
Telework as a driver of inequalities in the labour market

Matteo Turrin*

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Abstract

The contribution focuses on telework, arguing that its spread is likely to exacerbate the already existing inequalities in the labour market. After outlining the reasons for the so-called teleworkability divide, the Author shows that the cleavage between those who can and those who cannot work remotely is not neutral, but rather a factor that accelerates and sharpens disparities among groups of workers, favouring only some of them. Attention will also be paid to the issue of discrimination in teleworking access policies and that of its so-called segregating effect. Finally, some possible remedies to the detrimental consequences of the teleworkability divide are proposed.

Keywords: Telework; Labour market; Teleworkability divide; Discrimination; Collective bargaining.

1. Introduction.

As a result of its spread during the Covid-19 pandemic, telework has become a long-standing subject of study by labour law scholars, who have clearly pointed out its potential and limitations.¹ On the one hand, the flexibility inherent in telework is likely to favour the achievement of a better work-life balance and the inclusion of workers with disabilities, representing a reasonable accommodation; on the other hand, the same flexibility that makes it possible to work “anytime, anywhere” may conversely be the cause of the phenomenon

* Assistant Professor of Labour Law, University of Bologna-Alma Mater Studiorum. This essay has been submitted to a double-blind peer review.

¹ Among the large number of research studies on telework, see at least: Eurofound, *Telework in the EU: Regulatory frameworks and recent updates*, Publications Office of the European Union, Luxembourg, 2022; Eurofound, *The rise in telework: Impact on working conditions and regulations*, Publications Office of the European Union, Luxembourg, 2022; Eurofound, *Hybrid work in Europe: Concept and practice*, Publications Office of the European Union, Luxembourg, 2023; Eurofound, *The future of telework and hybrid work*, Publications Office of the European Union, Luxembourg, 2023; European Agency for Safety and Health at Work, *Regulating telework in a post-COVID-19 Europe: recent developments*, Publications Office of the European Union, Luxembourg, 2023.

known as work-life blending, generate work-related stress and expose workers to psychosocial risks to their health and safety.²

However, the study of telework as a driver of inequalities in the labour market is currently still under-researched, at least by labour law scholars. This is probably because when it comes to telework, there is a tendency to focus on teleworkers, ignoring workers who do not perform it.

Yet, telework has exacerbated social and economic inequalities among workers,³ since, for a wide number of reasons, not everyone can perform it and enjoy the related benefits. In other words, as we are about to see in the following paragraphs, telework is not for everyone.⁴ Thus, from being a means of work-life balance and inclusion, telework has often turned into a means of exclusion for certain categories of workers.⁵ In this respect, we can talk about a “teleworkability divide”.⁶

At a time of increasing digitalisation of work, this divide risks undermining social justice and equality among workers, fostering an unfair distribution of wealth, rights and opportunities. In other words, the principle enshrined in Article 3, paragraph 2, of the Constitution appears to be at stake, as both telework and the teleworkability divide are not likely to disappear in the foreseeable future. For this reason, the teleworkability divide must be considered a matter of interest not only for sociologists and economists, but also for labour law scholars.

In the following paragraphs, we will outline the reasons for the teleworkability divide and the associated risks, while proposing some possible solutions. Attention will also be paid to the issue of discrimination in teleworking access policies and its so-called segregating effect. Indeed, like the teleworkability divide, both the risk of discrimination in access to telework and its possible segregating effect are potential drivers of inequalities among groups of workers.

The analysis will focus mainly on the Italian situation, but the baseline data on which the research is based are at least partially common to most European countries. So, the main findings that will be presented here could be validly extended to many other countries.

Finally, it seems appropriate to point out that by using the term telework, in this context, we are referring to situations where the work activity is wholly or partly performed outside

² See Eurofound and the International Labour Office, *Working anytime, anywhere: The effects on the world of work*, Publications Office of the European Union, Luxembourg, and the International Labour Office, Geneva, 2017.

³ See Seghezzi F., *Lo smart working rende più evidenti le disuguaglianze del mercato del lavoro*, in *Bollettino Ordinario ADAPT*, 26 aprile 2022, n. 16.

⁴ See Brollo M., *Lavoro agile tra opportunità e necessità*, in Anibaldi V., Iannotti da Rocha C., Nei Barbosa de Freitas Filho R., Mocella M. (eds.), *Il Diritto del lavoro nell'era digitale. Atti del Convegno Italo-Brasiliano – 26 e 27 maggio 2021*, Giapeto, Roma, 2021, 210-211.

⁵ See again Brollo M., nt. (4), 210-211 and Zwysen W., *Remote work as a new dimension of polarisation: Individual and contextual determinants of the relationship between working from home and job quality*, in Countouris N., De Stefano V., Piasna A., Rainone S. (eds.), *The future of remote work*, ETUI, Brussels, 2023, 83 ff.

⁶ See Bérastégui P., *Teleworking in the aftermath of the Covid-19 pandemic: enabling conditions for a successful transition*, in *ETUI Policy Brief*, 2021.05, 7 ff. and European Agency for Safety and Health at Work, *Hybrid work: new opportunities and challenges for occupational safety and health*, Publications Office of the European Union, Luxembourg, 2023, 6.

the company premises on a continuous basis using electronic devices.⁷ So, referring to the Italian legal system, both teleworking (European Framework Agreement on Telework, 2002) and agile working (Law No. 81/2017) are to be considered included.

2. The teleworkability divide.

2.1. Causes and consequences.

As stated above, telework is not for everyone, while its spread is becoming more and more consolidated. This circumstance, unfortunately, risks heightening disparities between those who can and those who cannot work remotely.⁸

In the first place, although it may seem obvious, it is worth remembering that not all tasks can be performed remotely, since the work performance characteristics may not be compatible with telework. Teleworkability, which is to be understood as the technical possibility of providing labour input remotely into a given economic process, basically depends on three variables: task contents of work, methods of work, and tools of work.⁹ Other relevant factors are workers' position in the internal organisational hierarchy, availability of ICT devices and digital infrastructures enabling remote working, workers' and companies' affinities with digital technologies, and organisation and management cultures.¹⁰ Moreover, telework seems to be more common in big companies than in small and medium-sized enterprises.¹¹ However, "the ultimate determinant of occupational teleworkability is the lack of physical handling tasks".¹² Jobs involving similar tasks cannot be performed remotely, while all other jobs, in principle, may be performed remotely.¹³

Thus, not surprisingly, "a first striking difference in teleworkability relates to the white-collar/blue-collar occupational divide. White-collar work is much more teleworkable than blue-collar work, where the physical requirements of the jobs and associated place-dependence render most occupational categories non-teleworkable".¹⁴ So, the teleworkability

⁷ For further terminological considerations, see at least ILO, *COVID-19: Guidance for labour statistics data collection. Defining and measuring remote work, telework, work at home and home-based work*, Geneva, June 5, 2020.

⁸ See Cetrulo A., Guarascio D., Virgillito M.E., *Working from home and the explosion of enduring divides: income, employment and safety risks*, in *Economia Politica*, 39, 2022, 374.

⁹ See Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., *Teleworkability and the COVID-19 crisis: a new digital divide?*, in *JRC Working Papers Series on Labour, Education and Technology*, European Commission, Seville, 2020, 28.

