able to work properly. However, further flexibility may be useful for carers of children/relatives with disabilities. Furthermore, there seems to be

a need for more equal use of teleworking across categories of staff and gender.

The Decision facilitates an output-based approach, essential to trust-based management as a key priority of the HR strategy. However, it would require further guidance, including sharing of best practices, in particular for managers and newcomers.

The Decision facilitates an output-based approach. It increased the quality of work and the efficiency of staff.

Some managers in the focus groups note that flexibility creates a bigger burden on them, e.g., additional effort is needed from them in: arranging teams/ coming at the same days in the office, organising social interactions, strengthening team cohesion, as well as follow up and monitoring of days in the office/telework.

IT-tools and equipment still need to be improved for efficient remote management.

The trust-based approach can be improved by more guidance for managers to raise awareness of the rules and share good practices. Having the register of tasks not compatible with teleworking would also help implement this approach.

The implementation of the Decision is a challenge regarding the integration of newcomers and team cohesion but measures can be introduced in this respect.

The pulse survey indicated that inclusion and relationships are the lowest rated aspects of flexible working.

While the minimum 2 days' presence in the office is valued, it is sometimes too limited. Some participants of focus groups

see a decrease in team cohesion, learning from others and sense of belonging.

The integration of newcomers, including trainees is also indicated as an issue.

The implementation of the Decision has positively impacted the CO2 emissions of the Commission, through the decrease of commuting emissions, the reduction of office space and consequently reduced consumption of energy, therefore generating savings for Heading VII in the long run.

Teleworking resulted in fewer trips to the office and therefore in savings in CO2 emissions (CO2e) from commuting.

The reduction in commuting emissions was higher than the increase in emissions related to Teleworking at home.

The roll out of Dynamic Collaborative Space (DCS), has led to a reduction of sq. m. surface area, as well as to the reduction of CO2e.

The Joint Committee on Working Time and Hybrid Working was effectively established and worked in a constructive spirit.

The Joint Committee on Working Time and Hybrid Working adopted its internal rules in December 2022.

It should consolidate and enhance its role in monitoring the implementation of the Decision.

Recommendations

Based on the evaluation, DG HR proposes to further strengthen the new working conditions environment while continuing with the current rules and with monitoring the implementation of the Decision.

A number of areas for improvement were identified together with staff and managers that DG HR recommends focusing on through the following actions:

Develop further a hybrid management culture, with more guidance and raise awareness in particular for managers and newcomers to optimise the possibilities offered by the Decision.

Feedback received frequently pointed out the need for further guidance and clarification on different topics, in particular the interest of the service, who can decide what, right to disconnect, interaction period and telework outside the place of employment for exceptional circumstances.

To address the request for more guidance, DG HR will also develop a Coaching Package for Managers to guide them how to better:

- Raise awareness of the rules and share good practices in order to additionally improve trust-based approach. Having the register of tasks not compatible with teleworking would also help implement this approach.
- Encourage staff to work at the office according to the agreements with the line manager and in particular when in the interest of the service, e.g., to be present in meetings in person, especially for meetings with third parties, inter-institutional obligations, College preparation related work, work

enhancing team cohesion, in presence participation in conferences and particularly in those organised by the Commission.

- Integrate newcomers by ensuring sufficient team presence in the office.
- Walk the talk by working at the office as a general rule to stimulate face-to-face interaction.
- Monitor the presence of staff and provide guidance on what managers can do in case of issues with staff presence.

Raise the profile and stress the importance of leave managers (GECOs), who are the focal point for all issues related to working time.

Provide best practices to support the integration of newcomers.

Particular attention and tailored actions should be provided for newcomers.

The action should ensure that all newcomers integrate quickly in their respective teams/Directorates-General, by meeting everyone concerned swiftly. The newcomer and their mentor should be more present in the office particularly at the beginning of the newcomer's career.

Enhance team cohesion by sharing concrete good practices.

While the budget for team buildings is decreasing, there are still other ways to increase team cohesion, for example, specific days on which teams need to come to the office.

It is suggested that the Flex team⁸ continues to provide [guidance](#) to help with

⁸ The FLEX Team – cross DG Commission service (HR, OIB/OIL, DIGIT, SCIC, SG, JRC) responsible for all

different aspects of hybrid working. The newly established Centre for Organisational Transformation could also provide valuable insights on hybrid work.

Close follow up of credit hours to avoid unreasonable accumulation of hours over time.

The registration and validation of credit time as well as recuperation should be better framed to avoid unreasonable accumulation of hours.

More guidance should be provided to staff and managers on limiting the accumulation of hours, in particular referencing the associated risk of digital overload and burnout.

The chance of future litigation and the risk of liability should be assessed and the possibility for a limited and focused amendment to the Decision concerning accumulation of credit time may have to be considered.

Further identify tasks that are not compatible with teleworking.

DG HR should publish the register of tasks that are not compatible with teleworking, which is required by the Decision. This should provide in a comprehensive way, full support to managers with the implementation of the Decision, in particular when managing staff carrying out tasks on the register.

Follow up on the occurrence and the ability to address more specific situations, such as for carers of children/relatives with a disability.

things related to flexible ways of working and supporting moves to flexible workspaces, focusing on the 3Bs of bricks, bytes and behaviours.

There may be a need in the future to amend the Decision to address better the needs of carers of children/relatives with disabilities. However, as the scope of the issue is not yet clear, further analysis is needed to assess the extent to which the current rules on office presence and teleworking should be adapted taking also into account gender balance and the potential impact on the usage of different types of leaves. For the latter, deeper analysis would be useful once the register of tasks that are not compatible with teleworking is finalised and published.

Improve time registration tools for an accurate, effective and efficient encoding and monitoring, including tools to measure effective office presence in buildings (morning and afternoon), to be able to follow trends in behaviours but also to determine and address non-compliance.

The development of SYSPER to enhance the accuracy of data as well as simplification of the tool is essential and should continue.

This would allow for more granular data and a deeper analysis on the implementation of the Decision through cross referencing with other data sources. In particular, further analysis of how flexible working impacts, for example, on productivity and staff satisfaction, both globally and in more granular terms is needed (e. g. by building, by DG, by working environment).

The existence of cases of non-compliance were confirmed by the pulse survey data. Confirmed cases of non-compliance should be addressed. Therefore, a standard procedure should be set up that determines the steps to be followed in case non-compliance is suspected and the measures to be taken in case non-compliance is

confirmed. Staff should be made aware of the process and the consequences in case of non-compliance.

Continue closely monitoring the implementation of the Decision.

As there will be more focus on the implementation, as well as the fact that the experience with the current implementation of the Decision is somewhat limited in time i.e., less than 18 months with data that covers a 12-month period, but not yet one calendar year, it is recommended to continue monitoring its implementation.

5. Annex

Evaluation methodology

Evaluation objectives

The objective of the evaluation of the implementation of the Commission Decision on working time and hybrid working is to assess whether the implementation of the rules meet the specific objectives set by the Decision.

Evaluation methodology

The evaluation is based on the assessment of quantitative and qualitative data from staff surveys, Sysper and focus groups. In addition, the rules are benchmarked with other EU and international institutions.

Quantitative data

Pulse surveys

Pulse surveys allow for a quick way to roughly determine the feelings of a large number of staff on different topics. The analysis is completed with data analytics from Sysper, the integrated information system for the management of human resources in the European Commission. Both results will be addressed in this section.

DG HR carried out 2 Pulse surveys open to all staff and 1 Pulse survey open to all managers:

- **June 2022:** Pulse survey for staff with a response rate of 33%
- **February 2023:** Pulse survey for staff, with a slightly higher response rate of approximately 40%.

- **March 2023:** a dedicated pulse survey for managers. It had a response rate of 52%.

The results of the pulse survey have been published on [My IntraComm](#) and key results are included below.

Sysper Data

The evaluation team extracted and analysed Sysper data to provide an objective perspective. The office presence is based on the period April 2022 up and including March 2023.

However, the data on changes in leaves and part-time work is based on the period 1 January to 31 December, from 2019 to 2022. The aim is to determine whether teleworking had an impact on the uptake of these types of absences/work patterns compared to earlier years. As the teleworking modalities (i.e., 2 days coming to the office) were already in place, in line with the Guidelines on Teleworking in Commission Departments during the COVID-19 Pandemic, the data for the year 2022 will provide sufficient information to see possible trends.

The key data which have been analysed are included in the next part.

Qualitative data

Focus Groups

The evaluation team organised focus groups to bring together small groups of staff, managers and HR Correspondents to answer questions in a moderated setting. This allowed detailed information

to be gathered from staff, managers and HR correspondents on their views and experiences, both positive and negative, with the implementation of the Decision.

The focus groups were composed of a wide range of staff categories, i.e., staff from different Directorates-General, managers and senior managers.

- **For the staff**, a randomly selected list of 0.5% of staff members from different categories of staff was drawn up (140 staff members). To ensure staff would feel able to speak freely and would not feel pressure, the list of names of the 140 staff who received the invitation was not made public. In total 57 staff member responded, of whom 49 participated. Due to the response rate, the number of focus meetings were adjusted down from 10 to 8 meetings. The final turnout was 35% of the total of 0,5% of invited staff. Nonetheless, there was overall an alignment in the feedback given by each group.
- **For the managers**, a request was made during a meeting of the Middle Managers Network, for interest in participating in a focus group. In addition, from the participation list of the Middle Management network, two managers per DG were randomly invited to participate in a focus group. The invitation was sent to 49 managers and in total 22 managers participated. While initially two meetings were planned, due to the high response rate, another one was added.
- **For HR Correspondents**, an invitation was sent to all the HR Correspondents to participate in a focus group. In total 19 HR Correspondents participated during two meetings.

Thus, in total **13 focus group meetings** were conducted. The structure of these meetings was all the same. Three questions were asked:

Following the new rules contained in the Decision on working time and hybrid working and your experience with its implementation, please share your thoughts on the following aspects:

- What is working well?
- What needs to be improved?
- What would be the ideal scenario if anything was possible?

In addition, feedback received during the **Corporate Management Board** meetings and from **HR Correspondents** during frequent interactions on related questions were gathered and taken into account as well, as were the comments and questions received from staff and managers on different fora, including the dedicated functional mailbox.

In addition, the **Central Staff Committee and the Joint Committees** with mandates relevant to the Decision were also consulted on their answers to the three questions and asked to provide their comments and recommendations in general. The relevant Joint Committees are: the Committee for Equal Opportunities, the Committee on Prevention and Protection at Work, the security and hygiene committees, and the Joint Committee on Hybrid Working.

