



Remote-Working Guidance Consultation,
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Dear Secretary-General Quinn,

The American Chamber of Commerce Ireland ('American Chamber') strongly welcomes the opportunity to submit to the Government's public consultation on remote-working. Since the onset of the Covid-19 crisis, remote-working has become a reality for a large part of the workforce in Ireland, and the American Chamber views this consultation as an opportunity to feedback the key learnings and issues that have arisen on remote working to the Government.

Remote-working guidelines are crucial not only for current employers and employees in Ireland, but may also play a future role for potential decision-makers viewing Ireland as an investment location. The American Chamber recommends that the forthcoming consultation on the National Digital Strategy as outlined in the Programme for Government places an emphasis on Remote-Working as part of the digital strategy for Ireland.

Ireland remains an attractive location of choice for inward investment. This is based on a variety of reasons including our EU membership, English speaking population, our innovative talent pool and our tradition of political stability. Ireland is viewed as a bridge for the transatlantic relationship between the US and EU, an important hub for transatlantic business that plays a key role in the global time-zone spectrum for members including those with 'follow the sun' workflow model that many globalised firms use to reduce delays and increase effectiveness.

Many of our members have adapted well to the acceleration in uptake of remote working brought on by the Covid-19 crisis. However, there are key learnings to take from this period and challenges for remote working in the future which we outline below. What is clear is that remote-working has irreversibly changed since the Government's 'Remote Work in Ireland' Report was issued in December 2019 in a number of ways:

1. Remote working can no longer be viewed as an unusual or temporary arrangement.
2. Many employees have signalled they may continue on a part or full-time basis to remote work if this is possible within their organisation.
3. For many firms who had no remote working policy in place prior to the crisis, it has shown what is possible in relation to working from home, highlighting what works and reinforcing where work cannot be completed offsite.

Overall, there is a need for clearer and more specific guidance for employers and employees on their respective responsibilities in relation to remote-working, while maintaining realistic expectations for both.

Remote-working incentives

In the early stages of the crisis, many employers resorted to ad-hoc measures to ensure employees were correctly enabled for working from home environments. Many found creative solutions by either allowing employees to take office equipment to their homes (such as laptops, monitors or chairs), or by purchasing equipment for employees.

The provision of home office equipment is a complex area that requires further consideration by Government and greater clarity for employers and employees is needed.

It is important that the benefits of remote-working safeguards competitiveness for the economic recovery across all businesses. Government should create incentives to ensure there is a level playing field in terms of access to home office equipment for all employers regardless of scale.

Furthermore, the opportunity that remote-working brings in terms of availability of talent pool for employers, and furthering inclusion within the workforce such as returners to the workforce or differently abled persons should be encouraged. This trend can be built upon by incentivising those who are willing to work remotely to do so. The American Chamber therefore recommends that a reassessment is undertaken on the provision of tax incentives and supports for remote-working.

Flexible working

As remote working has become an accelerated trend in Ireland, the flexibility it offers is an oft-cited positive benefit. While this is the case, remote-working is not the only form of flexible working. Many organisations can offer remote-working occasionally but not full time as they may require an employee presence onsite on set days. However, these organisations may offer more flexible start or finishing work times, working compressed hours or flexi-time. This flexibility in the workplace is highly valued and allows employees to better balance their work and personal lives; in particular for those employees with young families or those who have carer or dependent responsibilities.

While remote-working is a benefit some employers may offer, it is not a viable option for all employers despite becoming ubiquitous for many in recent months. The American Chamber believes for any form of flexible working to be effective - including remote-working, guidance should centre on creating a trusted relationship between the employer and the employee, while also taking cognisance of cyber-security and fraud prevention concerns. The Government needs to provide clear guidance on the responsibilities of both the employer and the employee, noting that ambiguity in compliance provided may hinder the ability of employers to offer remote-working.

Many employers in offering flexible working solutions to employees, understanding that a balanced and flexible work culture is a necessity for employees who require flexibility around their working hours. The American Chamber believes any proposals for legislation in this area should take into consideration this flexibility criteria.

