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SMART WORK IN THE EMILIA-ROMAGNA REGION

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Abstract

The Emilia-Romagna Region has developed a structured experience of smart working even before the Covid-19 outbreak through a concrete involvement of trade unions and worker representatives. Whilst most of the Public Administrations in Italy were forced to undergo the fluctuating legislative provisions issued at the national level, the Emilia-Romagna Region, thanks to its expertise, has succeeded in reacting to the challenges posed by the pandemic and continued in its organisational transformation based on an effective social dialogue approach. The development of smart working in the Emilia-Romagna Region can be divided into four phases: pilot period, regular implementation, extraordinary smart work during the pandemic, and smart work becoming a common practice after the pandemic, driven by a formalized organizational plan. Introduced as an experimental form, smart work became a common practice, with over 400 active smart-working projects. While in the pilot period only small group of employees were involved, nowadays approximately 85-90% of the regional workforce is engaged in smart work projects.

Keywords: *covid-19, remote work, smart work, collective bargaining.*

JEL Classification: J5, M5, O33.

1. INTRODUCTION

The Emilia-Romagna Region is a complex organisation, divided into many services and offices mainly located in Bologna, but with some offices also in all the main cities of the region. At the end of 2022, the Emilia-Romagna Region counts about 3,700 employees including about 140 managers, 600 middle-managers (the so-called organisation positions PO) and the remaining quota of employment divided into 3 different professional profiles.

The case study is based on desk research and interviews with key stakeholders, including management and union representatives. This includes a representative from the Emilia-Romagna Regional Administration, the Head of Organisational and Digital Transformation Activities within the HR Department of the Region, a representative of the unitary union workplace structure in Emilia-Romagna, and a representative of the regional union federation of public service employees (FP-Cgil Emilia-Romagna). These interviews provide a

balanced perspective on the radical transformation of work organization, particularly smart working.

2. REMOTE WORK IN ITALY: THE REGULATORY FRAMEWORK

What generally falls under the definition of remote work (Senatori and Spinelli, 2021) in Italy is currently regulated under three different sets of provisions (Senatori, 2021). The first refers to the notion of “telework”, as established in the European Framework Agreement signed on 16 July 2002, transposed in Italy by a cross-industry agreement for the private sector signed on 9 June 2004. The second corresponds to the category of “agile work” (smart work), as designed and conceived in Law no. 81/2017. The third scheme consists of a “derogated” version of the existing legal scheme of agile work, as designed by the aforesaid 2017 Act. Whereas the first two set of provisions were introduced before the pandemic, the latter represents a first attempt to simplify the adoption of remote working solutions as a general health and safety measure during the pandemic.

In Italy, telework has a distinct regulation in the public and in private sectors. Law 191/1998 and then DPR (Decree of President of Republic) no.70/1999 regulate teleworking in the public sector and were originally aimed at modernising public administrations. The legislator intervened again with article 14 of Law no. 124/2015, entitled "Promotion of work-life balance in public administrations" (the so-called Madia Reform of the Public Administration). The reform establishes that public administrations must adopt organisational measures such as new spatial-temporal forms of work in order to support work-life balance and that at least 10% of public employees should make use of this organisational solutions within three years on a voluntary basis.

The most recent form of regulation of remote work is so-called “agile work”, both in the public and private sectors (Law n. 81/2017). The definition of agile work does not only refer to remote work performance but implies a results-oriented organisational flexibility in a dynamic work environment in which “*spaces, hours and work tools are reshaped in the face of greater freedom and empowerment granted to workers*” (Chiaro, Prati and Zocca, 2015). As with telework, agile work shall be voluntary and the determination of organisational and operational issues (working and resting time, place of the working performance, control and surveillance methods, disconnection, use of ICT and digital devices) is left to the individual agile work pact among the parties, and so the employer and the single employee.

3. SMART WORK IN EMILIA-ROMAGNA

The development over time of smart working in the Emilia-Romagna highlights how there has been an evolution, from initial experimentation to its

widespread adoption, especially accelerated by the challenges posed by the COVID-19 pandemic.

