

WP3 - Smart working and the organisation of labour: smart working and internal labour markets in **Romania**

Case Study 2 - Alexandru Ioan Cuza University of Iasi, Romania



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Introduction

Alexandru Ioan Cuza University is located in Iași, the biggest city in the North-Eastern part of Romania. It is the oldest higher education institution in Romania, established in 1860. Over 24,000 students are enrolled in 15 faculties where more than 750 full-time academics are working¹. During the pandemic in our university the rules concerning the prevention and the safety measures were in accordance with the national regulations (Law no. 55/2020 concerning the measures for preventing and combat the COVID-19 pandemic, military ordinances, Parliament Decisions and Government Ordinances, Presidency Decrees²). Remote working in the form of working from home and teleworking was already established by the labour regulations in Romania - namely the Labour Code³ and special legislation such as Law no 81/2018 on teleworking activity⁴. Yet, these forms were rarely used in practice before the outbreak of Covid -19 pandemic.

Working from home is defined by the Labour Code and the definitions of *telework* and *tele-employee* are provided by the Law no 81/2018 which also sets the fields of activity in which this form may be applicable. According to its provisions (Article 2a) *telework represents the form of work organisation through which the employee, regularly and voluntarily, fulfils the specific duties of his position, occupation, or trade he holds elsewhere than the workplace organised by the employer, by using information and communication technology*. The person carrying out this type of activity is called a *teleworker* (Article 2 b). In comparison with the working-at-home concept whose features are provided by the Labour Code, this form implies the use of information and communication technology.

In terms of labour relationships, Law no 367/2022 on social dialogue contains a comprehensive regulation on *social dialogue, collective negotiations, and collective working contracts* but it does not provide any special rules on teleworking, working from home, or remote working generally.

The collective labour contract applicable for the period 2018-2020 at the Alexandru Ioan Cuza University of Iasi⁵ does not provide any special rules concerning the place of the work or the form of the work, nor does it foresee, as a rule, the possibility of the activity taking place elsewhere than at the University. As an exception, according to Article 65 of the collective contract, the University “may temporarily change the place of work and the type of work, without the consent of the employee, in cases of force majeure, as a disciplinary sanction or as a measure aiming to protect the employee”.

The interviews were conducted with 6 members of the academic community from Alexandru Ioan Cuza University of Iasi, of which two are part of the management team and one is part of the union.

Management of out-of-office work

The teaching (courses and seminars) and administrative activities were organised at the University. The activities of specialised training activities for students were also organised outside the University premises, depending on the specifics of the faculties, based on special agreements concluded between the University and the training/practice partner - at research institutes, courts, prosecutor offices, attorney at law offices etc. For some forms of interaction with the students and for research or scientific events, the teaching and research staff used communication technologies before the pandemic, in a small percentage. These include: participating in on-line events (conferences/workshops, project meetings, Erasmus

¹ <https://www.uaic.ro/despre-uaic/prezentarea-universitatii/>

² available at https://www.cnsct.ro/index.php/legislatie_cov

³ Law no. 53/2003 - The Labour Code was published in the Official Gazette of Romania, Part I, no. 72 of February 5, 2003.

⁴ Published in the Official Gazette no. 296 of 2 April 2018

⁵ https://sindicat.uaic.ro/legislatie/Contract_Collectiv_de_Munca_UAIC_2018.pdf

programs visits) (for research); on-line courses and labs using Webex, Zoom, Google Meets, Microsoft Teams, GitHub, e-mail, Discord, Facebook, (for academic activities); e-mail, Webex, WhatsApp (for administrative tasks).

Motivation

- The main motivation for introducing out-of-office work during the pandemic was the **fear of making ourselves, our families and colleagues sick.**
- **Adapting to the requests of the ministries of health and education.** Keeping employees' health safe.
- Younger students require direct interaction and continuous supervision during the learning process, but with older students, **remote interaction and guidance** based on discussion that take place on chat or email, using platforms or applications (*Zoom, Webex, GitHub, e-mail, chat, Google Drive etc.*) **is sufficient.** In this way, students no longer waste time in traffic and the level of stress and fatigue is kept at a lower level.
- **Remote activities facilitates interaction** with professionals who work abroad at top universities.
- **The resources are limited** (number of classrooms, capacity of classrooms, restrictions of students, teachers related to the schedule). Online, many of these restrictions disappear, and the costs for supporting classes in good conditions decrease a lot.

