

tax-xogħol u l-*standards* tal-eżekuzzjoni tat-*teleworker* għandhom ikunu ekwivalenti għal dawk ta' impjegati komparabbli li jaħdmu fil-bini tal-prinċipal. Il-prinċipal għandu jagħti l-opportunità lit-*teleworker* biex jiltaqa' mal-kollegi u jkollu aċċess għal informazzjoni relatata max-xogħol tiegħu sabiex jipprevjeni li t-*teleworker* jiġi iżolat.

Drittijiet kollettivi

It-*teleworker* għandu l-istess drittijiet kollettivi bħal impjegati komparabbli fil-bini tal-prinċipal u għandu d-dritt jippartecipa u joħroġ għal elezzjonijiet ta' korpi li jirrappreżentaw lill-impjegati.

Protezzjoni tad-*data*.

Il-prinċipal għandu jinforma lit-*teleworker* bid-dispożizzjonijiet tal-Att dwar il-Protezzjoni tad-*Data* u għandu jieħu l-miżuri adatti, b'mod partikolari fir-rigward ta' *software*, biex jiżgura l-protezzjoni ta' *data* wżata u pproċessata mit-*teleworker* fil-qadi ta' dmirijietu. Madankollu t-*teleworker* għandu jimxi mad-dispożizzjonijiet tal-Att dwar il-Protezzjoni tad-*Data*, u mal-miżuri li jittieħdu mill-prinċipal skont l-Ordn ta' Standard Nazzjonali dwar it-*Telework*.

***Sakemm ma jkunx indikat mod ieħor kull riferenza għall-ġeneru maskili tinkludi kemm l-irġiel kif ukoll in-nisa.**

agreed to in the written agreement on telework. The workload and performance standards of the teleworker shall be equivalent to those of the comparable employees working at the employer's premises. Moreover, the employer should provide the teleworker the opportunity to meet with colleagues and to have access to information related to his work in order to prevent the teleworker from being isolated.

Collective rights

The teleworker enjoys the same collective rights as comparable employees at the employer's premises and has the right to participate in, and to stand for elections to bodies representing employees.

Data protection

The employer is obliged to inform the teleworker about the provisions of the Data Protection Act and should take the appropriate measures, particularly with regard to software, to ensure the protection of data used and processed by the teleworker in the carrying out of his duties. On the other hand, the teleworker should abide by the provisions of the Data Protection Act and by the measures taken by the employer in terms of the Telework National Standard Order.

***Unless otherwise stated, whenever the masculine gender is used, both men and women are included.**



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X'inhu Telework?

Telework huwa pass ieħor importanti 'l quddiem lejn kundizzjonijiet tax-xogħol aktar "family-friendly". Bl-evoluzzjoni tat-teknoloġija tal-informatika ċertu tip ta' xogħol li s-soltu jsir fil-proprietà tal-prinċipal, issa jista' jitwettaq lil hinn mit-tali proprietà.

Ftehim bil-miktub

Telework jista' jkun meħtieġ bħala kundizzjoni tal-impieg fil-kuntratt tal-impieg jew, permezz ta' ftehim, kif ikun propost mill-impjegat jew mill-prinċipal matul ir-relazzjoni tal-impieg. Ftehim għax-xogħol bit-telework għandu jsir bil-miktub u jrid jinkludi l-informazzjoni skont ir-Regolamenti dwar l-Infommazzjoni lill-Impjegat (A.L. 431 tal-2003) u informazzjoni li hija partikolari għat-telework kif imsemmija fl-Ordni ta' Standard Nazzjonali dwar it-Telework (A.L. 312 tal-2008). Meta t-telework ikun miftiehem bħala kundizzjoni tal-impieg fil-kuntratt tal-impieg, il-kundizzjonijiet tal-impieg relatati mat-telework stabbiliti fil-kuntratt tal-impieg m'għandhomx ikunu inqas favorevoli minn dawk stabbiliti fl-A.L. 312 tal-2008. Meta t-telework ma jkunx speċifikat fil-kuntratt tal-impieg iżda jibda jseħħ matul ir-relazzjoni tal-impieg, l-impjegat huwa liberu li jaċċetta jew jiċċad offerta għat-telework. Fejn impjegat jiċċad offerta tal-prinċipal għat-telework tali każ ma tikkostitwixx kawża ġusta u suffiċjenti għat-tmiem tal-impieg u lanqas twassal għal bidla fil-kundizzjonijiet tal-impieg tal-impjegat konċernat. Madankollu jekk impjegat jesprimi x-xewqa li jagħzel it-telework, il-prinċipal jista' jaċċetta jew jiċċad din it-talba. It-bidla

għat-telework ma jkollha ebda effett fuq l-istatus tal-impieg tal-impjegat u lanqas fuq id-dritt tiegħu biex jerġa' lura għall-post tiegħu ta' qabel jew, f'każ li dan ma jkunx possibbli, għal post ieħor simili.

