

In this week's issue:

- **Future Work I:** Companies in Belgium plan to reduce office space
- **Future Work II:** Inflexible return-to-office policies hammer employee experience scores
- **Future Work III:** Workers will quit if forced back into the office
- **Gig Economy I:** Uber threatened with legal action over lack of sharia-compliant pension
- **Gig Economy II:** French court fines Deliveroo for 'undeclared labour'
- **UK:** Severe economic slowdown predicted
- **Information and Consultation:** New guide from Hogan Lovells
- **UK:** Guide to P&O Ferries employment law issues
- **BEERG Bytes:** Latest episode (#39) is on EWC Agreements Survey

Future Work I: Companies in Belgium plan to reduce office space



As debate continues in the UK over the practice of Jacob Rees-Mogg, the Minister for Brexit Opportunities and Government Efficiency, also known as the Minister for the 18th Century, leaving notes for civil servants not at their desks in his drive to get everyone back into the office, in Belgium the *Brussels Times* reports that several large companies, such as NMBS, Proximus, Bpost, Engie, BNP Paribas Fortis and KBC are halving their office spaces in their Brussels headquarters as remote working continues to change the face of the workplace.

The newspaper quotes the Flemish paper *De Tijd* as saying that these companies "have now developed a teleworking scheme allowing employees to work from home on a structural basis throughout the week", giving them the possibility of selling off large chunks of office space.

In Belfius, for instance, 77% of the 3,000 employees have signed up to WFH, and to come to headquarters at least 50 working days per year. Belfius is moving branches to its head office on Rogierplein to take up the empty space..

In Engie Electrabel, employees will come to the office two to three days per week, freeing up half of the company's 60,000 square meters of office space. NMBS, plans to build its new headquarters near the Brussels Midi/Zuid train station, so facilitating commuting employees. Currently, employees are spread across seven different building. Centralising in one building will cut the needed space in half, from the 75,000 square meters currently occupied. Bpost also plans to move its head office and cut the required space in half.

Future Work II: Inflexible policies hammer employee experience scores



Daniel Chasen of HR Policy Association writes: A recent [Future Forum survey](#) suggests non-executives are facing more challenges in the “return-to-office era” than executives, with work-life balance scores 40% worse than their bosses, and rates of working in the office five days per week at 35%, compared to 19% for executives.

Non-executives are reporting more than twice the level of work-related stress and anxiety as executives, according to the survey. In the U.S., work-life balance is at an all-time low and work-related stress is at an all-time high since the survey began in June 2020.

“Where” vs. “when”: Many companies, the survey reports, have focused on the “where” as opposed to the “when” of work, overlooking schedule flexibility. However, while 79% of knowledge workers say they want location flexibility, 94% indicate wanting schedule flexibility.

Inability to set hours driving attrition and burnout: Knowledge workers who report having little to no ability to set their own hours are 2.6 times as likely to “definitely” look for a new job in the next year, have 2.2 times worse work-related stress and anxiety, 1.7 times worse work-life balance, and are 1.4 times more likely to experience burnout.

The desire for flexibility is highest among underrepresented groups, including women, people of colour, and working mothers. This quarter, 58% of women surveyed reported wanting to work remotely three to five days a week, as opposed to 52% last quarter.

Takeaway: Employee expectations have shifted dramatically in recent months, with the pandemic prompting employees to re-evaluate how work fits into their lives. This development has influenced rethinking by many stakeholders on issues as vital as unionization, employee wellbeing, employee voice, and the use of technology in the workplace—to name a few—in concurrence with employer efforts to attract and retain competitive talent.

HR Policy Association will discuss these issues with Future Forum Executive Leader and SVP Brian Elliott and Boston Consulting Group Managing Director and Senior Partner Deborah Lovich at our [2022 CHRO Summit](#), to be held in Chicago, Illinois May 31-June 2. You can [find Summit information and registration here](#).