Benefits

- It **eliminated travel times** to and from work for both teachers and students.
- It made the **inclusion of some electronic resources in the teaching process easier.**
- It **increased attendance to classes.**
- The **level of pollution decreased.**
- The **traffic was lighter.**
- The **level of calm and rest increased.**
- The **level of efficiency was higher.**
- People were **able to observe Covid restrictions.**
- A **comfortable working environment, the safety of your own home, saving money** you would have spent at the office on food or coffee, etc.
- **Lower expenses.**
- **Less stress.**
- **Better timing** (some of the activities can be processed quickly).
- The possibilities offered by the on-line platforms to connect with the people at one click distance,
- The **digitalisation of the academic processes**, learning new didactical tools (teaching platforms, interactive platforms).

Challenges, bottlenecks, and difficulties

- It made **interacting with students more difficult** and it reduced overall involvement even if attendance was increased.
- Given the nature of the teaching activity, out of office work is hard to implement well and difficult to justify; the academic process requires a certain amount of direct **interaction between students and faculty, which cannot be duplicated by means of online systems.**
- It implies **higher maintenance costs for the employee** (electricity, internet, water, heat, etc.).

- The **impossibility of separating work at home from the free time activities** at the expense of relaxing activities and spending time with the family.
- The **teaching system is poorly adapted to online tools**, as direct interaction and quick feedback are needed for good results.
- The **average level competence for the students has decreased**, as they are less incentivized to learn.
- The **less than adequate online evaluation** at the end of courses has also contributed to this decrease.
- The **lack of contact with other people**, colleagues, less time in discussion with the colleagues.
- The **demarcation between work and private life**.
- The **period of time spent in the front of the electronic devices**.
- The **space** that sometimes can be improper for professional activities.
- Many tasks involve **more effort** when one doesn't have all the facilities as those at the office.
- The **poor quality of the Internet**.
- **Less movement outdoors**.
- **Managing working hours**, work-family balance, physical space for work and general mood.

Impact of COVID-19 of managing out-of-office work

After the outbreak of the Covid 19 pandemic, special regulations were adopted in Romania that affected work relationships including those established within the University. Decree no. 195/2020 on the establishment of a state of emergency in Romania⁶, provided in its Article 33 that central and local public institutions and authorities, autonomous administrative authorities, autonomous utilities, national companies and corporations, and companies in which the state or an administrative-territorial unit is a shareholder private or majority companies, private equity firms introduce, where possible, **during the state of emergency**, work at home or in telework, by the unilateral act of the employer.

This constitutes an exception to the principle of consensualism, which is applicable to the conclusion and changes of the employment contract between the employer and the employee as it implies that the employer has the obligation to introduce work at home or teleworking and can do so even by a unilateral act (Tătărușanu, 2020)⁷. *Law no 55/2020 on some measures to prevent and combat the effects of the COVID-19 pandemic*⁸ contains rules regarding the performance of employment contracts in the form of teleworking or work from home. According to Article 17: *During the state of alert, the employer may order, with the consent of the employee, to carry out the activity in the mode of telework or work at home, to change the place of work or his duties*. The consent of the employee continues to represent an essential element for the changes in the place of work and/or duties, even in the special context generated by the Covid 19 pandemic.

*The Government Emergency Ordinance no 36/2021 on the use of electronic signatures in the field of labor relations and for the amendment and completion of certain normative acts*⁹ made some changes to the legal framework. Overall, the Romanian legislation on working at home and teleworking proved to be flexible enough and adequate to respond to the challenges of the Covid 19 pandemic in the labour environment. However, although the legal framework provides important aspects such as the organization of the schedule, safety, and health regulations, there are no express provisions on the right to disconnect or on balance between working hours and private life. Furthermore, national legislation does not specifically

⁶ Published in the Official Gazette, Part I no. 212 of March 16, 2020.

