

Telework and the transformation of labor relations: balancing flexibility and security

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Abstract. This study focuses on the profound changes in labor relations brought about by telework, especially the challenge of finding a balance between flexibility and security. By analyzing the emergence and characteristics of telework and its impact on the recognition of labor relations, calculation of working hours, and privacy protection, the study reveals that while telework breaks down geographical restrictions and enhances work flexibility and autonomy, it also brings new problems in the stability of labor relations, the protection of occupational safety and health, and the safeguarding of workers' rights and interests. The study suggests that a sound legal system, advanced technical support and effective communication mechanisms are the key elements to balance the flexibility and safety of telework. Through case studies and policy recommendations, this study aims to provide theoretical guidance and practical paths for the healthy development of telework, and to promote the sustainable development of telework driven by both technological advancement and market demand.

Keywords: telework, labor relations change, flexibility, safety, legal system.

1. Introduction

The rapid development of information technology has promoted the rise of platform economy under the background of "Internet Plus", which has given rise to the new working mode of remote work. Taking nail and other remote office tools as an example, it has effectively supported the operation of enterprises during the epidemic prevention and control period, showing the potential of remote work. As an emerging mode of labor supply, telework faces gaps in China's current legal system, with issues such as the definition of the nature of the labor relationship, the calculation of working hours, and the balance between employers' management rights and workers' privacy rights coming to the fore. According to statistics, the scale of teleworking employment has grown significantly (see Figure 1), but the provisions of traditional labor law based on traditional forms of employment conflict with it, resulting in inadequate protection of the rights and interests of teleworkers [1]. In-depth analysis of the plight of teleworkers in the application of labor law and put forward targeted countermeasures are essential to protect their rights and interests and promote the healthy development of telework employment.

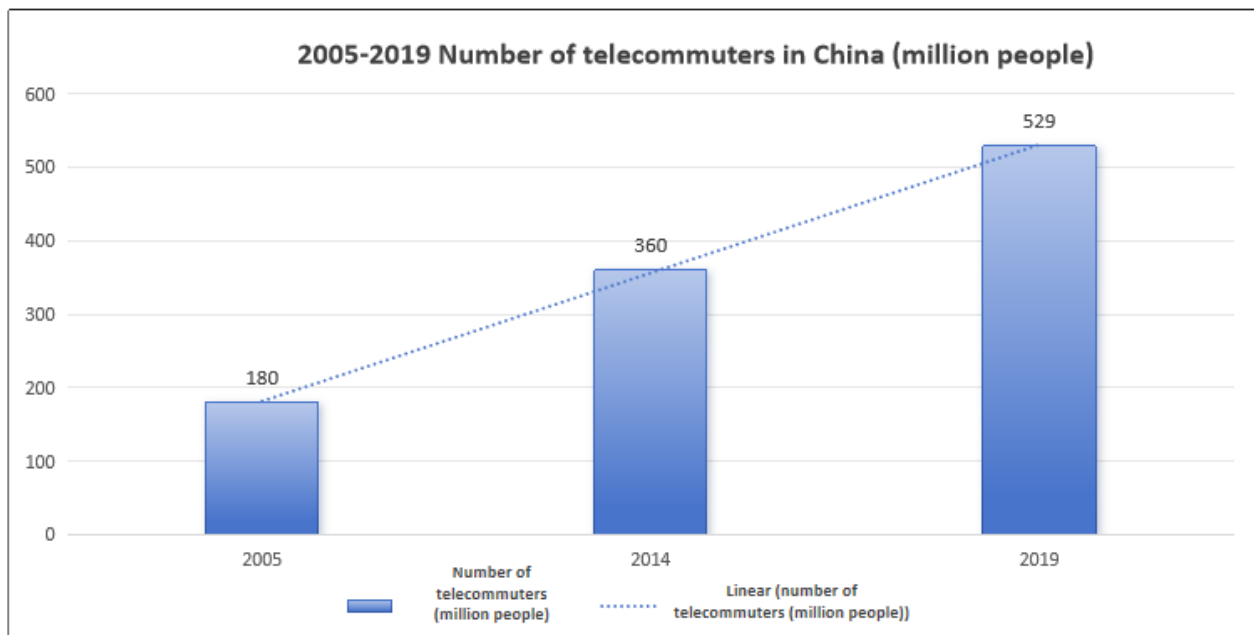


Figure 1. Number of telecommuters in China, 2005-2019 (million people)
(Data source: <https://www.qianzhan.com/analyst/detail/220/200326-22728921>.)