¹⁰ On these factors and their relevance, see Cetrulo A., Guarascio D., Virgillito M.E., *The Privilege of Working From Home at the Time of Social Distancing*, in *Intereconomics*, 3, 2020, 146; Cetrulo A., Guarascio D., Virgillito M.E., nt. (8), 349; Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 15.

¹¹ See Cetrulo A., Guarascio D., Virgillito M.E., nt. (8), 349; Depalo D., Giorgi F., *Il lavoro da remoto in Italia durante la pandemia: i lavoratori del settore privato*, in *Note Covid-19 Banca d'Italia*, 22 gennaio 2021, 4-5; Assolombarda, *Lo smart working in numeri. Anno 2023*, Rapporto n. 4/2024, 3 and 14.

¹² Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 6.

¹³ On teleworkable jobs, see Rani U., *Remote platform work and the flexible workforce: what global dynamics can we see?*, in Countouris N., De Stefano V., Piasna A., Rainone S. (eds.), nt. (5), 32 ff., while for some data on teleworkable jobs in Italy, see at least Duranti S., Faraoni N., Patacchini V., Sciclone N., *Chi può lavorare da casa? Potenzialità e prospettive oltre l'emergenza*, in *Economia & Lavoro*, 3, 2020, 93 ff. Finally, on the number of agile workers in Italy, see Assolombarda, nt. (11), 1 ff.

¹⁴ Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 46. On the white-collar/blue-collar occupational divide, see also Duranti S., Faraoni N., Patacchini V., Sciclone N., nt. (13), 102 ff.

divide is not neutral, since the largest share of those who can work remotely are concentrated in specific sectors and in specific occupational categories.¹⁵ Indeed, telework is more common among professionals, workers with higher educational qualifications, and those occupying managerial positions.¹⁶ The fact that the occurrence of telework increases with increasing educational qualifications reveals a gap between skilled occupations associated with high human and technological capital and generic or low-tech jobs.¹⁷ Moreover, workers in jobs that can be performed remotely usually have higher remunerations.¹⁸ From this point of view, it seems correct to state that telework appears to be more a privilege for a few occupations rather than a generalized possibility.¹⁹ In fact, according to a variety of empirical studies, many workers who can work remotely “tend to belong to the upper echelon of the occupational distribution, are better remunerated and employed with permanent contracts”,²⁰ while “most low-skilled and low-income occupations are not teleworkable”.²¹

As mentioned above, this teleworkability divide is not neutral. On the contrary, it risks further aggravating inequalities in the labour market.²²

Indeed, the Covid-19 pandemic has shown that, due to the teleworkability divide, some workers are more likely than others to experience job insecurity and financial uncertainties.²³ On the one hand, “workers who have not the opportunity to telework are at increased risk of temporary layoff or furlough, and even permanent termination on economic grounds”.²⁴ On the other hand, “workers who can telework are those that during the Covid-19 crisis were more likely to be still in employment, more likely to have worked the same or similar working hours as pre-outbreak and less likely to have suffered declines in income than those

¹⁵ For some empirical evidence, see Cetrulo A., Guarascio D., Virgillito M.E., nt. (8), 358; Cetrulo A., Guarascio D., Virgillito M.E., nt. (10), 142 ff.; Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 28 ff.; Depalo D., Giorgi F., nt. (11), 4-5; Duranti S., Faraoni N., Patacchini V., Sciclone N., nt. (13), 113 ff.; Assolombarda, nt. (11), 14; Dingel J.I., Neiman, B., *How many jobs can be done at home?*, in *Journal of Public Economics*, 189, 2020, 1 ff.; Bergamante F., Canal T., Mandrone E., Zucaro R., *Il lavoro da remoto: le modalità attuative, gli strumenti e il punto di vista dei lavoratori*, in *Inapp Policy Brief*, 26, 2022, 4 ff.; Eurofound, *The rise in telework: Impact on working conditions and regulations*, Publications Office of the European Union, Luxembourg, 2022, 16 ff.

¹⁶ See Cetrulo A., Guarascio D., Virgillito M.E., nt. (8), 346 ff.; Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 13; Depalo D., Giorgi F., nt. (11), 4-5; Duranti S., Faraoni N., Patacchini V., Sciclone N., nt. (13), 102 ff.

¹⁷ See Cetrulo A., Guarascio D., Virgillito M.E., nt. (9), 346 ff.; Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 13; Bergamante F., Canal T., Mandrone E., Zucaro R., nt. (15), 4.

¹⁸ See Dingel J.I., Neiman, B., nt. (15), 1.

¹⁹ See Cetrulo A., Guarascio D., Virgillito M.E., nt. (8), 346 and Cetrulo A., Guarascio D., Virgillito M.E., nt. (10), 142 ff. In addition, see Peruzzi M., Sacchetto D., *Introduzione*, in Peruzzi M., Sacchetto D. (eds), *Il lavoro da remoto. Aspetti giuridici e sociologici*, Giappichelli, Torino, 2021, XII: according to these Authors, the possibility of working from home during the Covid-19 pandemic was extremely uneven on the basis of job, sector, available internet connection, type of housing and family composition.

²⁰ Cetrulo A., Guarascio D., Virgillito M. E., nt. (8), 346.

²¹ Bérastégui P., nt. (6), 8.

²² See Bérastégui P., nt. (6), 7-8 and Bonacini L., Gallo G., Scicchitano S., *Working from home and income inequality: risks of a 'new normal' with COVID-19*, in *Journal of Population Economics*, 34, 2021, 322.

²³ See Bérastégui P., nt. (6), 7 and Cetrulo A., Guarascio D., Virgillito M.E., nt. (8), 346 ff. For further information see Adams-Prassl A., Boneva T., Rauh C., *Inequality in the impact of the coronavirus shock: Evidence from real time surveys*, in *Journal of Public Economics*, 189, 2020, 1 ff. Lastly, on the asymmetric effects of the pandemic crisis on the increase in unemployment and poverty in Italy, see at least Carchio C., *Gli strumenti di integrazione salariale tra emergenza sanitaria e legge di bilancio*, in *Rivista del Diritto della Sicurezza Sociale*, 1, 2022, 51 ff.

²⁴ Bérastégui P., nt. (6), 7. See also Adams-Prassl A., Boneva T., Rauh C., nt. (23), 3 ff.

who were not telework-capable”.²⁵ So, it is not wrong to state that, during the Covid-19 pandemic, telework has led to an increase in the average wages of those who have been able to perform it,²⁶ thus increasing economic inequalities and,²⁷ in particular, the already existing gender pay gap.²⁸ Indeed, according to some scholars, since the possibility to work remotely increases with income level, the increase in average labour income associated with a boost in the technical feasibility of telework would not be equally distributed among employees, favouring male, older, high-educated and high-paid workers.²⁹ Besides the economic inequalities between workers who can work remotely and those who cannot, it is worth stressing that the employability of the latter seems at risk in a context of increasing digitalisation of work. Indeed, digital skills and the ability to work remotely are two increasingly important requirements within the modern labour market. So, workers unable to work remotely and handle digital technologies are more liable to experience poor socio-economic conditions associated with generic or low-tech jobs and even to be excluded from the labour market. From this point of view, it seems correct to state that the teleworkability divide is just another side of the digital divide, as the former worsens the very same disparities deriving from the latter. Finally, it is important to remember that workers who cannot work from home are excluded from the possibility of enjoying an important and well-appreciated work-life balance arrangement.