Future Work III: Workers will quit if forced back into the office



Workers’ demands for more flexibility and security, bolstered by the pandemic and a tight job market, will only increase as the global economy reopens and some companies seek to get their workers back into the office, says a report from payroll provider ADP.

The report, "[People at Work 2022: A Global Workforce View](#)", is based on a poll of 33,000 people around the world. The survey found that two-thirds of workers would consider looking for a new job if they were unnecessarily forced to return to the office full-time. Workers who think their sector is safe fell to 25% from 36% in a similar survey in 2021. The proportion of those actively looking to change jobs rose from 15% to 23%, with almost a third of them considering starting a job search, compared to 24% in 2021.

Half of workers said they were only partially or not at all satisfied with their current job, and ADP said issues emerging during the pandemic — around hours and location, unpaid work time and stress — prompted employees to do so to negotiate the terms of their current job or to plan an exit.

“The pandemic has prompted a shift in priorities, with workers willing to quit the job if employers fail to meet their standards on multiple fronts.” the study found. “The pandemic continues. Pandemic-related workplace stress is rising, not falling” said ADP chief economist Nela Richardson.

Gig Economy: Uber faces legal action over no sharia-compliant pension



A UK pension provider is to redraw its workforce scheme within months of its launch after lawyers for the App Drivers & Couriers Union (ADCU) threatened legal action over the lack of a sharia-compliant investment option for the ride-hailing app’s Muslim-majority workforce.

Unlike most workplace pension plans, NOW Pensions only offers one investment fund - which is not sharia-compliant - to its millions of auto-enrolled members. According to the union, as many as three-quarters of Uber’s drivers in the UK are Muslims. It said that “the failure of Uber to provide a sharia-compliant pension option effectively means that the majority will be forced out of participation in the pension scheme and those that do participate are forced to accept a compromise of the tenets of their faith to do so.”

Yaseen Aslam, the president of the ADCU, said that while Uber's announcement last year that UK drivers would be automatically enrolled in a pension scheme, into which the company would contribute three per cent of earnings, had been welcomed, “the exclusion of a sharia option effectively makes the pension scheme inaccessible for the vast majority of the workforce,” adding that the union had “tried to resolve the matter quietly with Uber, but we have simply been stonewalled. This is another example of how minority groups by default are forced to struggle for the most basic of rights in the gig economy.”

He said that the union was “determined to contest this matter through the courts to make sure Uber makes lawful, fair and inclusive pension arrangements.”

Gig Economy: French court fines Deliveroo for ‘undeclared labour’



A Paris court has fined British meal delivery group Deliveroo after ruling it was guilty of "undeclared labour" for using freelance riders who should have been classified as employees, depriving the state of millions of euros in payroll taxes.

It was the latest move by European courts to recognise “gig economy” workers as employees rather than as self-employed, with platforms claiming they are simply go-betweens for clients and independent contractors. The European Union is currently working on legislation to define the status of platform workers.

The court ordered the maximum fine of €375,000 sought by prosecutors and also handed suspended one-year prison sentences and €30,000 fines to two former French executives at the company. A third executive got a suspended four-month sentence and a €10,000 fine for complicity in the system, and

Deliveroo was also ordered to pay €50,000 each in damages to five trade unions who joined the case as plaintiffs.

State prosecutor Celine Ducournau said that Deliveroo's way of working was a "fraud" that gave "all the benefits to the employer... without any of the inconveniences... The question is not to determine if the status of independent contractor is appropriate, but to acknowledge that in this instance, Deliveroo used a fake legal arrangement that did not correspond to the reality of how the delivery riders work," the presiding judge said in her ruling.

A Deliveroo spokesman said the company "categorically contested" the decision and said it was considering an appeal. "Our business model offers our deliverers the flexibility they need and which they tell us they appreciate," he said.

For another perspective on the case see [here](#)

UK: Severe economic slowdown predicted



Britain faces the slowest growth of all major advanced economies in 2023 as the cost-of-living crisis threatens to choke activity, according to the IMF. The IMF also said the U.K. faces a [worse inflation shock](#) than Germany, France, Italy, Canada, Japan and the U.S.