2. The Rise and Characteristics of Telework

2.1. Definition and classification of telework

Telework, as an emerging work mode, refers to the physical space where employees are detached from the traditional office and rely on information technology to perform tasks, and its core features cover flexibility, autonomy and technology dependency (see Figure 2). With the rapid advancement of information technology, telework has moved from the margins of the workplace to the mainstream. Remote work can be categorized into full-time, part-time, and project-based based on factors such as the nature of the work, duration, and location. Full-time remote workers enjoy the same rights and benefits as traditional employees, while having more flexibility in terms of location; part-time remote workers work for specific hours or tasks; and project-based remote workers form temporary teams based on project needs. Huawei Technologies, for example, has a full-time remote work policy that allows employees to choose locations around the world and utilize efficient online tools to maintain team communication, a model that increases employee satisfaction and reduces operating costs, a win-win situation. However, teleworkers also face new challenges such as how to maintain team cohesion and effectively supervise employees, issues that companies need to continue to explore and address in practice.

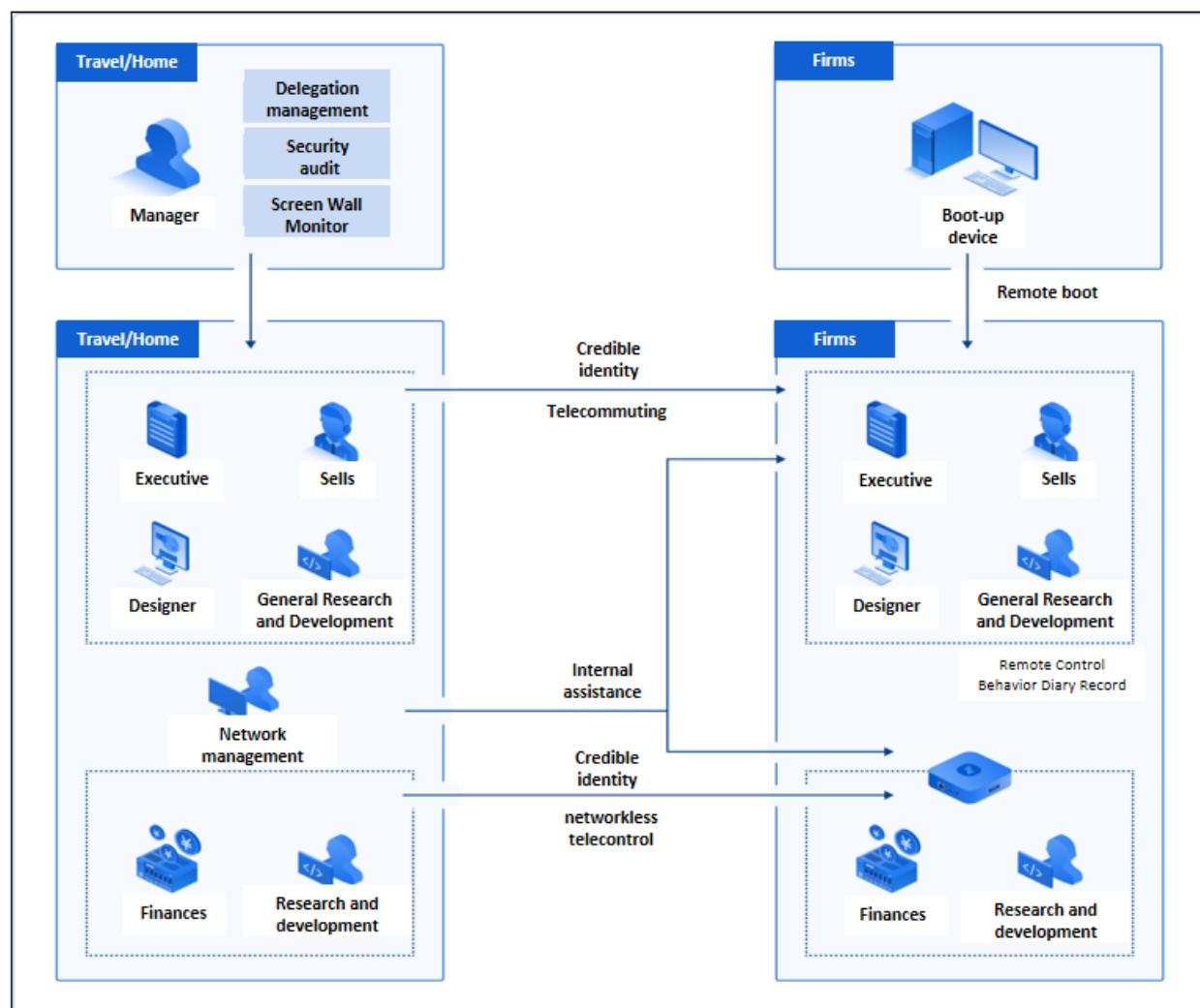


Figure 2. Schematic diagram of remote working mode

2.2. Technical support and economic drive for telework