On a broader scale, the teleworkability divide risks exacerbating already existing inequalities at the regional level.

Indeed, as a direct consequence of the cleavage between white-collar and blue-collar workers, “the teleworkable employment shares are predictably higher among service sectors with high shares of white-collar employees”, while “the primary sector, manufacturing and construction sector all have low shares of teleworkable employment”.³⁰ In turn, “differences in industrial structures is one of the main factors explaining varying prevalence of telework across EU countries”,³¹ as well as across regions of the same country.³² One more time, these differences are not neutral, since, given the current trend of digitalisation of work, they will probably emphasise disparities between more and less developed regions across the European Union. In other words, considering the above-mentioned characteristics of remote workers, “a continuing expansion of telework may become a factor in further differentiation between the most economically developed regions (capital and urban) and the least

²⁵ Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 59. For some data, see again Adams-Prassl A., Boneva T., Rauh C., nt. (23), 3 ff.

²⁶ See Cetrulo A., Guarascio D., Virgillito M.E., nt. (10), 142 ff. and Carchio C., *Il lavoro agile come strumento di tutela del reddito nell'emergenza pandemica*, in Brolo M., Del Conte M., Martone M., Spinelli C., Tiraboschi M. (eds.), *Lavoro agile e smart working nella società post-pandemica. Profili giuslavoristici e di relazioni industriali*, ADAPT University Press, Bergamo, 2022, 39 ff.

²⁷ See Cetrulo A., Guarascio D., Virgillito M.E., nt. (10), 142 ff. and Bonacini L., Gallo G., Scicchitano S., nt. (22), 303.

²⁸ See Bonacini L., Gallo G., Scicchitano S., nt. (22), 320 and Carchio C., nt. (26), 52 ff..

²⁹ See again Bonacini L., Gallo G., Scicchitano S., nt. (22), 303 and 332.

³⁰ Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 47. For some data referring to Italy, see Depalo D., Giorgi F., nt. (11), 4-5; Duranti S., Faraoni N., Patacchini V., Sciclone N., nt. (13), 113 ff.; Assolombarda, nt. (11), 14-15.

³¹ Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 14.

³² For some data referring to Italy, see Duranti S., Faraoni N., Patacchini V., Sciclone N., nt. (13), 113 ff.

economically developed regions (rural) in Europe”.³³ Indeed, the regional distribution of teleworkable jobs and internet connectivity, which are the main drivers of telework, is higher in the most urbanised and developed regions.³⁴ So, a shift towards widespread telework, which seems very likely in the next future, risks favouring only the most economically developed regions of the European Union.

2.2. Possible solutions.

Action is required on several levels in order to counteract the effects of the teleworkability divide.

First and foremost, “workers in jobs that are not teleworkable should be provided with additional social safety nets in order to protect them from the financial uncertainties associated with pandemics and large-scale disasters”.³⁵ This is a key measure,³⁶ since, given the current productive structure, a massive and immediate transition to telework seems unfeasible,³⁷ while it looks like pandemics and large-scale disasters affecting the world of work will become the “new normal” in the next future.³⁸ Indeed, natural disasters related to climate change are becoming increasingly common. So, a kind of permanent relief fund should be implemented to supplement the payment of wages lost due to these unpredictable but not rare events. In other words, it would be appropriate to institutionalise the wage supplement scheme already experienced by many countries, including Italy, during the Covid-19 pandemic.³⁹

However, in addition to measures of this kind, there is also a need for long-term ones, particularly for policies aimed at developing the digital skills required to work remotely and enabling broad categories of workers to take an active part in the ongoing labour transformation process.⁴⁰ The boost given by the Covid-19 pandemic and digitalisation will probably make telework a lasting feature in work organisation. From this point of view, digital skills are an enabling factor, if not an actual requirement, for access to telework and

³³ Eurofound and European Commission Joint Research Centre, *Regional employment change and the geography of telework in Europe*, Publications Office of the European Union, Luxembourg, 2024, 27.

³⁴ See Eurofound and European Commission Joint Research Centre, nt. (33), 35 ff.

³⁵ Bérastégui P., nt. (6), 8.

³⁶ See Pelham L., Clay E., Braunholz T., *Natural Disasters: What is the Role for Social Safety Nets?*, in *World Bank SP Discussion Paper*, n. 1102, 2011.

³⁷ See Cetrulo A., Guarascio D., Virgillito M. E., nt. (8), 376.

³⁸ On this issue, with particular regard to natural disasters, see Japanese Institute for Labour Policy and Training, *Labor Market Impacts of Natural and Environmental Disasters*, in *JILPT REPORT*, 13, Tokyo, 2014; Tiraboschi M. (ed.), *Catastrofi naturali, disastri tecnologici, lavoro e welfare*, in *ADAPT LABOUR STUDIES e-Book series*, n. 29, 2014; Tomassetti P., *Diritto del lavoro e ambiente*, ADAPT University Press, Bergamo, 2018.

³⁹ On the structure of the special Covid-19 social safety net measures adopted in Italy and their “legacy”, see at least Bozzao P., D’Avino E., *Gli ammortizzatori sociali in costanza di rapporto di lavoro: passato e futuro alla luce della recente riforma*, in *Variazioni su Temi di Diritto del Lavoro*, 4, 2022, 713 ff.; Canavesi M., *Gli ammortizzatori sociali in costanza di rapporto dalla Cig Covid-19 alla novella del d.lgs. n. 148/2015: quale continuità?*, in *Argomenti di Diritto del Lavoro*, 2, 2022, 631 ff. Carchio C., nt. (23), 51 ff.

⁴⁰ See, among others, Bonacini L., Gallo G., Scicchitano S., nt. (22), 332-333; Carchio C., nt. (26), 56; Bianco A., *The Reskilling Imperative for the Digital Economy*, in *Economia & Lavoro*, 3, 2018, 29 ff.; Garbuio C., *Digitalization, Labour Market and Collective Bargaining*, in *Italian Labour Law e-Journal*, 2, 2023, 67 ff.

many kinds of jobs.⁴¹ Therefore, the fact that many workers do not have these skills risks sharpening already existing inequalities in the labour market, excluding these groups of workers from well-paid and secure jobs. On the contrary, appropriate training initiatives might narrow the disparities resulting from both the digital divide and the teleworkability divide,⁴² improving the employability of those at a particular disadvantage in the labour market.

The same applies to access to technological infrastructures and possession of the necessary working tools to work remotely. If the tools under discussion are essential for the purpose of working remotely, but are not granted by the employer, a kind of access requirement to telework is established.⁴³ This requirement is precisely the possession of the necessary technological work equipment at a cost borne by the employee. Given the differences in access to ICT, this circumstance risks widening the already existing social and economic gap between well-paid workers and those who do not have the same financial means.⁴⁴ In short, “ensuring equal access to ICT and that workers possess the education and skills they need to use them are fundamental challenges that policymakers need to address”.⁴⁵

In addition, compensatory measures should be taken for those who cannot work remotely. As repeatedly stated, remote working is not for everyone. So, many workers will continue to be excluded from the benefits of telework in terms of work-life balance for the foreseeable future. In this perspective, the lack of telework should be compensated by other work-life balance arrangements such as, among others, additional hours of paid leave and – where feasible – flexible working times or by facilitating access to welfare measures, like childcare services. Collective agreements seem to be the most appropriate instrument to implement such measures, but there should be no lack of public support measures, such as tax incentives for companies adopting this kind of work-life balance arrangements.