The Institute of Directors said 42% of businesses that trade internationally are exporting less to the EU than they did in the last five years, and 28% are importing less from the bloc. Its survey cited the cost of complying with new customs rules and other administrative burdens as the prime impediments. Emma Rowland, policy adviser at the IOD said: "U.K. businesses have lost EU clients and experienced a loss in revenue" adding, "EU firms have pulled out of the UK market due to increased trade frictions."

The UK's post-Brexit trade deal with the EU has caused a "steep decline" in the number of trading relationships Britain has with the bloc as red tape at the border curbs the ability of smaller firms to export, new research has found. The [findings](#) from the LSE Centre for Economic Performance chime with warnings from business groups that smaller firms have struggled to absorb customs controls, VAT, and regulatory red tape, with many quitting exporting altogether.

Information and Consultation: New guide from Hogan Lovells



Engage
Legal insight and analysis

[Jo Broadbent & Ed Bowyer of Hogan Lovells write:](#) difficult employment issues can arise during an international business purchase and what is straightforward in one country can prove challenging in another.

Our new cross-border tool provides a quick reference guide to the employee information and consultation requirements that apply in the context of a business sale involving European jurisdictions and the potential implications for a deal's timetable. The guide is colour-coded by reference to the complexity of the requirements in each jurisdiction and the potential consequences of failing to comply. If a deal involves businesses in several different countries, project managers may not be familiar with the implications of local law for the deal as a whole.

Our experience shows that this is particularly the case where deals involve European jurisdictions. Our comparative guide to information and consultation on business sales will guide you through the key issues in asset and share sales, including:

- *How employees transfer to a purchaser;*
- *Employee information and consultation requirements, including whether consultation has to take place before signing or before completion and how to facilitate pre-signing consultation requirements;*
- *Typical timescales for information and consultation; and*
- *The potential consequences of failing to comply with employee consultation requirements.*

You can [access the employee information and consultation guide here](#).

UK: Guide to P&O Ferries employment law issues

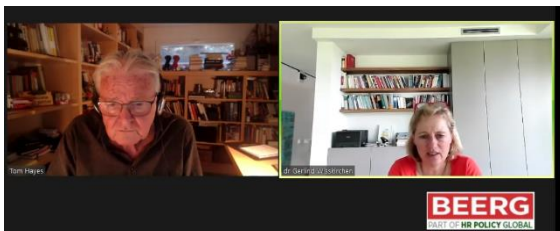


As the dispute over the dismissal of over 800 employees by P&O Ferries and their replacement by low-cost agency workers continues in the UK, the House of Commons Library has produced a useful briefing paper ***P&O Ferries: Employment law issues*** which covers the law around redundancy, consultation, notifying authorities, minimum wage, TUPE, and fire and rehire, in the context of P&O Ferries. You can find it [here](#)

And if things were not bad enough for the company, which has seen it take a major reputational hit as a result of the dismissal decision, on Tuesday one of its ships The European Causeway, lost power and drifted off the coast of Northern Ireland, prompting a response from local emergency services. According to newspaper reports, after the ship got back to the port, a number of the new crew members asked maritime unions for advice about terminating their contracts.

Darren Procter, of the Rail, Maritime, and Transport union, said Tuesday's incident was down to 'inexperienced crew' as seafarers 'familiar with the ship would have been able to keep it under power'. He also claimed P&O Ferries was holding staff to the end of their contracts and refusing to pay their travel expenses if they leave early

BEERG Bytes: Latest episode (#39) is on EWC Agreements Survey



In the latest [BEERG Byte #39](#) Tom chats with our good friend [Dr Gerlind Wisskirchen](#), of C/M/S/-HS about a recent study her team conducted on the content of EWC agreements. The survey looked at country of jurisdiction, the number of representatives of EWCs, employee thresholds for EWC seats, budgets for experts, amongst other things. They also discuss the new German

Whistleblowing legislation, and the agenda of the SPD/FDP/Green government.