The booming development of remote work is due to the rapid progress of information technology and the continuous optimization of remote office platforms. The deep integration of cloud computing, big data, artificial intelligence and other cutting-edge technologies has provided strong technical support for remote collaboration, video conferencing, and real-time communication. Mainstream telework platforms such as Zoom and Microsoft Teams integrate rich functions such as file sharing, task management, instant messaging and so on, which greatly enhance work efficiency and reduce communication costs.

In the context of economic globalization, telework has become a bridge connecting domestic and international markets, promoting the rapid development of cross-border e-commerce, international consulting and other industries. It not only helps enterprises reduce operating costs and broaden international markets, but also promotes the flow of talent and resource allocation on a global scale. Meanwhile, with the continuous optimization and upgrading of industrial structure, high-tech enterprises and service industries such as software development and online education have adopted telework mode to attract more excellent talents and enhance employee satisfaction. According to the data, employee satisfaction is generally higher in enterprises adopting telework, which is mainly due to increased work flexibility and improved personal life-work balance (see Figure 3). Not only does telework have significant economic drivers, it also creates a more comfortable and productive work environment for employees, realizing a win-win situation for both individuals and companies.

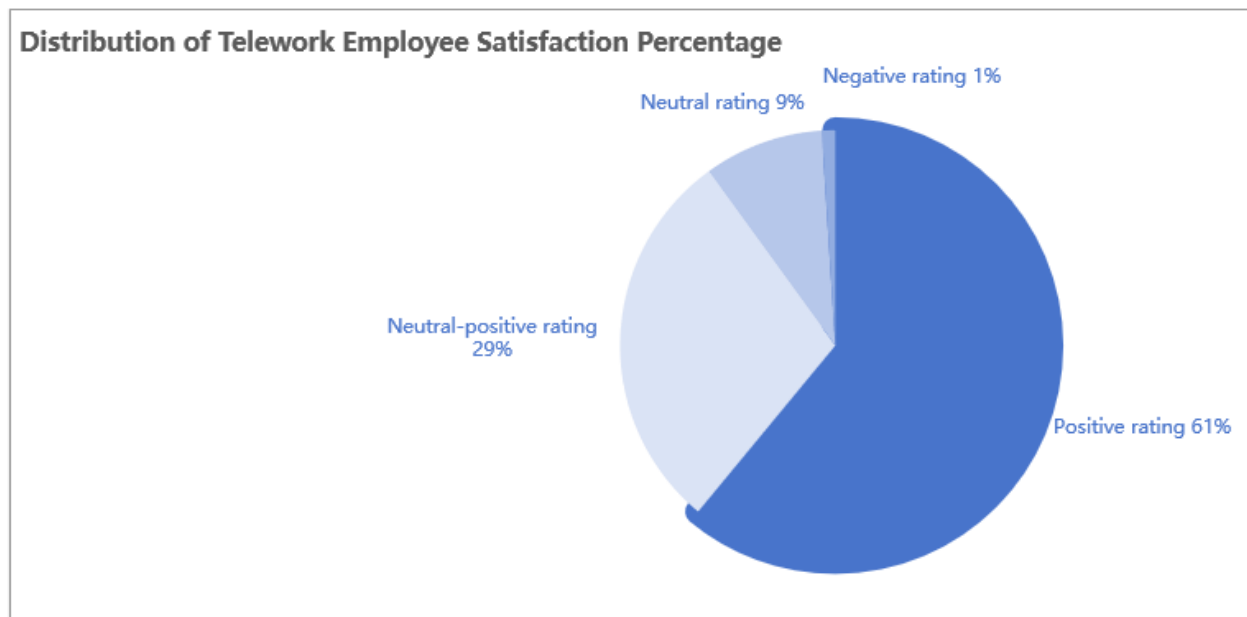


Figure 3. Distribution of Telework Employee Satisfaction Percentage
(Data source: <https://new.qq.com/rain/a/20230501A01J0200>)