Finally, the digital and teleworkability divide between regions must be addressed. Two types of action are required. On the one hand, industrial policies aimed at reconverting current production structures and fostering the digital transition should be implemented in the less developed regions of the European Union. On the other hand, it would be proper to put in place or strengthen policies aimed at stimulating peripheral, rural and marginalised areas precisely through telework. Indeed, although more common in the most populated areas, telework may encourage knowledge workers to migrate away from traditional urban settings to more peripheral and rural areas.⁴⁶ These areas offer many advantages for workers

⁴¹ On digital skills and, more precisely, on the skills required to work remotely, see Occhiocupo G., Pedone A., *L'impatto dello smart working sui processi di reskilling e upskilling nel lavoro privato e pubblico: primi elementi di analisi*, in *Economia & Lavoro*, 1, 2023, 83 ff.; De Falco M., *Le competenze digitali per la trasformazione smart del lavoro pubblico*, in *Il Lavoro nelle pubbliche amministrazioni*, 4, 2022, 789 ff.; Nardelli F., *Lavoro agile tra competenze e coinvolgimento dei lavoratori*, in Brollo M., Del Conte M., Martone M., Spinelli C., Tiraboschi M. (eds.), nt. (26), 95 ff.

⁴² See Nardelli F., nt. (41), 95 ff.

⁴³ See Bérastégui P., nt. (6), 8 and Cairoli S., *Prime questioni sulla fattispecie del lavoro in modalità agile alle dipendenze della pubblica amministrazione*, in *Il lavoro nelle pubbliche amministrazioni*, 1, 2018, 87.

⁴⁴ On this point, see Fiorenza K., *Il lavoro nell'era digitale. Un'analisi comparata dello smart working negli ordinamenti italiano e brasiliano*, in Anibaldi V., Iannotti da Rocha C., Nei Barbosa de Freitas Filho R., Mocella M. (eds.), nt. (4), 656; Peruzzi M., Sacchetto D., nt. (19), XII; Seghezzi F., nt. (3); Zwysen W., nt. (5), 83 ff.

⁴⁵ Bérastégui P., nt. (7), 8.

⁴⁶ See Eurofound and European Commission Joint Research Centre, nt. (33), 41 ff.

who can move there, such as – among others – lower living costs, shorter commuting times, less pollution and more natural amenities. At the same time, the migration of these workers may represent an opportunity for local development. So, it is not surprising that, since the Covid-19 pandemic, several European countries, including Italy,⁴⁷ have put in place or strengthened policies to support telework in the most marginalised areas of their national territory or those suffering from brain drain and depopulation.⁴⁸ Clearly, “all these initiatives have, more or less explicitly, an ambition to help reduce territorial inequalities and/or support (rural) local development”.⁴⁹

3. Discrimination in teleworking access policies.

Besides the teleworkability divide, telework is liable to worsen disparities among groups of workers in other ways. More specifically, discrimination in the selection of employees “admitted” working remotely cannot be excluded. This is because, although any employee may ask their employer to allow them to work remotely, the final decision is clearly up to the latter, who will also enjoy a certain discretion in choosing the employees he or she will grant telework. Thus, without prejudice to compliance with any priority rights recognised by law or collective agreements,⁵⁰ discrimination is likely to occur in selecting employees “admitted” to working remotely.⁵¹

Unfortunately, this fact reinforces the view according to which telework may exacerbate already existing inequalities in the labour market, favouring only specific categories of workers.

3.1. Disadvantaged and vulnerable groups.

Firstly, the risk of disparities in treatment between standard and non-standard workers deserves significant consideration.

⁴⁷ On the link between agile working and the development of so-called internal areas, see at least De Falco M., *Il lavoro agile nelle (e per) le Aree interne*, in Brollo M., Del Conte M., Martone M., Spinelli C., Tiraboschi M. (eds.), nt. (26), 22 ff., while on the phenomenon known as *South Working* see Zilli A., *Dal telelavoro... al telelavoro: vent'anni (e due pandemie) attorno alla prestazione resa fuori dai locali dell'organizzazione*, in *Argomenti di Diritto del Lavoro*, 4, 2022, 711 ff. On this issue see also Corazza L., *Il lavoro senza mobilità: smart working e geografia sociale nel postpandemia*, in *Lavoro e diritto*, 2, 2022, 431 ff.; Corazza L., Di Salvatore L., Tantillo F., Zucaro R. (eds.), *Smart working, tempi di vita e del lavoro e riequilibrio demografico dei territori*, in *Quaderni della Fondazione Giacomo Brodolini*, n. 66, 2024; Tantillo F., Zucaro R. (eds.), *Iper-luoghi e spazi di interazione: lo smart working nelle aree interne*, in *Inapp Paper*, n. 49, 2024.

⁴⁸ See Eurofound and European Commission Joint Research Centre, nt. (33), 44 ff.

⁴⁹ Eurofound and European Commission Joint Research Centre, nt. (33), 52.

⁵⁰ The reference is, in particular, to Article 18, paragraph 3-*bis*, of Law No. 81/2017, on which see at least Dagnino E., *Priorità per l'accesso al lavoro agile e ad altre forme di lavoro flessibile*, in Garofalo D., Tiraboschi M., Fili V., Trojsi A. (eds.), *Trasparenza e attività di cura nei contratti di lavoro. Commentario ai decreti legislativi n. 104 e n. 105 del 2022*, in *ADAPT Labour Studies e-Book series*, 96, 2023, 602 ff.

⁵¹ See Dagnino E., Menegotto M., Pelusi L.M., Tiraboschi M., *Guida pratica al lavoro agile dopo la legge n. 81/2017*, ADAPT University Press, Bergamo, 2017, 32 ff. and Di Molfetta S., Mezzini R., *La contrattazione collettiva e i nodi irrisolti in materia di lavoro agile*, in *Labour & Law Issues*, 2, 2021, 114 ff.

Indeed, among the possible forms of discrimination, this seems to be the most widespread, as well as the easiest to detect, although certainly not the only one. Before the Covid-19 pandemic, “telework was [...] slightly more common among those in standard employment contracts, with higher shares for those with permanent and full-time work contract”.⁵² Indeed, as demonstrated in previous research, before the Covid-19 pandemic, many collective agreements used to exclude non-standard workers from the pool of possible “recipients” of telework established at the company level.⁵³ Fixed-term and part-time workers were particularly disadvantaged by these collective agreements, since they were often excluded from the possibility of working remotely for no apparent reason.⁵⁴ In this regard, it should be underlined that this practice risks resulting in multiple discrimination. Indeed, it is well known that fixed-term and part-time workers tend to be predominantly young and/or women: two categories already at a particular disadvantage in the labour market.⁵⁵ Moreover, this practice has unquestionably played a significant role in accentuating labour market segmentation, which has been polarised by the cleavage between standard and non-standard workers for many years.⁵⁶ Finally, it is worth stressing that the practice under discussion integrated a violation of anti-discrimination legislation established at both the national and European levels.⁵⁷ However, the Covid-19 pandemic – for obvious reasons – has forced companies to expand the pool of employees allowed to work remotely, including workers employed under non-standard contracts. Today, most company collective agreements do not make any difference between workers with permanent and full-time work contracts and those with fixed-term or part-time contracts. Anyway, as proved by some collective agreements signed after the Covid-19 pandemic, the risk of discrimination against non-standard workers should not be considered as overcome.⁵⁸

Secondly, even when non-discriminatory criteria are used to select workers to be admitted to teleworking, it cannot be excluded that those who have been admitted may suffer discriminatory effects.