Benchmarking

To determine how the Commission rules compare to other institutions, the rules in several EU institutions and bodies, which in general have similar constraints, were taken into account. In this context, the rules applicable in September 2023 in the following EU institutions and bodies were considered:

the European Parliament (Parliament), the Council of the European Union (Council), the Commission, the Court of Justice of the European Union (CJEU), the European Central Bank (ECB), the European Court of Auditors (ECA), the joint rules of the European Economic and Social Committee (EESC) and the Committee of the Regions (CoR), the European Investment Bank ('EIB'), the European External Action Service, headquarters ('EEAS HQ'), the European Ombudsman and the European Stability Mechanism (ESM).

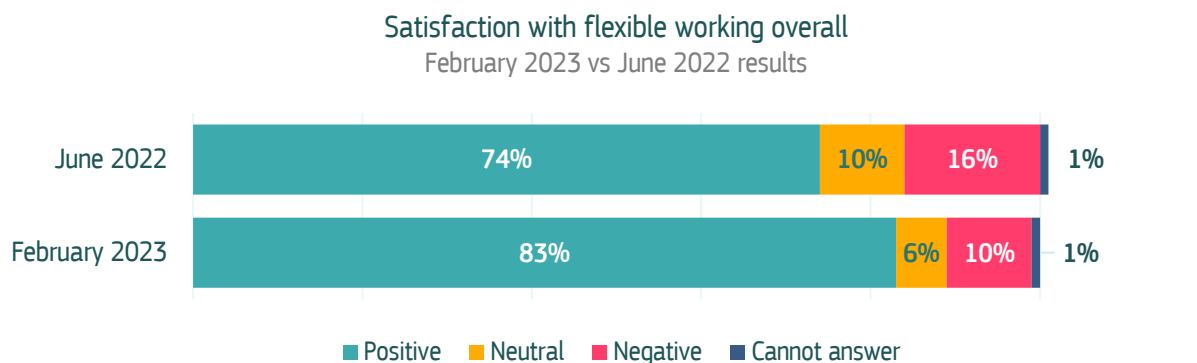
Moreover, for a broader view, the rules in the International Labour Organisation and the Organisation for Economic Co-operation were also considered, as they are concerned with improving working conditions and quality of jobs. In addition, recent policies in private companies were observed.

Pulse surveys

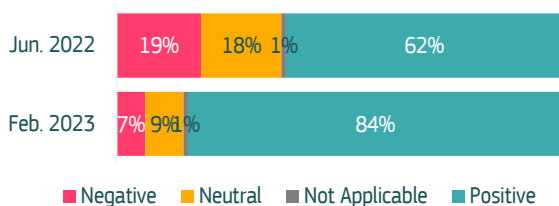
DG HR carried out Pulse surveys opened to all staff in June 2022 and in February 2023. In addition, a dedicated pulse survey for managers was run in March 2023 (see [Methodology](#)).

Overall impact

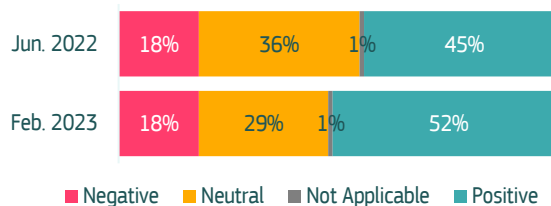
Graph 1: Satisfaction with flexible working overall



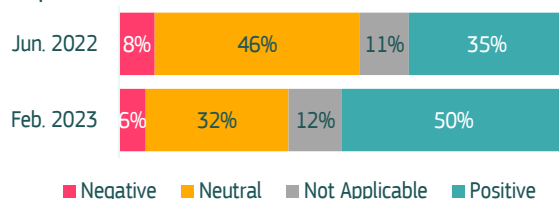
Work-life balance



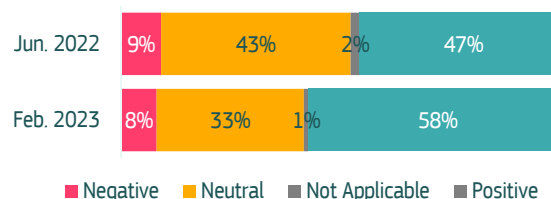
My sense of inclusion and connectivity



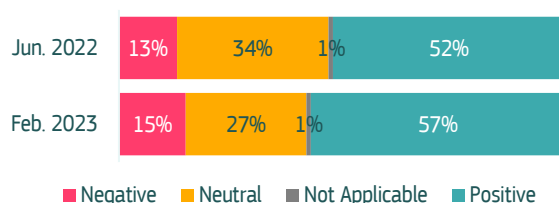
My relationship with my stakeholders and key partners outside the Commission



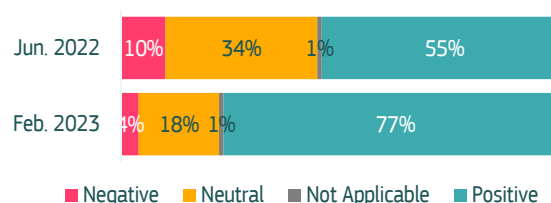
My relationship with my manager



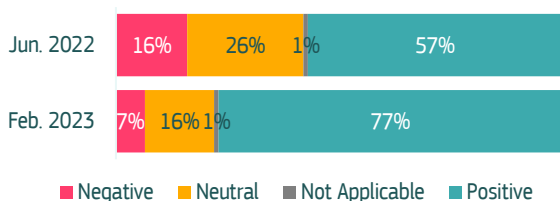
My relationship with my colleagues



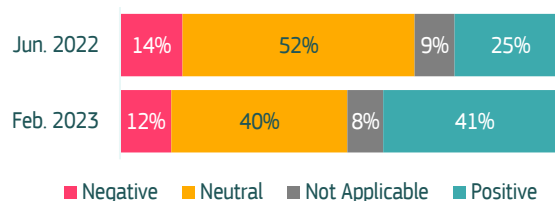
My Performance



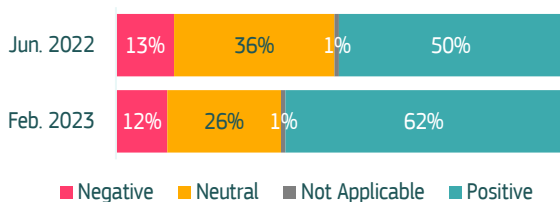
My motivation and energy at work



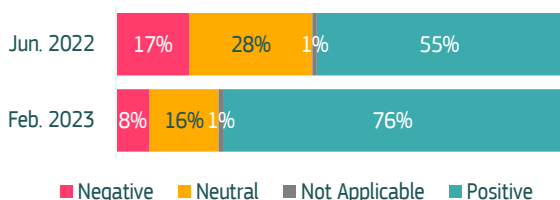
My development and career opportunities



My collaboration with others to get things done

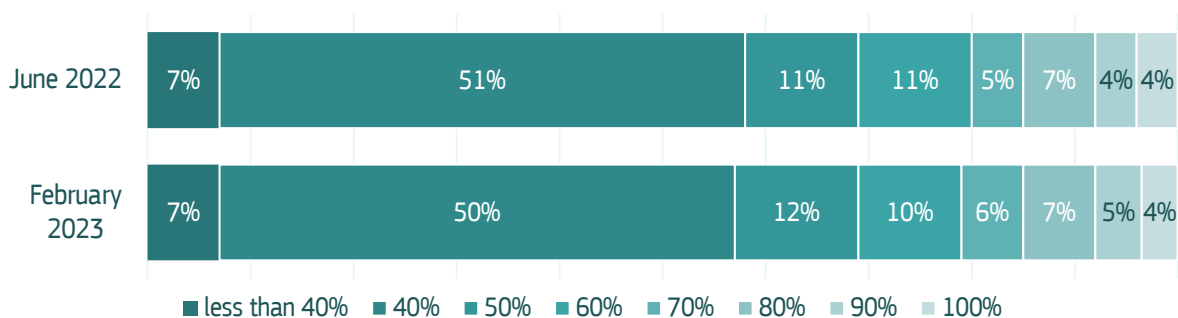


My ability to stay focused on my tasks



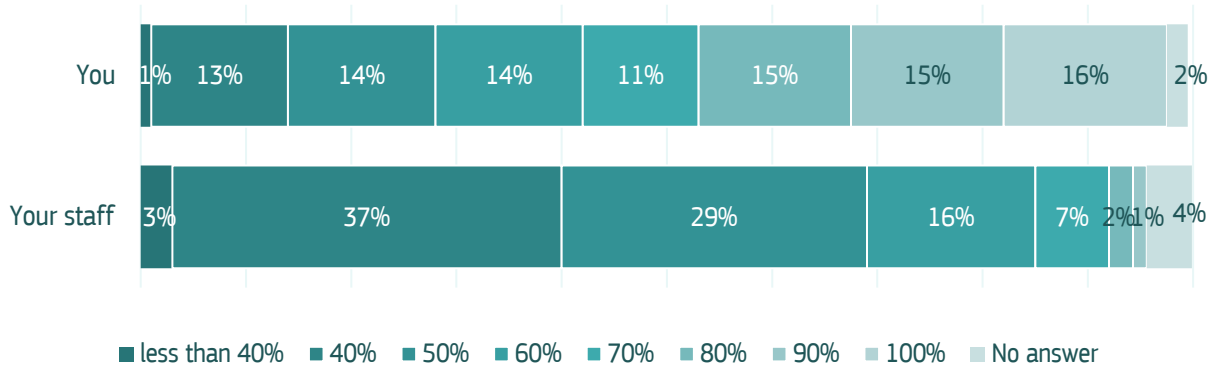
Working time and presence

Graph 2: Time spent in the office, on average



Graph 3: Proportion of working time spent in the office asked to managers

Over the course of a week, what proportion of working time do you and your staff spend in the office, on average? (February 2023)



Accuracy of encoding hours in Sysper

Graph 4: Recording of working hours in Sysper

How carefully do you record working time in Sysper? (Feb. 2023)

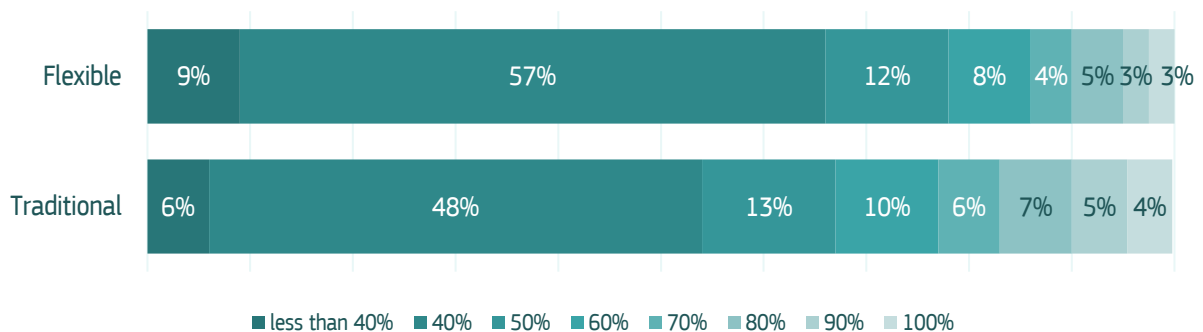
- I record my working hours / Location as exactly as possible
- I record my working hours / Location rather approximately
- I accept the default working hours / Location in Sysper2