The development of smart working in Emilia-Romagna can be organised in four phases:

1. Pilot Phase (2018-2019): an initial experiment in 2018 allowed 81 regional employees to work autonomously without location or time constraints. This expanded to 145 employees to collect more data;
2. Regular Implementation (2019-2020): positive results led to formal implementation in 2019, increasing smart workers fourfold;
3. Pandemic Response (2020): due to COVID-19, smart working expanded to 68% of the regional workforce, impacting change management and work performance;
4. Post-Pandemic (2020-2022): in 2021, an Organisational Plan of Agile Work (Pola) set clear smart work objectives, leading to over 400 active projects involving around 85-90% of the regional workforce.

3.1 The pilot phase of smart working

In May 2018, Emilia-Romagna Region, confirming its social dialogue approach, reached an agreement with local trade unions, workplace union structures, and safety representatives to implement smart working. This agreement outlines a future scenario in which regional smart workers should be self-motivated, results-oriented professionals, not bureaucratic public employees requiring constant control.

The agreement established a bilateral project committee consisting of management and union representatives to monitor and assess various smart working activities, focusing on their impact on relationships, work planning, and contractual matters.

This shift towards smart working was influenced by changes in labor laws and a broader digital and organizational transformation initiated by the region since 2016. The transformation aimed to dematerialize office activities, promote collaboration, enhance digital infrastructure, and empower middle management.

The Emilia-Romagna Region participated in a joint project called VeLA, alongside other public administrations, to develop guidelines and tools for implementing smart working. These served as a reference for the national Council of Ministries' Organizational Plan of Agile Work in 2020.

Notably, Emilia-Romagna had a 20-year history of telework, which is more rigid in terms of working time and location compared to smart working. Telework was originally designed to support work-life balance but was not used for organizational change. In contrast, smart working was introduced with the intent to improve productivity, optimize resources, and transform work organization.

Selection of smart working candidates involved collective decision-making by upper management and employees to foster cultural acceptance and a sense of shared decision-making. Smart workers received digital equipment and a "fashionable backpack" symbolizing the transition from traditional public servants to self-managed professionals.

In line with the national legislation, smart working in Emilia-Romagna is voluntary for both employers and employees, regulated by individual agreements covering working hours, remote work logistics, device usage, remote work locations, management control, and measures for ensuring the right to disconnect.

Given the positive evaluation in terms of worker satisfaction and performance standards, the pilot period was extended for other 6 months in November 2018, involving a higher number of employees according to the availability of technological equipment. Anyway, the evaluation of smart working brought to light some strengths and weaknesses. Despite its benefits in terms of flexibility and work-life balance, smart working also posed challenges, including conciliation with part-time contracts, inconsistency in project reporting, conflicts between result-oriented smart working and traditional attendance-based control methods, and communication gaps between smart and in-office workers.

3.2 The regular implementation of smart working

In June 2019, following a positive evaluation, smart working was formally implemented in Emilia-Romagna. This process involved an agreement between the Region and trade unions, followed by a formal decision by the Region and the issuance of procedural guidelines.

The number of smart workers increased to 350-400 in 2019 based on technological availability, with plans to evaluate more candidates. The Region also committed to cooperate with INAIL (the national institute for insurance against accidents at work) for health and safety monitoring and activated a committee for smart work-related innovations.

With the aim of overcoming the critical aspects related to the communication process (among smart workers, in-office workers, middle and upper management) and teamworking as emerged in the evaluation process after the pilot period, the Emilia-Romagna Region established that the smart-work project is not referred only to a single worker but it involves a team of persons made up at least of the single employee and his/her corresponding middle and upper manager. By doing so, the Region confirms its purpose to use smart work as leverage to change work organisation and not as an individual right regarding work-life balance. For this reason, no specific eligibility criteria were introduced, with the only exception of workers with children up to 3 years old or children with disabilities (in accordance with the national law on agile work

(law 81/2017). Smart work projects must outline concrete and measurable improvement objectives, such as enhanced service quality, digitalization, and work-life balance.

Procedural guidelines encouraged a shift towards flexible workspaces and highlighted the opportunity to test new forms of activity monitoring for smart workers. Monitoring focused on assessing the impact on relationships, communication, results, collaboration, digital skills, organization, and HR performance. A committee ensured equitable smart work distribution among Regional Directorates.