⁷ Adrian Tătărușanu, *Munca la domiciliu și telemunca. Unelte pentru salvagardarea contractelor de muncă?*, 2020

⁸ Published in the Official Gazette no 396 of May 15, 2020

⁹ Published in the Official Gazette number 474 of May 6, 2021

address the issue of respect for personal data (by providing special obligations for the employee) thus, the recommendations of the European Union Agency for Cybersecurity are useful in this regard¹⁰. After the outbreak of the Covid-19 and the declaring of the state of emergency, all teaching activities were held online, but in an informal format, meaning that professors had the liberty to choose the means of communication and to organise their classes. In the autumn of 2020, the University established a formal system, with asynchronous communication using different platforms for classes. Following the teaching experience during the pandemic, the rules adapted as ARACIS (Romanian Agency for Assuring the Quality in Higher Education in Romania) established in September 2022 that about 30% of the teaching activities can be organised remotely. Each faculty can decide what are the activities that can be provided out-of-office.

Working conditions in out-of-office work

There are substantial differences between out of office work and other forms of work identified by the interview participants. They were determined as follows:

- Working from home is **devoid of direct interaction** with colleagues and students;
- During lectures, it is important to continually assess the **state of attention of the participating students**, which is not at all practical to do (indeed, in many cases it is not possible to do) with online tools;
- The **attention of the students has decreased**, as well, as it is easy to just connect to the course conference and then leave the computer or do some other activities;
- It is more difficult to organise meetings online and the **feedback and quality of interaction** that we have in face-to-face meetings are missing (gesture, facial expressions, questioning looks, emotional or questioning voice);
- Students are **still afraid to ask many questions** (there are much fewer questions and interactions in the case of online interactions compared to direct interactions in the classroom or laboratory);
- The **direct interaction is needed for the bachelor students**; master's students seem to prefer online teaching and have improved attendance and grades as compared to bachelor level students;
- It involved **less uniform teaching conditions** which could affect results and experience for both teachers and students;
- In terms of non teaching staff, those co-workers who interact often with students have had to **rely on online asynchronous modes of communication**;
- The necessity to **dispose of electronic devices**, to have a proper space for the professional activities, to organise the schedule in a proper manner for not having the demarcation line with the private life;
- Working with the students for providing the quality classes requires a **clear procedure and a proactive attitude on their part**;
- For the professors the out-of-work had **means to learn new on-line tools and to adapt the didactical and research content** to each of the activities provided, also, to define the procedures for the on-line classes and to respond to the challenges of using the on-line systems (connectivity, electronic devices, timing);

¹⁰ ENISA, *Tips for cybersecurity when working from home*, Press Release, Published on March 24, 2020, <https://www.enisa.europa.eu/tips-for-cybersecurity-when-working-from-home>

- For the students, the **on-line system has come with challenges too**: resources, learning platforms, functionalities, and responding to the requirements of the professors according to the new procedures;
- **Secretarial work is more efficient without restrictions.**

In Table 1 below, we have analysed working outside the office at Alexandru Ioan Cuza University of Iasi, Romania, with reference to several aspects of working conditions. Although in general, the participants in the interview considered that work outside the office is not influenced by these aspects, there were several observations that we caught in this table.

Aspect	How does out-of-office work affect the aspect?	Remarks
Earnings	the salaries remain the same	-employers and employees save time and money; -the effort is greater in an on-line environment for the professors.
Working time and flexibility of working hours	the schedule for the teaching activities (classes) was the same, there were divergences there was a slight difference for the individual activity (including for preparing the classes)	Only two participants reported that working time and flexibility improved or was better at home. A lack of clear lines between working hours and free time was reported and an interference with the personal and private life. Working time increased. Participants stressed the existence of some degree of flexibility.
Work-life balance	it was affected	-only two participants appreciated that the work-life balance was better in remote working - five of participants reported that they their time with the family was affected and they neglected their time with the family due to the large amount of professional activities or the need to work longer hours - it was difficult to separate (to balance) work from personal life
Stability and job security	the same as in the office	no one indicated that working from home would be an issue in this regard
Social protection	the same as in the office	they didn't see any difference there were special rules on social protection
Employment status/form of contract	the same as in the office	there were no changes reported in this regard
Engagement and motivation to work	Slight decrease (but always present); better office work	-a decrease in motivation was reported due to a decrease of feedback from students (during classes) - in the case of professors, there is a continuous work to find ways to interact as close as possible to the ways in the case of physical interaction
Productivity at work	seems to be the same and depends on the tasks and on the type of work (individual or team work)	- one participant reported that it was higher in online environment - two participants reported no changes - two participants reported a decrease in the second year of the pandemic (at the beginning it seemed that everyone was working harder and better in online) - one participant reported the burnout effect on the second