Indeed, despite its potential, telework may perpetuate gender stereotypes and that cultural model whereby family and care responsibilities fall predominantly on female workers.⁵⁹

⁵² Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., nt. (9), 13.

⁵³ See Turrin M., *Lavoro agile e contratti di lavoro non standard: elementi di criticità*, in *Diritto delle Relazioni Industriali*, 2, 2020, 390 ff.

⁵⁴ See again Turrin M., nt. (53), 399 ff.

⁵⁵ See at least Bertolini S., Solera C., *Il lavoro atipico in Italia: trappola o ponte verso la conciliazione? Le interruzioni lavorative intorno alla maternità di tre coorti di donne*, in *Economia & Lavoro*, 3, 2016, 133 ff. and Fabrizi E., Raitano M., *Rigido, flessibile o liquido? L'immagine del mercato del lavoro italiano dal dataset AD-SILC*, in *Economia e Lavoro*, 3, 2012, 29 ff.

⁵⁶ See Lucidi F., Raitano M., *Molto flessibili, poco sicuri: lavoro atipico e disuguaglianze nel mercato del lavoro italiano*, in *Economia & Lavoro*, 2, 2009, 99 ff. as well as Fabrizi E., Raitano M., nt. (55), 29 ff. and, from a gender perspective, Bertolini S., Solera C., nt. (55), 133 ff.

⁵⁷ For more extensive reflections on this issue, see Turrin M., nt. (53), 392 ff.

⁵⁸ Indeed, among the most recent collective agreements, a few still exclude non-standard workers from the possibility of working remotely. The reference is, in particular, to the following company collective agreements: *Groupama Assicurazioni*, July 21, 2020; *Banca Reale*, December 23, 2021; *Roma Servizi per la Mobilità*, July 14, 2022; *Blue Assistance*, July 9, 2024.

⁵⁹ See Cetrulo A., Guarascio D., Virgillito M.E., nt. (8), 363 ff. and Arabadjieva K., Franklin P., *Home-based telework, gender and the public-private divide*, in Countouris N., De Stefano V., Piasna A., Rainone S. (eds.), nt. (5), 61 ff.

When working from home, women – unlike men – are also unreasonably expected to take care of their children, while it is clearly impossible to reconcile and carry out the two activities at the same time. In brief, women are more likely than men to perform work from home alongside a significant share of unpaid care work. From this point of view, telework exposes female workers to the risk known as work-life blending and may even have a “segregating” effect on them, similar to part-time work.⁶⁰ In other words, telework, where not properly implemented, from being a work-life balance arrangement, risks becoming an instrument to confine women at home and drive them away from their careers.

Similarly, telework may have a segregating effect on workers with disabilities. In fact, although intended as a reasonable accommodation according to Article 3, paragraph 3-*bis*, of Legislative Decree No. 216/2003,⁶¹ it may become an instrument of social isolation.⁶² This is likely to happen when there is no balance between in-presence and remote working or, in other words, when the work activity is mainly or wholly carried out remotely.

3.2. Preventing discrimination related to telework through an equality, diversity and inclusion policy.

In any of these cases, telework risks intensifying existing inequalities among groups of workers. However, some precautionary measures could be taken.

First, a collective agreement, or at least a regulation adopted at the company level, would be very useful to establish which employees are allowed to work remotely. Above all, it would be necessary to identify the practically feasible tasks for telework. Additional access criteria, such as a minimum length of service, could also be determined, as long as they are neutral and non-discriminatory.⁶³ Then, it would be useful to identify some preference criteria to draw up a sort of ranking list of employees suitable for telework. Indeed, it cannot be taken for granted that an employer is willing to grant telework to all its eligible employees. Even if the law does not require it, a similar measure may help avoid or, at least, reduce the risk of discrimination. Moreover, this would make the selection of employees suitable for telework more transparent, reducing possible conflicts between eligible and non-eligible workers.⁶⁴ Finally, given the work-life balance purpose of telework and without prejudice to compliance with any priority rights already established by law, the criteria mentioned before could refer

⁶⁰ See Brollo M., *Il lavoro agile tra emergenza pandemica e riemersione della questione femminile*, in *Labor*, 4, 2020, 512 ff.; Militello M., *Conciliare vita e lavoro. Strategie e tecniche di tutela*, Giappichelli, Torino, 2020, 53 ff. and 141 ff.; Marinelli F., *Gender gap e mercato del lavoro alla luce della pandemia: il punctum dolens è la ripartizione tra i generi dei compiti di cura genitoriale*, in *Rivista Italiana di Diritto del Lavoro*, 1, 2021, 65 ff.; Vallauri M.L., *I tempi di lavoro delle donne*, in Calvellini G., Loffredo A. (eds.), *Il tempo di lavoro tra scelta e imposizione*, Editoriale Scientifica, Napoli, 2023, 44; Arabadjieva K., Franklin P., nt. (56), 61 ff.

⁶¹ On this topic see at least Spinelli C., *Inclusive Digital Workplaces for Persons with Disabilities*, in Menegatti E. (ed.), *Law, Technology and Labour*, Italian Labour Law e-Studies, Bologna, 2023, 223 ff. and Turrin M., *L'accesso “preferenziale” al lavoro agile tra disabilità e condizione di fragilità: analogie e differenze*, in *Equal*, 2, 2024, 179 ff.

⁶² See Brollo M., *Lavoro agile per i lavoratori fragili: lezioni dalla pandemia*, in *Argomenti di Diritto del Lavoro*, 3, 2022, 417 and Verzulli V., *Disabilità, malattia cronica, fragilità: il lavoro agile come accomodamento ragionevole*, in *Diritto della Sicurezza sul Lavoro*, 1, 2024, 14.

⁶³ See again Turrin M., nt. (53), 392 ff.

⁶⁴ See Assolombarda, *Lo smart working in numeri. Anno 2022*, Rapporto n. 5/2023, 19 ff.

to family responsibilities, health reasons, vocational training requirements or commuting times.⁶⁵

In the second place, the introduction of telework in companies should be combined with welfare measures and gender equality policies aimed, in accordance with Articles 9 and 11 of the *National Protocol on Agile Work*, at favouring the sharing of family and care responsibilities between men and women. This is essential to prevent telework from becoming a trap for female workers. In this regard, it is worth stressing that to achieve this result and, more generally, gender equality in the workplace a significant input may come from the report about male and female personnel (Article 46 of Legislative Decree No. 198/2006),⁶⁶ as well as from the gender equality certification (Article 46-*bis* of Legislative Decree No. 198/2006).⁶⁷ Indeed, although the former is compulsory only for companies employing more than fifty employees and the latter is purely voluntary, both instruments, through the principle of transparency and that of reward, induce companies to mainstream gender equality into their decision-making and human resources management processes, thus promoting an organisational culture based on equality and non-discrimination.