Type of office and presence in the office

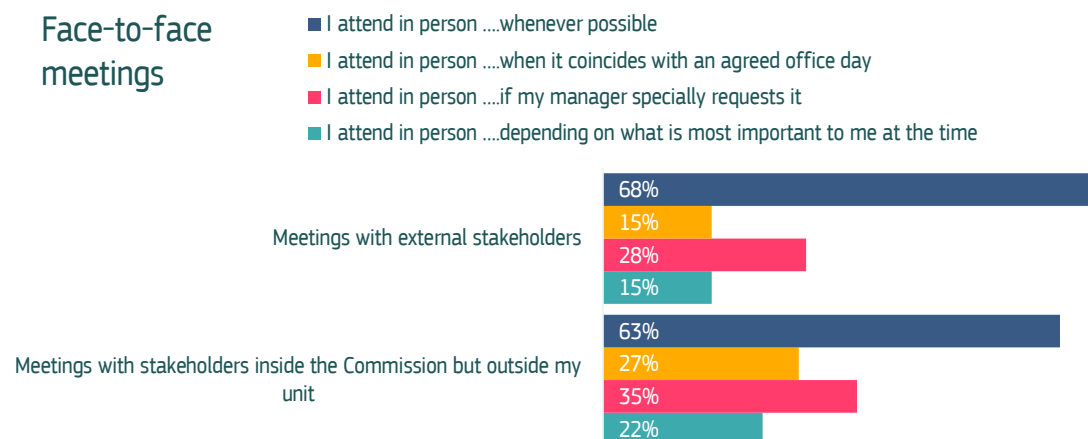
Graph 5: Time spent in the office by office type: February 2023

Time spent in the office by office type
February 2023



Meetings

Graph 6: Face-to-face meetings



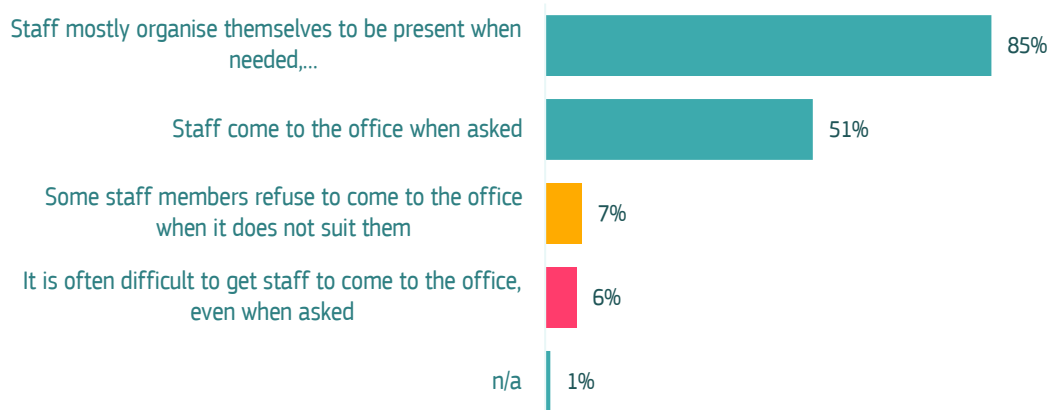
Please note that the percentages indicate the share of total responses given for each type of meeting. They do not sum to 100% since multiple options were possible.

Graph 7: Presence at the face-to-face meetings- meeting attendance – comparison of staff and managers’ responses

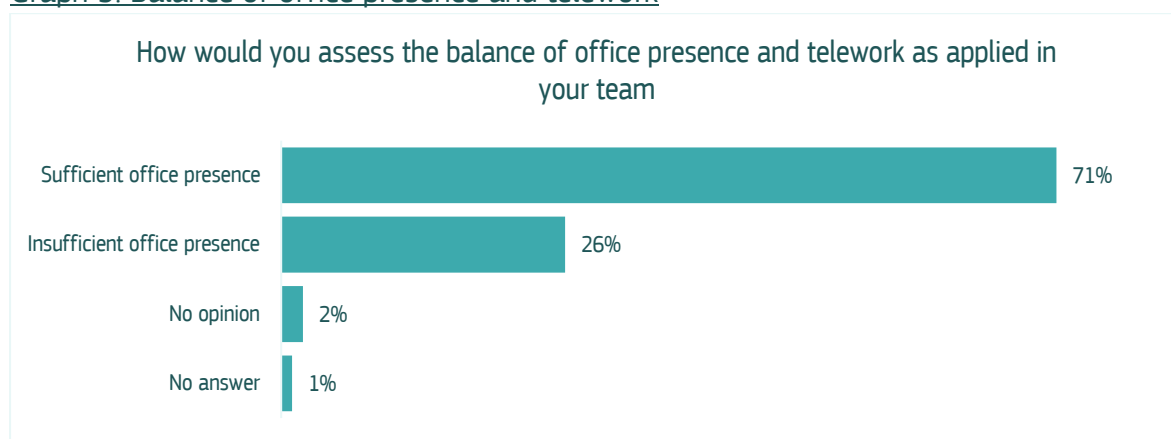


Graph 8: When the interest of the service requires staff to be present in person

When the interest of the service requires staff to be present in person for a particular



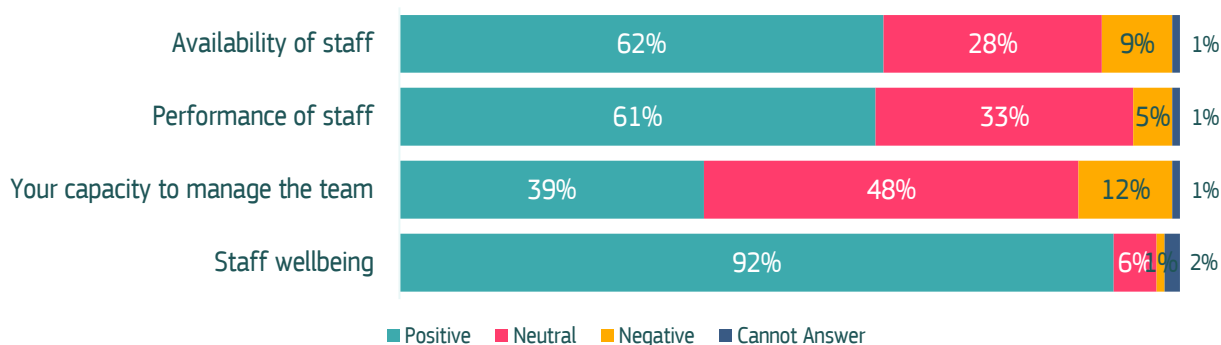
Graph 9: Balance of office presence and telework



Teleworking outside the place of employment

Graph 10: Usefulness of telework outside the place of employment (teleworking from abroad)

How do you assess the usefulness of the option to telework from abroad, in terms of the following (Feb. 2023)



Please note that the percentages indicate the share of total responses given for each type of meeting. They do not sum to 100% since multiple options were possible.

Data analytics Sysper data

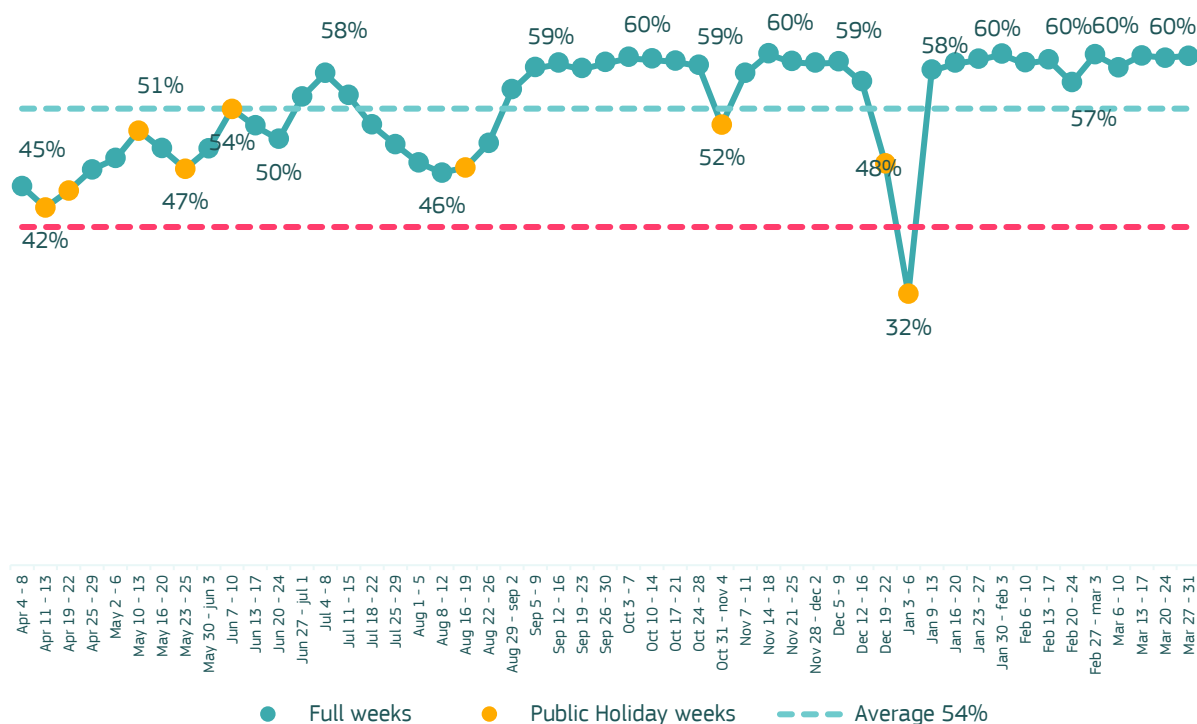
To be able to analyse the extent to which staff are making use of hybrid working and the possible influences of teleworking, data registered in Sysper was extracted. Therefore, the following part will initially address the presence in the office from April 2022 to March 2023, which is the first full year the Decision has been in force.