3.3 Smart working as pandemic response

Before the COVID-19 outbreak, about one-third of Emilia-Romagna Region's workforce engaged in remote work, a small part still in teleworking and a larger part in smart working. However, the pandemic drastically altered the remote work landscape.

During the first lockdown (February-May 2020) and throughout 2020, nearly the entire regional workforce, with only minor exceptions, was compelled to work remotely from home, following the national law's extraordinary agile work provision. This resulted in more than 2,200 extraordinary agile workers, constituting 68% of the regional labor force, along with around 400 teleworkers (13%) and nearly 400 ordinary smart workers (12%).

The regulatory framework for remote work was significantly simplified and amended due to the health emergency. In the public sectors, the national legislation first declared agile work as the ordinary form of work (Ministry Public Administration Directive No. 2/2020) and then defined in-office work as the prevailing form of work in public sectors (Decree of the Ministry of Public Administration 8 September 2021). Nevertheless, during the pandemic agile work has been strongly deregulated from its ordinary structure. Deregulated in its nature, as it was mainly conceived as a health measure and, furthermore, oriented to guarantee public service continuity. Deregulated also in its form, as it was mainly working from home and it could be activated unilaterally by Public Administrations (Art. 87, DL n. 18/2020, conv. by Law No. 27/2020).

The Emilia-Romagna Region made significant efforts during the pandemic to provide digital devices to home-workers, deploy digital facilitators for technical support, and offer training to combat isolation and bolster corporate identity. Prior experience with smart working proved valuable in addressing the pandemic's challenges, as many applications and tools were accessible remotely. Investments in middle management played a crucial role in preparing the organization for this sudden change.

However, the pandemic shifted the focus of remote work from an organizational strategy to a welfare measure, and even a health measure. It temporarily suspended efforts to transform the organization through smart work,

and national legislation reinforced this welfare-based approach while reducing the importance of team-based work. Social distancing measures interrupted the reorganization of workspaces as well.

3.4 The post-pandemic smart working

In February 2021, Emilia-Romagna introduced its POLA 2021-2023 (Organisation Plan on Agile Work) in compliance with national legislation. This plan integrates regional policies and smart working goals, addressing organizational aspects, technological requirements, training measures, and monitoring tools. At the time of its approval, the Region had achieved a 65.3% adoption of remote work (telework and agile work), exceeding the minimum requirement of 60%, although not consistently across all organizational structures.

Surveys conducted in 2021 under the POLA aimed to assess the impact of smart work on job quality, work organization, performance, and working conditions. The findings revealed disparities in smart work adoption across different Regional Directorates. Smart workers reported higher satisfaction with work-life balance and organizational well-being. Positives included reduced commuting, increased autonomy, but negatives included a sense of isolation and fragmented communication among team members.

From January to October 2021, the region focused on activating smart working projects. This period showed a prevalence of extraordinary agile workers. After October 2021, a new phase emphasized strengthening the role of smart work projects and launching an application for project coordination.

The new season of regional smart work was mainly originated by a legislative provision on agile work in Public Administrations (Decree of the Ministry of Public Administration 8 September 2021): in-office work must prevail on remote work for each employee. While for most of the Public Administrations this change in the legislative perspective meant a full return back to in-office work, the consolidated experience on smart working permitted the Emilia-Romagna Region to be prepared in terms of digital competences and infrastructure, work organisation and working attitudes so as to maintain the existing smart working schemes. The only needed adjustment to the new legislative requirements was referred to the balance between remote and in-office working days: while before no limits were defined, now the number of in-office working days must be 51% of the total working days a semester. Smart work in Emilia-Romagna has never been conceived as fully remote but as hybrid solution: even before the Covid-19 outbreak, the average of remote work was about 1.5-1.8 days a week. After the end of state of emergency due to Covid-19, employees were asked to move from extraordinary to ordinary smart work: from October 2021 the number of ordinary SWers increased from about 1,400 to more

than 2,000 in January 2022 and 2,700 in April 2022 while the extraordinary SWers decreased in the same period from 1,700 to about 120.