Similarly, when designing the company's remote working policy, special consideration should be given to the needs of disabled workers. More specifically, it will be necessary to ensure that telework does not become a means to marginalise workers with disabilities, while providing them with adequate opportunities for socialising with their colleagues and periodic returns to the workplace. Then, an important role could be played by collective bargaining,⁶⁸ as well as by those professionals, such as the disability manager,⁶⁹ assigned to the job placement and social integration of disabled workers.

In general, remote working policies should be adjusted to consider the particularities and needs of the most vulnerable workers, as there is no “one-size-fits-all” model of telework. So, a good strategy would be to integrate teleworking arrangements with diversity management practices.⁷⁰

⁶⁵ This suggestion seems to have been embraced by collective bargaining. The reference is, among others, to the following company collective agreements: *Fincantieri*, July 17, 2020; *Cassa Centrale Banca*, September 21, 2020; *Terna*, November 9, 2020; *Gruppo Generali*, July 27, 2021; *Banca Ifis*, March 18, 2022; *Italiaonline*, April 21, 2022; *One-OS*, May 19, 2022; *Linde*, July 25, 2022; *Italo*, August 30, 2022; *CallCenterOne*, December 15, 2022; *Fondazione Edmund Mach*, December 20, 2023.

⁶⁶ On which see at least Zappalà L., *La parità di genere al tempo del PNRR: tra trasparenza, certificazione e misure premiali*, in *Lavoro Diritti Europa*, 3, 2022, 6 ff. and Zilli A., *La trasparenza nel lavoro subordinato. Principi e tecniche di tutela*, Pacini, Pisa, 2022, 123 ff.

⁶⁷ On which see Casano L., *Certificazione della parità di genere e trasparenza: riflessioni a margine della prima attuazione del sistema*, in *Equal*, 2, 2024, 161 ff., as well as Zappalà L., nt. (66), 9 ff. and Zilli A., nt. (66), 169 ff.

⁶⁸ See Article 10 of the *National Protocol on Agile Work*, December 7, 2021.

⁶⁹ See Article 14, paragraph 4, of Law No. 68/1999 and Article 1, paragraph 1, of Legislative Decree No. 151/2015, provisions which – like the *Guidelines on the targeted employment of persons with disabilities* annexed to Ministerial Decree No. 43/2022 – expressly provide, albeit in purely promotional terms, for the establishment of a person responsible for the social integration of persons with disabilities in the workplace in private companies. On the other hand, according to Article 39-*ter* of Legislative Decree No. 165/20001, the appointment of the “Person in charge of the integration processes of people with disabilities” is mandatory in public administrations.

⁷⁰ See Turrin M., nt. (61), 197 ff.

4. Final remarks.

Clearly, it is not sufficient to identify the main inequalities fostered by telework.

Indeed, it is then necessary to find an “antidote” to these social and economic disparities, an “antidote” that – as seen in the previous paragraphs – can be realised in different ways depending on the specific disparity: by adopting additional social safety nets in favour of those who cannot work remotely; by enhancing training measures aimed at enabling broad categories of workers to acquire the digital skills required to take an active part in the ongoing labour transformation process; by providing easier access to digital technologies to every worker; by providing compensatory measures for those workers who cannot work remotely; by promoting telework in the less developed areas of a country; by identifying transparent and non-discriminatory criteria to establish employees eligible for telework; by ensuring that the introduction of telework is combined with welfare measures and human resource policies designed to prevent possible discriminatory and segregating effects.

However, there is still little awareness of these inequalities, which policymakers and social partners often ignore or underestimate. Nevertheless, collective bargaining may be the preferable solution to many social and economic disparities resulting from the teleworkability divide.⁷¹ Indeed, many of these inequalities arise at the company level and it is precisely at that level and through collective bargaining that they can most easily be prevented or, at least, reduced. Unfortunately, many of the most recent company collective agreements seem to ignore the risks deriving from the teleworkability divide. At least, as mentioned above, some progress has been made in identifying transparent and non-discriminatory criteria to establish employees eligible for telework,⁷² as well as in ensuring that the introduction of telework is combined with company policies designed to prevent possible discriminatory and segregating effects.⁷³ Moreover, for data security reasons, nearly all company collective agreements on agile working provide that the necessary working tools to work remotely are to be supplied by the employer.⁷⁴ On the other hand, with the exclusion of digital skills,⁷⁵ almost all other issues related to the teleworkability divide are rarely and, in any case, only partially addressed by collective bargaining. The lack of compensatory measures and alternative work-life

⁷¹ On the possible role of social partners in mitigating the polarisation of the labour market resulting from telework, see Zwysen W., nt. (5), 83 ff.

⁷² See the company collective agreements on agile working mentioned in nt. (65).

⁷³ Specific provisions on the risk of isolation of persons with disabilities and female workers, as well as on the relevance of gender equality and sharing of family responsibilities between men and women, although quite generic, appear in a small number of collective agreements about agile working signed after the Covid-19 pandemic. See, among others, the following company collective agreements: *Telecontact Center*, September 16, 2020; *Siae*, December 22, 2021; *Transcom Worldwide*, March 15, 2022; *CheBanca!*, March 17, 2023.

⁷⁴ See Porcheddu D., *Chi paga per il lavoro da remoto? Spunti da una sentenza della Corte di Cassazione belga*, in *Diritto delle Relazioni Industriali*, 1, 2021, 280 ff. and Dagnino E., Menegotto M., Porcheddu D., Tiraboschi M., *Guida pratica al lavoro agile dopo la legge n. 81/2017. Terza edizione*, ADAPT University Press, Bergamo, 2023, 51 ff.

⁷⁵ On the role of collective bargaining in addressing the skills challenge deriving from the digital transition see, among others, Ciucciovino S., *Professionalità, occupazione e tecnologia nella transizione digitale*, in *federalismi.it*, 9, 2022, 128 ff.; Impellizzeri G., *La formazione dei lavoratori nei contratti collettivi tra vecchi e nuovi modelli*, in *Il Lavoro nella giurisprudenza*, 3, 2023, 247 ff.; Prosdocimi S., *Collective bargaining and the challenge of the socio-ecological transition*, in *Professionalità Studi*, 4, 2023, 77 ff.; Garbuio C., nt. (40), 67 ff.

balance arrangements for those workers who cannot work remotely is particularly significant.⁷⁶

In light of the findings of this brief research, only one conclusion seems possible: when dealing with telework, attention must be paid not only to teleworkers, but also to those who cannot work remotely. So, while labour law scholars are expected to deepen the topic first, policymakers and, in particular, social partners are then called upon to address the problems deriving from the teleworkability divide in such a way as to ensure equal opportunities for every worker and prevent telework from remaining a driver of inequalities in the labour market.