Secondly, there is an analysis of different types of leave and work patterns taken on a yearly basis between 2019 and 2022. This will help determine whether teleworking may have had an influence on the uptake of different leaves and work patterns. A normal calendar year has been taken for this exercise to allow for easier understanding and comparison.

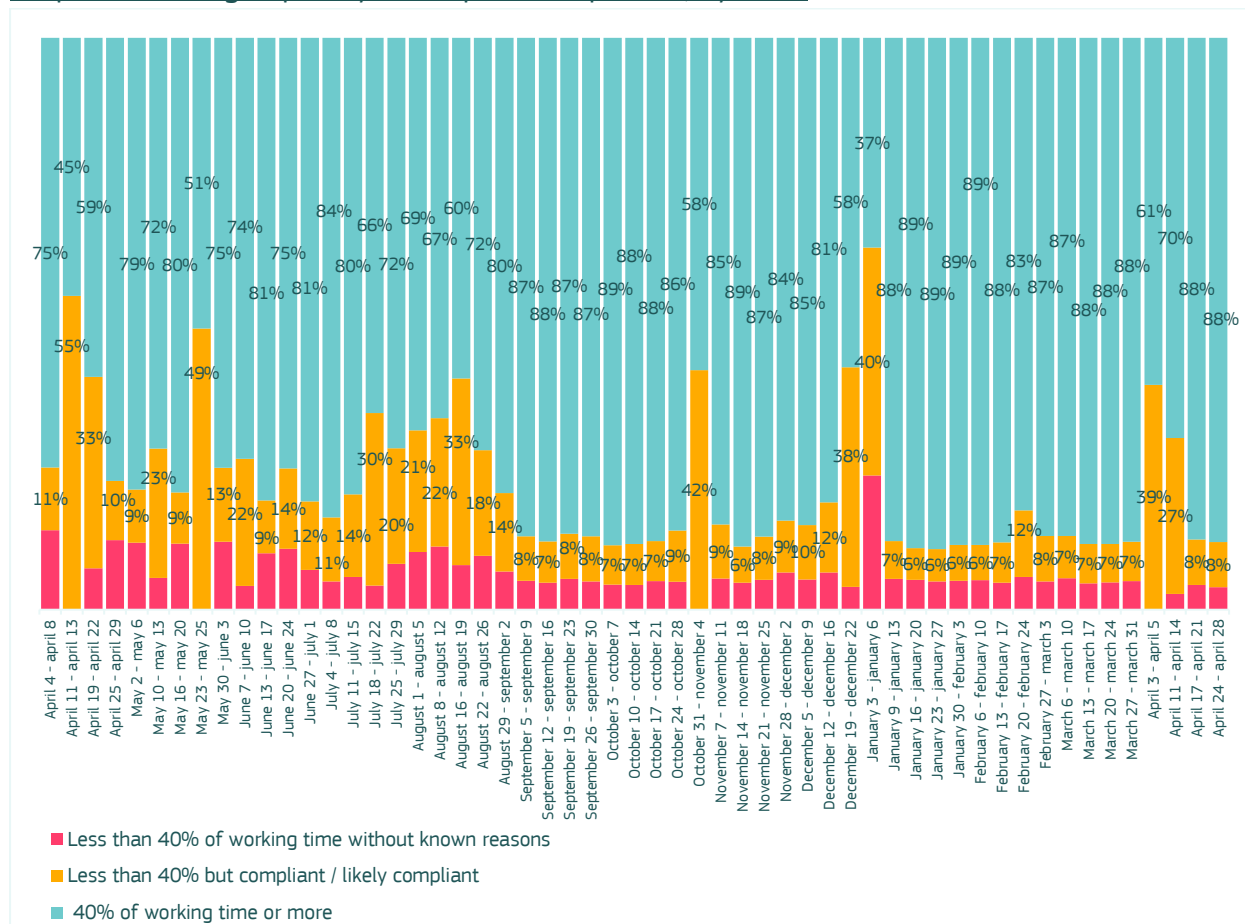
Presence at the office and teleworking

The data below is based on the data registered in Sysper timesheets and validated by line managers. Only the weekdays where staff are required to work are taken into account. Thus, public holidays, days where individual staff are on a type of leave, or days where individual staff do not work due to a part-time work pattern, are not taken into account. Missions are considered as being in the office and are therefore counted as working at the office.

Graph 11: Average office presence by week



Graph 12: Staff grouped by office presence pattern, by week



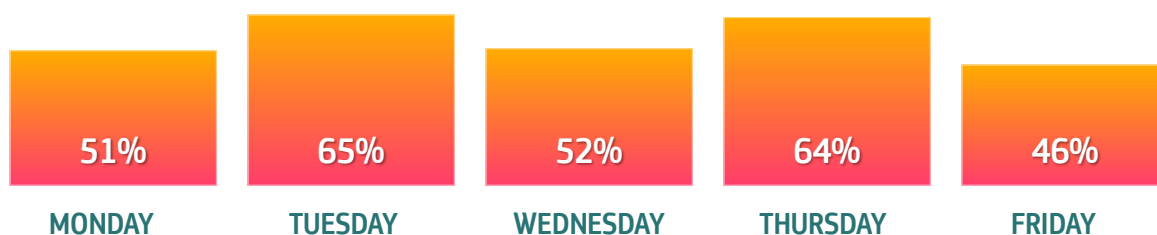
“Less than 40% of working time without known reasons” does not necessarily mean being non-compliant with the decision on working time and hybrid working. There may be justified reasons for having a presence rate below 40%, which have been agreed with the respective line managers.

Less than 40% but compliant/likely compliant” indicates the percentage of colleagues who were present for less than 40% in a given week, considered compliant or likely compliant for one or more of the following reasons:

- The staff member has an approved request for telework outside the place of employment in SYSPER.
- The staff member did not work every day, Monday to Friday either due to a public holiday or an individual absence like annual leave / sick leave. The staff member is categorised as compliant if at least 40% of the time (e.g., 2 days of the week) relates to absences, or absences + work at the workplace. This takes into account that staff do not need to compensate for absences on days when they would normally have come to the office.
- The staff member included a comment in the SYSPER timesheet, which usually indicates why a staff member was not able to reach the 40%.