It-tmiem ta' arrangament tat-telework

Meta ż-żewġ partijiet jaqblu għal arrangament tat-telework, kull parti għandu jkollha d-dritt ittemm dak il-ftehim tat-telework u l-impjegat għandu jmur lura għall-post tiegħu ta' qabel it-telework sakemm il-parti li tkun ser ittemm il-ftehim tagħti pre-avviż bil-miktub kif ġej:

- Matul l-ewwel xahrejn tal-arrangament tat-telework - Avviż ta' tlett ijiem
- Wara l-ewwel xahrejn tal-arrangament tat-telework - Ġimgħatejn bil-miktub, sakemm ma jkunx miftiehem perjodu differenti fil-ftehim bil-miktub tat-telework.

Jekk id-deċiżjoni biex jintemm il-ftehim tat-telework tittieħed mill-impjegat, dik id-deċiżjoni m'għandiex tikkostitwixxi kawża ġusta u suffiċjenti għat-tmiem tal-impieg, lanqas m'għandha twassal għall-bidla fil-kundizzjonijiet tal-impieg tal-impjegat konċernat.

Taħriġ

Teleworkers għandhom l-istess aċċess u drittijiet biex jippartecipaw f'taħriġ u programmi ta' żvilupp tal-karrieri provduti minn jew f'isem il-prinċipal bl-istess mod

employee expresses the wish to opt for telework, it is in the employer's discretion whether to accept or refuse such request. The passage to telework does not affect the employee's employment status or his right to revert back to his previous post or, in the event that this is not possible, to another similar post.

Terminating a telework agreement

Where both parties agree to a telework arrangement, each party shall have the right to terminate the same agreement and the employee shall revert to his pre-telework post provided that a period of notice in writing is given by the party ending the agreement where:

- During the first two months of the telework arrangement – Three days notice
- After the first 2 months of the telework arrangement – Two weeks notice, unless a different period is agreed in the written agreement on telework.

If such decision is taken by the employee, the employer cannot consider it as a good and sufficient cause for terminating employment and cannot change the conditions of employment of the employee concerned.

Training

Teleworkers have the same rights of access and rights to participate in training and career development programmes provided by or on behalf of the employer in the

bħal impjegati komparabbli fil-bini tal-prinċipal u jkunu soġġetti għall-istess politika ta' evalwazzjoni bħal impjegati komparabbli.

Privatezza tat-Teleworker

Filwaqt li l-prinċipal għandu jirrispetta l-privatezza tat-teleworker, tista' tiġi installata kull tip ta' sistema ta' monitoraġġ wara qbil bil-miktub bejn il-prinċipal u t-teleworker.

Tali sistema ta' monitoraġġ trid tkun proporzjonata mal-oġġettiv u għandha tirrispetta l-obbligi tad-Direttiva tal-Kunsill 90/270 fuq ir-rekwiżiti minimi tas-saħħa u s-sigurtà għal xogħol b'tagħmir ta' screens tal-wiri.

Spejjeż għat-tagħmir u l-komunikazzjoni.

Sakemm ma jkunx sar ftehim xort'oħra bejn il-prinċipal u t-teleworker fil-ftehim bil-miktub dwar it-telework, il-prinċipal ikun responsabbli biex jipprovdi, jinstalla u jagħmel manutenzjoni tat-tagħmir meħtieġ għall-eżekuzzjoni tat-telework u biex jipprovdi lit-teleworker faċilità xierqa ta' appoġġ tekniku. Madankollu t-teleworker ikollu dmir li jieħu ħsieb b'mod xieraq it-tagħmir u d-data provduti mill-prinċipal u m'għandux jiġbor jew iqassam materjal illegali permezz tal-internet.

Organizzazzjoni tax-xogħol

Bla ħsara għal dak li jkun inkluż fil-ftehim bil-miktub dwar it-telework, it-teleworker għandu jkun responsabbli għall-amministrazzjoni tal-ħin tax-xogħol tiegħu. L-ammont

same manner as comparable employees at the employer's premises and be subject to the same appraisal policies as comparable employees.

Privacy of the Teleworker

While the employer is obliged to respect the privacy of the teleworker, any kind of monitoring system may be installed following a written agreement between the employer and the teleworker. Such monitoring system must be proportionate to the objective and should respect the minimum health and safety requirements for work with display screen equipment as provided in Council Directive 90/270.

Equipment and Communication Costs

Unless otherwise agreed upon by the employer and the teleworker in the written agreement on telework, the employer is responsible for providing, installing and maintaining the equipment necessary for the performance of telework and for providing the teleworker with an appropriate technical support facility. The employer shall compensate or cover the costs relating to communication directly caused by telework. On the other hand the teleworker is obliged to take good care of the equipment and data provided by the employer and he shall not collect or distribute illegal material via the internet.

Organisation of Work

The teleworker is responsible for the management of his working time as may be