		year of the pandemic
Stress, the intensity at work	generally, the level of stress was higher	<ul style="list-style-type: none"> - only two participants reported no change in this regard or better - the levels of stress increased because online classes involved extra activities both in preparation and during classes -the news on the evolution of the pandemic fuelled stress and anxiety
Occupational health and safety	there are both positive and negative aspects	<ul style="list-style-type: none"> -two participants reported an improvement -remote working is more sedentary and may lead to some health problems (the back, neck, eyes are effected) - the voice is better protected - there were no specific discussions on health and safety
Integration at the workplace	generally a slight decrease was reported and the lack of contact with the colleagues	<ul style="list-style-type: none"> -one participant reported that it was better - one participant reported no changes - some difficulties were reported in organising activities by the participants with children participating in online classes at the same time - the integration was more difficult for the newcomers
Right to disconnect	depends on person; divergent views	<ul style="list-style-type: none"> -one participant reported no change - one participant reported an improvement -two participants reported that they spent longer hours working and that the right to disconnect was not addressed - two participants said that it was a personal choice - one participant said that it did not force the students to connect, yet she/he did not have the possibility to disconnect when she/he wanted
Costs of out-of-office work	increased or seems to be the same	There are additional maintenance expenses (electricity, heat) or for devices if one does not already have a laptop, internet, microphones, headsets, etc. for the employer, there was a decrease
Commuting and work-related travels	decreased very much (or absent)	<ul style="list-style-type: none"> -one participant reported that they were better -one participant reported only advantages because they were no longer needed (including those on food, travel expenses, clothes)
Access to trade unions, collective bargaining	the same as in the office	no changes from this point of view
Access to information, consultation, and participation rights	seems to be the same	there were no changes reported one participant reported better access

Table 1: How have several aspects of working outside the office been affected? (**Source:** authors compilation based on interviewees responses)

Impact of COVID-19 on working conditions

At the *Alexandru Ioan Cuza* University of Iasi, Romania, the COVID-19 pandemic impacted **the working conditions** from the physical ones to the psychological aspects that had occurred in the entire academic community. The out-of-office work implied a series of challenges concerning the teaching resources that should be provided through the on-line platforms, to have the internet connectivity and devices for

working on, to define a space at home for working, to manage the working hours, the balance between family and working time and general mood. From these points, our interviewees declare that the number of the activities that shall be performed increased (not only the teaching, but the research activities), also the specific activities with doctoral and masters students. From the psychological point of view it was more difficult as the on-line courses were more stressful and, sometimes, the impact at the students level means more cases of depression (even clinical) than before the pandemic.

Our interviewees mentioned that **the main challenges for out-of-office work during the pandemic** were the access to **resources** (laptop, web camera, microphone, boxes), **Internet speed and access** (there are still teachers and students who do not have good and stable connections). Their number has decreased, because the current generations went through this type of problems when they were in high school and had to find solutions to be able to attend classes. Also, defining **the working space** for the entire family: online school for the children and online work for the wife/husband becomes an important issue for the families. This impacted on **the balance between work and personal and family time**. **Communication with colleagues** becomes difficult, ensuring a work-at-home friendly climate, and the fact that working from home the temptation is to stay longer to resolve the tasks despite the family time. The interaction with the students during the classes activities was poorer, the students being physically on-line, but inactive and hard to imply them into discussions.

Measures needed to be implemented in order to ensure decent working conditions were related to the needed resources (laptops, microphones, speakers, web cameras, access to streaming platforms Zoom, Webex, Teams etc.) that should be provided by the employer, to set up the working hours and respect them, to strength team relationships by weekly meetings to discuss any irregularities.