3. The Impact and Changes of Telework on Labor Relationships

3.1. Challenges to labor relations recognition standards

The rise of telework poses a fundamental challenge to the traditional labor relations recognition standards. Traditional labor relations standards are mostly based on direct contact in physical space and time, focusing on factors such as workplace, working hours and direct control by the employer. Under the telework model, these factors are significantly weakened, with workers working from home or other non-traditional locations, with highly flexible working hours, and with less direct employer supervision. New features of the telework labor relationship include an emphasis on information technology-mediated communication and collaboration, task allocation and completion, and increased worker autonomy. These changes require that the criteria for determining the labor relationship be based on substantive attributes, transcending the formal limitations of space and time, and considering a combination of personality, economic, and even technological attributes (see Figure 4). The current labor law needs to keep pace with the times and reconstruct the framework for the determination of labor relations, to ensure the effective protection of the rights and interests of workers under the telework mode and promote the harmonious and stable development of new labor relations.

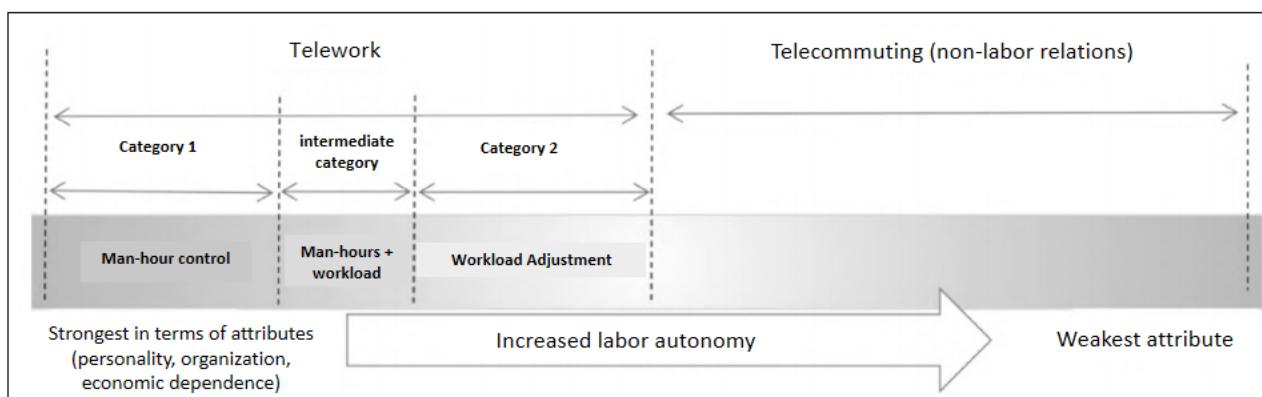


Figure 4. Slave spectra

3.2. Increased flexibility and autonomy

With the acceleration of the digitalization process, the teleworking model is rapidly spreading globally, bringing significant changes to enterprises and workers. This model has greatly enhanced the flexibility of working time and place. Take Google's "Work from Anywhere" policy as an example, employees can not only freely choose their workplace worldwide, but also flexibly adjust their working hours according to their personal efficiency peaks, thus improving work efficiency and quality of life (see Figure 5). This enhances work efficiency and improves quality of life (see Figure 5).