Bibliography

- Adams-Prassl A., Boneva T., Rauh C., *Inequality in the impact of the coronavirus shock: Evidence from real time surveys*, in *Journal of Public Economics*, 189, 2020, 1;
- Arabadjieva K., Franklin P., *Home-based telework, gender and the public-private divide*, in Countouris N., De Stefano V., Piasna A., Rainone S. (eds.), *The future of remote work*, ETUI, Brussels, 2023, 61;
- Assolombarda, *Lo smart working in numeri. Anno 2022*, Rapporto n. 5/2023;
- Assolombarda, *Lo smart working in numeri. Anno 2023*, Rapporto n. 4/2024;
- Bérestégui P., *Teleworking in the aftermath of the Covid-19 pandemic: enabling conditions for a successful transition*, in *ETUI Policy Brief*, 2021.05;
- Bergamante F., Canal T., Mandrone E., Zucaro R., *Il lavoro da remoto: le modalità attuative, gli strumenti e il punto di vista dei lavoratori*, in *Inapp Policy Brief*, 26, 2022;
- Bertolini S., Solera C., *Il lavoro atipico in Italia: trappola o ponte verso la conciliazione? Le interruzioni lavorative intorno alla maternità di tre coorti di donne*, in *Economia & Lavoro*, 3, 2016, 133 ff;
- Bianco A., *The Reskilling Imperative for the Digital Economy*, in *Economia & Lavoro*, 3, 2018, 29 ff;
- Bonacini L., Gallo G., Scicchitano S., *Working from home and income inequality: risks of a 'new normal' with COVID-19*, in *Journal of Population Economics*, 34, 2021, 303 ff;
- Bozzao P., D'Avino E., *Gli ammortizzatori sociali in costanza di rapporto di lavoro: passato e futuro alla luce della recente riforma*, in *Variazioni su Temi di Diritto del Lavoro*, 4, 2022, 713 ff;
- Brollo M., *Il lavoro agile tra emergenza pandemica e riemersione della questione femminile*, in *Labor*, 4, 2020, 507 ff;
- Brollo M., *Lavoro agile tra opportunità e necessità*, in Anibaldi V., Iannotti da Rocha C., Nei Barbosa de Freitas Filho R., Mocella M. (eds), *Il Diritto del lavoro nell'era digitale. Atti del Convegno Italo-Brasiliano – 26 e 27 maggio 2021*, Giapeto, Roma, 2021, 204 ff;
- Brollo M., *Lavoro agile per i lavoratori fragili: lezioni dalla pandemia*, in *Argomenti di Diritto del Lavoro*, 3, 2022, 405 ff;
- Cairolì S., *Prime questioni sulla fattispecie del lavoro in modalità agile alle dipendenze della pubblica amministrazione*, in *Il lavoro nelle pubbliche amministrazioni*, 1, 2018, 79;

⁷⁶ On the limited impact of collective bargaining in the field of work-life balance arrangements, see Senatori I., *La «nuova» conciliazione vita-lavoro e la contrattazione collettiva: una sfida che si ripete*, in *Rivista Giuridica del Lavoro e della Previdenza Sociale*, 4, 2022, 596 ff.

- Canavesi M., *Gli ammortizzatori sociali in costanza di rapporto dalla Cig Covid-19 alla novella del d.lgs. n. 148/2015: quale continuità?*, in *Argomenti di Diritto del Lavoro*, 2, 2022, 631;
- Carchio C., *Gli strumenti di integrazione salariale tra emergenza sanitaria e legge di bilancio*, in *Rivista del Diritto della Sicurezza Sociale*, 1, 2022, 51;
- Carchio C., *Il lavoro agile come strumento di tutela del reddito nell'emergenza pandemica*, in Brollo M., Del Conte M., Martone M., Spinelli C., Tiraboschi M. (eds.), *Lavoro agile e smart working nella società post-pandemica. Profili giuslavoristici e di relazioni industriali*, ADAPT University Press, Bergamo, 2022, 39;
- Casano L., *Certificazione della parità di genere e trasparenza: riflessioni a margine della prima attuazione del sistema*, in *Equal*, 2, 2024, 161;
- Cetrulo A., Guarascio D., Virgillito M.E., *The Privilege of Working From Home at the Time of Social Distancing*, in *Intereconomics*, 3, 2020, 142;
- Cetrulo A., Guarascio D., Virgillito M.E., *Working from home and the explosion of enduring divides: income, employment and safety risks*, in *Economia Politica*, 39, 2022, 345;
- Ciucciovino S., *Professionalità, occupazione e tecnologia nella transizione digitale*, in *federalismi.it*, 9, 2022, 128;
- Corazza L., *Il lavoro senza mobilità: smart working e geografia sociale nel postpandemia*, in *Lavoro e diritto*, 2, 2022, 431;
- Corazza L., Di Salvatore L., Tantillo F., Zucaro R. (eds.), *Smart working, tempi di vita e del lavoro e riequilibrio demografico dei territori*, in *Quaderni della Fondazione Giacomo Brodolini*, n. 66, 2024;
- Dagnino E., *Priorità per l'accesso al lavoro agile e ad altre forme di lavoro flessibile*, in Garofalo D., Tiraboschi M., Fili V., Trojsi A. (eds.), *Trasparenza e attività di cura nei contratti di lavoro. Commentario ai decreti legislativi n. 104 e n. 105 del 2022*, in *ADAPT Labour Studies e-Book series*, 96, 2023, 602;
- Dagnino E., Menegotto M., Pelusi L.M., Tiraboschi M., *Guida pratica al lavoro agile dopo la legge n. 81/2017*, ADAPT University Press, Bergamo, 2017;
- Dagnino E., Menegotto M., Porcheddu D., Tiraboschi M., *Guida pratica al lavoro agile dopo la legge n. 81/2017. Terza edizione*, ADAPT University Press, Bergamo, 2023;
- De Falco M., *Il lavoro agile nelle (e per) le Aree interne*, in Brollo M., Del Conte M., Martone M., Spinelli C., Tiraboschi M. (eds.), *Lavoro agile e smart working nella società post-pandemica. Profili giuslavoristici e di relazioni industriali*, ADAPT University Press, Bergamo, 2022, 22;
- De Falco M., *Le competenze digitali per la trasformazione smart del lavoro pubblico*, in *Il Lavoro nelle pubbliche amministrazioni*, 4, 2022, 789;
- Depalo D., Giorgi F., *Il lavoro da remoto in Italia durante la pandemia: i lavoratori del settore privato*, in *Note Covid-19 Banca d'Italia*, 22 gennaio 2021;
- Di Molfetta S., Mezzini R., *La contrattazione collettiva e i nodi irrisolti in materia di lavoro agile*, in *Labour & Law Issues*, 2, 2021, 114;
- Duranti S., Faraoni N., Patacchini V., Sciclone N., *Chi può lavorare da casa? Potenzialità e prospettive oltre l'emergenza*, in *Economia & Lavoro*, 3, 2020, 93;
- Eurofound and the International Labour Office, *Working anytime, anywhere: The effects on the world of work*, Publications Office of the European Union, Luxembourg, and the International Labour Office, Geneva, 2017;