Considering **the differences across various workers groups, regions**, the interviewees mentioned that for some of the students it was difficult to participate in optimal conditions at the classes due to Internet connection and the scarcity of the electronic devices that should be shared with the family members. For the students from rural zones the connectivity was a real problem that caused poorer interaction with the colleagues and with the professors. A notable improvement can be seen for master's students, as they seem to prefer online teaching and have improved attendance and grades as compared to bachelor level students. In terms of non teaching staff, those co-workers who interact often with students have had to rely on online asynchronous modes of communication.

Skills in out-of-office work

The necessary skills for efficient out-of-office work were indicated by our interviewees as being:

- the **adaptability** at the new working conditions out-of-work;
- the **flexibility** for performing the working tasks in a proper manner;
- **being innovative** in trying to always find new methods adapted to the new working conditions, ingenuity and creativity;
- **working knowledge of specific technologies** (to know how to use the basic programmes and on-line platforms), **digital skills**;
- capability of **capturing and maintaining attendee's attention (communication skills)**;
- it seems that online teaching is more akin to live streaming, and, as such, the most useful skills are those related to **managing and motivating students**;
- **good time management**;
- finding the **balance between work and private life**;
- to be **emphatic, confident**;
- **professionalism, self-discipline**;
- being aware, **expressing and controlling our emotions**;

- being **autodidact**;
- having **speed and safety in working tasks execution**.

Considering their professional future development, our interviewees mentioned that they are interested in new approaches and always respond positively to challenges by improving the digital skills that allow them to do this. The out-of-office work can be a way for providing activities that involve connecting people from different places in a short period of time, also to set up the on-line platforms for being used also during the work face to face. Also, the digital skills can be improved and used for other tasks. The soft skills remain the ones that were increased during the pandemic and that can be used currently (distance communication, empathy, self-motivation, work-life balance, good organisation skills).

Considering the development of the professional career in out-of-office work the majority of our interviewees considers that working from home is not an option for a career and prefer to work on-site or, for some activities, in a hybrid format. The work performed implies direct contact with the students, with other colleagues from academia or professionals and this requires to be there in person.

The necessary skills for improving the future career are digital skills. Also, the soft and hard skills developed during pandemic will help to develop successful careers and to continue to work on the necessary skills for being responsive at the challenges that can appear.

In terms of **obstacles in developing the skills that will hinder career progress**, the interviewees remarks are related to the lack of time for organising the activities in a better manner, also the split between working time and personal time that will allow one to be more engaged in personal development

As **solutions for overcoming these obstacles** were mentioned, a better organisation of time, by delegating activities to the team, moving some activities from physical to online, when the physical meeting is not necessarily necessary, better time management, learning and experiencing, gaining new skills, participation at courses, working groups.

For **developing the skills**, the interviewees mentioned the improvement of the soft skills, the self-learning, the new experiences, colleagues and other professionals. As a **preferred form of skills for personal development** the e-learning activities, training courses, workshops, research activities are more common and desired.

Role of social partners in ensuring workers rights and decent working conditions in out-of-office work

Related to the trade union involvement at the level of the university for ensuring decent working conditions in out-of-office work the interviewees affirm that they have no knowledge about any kind of the initiatives. Still, at the faculty level measures were taken for assuring to the professors and to the students solutions to have computers (laptops or desktops) and access to the Internet (from laboratories and offices). The University comes with solutions for access to online platforms like Zoom and Webex. From a legal point of view, all the collective labour regulations were respected, the job health and security was assumed by the university board and by the trade union representatives, effectively monitoring the employer's fulfilment of the obligations assumed by the collective agreement.

It should be mentioned that such initiatives should come from the employer and the union. They should aim at providing hardware and software resources to be able to carry out these activities in good conditions, because the union knows better the employers needs and wishes, and the employer has the money to resolve these requests. Individual initiatives were put forward regarding compensation for additional expenses of workers. These should be further considered especially with the increasing energy

costs which may further restrict working on-site. These initiatives should be led by our trade union which has the required legal expertise and accessibility. Special attention should be paid to the details concerning working hours, working schedule and the fair balance between work and private and family life. The activities that should be provided by the union are in respect of the employees' rights as are set by the collective contract and to provide all the necessary support in the case of violation.