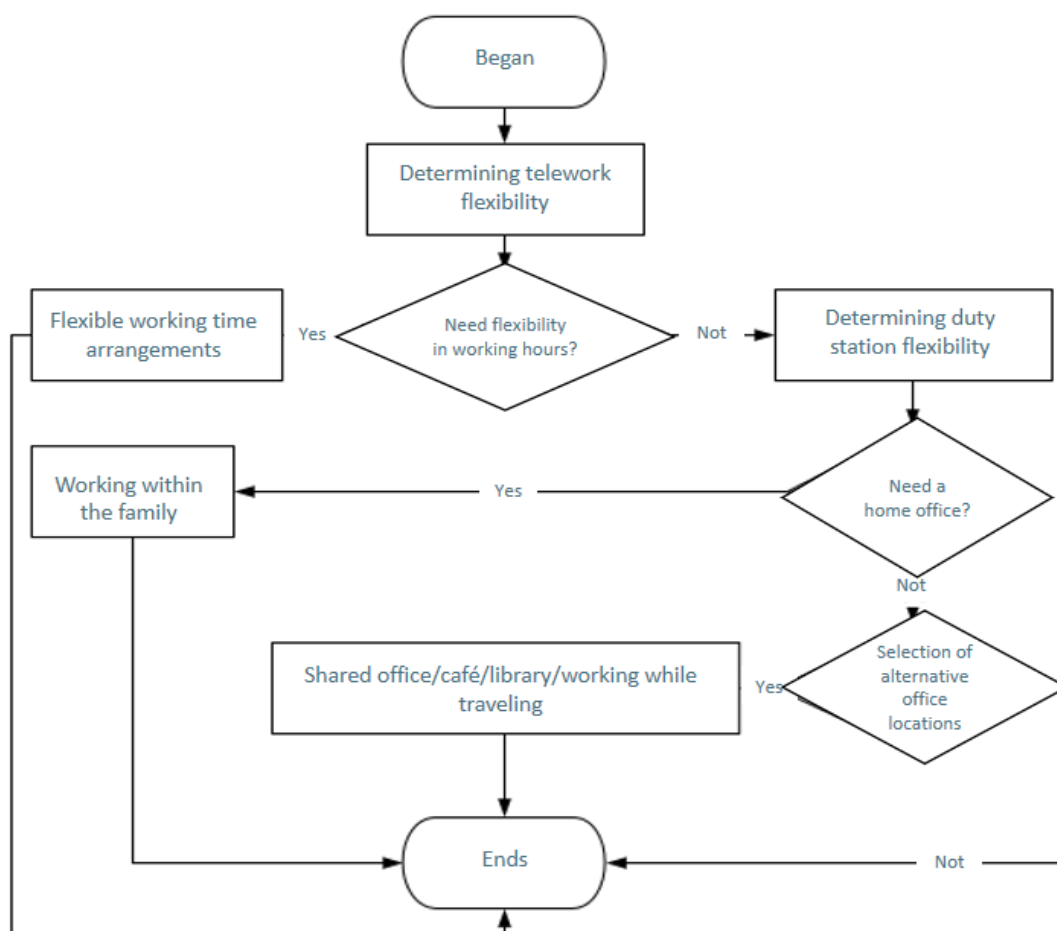


Figure 5. Schematic illustration of the flexibility and autonomy of the remote working mode

As technologies such as 5G and cloud computing continue to evolve, they are expected to further enhance the flexibility of remote work and bring greater freedom to workers. Remote work models have also significantly increased the autonomy of workers, such as Amazon.com's team of remote developers, who are required to manage their own time and progress to ensure that tasks are delivered on time. While this increased autonomy stimulates employees' intrinsic motivation, it also brings about a blurring of responsibility boundaries, requiring workers to be more self-driven and accountable. To this end, Amazon has introduced agile development methods, set up clear project milestones, and strengthened the use of online collaboration tools to ensure the communication and collaboration efficiency of remote teams, as well as promoting continuous innovation in system design and organizational culture to adapt to the flexible and changeable work environment, and to promote the harmonious and sustainable development of the team.

3.3. Weakening and reconstruction of collective labor relations

Against the backdrop of the rise of telework, the coverage of trade union organizations has declined significantly, especially in the emerging digital economy, such as a well-known e-commerce platform, where flexible workers are not included in traditional trade union organizations, leaving

gaps in the protection of labor rights and interests. The collective bargaining mechanism also faces challenges, as the nature of remote work makes traditional face-to-face bargaining difficult to sustain, and a multinational company's attempts at online bargaining have been limited by time zone differences and network problems, highlighting the inadaptability of the current mechanism. In view of the above problems, there is an urgent need for academics and practitioners to explore the reconstruction of collective labor relations in the new environment, and to effectively protect the labor rights and interests of teleworkers and promote the harmonious and sustainable development of labor relations through the innovation of negotiation mechanisms and the expansion of the coverage of trade union organizations.

