BAR KONTOR’S SECTOR GUIDE ON

Homeworking
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**SUITABLE TASKS**

Work tasks to be undertaken as work from home must be suited to being performed with flexibility and independence and wholly or partially without the employee’s physical presence at the office.

**OCCUPATIONAL HEALTH & SAFETY FOR HOMEWORKERS**

For homeworking, certain conditions must be met in relation to the employee’s working environment if computer-based homeworking is carried out for the entirety of the working hours or on average at least one day a week or approx. two hours or more virtually every day.

If the employee works from home for fewer hours, Danish working environment legislation makes no requirements regarding fixtures and equipment for the home workstation.
**REQUIREMENTS REGARDING FIXTURES AND EQUIPMENT**

As a general rule, there must be sufficient space for ergonomic working postures and movement.

The following requirements are made regarding fixtures and fittings to ensure ergonomic performance of work:

**Desk:**
The height of the desk must be adjusted to the user. The desk top must be sized to match the employee’s tasks, and with the option of resting the lower arms. For work at a computer screen or monitor, it is crucial that the desk is deep enough to allow the screen or monitor to be positioned at the ideal distance from the eyes, which is 50-70 cm. The larger the screen or monitor, the larger the distance tends to be needed between the eyes and the screen or monitor. However, this does not apply to flatscreens, which limit the requirements regarding desk depth.

**Chair:**
The office chair must be suitable for the employee’s body dimensions, feature the requisite personal adjustment options and also be adjustable to cater for different work operations and varied sitting postures.

**Lighting:**
For prolonged reading, a work lamp must be available, providing 500 lux.

**Laptop/notebook:**
An external keyboard and mouse must be used if work is performed for more than two hours a day and totalling approx. one whole working day per working week. This is the case, for example, if the employee works from home three times a week at a laptop/notebook for more than two hours a day.

**Printer:**
A compact desktop printer for limited printing tasks may be used without problems in relation to ventilation.

**Computer glasses:**
For work at a screen or monitor, the same rules apply as to a permanent workstation. This means that the employee has the right to an eye test, and if this indicates that the employee needs computer glasses, the employer must pay for a standard frame and lenses if the employee’s own glasses or contact lenses cannot be used. The employer has the option of granting a fixed amount corresponding to the cost of a standard frame and lenses, and the employee can then optionally top up that amount to purchase exactly the glasses he or she might prefer.

The employer pays for the eye test and is permitted to decide which optician, optometrist or ophthalmologist is to perform the test.

Any discomfort experienced in the eyes may be caused by incorrect positioning of the desk, office chair and laptop/notebook in addition to poor lighting.

The most ergonomic position of the desk, chair and screen or monitor is described in BAR Kontor’s guide “Working with computers”. It is a good idea to distribute this guide to employees who regularly work from home to ensure that their home workstations are properly fitted out. The guide is available to download from barkontordk or on request from your organisation.
For work performed at home, no rules apply regarding:

1. work rooms, e.g. ceiling height, workspace, floors, walls, ceilings, lighting, temperature, room ventilation and noise
2. Welfare measures etc. such as recreation room and dining room, cloakroom, changing room, toilets, wash room and shower room and sleeping quarters and seating
3. Exterior layouts, e.g. access routes, staircases and exits

**EXCEPTIONS**

The employer, who has overall responsibility for occupational health and safety, is also responsible for employees who work from home. However, one special aspect of homeworking is that the working environment organisation and the management do not have the right to visit the employee's home to ensure that the working environment is sound. Any such inspection visit to the employee’s home requires the employee's express consent. The employer and the working environment organisation are therefore not expected to verify occupational health and safety by means of any on-site inspection. Instead, the home workstation will be included in the overall H&S risk assessment at the workplace.

The employer may also stress the importance of a sound working environment at home by issuing the employee with the guide “Working with computers” and requiring the employee to sign for receipt of the guide and as confirmation that the home workstation has been fitted out in compliance with the guide.

**WHO IS RESPONSIBLE?**

Who is responsible for the setup and maintenance of the home workstation will depend on the agreement made between the employer and the employees. When setting up a home workstation, an agreement must be made as to how often the employee is permitted to use the home workstation and who pays for:

- computer equipment
- equipment maintenance, servicing and repairs (e.g. computer equipment)
- installation, set-up and ongoing costs of a phone subscription and data transmission
- desk, office chair, lighting etc.

Bear in mind that the employee will be taxed if provided with a company phone, computer or internet with unlimited personal use. The internet connection will not be taxable if the employee has access to the employer’s intranet.

HK's (National Union of Commercial and Clerical Employees) and the Danish Chamber of Commerce's general agreement and guide on teleworking may be adopted as the basis for drawing up a local agreement between the employer and its employees.
H&S RISK ASSESSMENTS AT THE WORKPLACE

Home workstations must be included in the employer’s health & safety risk assessments at the workplace. The assessment must be based on the general types of work tasks and work functions entailed by the homeworking arrangement and on the requirements regarding home workstation fixtures and equipment (see the section on fixtures and equipment).

WORKING ENVIRONMENT ORGANISATION

Employees who work from home are to be covered by a working environment group which also arranges for information and guidance on occupational health and safety for home workstations.

INDUSTRIAL INJURY INSURANCE

Employees who work from home must also be covered by the employer’s industrial injury insurance during work from home.

REST PERIODS AND LEAVE DAYS

Employees who work from home are entitled to a continuous rest period of at least 11 hours within each 24-hour period, and a weekly day of leave. The ordinary rules regarding rest days and leave days may be departed from if the work is performed at no risk in respect of health and safety and provided that one of the following two conditions is met:

1. the employee schedules his or her working time personally and hence also the daily rest period or
2. if, owing to the special nature of the work performed, the working time can neither be measured nor determined in advance. Compensatory rest periods and leave days must be granted if the rules are departed from

If the employee schedules his or her rest periods and working time personally, and the rest periods add up to at least 11 hours within a 24-hour period, the employer is not required to grant a compensatory rest period.