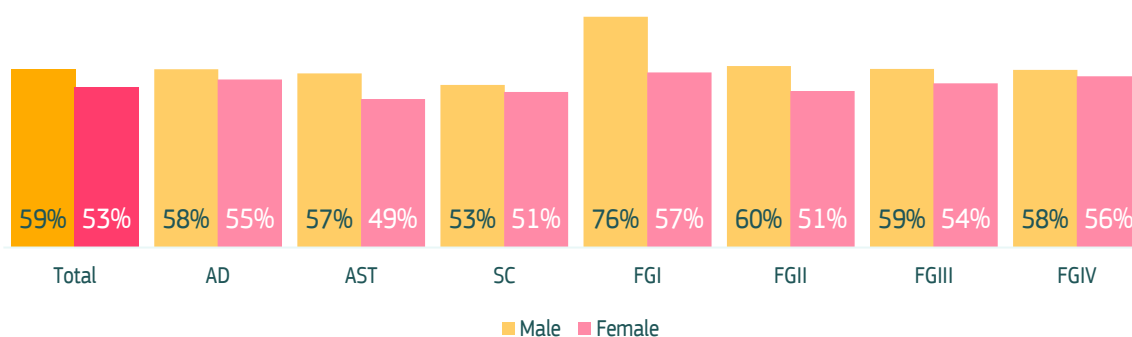
Office presence by weekday

Graph 13: Average office presence by weekday– April 2022- March 2023



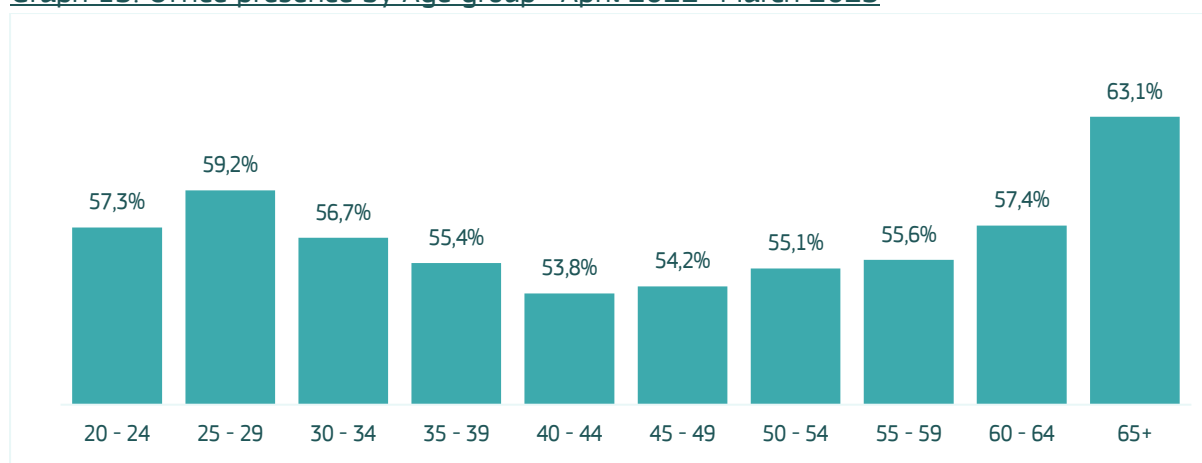
Office presence by gender

Graph 14: Office presence by Gender and Function group- – April 2022- March 2023



Office presence by age group

Graph 15: Office presence by Age group– April 2022- March 2023



Office presence by management level

Graph 16: Office presence by Management Level – April 2022- March 2023

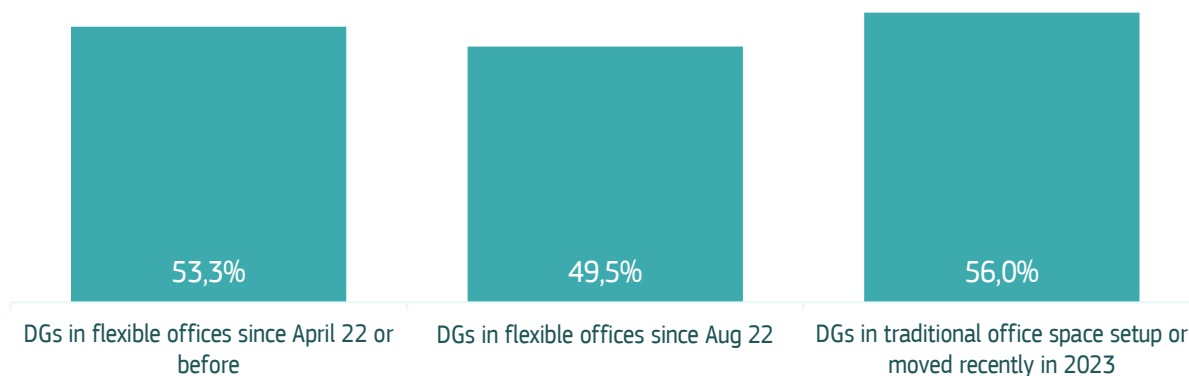


Office presence by DG

Graph 17: office presence per DG and per Office type – April 2022- March 2023

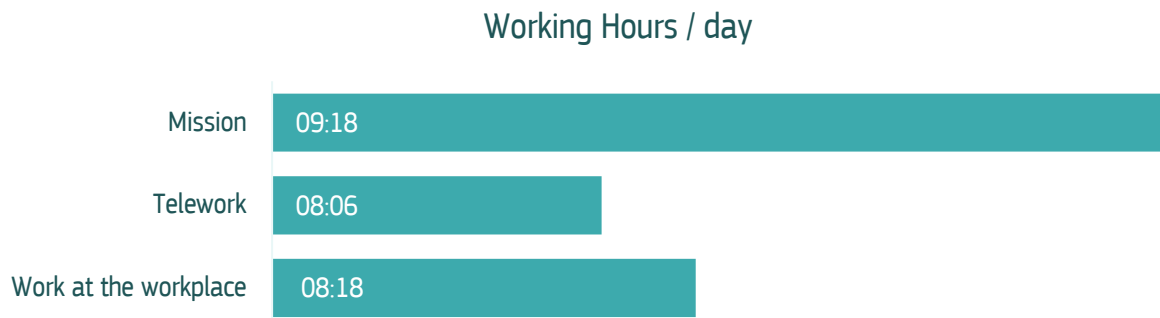


Office presence by Office Type

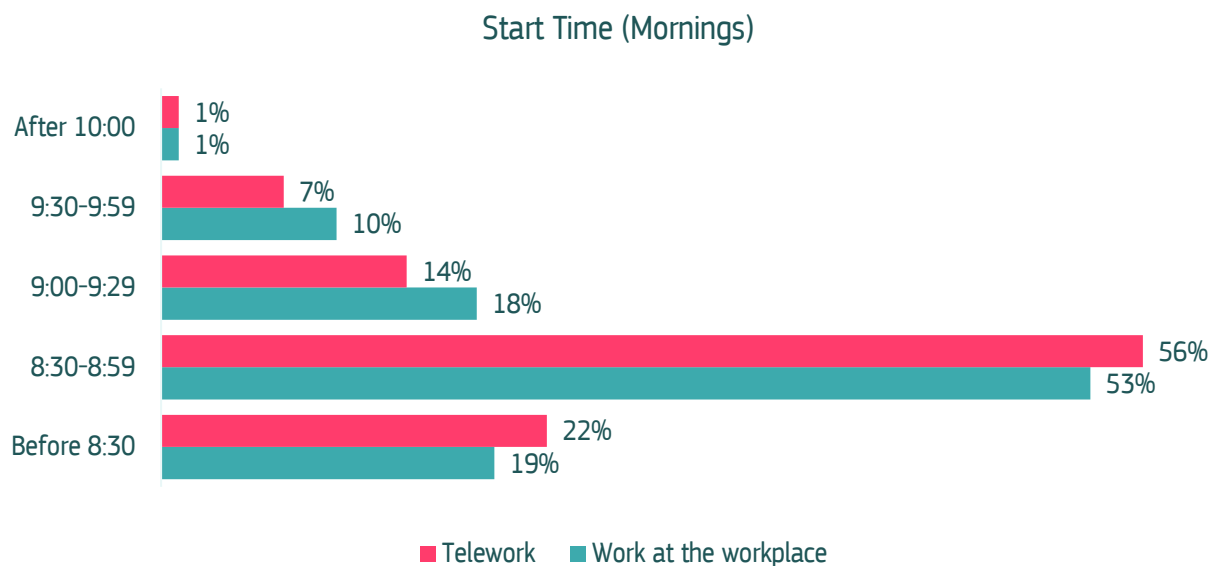


Working hours

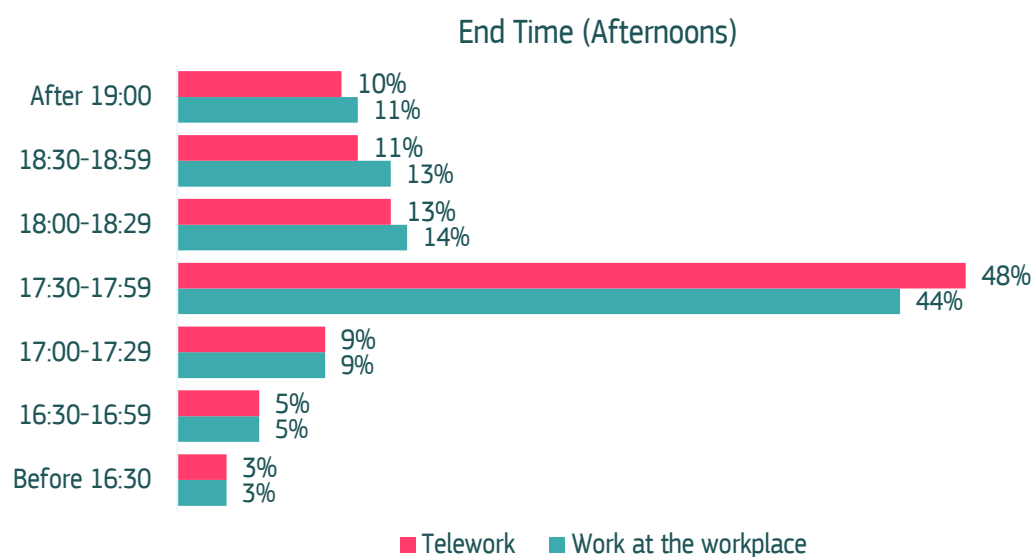
Graph 18: Working Hours/day - April 2022- March 2023



Graph 19: Start Time (mornings) - April 2022- March 2023

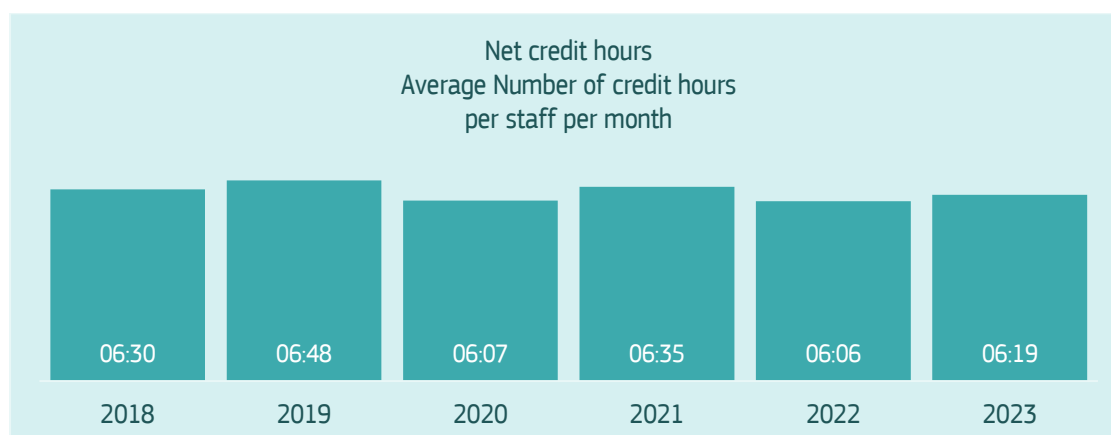
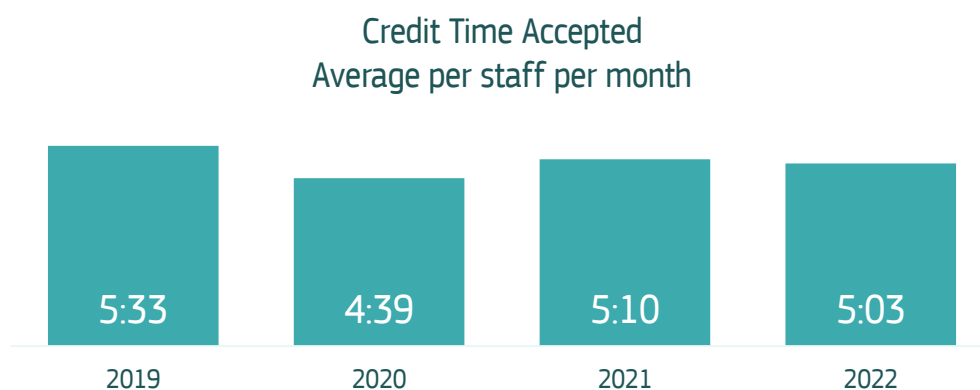


Graph 20: End time (afternoons) – April 2022- March 2023



Credit hours (Net and accepted)

Graph 21: Average Number of credit hours accepted per staff per month and net credit hours



Telework outside the place of employment



The Decision provides for the possibility of staff to telework up to 10 days per calendar year outside the place of employment. As there has not been a full calendar year yet, it is not possible to provide information for a calendar year. The closest to a calendar year would be a period of 12 months, which is used for this exercise.

Number of active staff: 33 598

Graph 22: 10 days teleworking outside the place of employment - April 2022- March 2023

Total number of Staff that used the possibility of teleworking outside the place of employment (10 days max)	Total number of days teleworked outside the place of employment	Average days of telework outside the place of employment taken per Staff member who made use of this possibility
16 808	120 506.5	7

Graph 23: Number of days teleworked outside the place of employment during a given month- April 2022- March 2023

Month Year	Number of teleworkers outside the place of employment during a given month	Total number of days teleworked outside the place of employment	Average days of telework outside the place of employment taken per Staff member
April 2022	1 800	5 554	3.00
May 2022	1 781	4 771	2.50
June 2022	2 124	6 398	3.00
July 2022	5 538	25 080	4.50
August 2022	6 040	28 623	4.50
September 2022	2 478	7 432	3.00
October 2022	2 511	6 177	2.50
November 2022	2 392	5 995	2.50
December 2022	4 391	14 761	3.50
January 2023	2 479	7 220	3.00
February 2023	1 752	4 284	2.50
March 2023	1 672	4 213	2.50

The sum of the number of teleworkers outside the place of employment during each specific month is more than twice as high (34 958) as the number of staff members who have used this possibility (16 808). **This shows that some staff have used this possibility multiple times during different months and/or used a request that covered days in both months.** However, based on information received from the feedback of focus groups, the former is more likely than the latter.