The rapid and unexpected growth of SWers forced the Emilia-Romagna Region to introduce some organisational constraints and rules of conduct to reduce the gaps in the use of smart working among the different departments. The Region has always pushed for the development of a spontaneous behavioural etiquette regarding smart working, in line with the principle that cultural revolutions need time to settle down. In front of about 85% of labour force involved in smart work projects, the Region has partially revised this approach and introduced some specific rules: those intending to smart work must give formal communication by 9 am of the same day (or within 48 hours if authorised). Differently, the decision on how to distribute the smart working days within a time frame is still up to the team: the only constraint remains the prevalence of in-office work in a semester. From the union point of view, smart work is a work arrangement based on trust and any organisational constraint risks to weaken the trust bond and makes team working more difficult to be coordinated.

Finally, in June 2022 the Emilia-Romagna Region and sectoral trade unions concluded a new agreement regulating smart work in the wake of the first renewals of the national collective agreements in the Public Administrations (and more precisely in the Public Central Function). The 2022 agreement between the Region and trade unions reinforced smart work as an ordinary work arrangement for all employees, established the role of a bilateral innovation committee for monitoring, and introduced two forms of smart working. On one side, the ordinary agile work and, on the other side, the “protected” agile work that takes over all the existing teleworkers and all those employees with specific family responsibilities or certified special needs: “protected agile workers” do not have any limitation in the use of smart working. That means that both ordinary agile workers and protected agile workers need to be activated by presenting a smart-work project. Because of that, telework will stop to exist in March 2023 in the Emilia-Romagna Region. While providing two forms of agile work, the regional social partners take a different position from the last national collective agreement in the Public Administration that makes a distinction between agile work and remote work (telework).

4. SMART WORK AND FUTURE CHALLENGES

With a view to adapting to the evolving nature of work and leveraging the benefits of smart working while addressing potential challenges and ensuring the well-being of employees, the Emilia-Romagna Region has outlined its future commitment to consolidating and transitioning its smart working approach in several key areas:

Organization:

- Strengthening and ensuring a consistent diffusion of task management and measurement systems for employees and teams, utilizing data generated by digital devices;
- Maintaining a balance between collecting useful digital data for performance evaluation and preserving a trust-based relationship with employees;
- Consolidating the monitoring system for the impact of smart working on performance and aligning measurement systems with the Regional Performance Plan by 2024;
- Encouraging work teams to define short-term and daily measurable objectives without rigid smart project sheets;
- Enhancing social collaboration tools and promoting a corporate code of conduct for respectful online behavior (netiquette);
- Continuously monitoring the impact of smart work on working conditions and the corporate climate through dedicated surveys and POLA plan tools;

Training:

- Focusing on leadership skills development for middle and upper management to effectively coordinate hybrid work models, emphasizing emotional intelligence, task management, team coaching, and teamwork;
- Providing training measures to address biases and cultural resistance to smart working among Regional management;
- Monitoring the development of smart attitudes through the Smart Attitude Assessment and tailoring skills development to meet specific organizational needs;

Spaces and technology:

- Developing and networking co-working spaces throughout the Emilia-Romagna region;
- Considering the potential reduction in regional premises as a side-effect of smart working to minimize rental costs;
- Continuously developing the digital workplace to facilitate hybrid work performance.

5. CONCLUSIONS

In our view, the Emilia-Romagna case study represents a positive example to explore for at least three different reasons. First of all, social partners have always been informed and consulted since the very beginning. Worker representatives and local trade unions have been involved since the first pilot phase. In line with a well-established tradition of social dialogue, every crucial step of implementing smart working has been taken in agreement with trade unions and worker representatives.

Secondly, from the outset, smart work has been conceived as a leverage for changing work organization and the very concept of public service organization. In contrast to its effective application in other sectors, smart work in Emilia-Romagna has never been considered solely as a measure for work-life balance. The organizational vision of smart work has consistently taken precedence over the welfare-oriented one. Even immediately after the first lockdown, all the efforts of the Emilia-Romagna Region were directed toward confirming its organizational approach to smart working, urging all employees to transition from the extraordinary form of smart work to the regular one.

Finally, in coherence with its organizational vision, the Emilia-Romagna Region regards the implementation of smart working as a systemic change that needs to be supported by a wide range of regional policies. In fact, smart work has not been seen merely as the remote execution of work but as a deeper transformation that necessitates substantial investments in digital training, digital infrastructure, a radical shift from desktop to web-based office applications, and the fostering of smart attitudes and smart workspaces.

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