- Eurofound and European Commission Joint Research Centre, *Regional employment change and the geography of telework in Europe*, Publications Office of the European Union, Luxembourg, 2024;
- Eurofound, *Telework in the EU: Regulatory frameworks and recent updates*, Publications Office of the European Union, Luxembourg, 2022;
- Eurofound, *The rise in telework: Impact on working conditions and regulations*, Publications Office of the European Union, Luxembourg, 2022;
- Eurofound, *Hybrid work in Europe: Concept and practice*, Publications Office of the European Union, Luxembourg, 2023;
- Eurofound, *The future of telework and hybrid work*, Publications Office of the European Union, Luxembourg, 2023;
- European Agency for Safety and Health at Work, *Hybrid work: new opportunities and challenges for occupational safety and health*, Publications Office of the European Union, Luxembourg, 2023;
- European Agency for Safety and Health at Work, *Regulating telework in a post-COVID-19 Europe: recent developments*, Publications Office of the European Union, Luxembourg, 2023;
- Fabrizi E., Raitano M., *Rigido, flessibile o liquido? L'immagine del mercato del lavoro italiano dal dataset AD-SILC*, in *Economia e Lavoro*, 3, 2012, 29;
- Fiorenza K., *Il lavoro nell'era digitale. Un'analisi comparata dello smart working negli ordinamenti italiano e brasiliano*, in Anibaldi V., Iannotti da Rocha C., Nei Barbosa de Freitas Filho R., Mocella M. (eds), *Il Diritto del lavoro nell'era digitale. Atti del Convegno Italo-Brasiliano – 26 e 27 maggio 2021*, Giapeto, Roma, 2021, 646;
- Garbuio C., *Digitalization, Labour Market and Collective Bargaining*, in *Italian Labour Law e-Journal*, 2, 2023, 59;
- ILO, *COVID-19: Guidance for labour statistics data collection. Defining and measuring remote work, telework, work at home and home-based work*, Geneva, June 5, 2020;
- Impellizzieri G., *La formazione dei lavoratori nei contratti collettivi tra vecchi e nuovi modelli*, in *Il Lavoro nella giurisprudenza*, 3, 2023, 247;
- Japanese Institute for Labour Policy and Training, *Labor Market Impacts of Natural and Environmental Disasters*, in *JILPT REPORT*, No. 13, Tokyo, 2014.
- Lucidi F., Raitano M., *Molto flessibili, poco sicuri: lavoro atipico e disuguaglianze nel mercato del lavoro italiano*, in *Economia & Lavoro*, 2, 2009, 99;
- Marinelli F., *Gender gap e mercato del lavoro alla luce della pandemia: il punctum dolens è la ripartizione tra i generi dei compiti di cura genitoriale*, in *Rivista Italiana di Diritto del Lavoro*, 1, 2021, 65;
- Militello M., *Conciliare vita e lavoro. Strategie e tecniche di tutela*, Giappichelli, Torino, 2020;
- Nardelli F., *Lavoro agile tra competenze e coinvolgimento dei lavoratori*, in Brollo M., Del Conte M., Martone M., Spinelli C., Tiraboschi M. (eds.), *Lavoro agile e smart working nella società post-pandemica. Profili giuslavoristici e di relazioni industriali*, ADAPT University Press, Bergamo, 2022, 91;
- Occhiocupo G., Pedone A., *L'impatto dello smart working sui processi di reskilling e upskilling nel lavoro privato e pubblico: primi elementi di analisi*, in *Economia & Lavoro*, 1, 2023, 83;
- Pelham L., Clay E., Braunholz T., *Natural Disasters: What is the Role for Social Safety Nets?*, in *World Bank SP Discussion Paper*, n. 1102, 2011;

- Peruzzi M., Sacchetto D., *Introduzione*, in Peruzzi M., Sacchetto D. (eds), *Il lavoro da remoto. Aspetti giuridici e sociologici*, Giappichelli, Torino, 2021;
- Porcheddu D., *Chi paga per il lavoro da remoto? Spunti da una sentenza della Corte di Cassazione belga*, in *Diritto delle Relazioni Industriali*, 1, 2021, 276;
- Prosdocimi S., *Collective bargaining and the challenge of the socio-ecological transition*, in *Professionalità Studi*, 4, 2023, 77;
- Rani U., *Remote platform work and the flexible workforce: what global dynamics can we see?*, in Countouris N., De Stefano V., Piasna A., Rainone S. (eds.), *The future of remote work*, ETUI, Brussels, 2023, 29;
- Seghezzi F., *Lo smart working rende più evidenti le disuguaglianze del mercato del lavoro*, in *Bollettino Ordinario ADAPT*, 26 aprile 2022, n. 16;
- Senatori I., *La «nuova» conciliazione vita-lavoro e la contrattazione collettiva: una sfida che si ripete*, in *Rivista Giuridica del Lavoro e della Previdenza Sociale*, 4, 2022, 596;
- Sostero M., Milasi S. Hurley J., Fernandez-Macías E., Bisello M., *Teleworkability and the COVID-19 crisis: a new digital divide?*, in *JRC Working Papers Series on Labour, Education and Technology*, European Commission, Seville, 2020;
- Spinelli C., *Inclusive Digital Workplaces for Persons with Disabilities*, in Menegatti E. (ed.), *Law, Technology and Labour*, Italian Labour Law e-Studies, Bologna, 2023, 223;
- Tantillo F., Zucaro R. (eds.), *Iper-luoghi e spazi di interazione: lo smart working nelle aree interne*, in *Inapp Paper*, n. 49, 2024;
- Tiraboschi M. (ed.), *Catastrofi naturali, disastri tecnologici, lavoro e welfare*, in *ADAPT LABOUR STUDIES e-Book series*, n. 29, 2014;
- Tomassetti P., *Diritto del lavoro e ambiente*, ADAPT University Press, Bergamo, 2018.
- Turrin M., *Lavoro agile e contratti di lavoro non standard: elementi di criticità*, in *Diritto delle Relazioni Industriali*, 2, 2020, 381;
- Turrin M., *L'accesso "preferenziale" al lavoro agile tra disabilità e condizione di fragilità: analogie e differenze*, in *Equal*, 2, 2024, 179;
- Vallauri M.L., *I tempi di lavoro delle donne*, in Calvellini G., Loffredo A. (eds.), *Il tempo di lavoro tra scelta e imposizione*, Editoriale Scientifica, Napoli, 2023, 29;
- Verzulli V., *Disabilità, malattia cronica, fragilità: il lavoro agile come accomodamento ragionevole*, in *Diritto della Sicurezza sul Lavoro*, 1, 2024, 1;
- Zappalà L., *La parità di genere al tempo del PNRR: tra trasparenza, certificazione e misure premiali*, in *Lavoro Diritti Europa*, 3, 2022, 1;
- Zilli A., *Dal telelavoro... al telelavoro: vent'anni (e due pandemie) attorno alla prestazione resa fuori dai locali dell'organizzazione*, in *Argomenti di Diritto del Lavoro*, 4, 2022, 703;
- Zilli A., *La trasparenza nel lavoro subordinato. Principi e tecniche di tutela*, Pacini, Pisa, 2022;
- Zwysen W., *Remote work as a new dimension of polarisation: Individual and contextual determinants of the relationship between working from home and job quality*, in Countouris N., De Stefano V., Piasna A., Rainone S. (eds.), *The future of remote work*, ETUI, Brussels, 2023, 83.

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