Exceptional telework outside the place of employment.

Only from 8 April 2022 onwards it was possible to register such requests in Sysper. Therefore, the data contained in this report concerns the period 1 May 2022 to 30 April 2023, as not all requests concerning April would have been introduced in Sysper.

Graph 24: Total number of staff that used exceptional teleworking outside the place of employment from April 2022- March 2023

Total number of staff that used the possibility of exceptionally teleworking outside the place of employment	Total number of days teleworked outside the place of employment	Average working days of telework outside the place of employment taken per staff member who made use of this possibility
777	10 712	14

Graph 25: Exceptional teleworkers outside the place of employment during a given month- April 2022- March 2023

Month Year	Number of exceptional teleworkers outside the place of employment during a given month	Total number of days exceptionally teleworked outside the place of employment	Average working days of exceptional telework outside the place of employment taken per Staff member
May 2022	112	906	8.0
June 2022	117	1 118	9.5
July 2022	149	1 259	8.5
August 2022	147	1 087	7.5
September 2022	133	1 144	8.5
October 2022	101	885	9.0
November 2022	120	852	7.0
December 2022	92	645	7.0
January 2023	91	666	7.5
February 2023	109	793	7.5
March 2023	104	812	8.0
April 2023	96	534	5.5

As with the 10 days of teleworking outside the place of employment, the sum of the number of teleworkers outside the place of employment during a given month (1 371) is higher than the total of number of staff who have used this possibility in the year (777). This could mean that staff have received renewals or that their requests covered days in two different months.

Evolution of leaves



OUT OF OFFICE

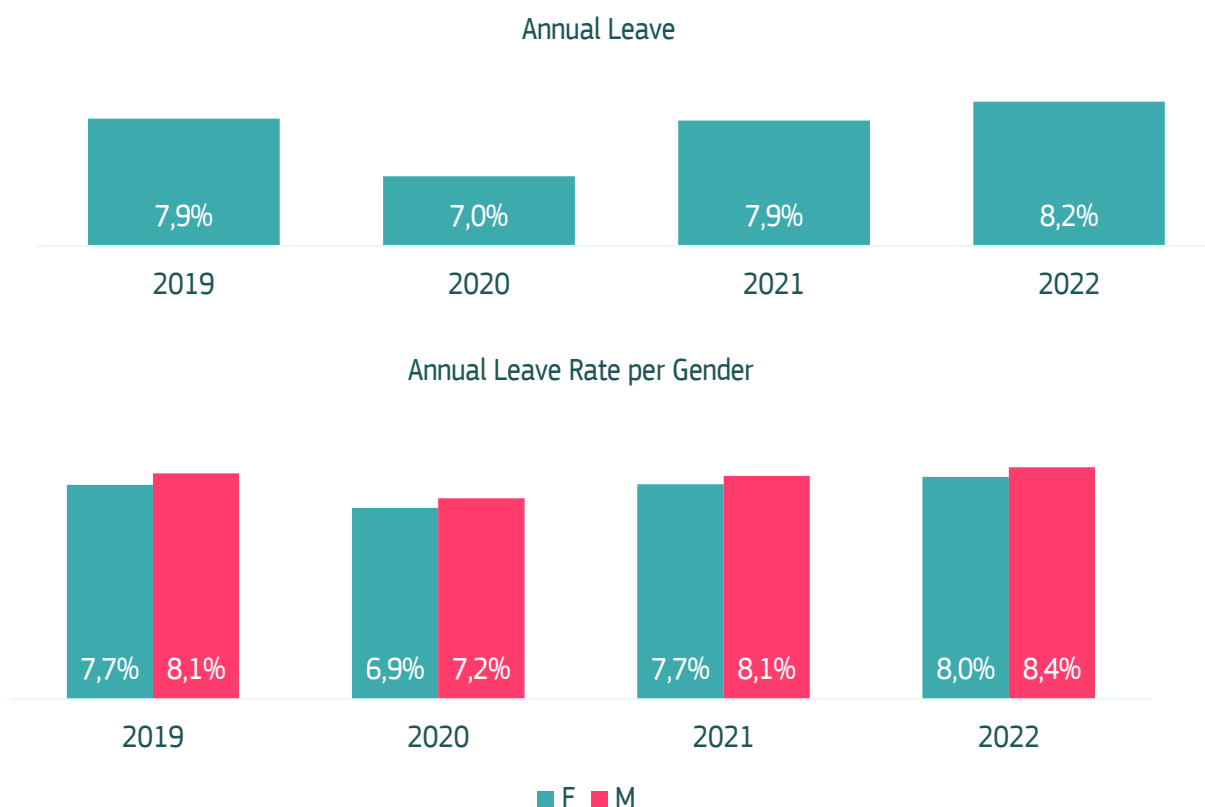
Telework offers more flexibility. This may impact the way in which staff make use of some possibilities, such as annual leave or part-time. To determine whether teleworking may have an impact on the use of different types of leave and working formulas, the following data was extracted: annual leave rate; sick leave rate; parental & family leave; use of special leave for (very) serious illness child/spouse/relative.

As the impact of teleworking would mainly be visible during the Covid-19 pandemic, as staff had to telework for some period 100%. Therefore, the data of these years are included in the analysis. As a result, this part will analyse data concerning the following three periods:

- Pre Covid-19 (2019)
- Covid-19 Period (2020 & 2021)
- Post Covid-19 Period (2022)

Annual Leave Rate

Graph 26: Annual Leave rate

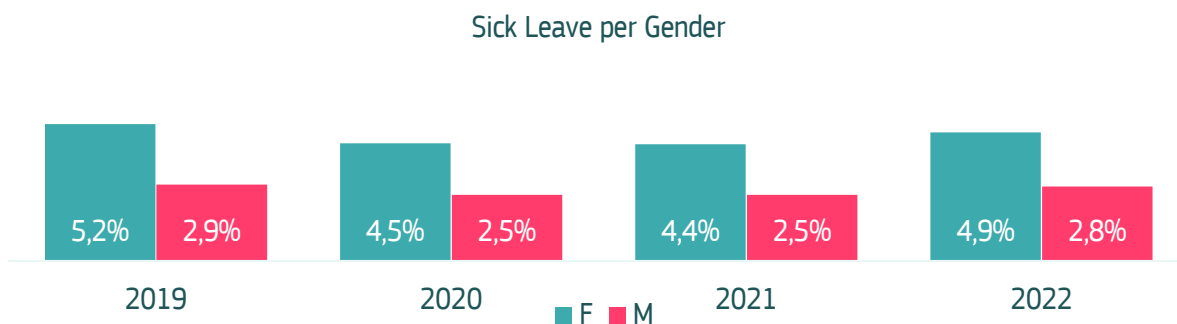
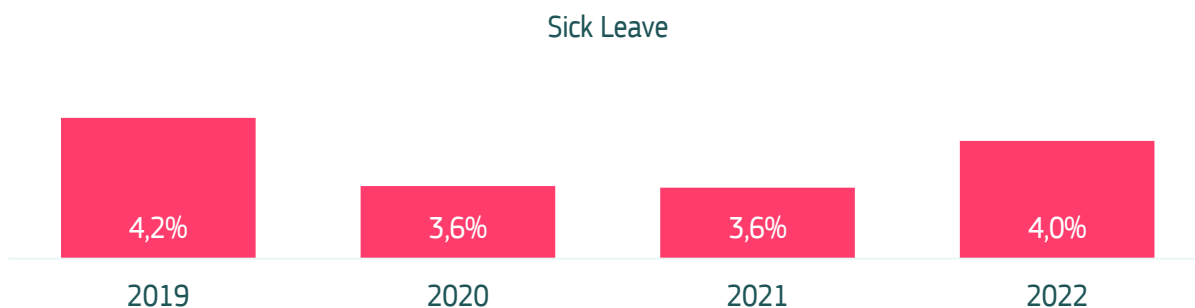


Graph 27: Leave rate (%)

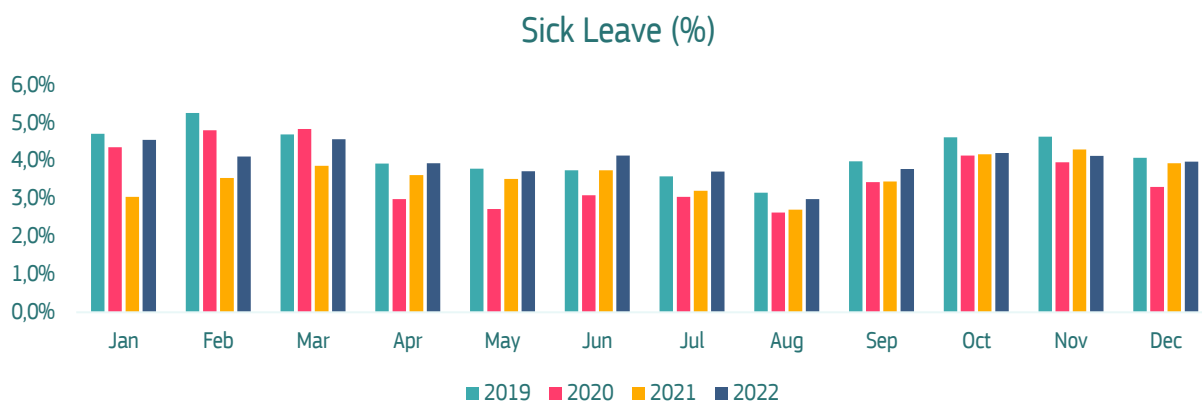


Sick Leave Rate

Graph 28: Sick Leave Rate (%)

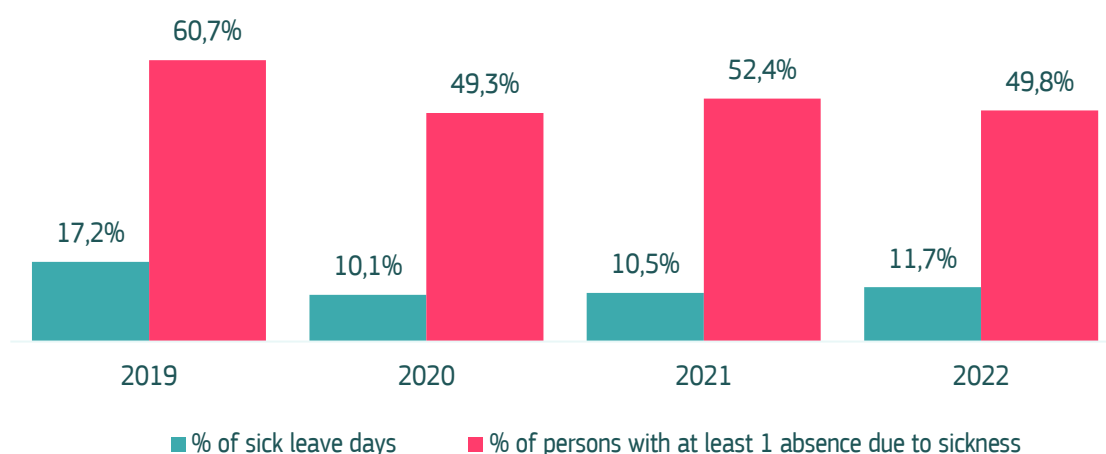


Graph 29: Sick Leave Rate (%)