4. Balancing Flexibility and Security in Telework

4.1. Dilemma of labor rights protection

The protection of labor rights and interests has encountered difficulties in telework scenarios, and the supervision of occupational safety and health is particularly tricky. In the Internet industry, for example, remote programmers face computer screens for long periods of time, and the lack of effective supervision can easily lead to vision loss, cervical spine pain and other occupational diseases, and enterprises often have insufficient preventive and management measures for such problems. At the same time, the identification of work injuries has become complicated in remote environments, and it has become a new challenge to determine whether a worker's injury at home should be recognized as a work injury and how to balance the investigation of work injuries with the protection of workers' privacy [3]. For example, when Zhihui Cloud Technology Co., Ltd. conducted an injury investigation at the employee's home, it accidentally disclosed the employee's home address, which triggered a privacy leakage controversy. Therefore, under the remote work mode, how to build a security monitoring system that protects the rights and interests of workers without violating their privacy has become an urgent problem.

4.2. The path of improving the legal system

Under the telework mode, the optimization and reconstruction of the legal system becomes the key to protect the rights and interests of workers. On the one hand, it is necessary to expand and clarify the criteria for determining the labor relationship, to ensure that teleworkers enjoy the same legal protection as traditional workers, and to avoid being marginalized by the law due to the flexibility of their work mode. On the other hand, it is equally important to standardize the working hours and overtime system, and to clarify the calculation of remote working hours, the criteria for overtime work, and the compensation mechanism, to prevent the rights and interests of workers from being damaged [4] (see Figure 6). The balance between privacy protection and employers' right to supervise has become a new legal challenge, and it is necessary to build a reasonable supervisory mechanism, define the supervisory authority, and avoid infringing on the privacy of the workers, to find a balance between the protection of the legitimate rights and interests of the workers and the promotion of the development of telework.

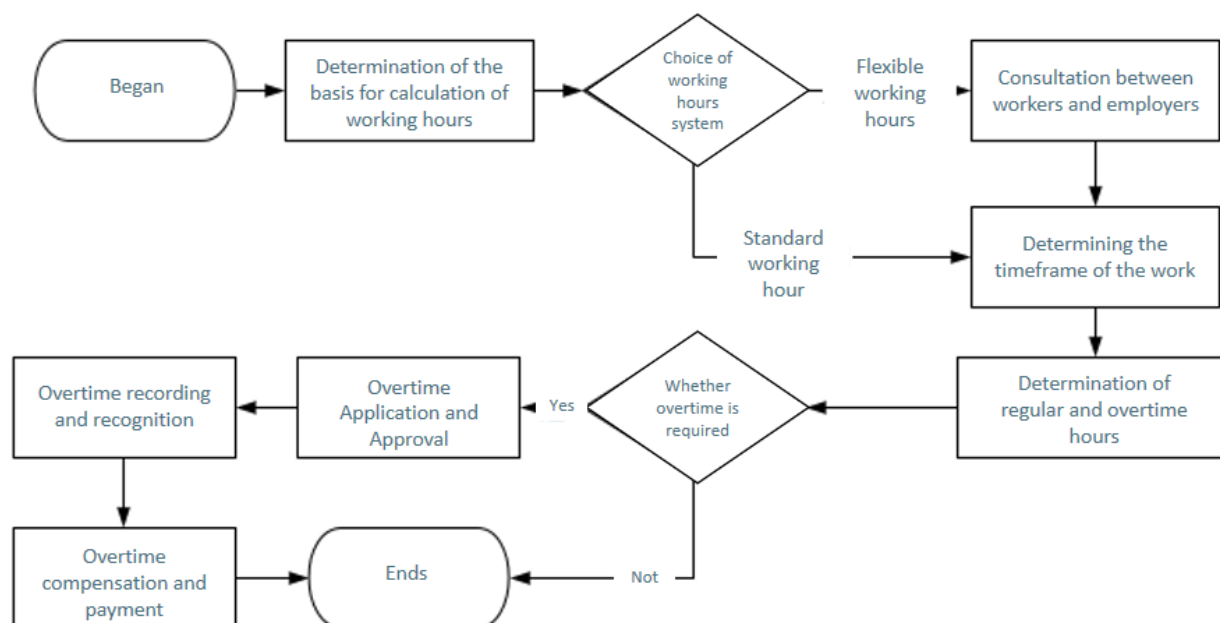


Figure 6. Flowchart of remote work hours calculation and overtime recognition specification