It is available on [YouTube](#) or at: www.beerg.com/beergbytes and also as a Podcast via your favourite [Podcast](#) search engine – search for “BEERG Bytes”. See: [Spotify](#) / [Google Podcasts](#) / [Apple Podcasts](#) / [Anchor RSS](#)

THE BEERG AGENDA:

BEERG Webinar: France's New Whistleblowing Law

Webinar: May 5 @ 1700 CET

In partnership with Flichy Grangé Avocats, BEERG/HR Policy Global is hosting a webinar on the new French Whistleblowing Law. The new law will substantially impact the way HR grievances in France are managed. Download a guide to what's in the French legislation at this: [LINK](#). We also have an online [SURVEY](#) to get a sense of where companies are with whistleblowing policies and procedures

[Book Webinar](#)

Perspectives on Diversity/ Inclusion in Asia Pacific

Webinar: May 25 @ 10am Beijing Time

Join this informative discussion on how the perspectives of Asia Pacific can be integrated into an organization's D&I strategy, with a focus on Race and Culture in Asia Pacific. This will be an open Web session, with opportunity to ask questions.

[Book Webinar](#)

BEERG/CMS Labor Relations Workshop

CMS office in Frankfurt, May 25 @ 1000H

The rescheduled annual CMS/BEERG Global Labor Relations Seminar is on Wed, May 25th from 10am to 4pm, at the CMS office at Neue Mainzer Str. Frankfurt. Email Tom for details.

[EMAIL Tom Hayes](#)

BEERG Members' Annual Network Summit

Hotel Estela, Sitges Spain: Jun 15 – 17

Our June Summit will have 4 working sessions:

- on EU Employment and Labour Law Legal Landscape,
- Disrupting the Disruptors: A Company Case Study,
- From the Fax to the Cloud - From Working 9 to 5 to Timeless Work and
- Political Perspectives: Europe: Ukraine/Russia; post-election France; A US view

The full agenda, with the list of guest speakers, is now available [online](#)

[Book June meeting](#)

Executive Training: Fundamentals of Global LR

Webinar June 28 – 30

This course of three sessions, over three days, explores the strategic mindset and thought process of a successful global labor relations executive. This course is not an introduction to LR principles, it examines the strategic awareness needed to lead global labor relations.

[Book June Webinar](#)

*BEERG/HR Policy Global Members can self-register online for these events via the links supplied. Members who get the "No Tickets Available for Purchase" message online should contact [Derek](#).

BEERG Dates for your Diary:

| Date | Event | Booking Links | Venue |
|--------------|---|-----------------------------------|--|
| May 5 | BEERG Webinar: in partnership with Flichy Grangé: France's New Whistleblowing Law | Book Webinar | Webinar on Zoom |
| May 25 | Webinar: Perspectives on Diversity/ Inclusion in Asia Pacific | Book Webinar | Webinar on Zoom |
| May 25 | BEERG/CMS Labor Relations Workshop | Email for Info | CMS, Neue Mainzer Str. 2-4, 60311 Frankfurt, Germany |
| Jun 15 – 17 | BEERG Members' Annual Network Summit | Book June Summit | Sitges/Barcelona, Spain |
| June 28 – 30 | BEERG Training: Fundamentals of Global Labor Relations: A Training Program for HR Executives | Book June Webinar | Webinar on Zoom |
| Sept 29/30 | BEERG Members' Network Meeting | Book Sept Meeting | Brussels, Belgium |
| Oct 18 - 21 | BEERG Training: "Managing European Employee Relations in Post-Covid Times" | | Sitges/Barcelona, Spain |

Part of the

BEERG

HRPA HR POLICY ASSOCIATION
HR POLICY GLOBAL network

Phone: + 33 684752 122 | email: tom.hayes@beerg.com | website: www.beerg.com