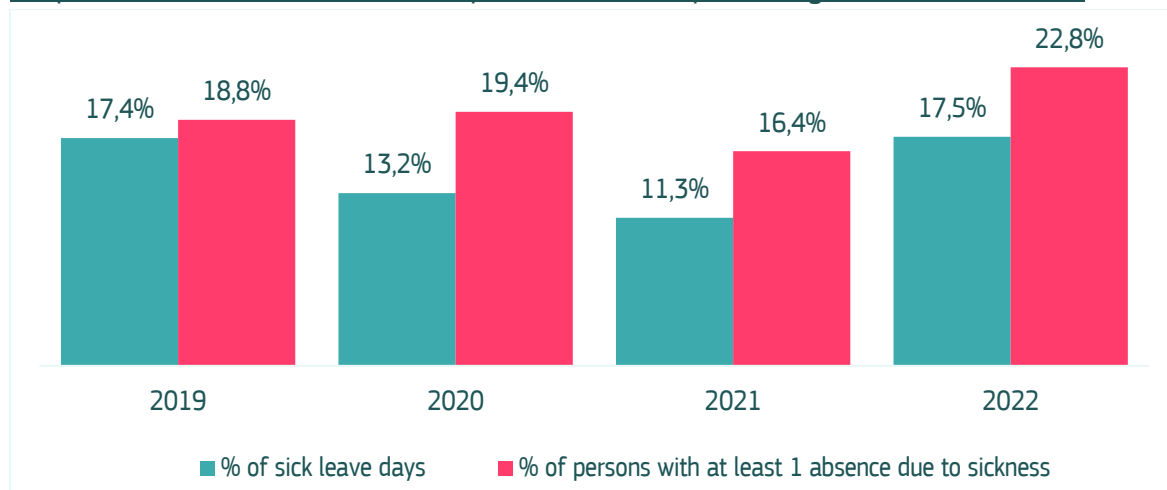


Graph 30: Short term Sick Leave (< 3 days) as percentage of total Sick leaves

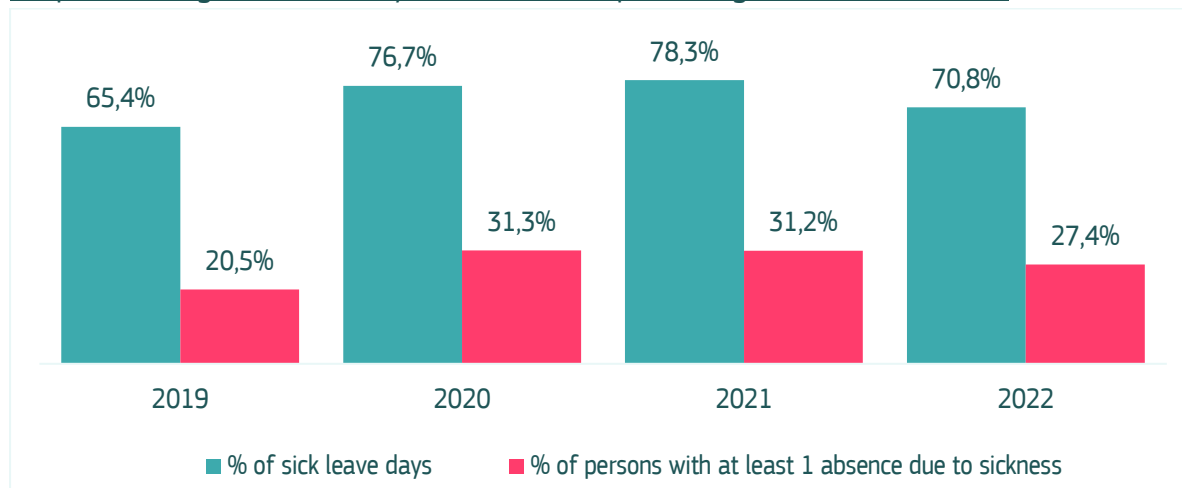
This graph (30) should be interpreted together with the following two graphs (31 and 32). The blue bars of the three graphs (30-32) together are 100% and the pink bars of the three graphs together are 100%. For example, for the blue bars, in 2019 of all the periods of sick leave that were taken during that year, 17,2% concerned less than 3 days, 17,4% concerned 3 to 5 days and the remaining 65,4% of all the sick leave taken in 2019 concerned periods of longer than 5 days. The same applies to the % of persons with at least 1 absence due to sickness. Thus, in 2019 60,7% of all the persons that were absent due to sickness took less than 3 days of absence due to sickness, 18,8% took 3-5 days and 20,5% took more than 5 days of absence.



Graph 31: Medium Term (3 to 5 days) Sick leave as percentage of total Sick leave



Graph 32: Long Term (> 5 days) Sick leave as percentage of total Sick leave



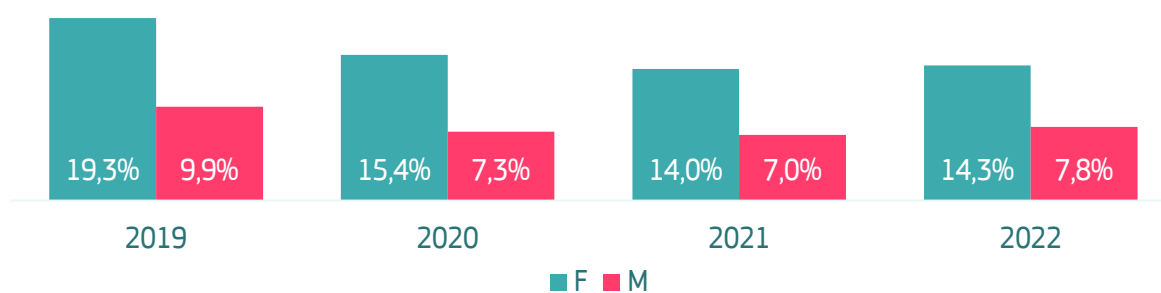
Parental & Family Leave

Graph 33: Parental & Family Leave (%)

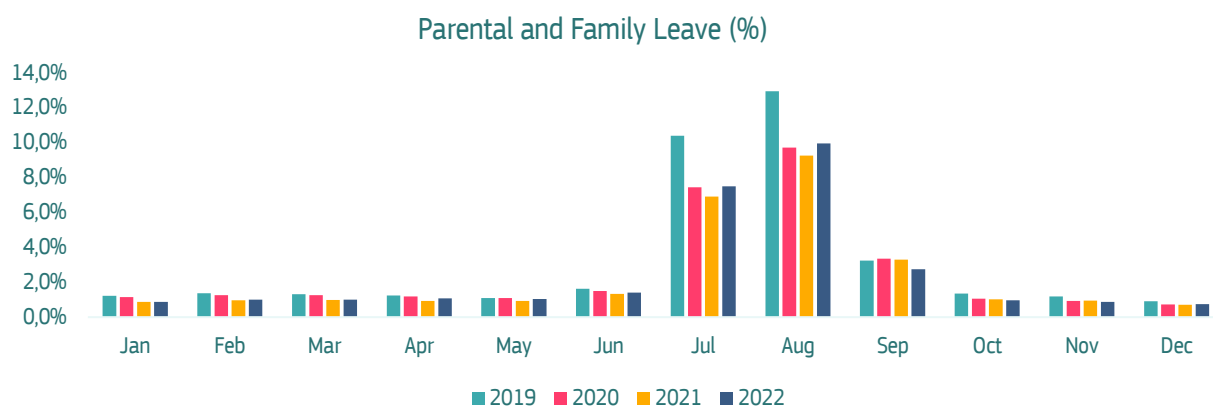
Persons with Parental & Family Leave (%)



Persons with Parental & Family Leave (%) per Gender



Graph 34: Parental & Family Leave (%)