4.3. Practical Cases and Experiences

4.3.1. Successful case sharing: How to balance flexibility and security

Google, as a global technology giant, has set an example in the field of remote working. By introducing advanced collaboration tools such as Google Workspace, Google not only supports employees to work flexibly in different locations, but also ensures work efficiency and information security. The company has formulated detailed guidelines for remote working, including work schedules, communication mechanisms and information security measures, which not only gives employees a high degree of work flexibility, but also effectively maintains the security of corporate data. Google also regularly organizes online training and team building activities, which enhance team cohesion and promote communication and collaboration among employees across geographical boundaries. Google's successful experience shows that through technological innovation, standardized management and cultural shaping, companies can ensure flexibility while ensuring work safety and efficiency.

4.3.2. Lessons learned from failure: common problems and solutions

In contrast, startup WiseNew Technology encountered challenges when it tried to go fully remote. Due to the lack of a mature telework management system and an effective monitoring mechanism, WiseNew's employees experienced inefficiencies and miscommunications, which ultimately led to delays in the delivery of several projects. The company's failure was mainly due to its lack of understanding of the characteristics of telework and its failure to adjust its management strategy in time to adapt to the new work mode. In response to these problems, WiseNew Technology began to establish a remote work evaluation system, clarifying work objectives and expected results, and introducing project management software to track task progress and performance. The company also strengthened communication and collaboration training among employees, and set up a specialized telework support team to solve difficulties and problems encountered by employees in the workplace. Through these improvement measures, WiseNew Technologies has gradually stepped out of the remote work dilemma and realized a balance between flexibility and efficiency.

5. Conclusions and recommendations

This study analyzes the impact of telework on the change of labor relations, pointing out that it breaks the geographical restrictions and promotes the flexible arrangement of working hours, which

enhances the autonomy and job satisfaction of workers, but also raises the new challenges of the stability and security of labor relations, as well as the protection of the rights and interests of workers [5]. To address these challenges, this study recommends improving the legal system of telework, clarifying the legal status of teleworkers, standardizing the recognition of labor relations, working hours and overtime system, and social insurance, and strengthening the government's supervision to protect the rights and interests of workers (see Table 1).

Table 1. Policy recommendations to improve the legal regime for teleworking

No.	Recommendations	Specific content
1	Clarify the legal status of remote workers	The legal status of remote workers is clearly defined in labor laws to ensure that they enjoy the same rights as traditional employees.
2	Standardize the identification of labor relations	To establish the criterion for determining labor relations based on substantive subordination, we should consider not only personality subordination, but also economic subordination and technical subordination.
3	Improve the system of working hours and overtime	Working hours calculation and overtime identification standards adapted to the characteristics of remote work are formulated to ensure that workers' right to rest is fully guaranteed.
4	Strengthen occupational safety and health protection	Establish an occupational safety and health supervision mechanism in the remote working environment, clarify the employer's responsibility for safe production, and protect the physical health of remote workers.
5	Improve the social insurance system	Ensure that remote workers can equally participate in social insurance, including pension insurance, medical insurance, etc., to solve their worries.
6	Enhance privacy protection	Clarify the supervision and management authority of employers on remote workers, prevent infringement of personal privacy, and formulate strict privacy protection measures.
7	Promote communication and collaboration	Encourage enterprises to adopt advanced collaboration tools, establish effective communication mechanisms, and improve the work efficiency and cohesion of remote teams.
8	Establish a dispute resolution mechanism	Improve the way to resolve remote work disputes, such as the establishment of a special arbitration institution or mediation mechanism, to quickly and fairly deal with remote work disputes.
9	Promote industry self-discipline and standardization	Industry associations are encouraged to formulate industry norms and standards for remote work, guide enterprises to operate in compliance, and improve the service quality and level of the entire industry.
10	Strengthen training and guidance	Provide necessary training and guidance to remote workers to help them adapt to the remote work environment and improve work efficiency and satisfaction.

In the future, telework will become more diversified and flexible, and along with technological advances will bring convenience and efficiency, but it will also need to meet the challenges of cross-cultural collaboration, employee mental health and the digital divide, which will require the collaboration of the government, enterprises and all sectors of society in formulating a sound policy to promote the sustainable development of telework.

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