For assuring the respect of the employees' rights set up by the collective contracts all the parts should be involved: employees, employer, the union. The decision should be taken with consultation and following the bargaining rules with all the involved parts. A climate of trust was created among employees, transparency of decisions, online meetings, collective bargaining, collaboration and consensus between the parties (union-employer).

In this respect, the University comes with solutions for access to online platforms like Zoom and Webex. And, after the pandemic University starts to build multimedia rooms where classes can be done in hybrid mode. The solutions imply good working relationships, collaboration and problem solving.

The result of the initiatives means to acquire the licences for Zoom and Webex and multimedia rooms in faculties. Accommodating change has been facilitated. Good working relationships help to improve teamwork, through collaboration, to increase performance, in this way the parties can benefit from all the advantages of technological innovations.

The success factors/enabling conditions in improving working conditions and workers' rights in out-of-office work mentioned are related to the hardware resources (laptops or desktops) and software (free licences), the motivational factors that helped the employees to perform their work in a proper manner and to not feel that they are alone in this endeavour, to offer the assistance and needed resources. The workers' rights were respected entirely.

To improve the effectiveness of such initiatives at the university level, there should be more multimedia rooms (both lecture rooms and seminar or laboratory rooms), better involvement of all parties, effective communication between employers and employees, defining the issue in a proper manner, to be clear stated, to present the involved parts, to communicate the procedure to follow, to define the main terms, to bargain with the implied parts, to accept the final terms of negotiations and to assure the respect of the law in each step of the procedure. The initiatives for sustaining the union can be manifested by communication, revealing the violations of rights (if this happened), to respond to the union requirements (information, communication). Also, implementation of the measures that best meet the specific needs of each service, ensuring the state of health through mandatory controls, improving the work environment to protect the health and safety of employees.

The workers' rights (especially the right to information, consultation, and participation) during out-of-office work were respected. In our case, such information is given more often through emails and messages on chat platforms (on Discord, faculties platforms), and the information is displayed on the website. Access to such information in the on-site or online version is very similar. Out-of-office work was, initially, an ad-hoc solution for the particular case of teaching, and the legislative changes passed in the following years did little to improve the situation. In terms of communication between workers and decision makers, the unions need to take a more decisive approach so that they firstly identify the problems of the workers and then renegotiate collective work contracts with these requirements in mind. The rights of the employees are protected by the law (Labour Law no. 53/2003) and by the collective contract. In this regard, the information, communication and participation should be made in accordance with the stated rules and using all the channels (emails, working on-line platforms, mails etc.). The out-of-office work can be used for a short period of time giving to the employee the possibility to choose the working hours, the schedule, the opportunity to redefine the career objectives and to learn how to accomplish them, to define better the skills and how to use it, to have a good balance between private life and the professional ones. Can be a better manner for improving the organisational processes and for

developing new ways to be in contact with people around the globe, to build new partnerships and professional networks.

Conclusions

The pandemic of COVID-19 was undoubtedly a real challenge for the academia to become resilient and to overcome the risks, responding to the main mission that it had, to offer to its members the educational services at a high level. At the Alexandru Ioan Cuza University of Iasi, Romania, the mission was accomplished during the pandemic due to the members of academia that understand very well their role and change the ways of teaching, making research by adopting new tools and practices. In this regard, the management of out-of-office work implied a sort of decisions that were adopted at all the academic levels (didactic, research and administrative) to being able to provide the services to the community.

The **motivators** were the safety, the security of the professors, students and administrative personnel, the opportunity to develop new skills and to learn new on-line tools, to connect with the people and to share with them thoughts, ideas, concerns. As a **negative motivator factors**, the lack of interaction with colleagues and students, the inactivity of the students during the classes, the assurance of the needed resources (as Internet connection, devices), the balance between private and professional life are just a few from the ones indicate by our interviewees as having a huge impact.

The **working conditions** changed in terms of working time, flexibility hours, stress level, costs, commuting to the on-line activities entirely, integration at the workplace. Concerning the interventions of trade unions, it seems that the interviewees doesn't know or don't have information about it, but, they are aware that the working conditions stipulated in the individual labour contract and in the collective ones were respected and, if required, the union could engaged in actions that implies recognising the employees rights.

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