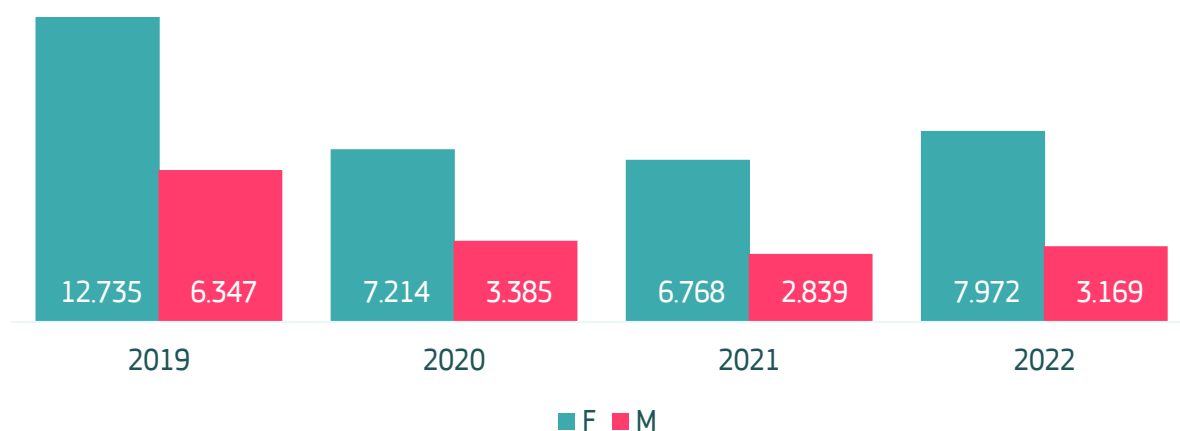


Special Leave for (very) serious illness of child / spouse / relative

Graph 35: Special Leave for illness of child/spouse/relative

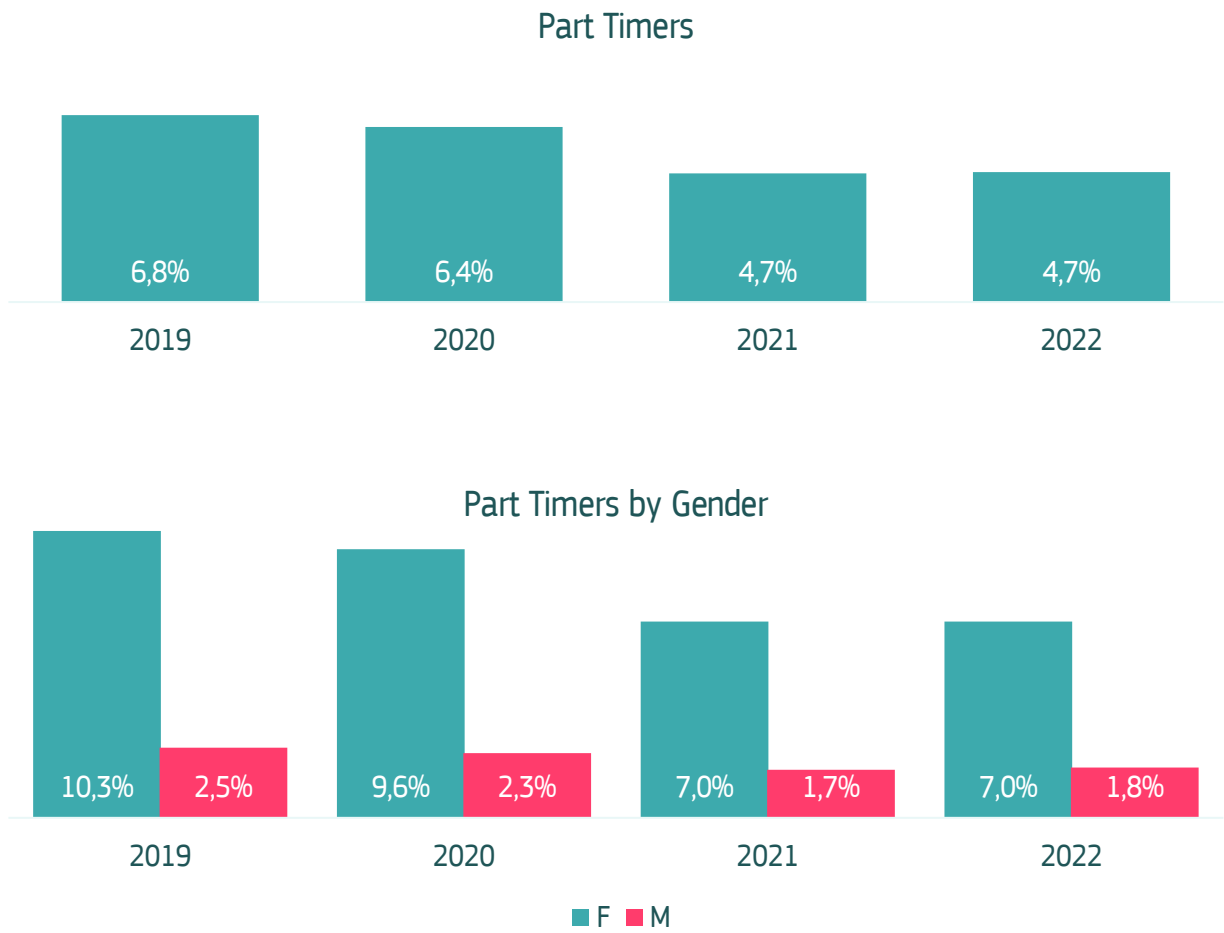


Special Leave (Illness relative/spouse/Child) by Gender



Part-time work

Graph 36: Part Timers by year



Benchmarking

To determine how the Commission rules compare to other institutions, the rules in several EU institutions and bodies, which in general have similar constraints, were taken into account. Moreover, for a broader view, the rules in the International Labour Organisation and the Organisation for Economic Co-operation were considered as well, as they are concerned with improving working conditions and quality of jobs. Due to limited resources, it was not possible to analyse the private sector. However, notably the trend was observed that certain private companies that decided to backtrack by reducing flexibility realised quickly that it impacted their attractiveness, especially for young people who seek for flexibility.

EU institutions & bodies

The rules applicable in September 2023 of the following EU institutions were taken into account: the European Parliament ('Parliament'), the Council of the European Union ('Council'), the Commission, the Court of Justice of the European Union ('CJEU'), the European Central Bank ('ECB'), the European Court of Auditors ('ECA'), the joint rules of the European Economic and Social Committee ('EESC') and the Committee of the Regions ('CoR'), the European Investment Bank ('EIB'), the European External Action Service, headquarters ('EEAS HQ'), the European Ombudsman and the European Stability Mechanism ('ESM'). However, based on information received in September 2023, some EU institutions are still in the process of reviewing their rules on teleworking and may therefore change them in the foreseeable future.

Please see the table on the last page of this report for an overview of the rules in different EU institutions and bodies.

In general, **the institutions are aligned with on average 2 to 3 days of teleworking per week.**

- The Council is an exception, as it allows for teleworking up to 80% of the week.
- At the ESM, staff can telework 2 days per week. However, they have 18 days of teleworking per year that staff can use as well as the normal 2 days of teleworking per week. In some institutions, such as the Parliament and the Ombudsman, the percentage is counted on a monthly basis as well.
- In the ECA and the ECB, 10 days of teleworking per month is granted. However, for the ECB, it is not possible to take the maximum amount of telework in one period, while for the ECA it is.

Therefore, for all institutions, in practice staff are still required to come to the office at least between 2 and 3 days per week, except for the Council which requires at least 1 day a week of office presence.

In general, they refer to the place of residence/place of employment in accordance with Article 20 of the Staff Regulations, as the main place where teleworking should take place.

The main differences in the teleworking arrangement can be found in the possibility to telework outside the place of employment.

- Contrary to the rest of the institutions, the Parliament does not provide for the option to telework outside the place of employment.

- Regarding telework in normal situations, the ECB provides the most with 90 days per year of which 20 days can be spent outside the EU.
- This is followed by the ESM with 60 days per year of which two weeks can be spent outside the EU.
- The ECA allows for a maximum of 30 days per year, which can be taken maximum 5 days at a time per month.
- The EIB allows for 20 days, while EESC, CoR and Ombudsman allow for 15 days per year,
- The EEAS HQ allows for 10 days per year without specific reason and another 20 days per year to telework from the partner's place of employment.
- The Commission and CJEU allow for 10 days per calendar year.
- The Council allows 5 days per year of telework outside the place of employment.

For telework outside the place of employment for exceptional circumstances, there are also differences, although less than for normal telework outside the place of employment. While the ECB was the highest for telework outside the place of employment in normal circumstances, currently it does not provide for this possibility in exceptional circumstances. The Council is the only institution who has set a maximum number of days (160 days) over a career. The Commission together with the ESM allow for the possibility to grant one month renewable, which is similar to the 20 working days renewable which is allowed by the EEAS HQ. The CJEU, ECA, EESC, CoR, EIB and Ombudsman have not indicated a

maximum period for which teleworking in exceptional circumstances is possible.

International organisations dealing with labour law

The **International Labour Organisation** (ILO) updated its [Staff Regulations in July 2023](#). As specialised agency of the UN, it is also member of the [United Nations System Chief Executives Board for Coordination \(CEB\)](#). This organ established a general '[UN System model policy on hybrid work](#)' promoting and granting a framework within which staff can do flexible work.

Flexibility arrangements entails voluntary adjustments to the normal working hours and/or locations, agreed between UN personnel and their managers in accordance with the organisations' Staff Regulations and Rules, and relevant internal policies. This flexibility is also based on mutual trust between the agent and the manager. UN entities that are members of the CEB, like the ILO, [allow hybrid working arrangements and telework away from the duty station](#) (for a limited period). The 'UN System model policy on hybrid work', point 24 states that teleworking may be authorised in units of half or full days and up to a maximum number of days per week in accordance with the organisation's internal policies. Teleworking may be ad-hoc, agreed on for specific days, or authorised for a period of time. Additionally, point 25 concerns the teleworking outside the official duty station and allows personnel to work from an alternative location outside of their official duty station.




The **Organisation for Economic Co-operation** (OECD) related legal framework is contained in their [Staff](#)

[Regulations](#), rules and instructions applicable to officials of the organisation from January 2023 and the decision on teleworking is part of its [Annex XXIV, updated in April 2021](#). This decision entails regular and occasional forms of teleworking that can be granted as well as teleworking performed outside the duty country (limit of 80 days per year).

Table Comparison of applicable rules in EU institutions and bodies arranged by minimum days required to work at the office

Please note that:

- The table reflects the rules in the Institutions **as applicable in September 2023**. The EEAS adopted new rules for its headquarters in September 2023, which are reflected in the table below. The European Parliament and the Council are at the time of writing in the process of reviewing their rules on teleworking (outside the place of employment) and may change them in the foreseeable future.
- For an easier comparison the arrangements are shown in days, even though the specific legal bases may refer to percentage of working time, such as for the Commission.
- This table does not concern staff with tasks incompatible with teleworking.

	COM	EP	Council	CJEU	ECB	ECA	EESC/ CoR	EIB	EEAS (HQ)	Ombudsman	ESM
Minimum days required to work at the office 	2-4 days per week Depending on line management Possibility to be increased to exceptional 5 in interests of the service	2 days per week on a monthly basis Note: 3 Fridays p.m. off per month	1 day per week Possibility to be increased by services in the interest of service	3 days per week. Flexibility left to service to decide differently	50% per month Max 10 teleworking days per month, not consecutive	50% per month Max 10 teleworking days per month, can be consecutive including over 2 months	2-3 days per week Possibility to be modified by line manager	3 days per week. In practice. No minimum legal requirement	3 days per week. Possibility to be increased to 5 days.	2 days per week on a monthly basis	3 days per week. 18 waiver days per year, where staff can telework instead of coming to office
Maximum Teleworking outside place of employment 	10 days per year	Not possible	5 days per year is allowed	10 days per year (updated annually)	90 days per year Of which max 20 days outside EU excl. High-risk countries	30 days per year Taken maximum 5 days per month	15 days per year	20 days per year	10 days per year + another 20 days from the partner's place of employment	15 days per year	60 days per year Of which max 2 weeks can be outside the EU
Maximum Exceptional Teleworking outside place of employment 	1 month renewable Such as duly documented family reasons	Not possible	160 days over the career is allowed Duly justified cases, consultation responsible service on working time, Consultation competent senior manager	No ceiling For justified circumstances, for a limited period and compatible with the interest of the service	Not possible	No ceiling For duly documented imperative family emergencies/medical reasons (consultation manager and medical officer)	No ceiling Duly justified cases. Opinion doctor or social worker needed	No ceiling Specific and punctual reasons	20 days renewable Duly documented medical or imperative family reasons	No ceiling Extension of the normal TW abroad for family or health reasons	1 month renewable