As stated above, time zone is a key advantage in attracting overseas investors who wish to locate their businesses in Ireland, particularly for what are deemed 'follow the sun' services that many global firms operate. Our members have highlighted the key advantage Ireland holds of being able to talk to all parts of a global operation in a single working day from this location. A balanced and flexible approach is required to allow employees and employers to reach an agreed outcome in assessing working hours for global operability.

Infrastructure considerations

As stated in the Government's 'Remote-Work in Ireland' Report, the rollout of the National Broadband Plan is a critical enabler of remote-working. The American Chamber restates the importance and urgency of the swift rollout of the National Broadband Plan to ensure that there is coverage and access to broadband in all regions of Ireland, particularly in more rural settings.

The current crisis has only served to highlight that complete broadband coverage and access is critical for all parts of business operability including the recruitment and onboarding process. With many recruitment processes now taking place virtually, jobseekers living in a region lacking in good quality broadband coverage may face a disadvantage compared to those who are based in better serviced regions.

The American Chamber argues that for the competitiveness of Ireland's economy, the disparity between rural and urban broadband coverage should not be widened by a lack of competitive pricing in rural areas or over-reliance on single providers. Employees living in rural areas should not be disadvantaged by higher broadband costs due to lack of competition between suppliers compared to urban settings.

Though remote-working has worked well for many employees, it is not ideal for every employee due to housing, family circumstances or network connectivity issues. Remote-working hubs can be of added benefit particularly for people living in rural areas and the set-up of such hubs should be incentivised through grants with low cost to the employer and employees to ensure equal access for all firms regardless of size.

Global mobility

As the Irish economy opens after Covid-19, it is crucial that employers have as much certainty as possible and Ireland's attractiveness as a home for inclusive and innovative talent is protected. It is important that employees are made aware of payroll obligations that arise due to the designation of Ireland as their country of employment. While remote-working offers greater flexibility, employees are limited by the regulatory and tax compliance issues that arise when moving across different jurisdictions.

Equality

The Covid-19 crisis has demonstrated there is further to go in terms of supports for employees who are also primary care givers. This area has been highlighted by members as an ongoing concern during the crisis. Employees with carer responsibilities, those working remotely full-time while simultaneously taking care of children and/or adult dependents with schools, child minders, and support services closed – have been impacted more than most.

Split responsibility has compressed down-time for many in the evening or early morning resulting in mental health impacts and stress. The American Chamber recognises the unprecedented nature of the Covid-19 crisis, however this is an issue that will require further consideration by the Government if the current crisis continues, and for example, if schools or childcare facilities were to face closure again.

Training

The American Chamber would welcome provision of training modules and best practice guidelines to assist all employers and employees on how to work remotely effectively or lead a team while working remotely to compliment any internal programmes employers may have. Given the experience American Chamber members hold in this area, we would be happy to assist or provide a perspective on such an initiative. The American Chamber has previously recommended upskilling and re-skilling courses for the workforce. Programmes enabling digital skills in the context of remote-working capabilities would be greatly welcomed.

Well-being

The American Chamber also wishes to highlight the issue of mental health and well-being for remote workers, particularly during the Covid-19 crisis where employees may feel isolated and may be missing daily social interactions within the office environment. Many of our members have proactively undertaken mental well-being initiatives for their employees. Updated guidance and resources from the Department in this area would ensure that all employees who work remotely can benefit.

Insurance options/Ergonomics

The American Chamber would welcome guidance on the provision of insurance for home office equipment, and clarity on how this should be comprised. There is ongoing uncertainty on what will be covered under home or office environment insurance; and clarification on employer/employee liability in this area. Furthermore guidance is also welcomed on ergonomic assessments, and safeguards to protect employers from potentially fraudulent claims arising due to employee remote-working.

The American Chamber welcomes the opportunity to input into this important consultation and look forward to engaging with you and your Department on this topic. If you or your colleagues have any questions on the above, please do not hesitate to contact me.

Yours sincerely,



Conor Neylan

Head of Advocacy & Communications