

OPTIMIZING LABOR RELATIONS AND OF SAFETY AND HEALTH IN WORK CARRIED OUT IN THE REGIME OF TELEWORK IN THE CONTEXT OF THE GLOBALIZATION OF THE LABOR MARKET

Doctoral Thesis - Abstract

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IMPORTANCE AND NEED OF THE RESEARCH TOPIC

The gainful teleworking activity came to the attention of the business environment from the need to respond to situations, along with the development and progress of interpersonal telecommunications systems.

In Romania, telework activity is increasingly present and growing, especially living the experience of almost two years of the COVID 19 pandemic [17].

The telework system was imposed mainly due to the technical availability offered by the virtual environment that has become more and more functional through IT progress, but also due to the sufficient level of ICT knowledge of the employees [131].

This research theme was approached from the need to study and find ways to improve the conditions for carrying out labor relations, but also from the perspective of the public institutions, in a new situation, regarding the monitoring of commercial companies who have implemented such a form, especially with the regional space organizations, in this case Timiș county [89].

It is considered that the multidisciplinary research developed, and the results obtained will prove necessary in perfecting the mechanisms for implementing and monitoring telework in Romania, with direct applicability in the economic environment of Timiș County.

Through this theme, it is expected to create an opening towards the diversification of concerns regarding the optimization of work relationships carried out at a distance, with the continuous search for solutions compatible with the developments that will take place on the global labor market.

1. ANALYSIS OF THE CURRENT STAGE REGARDING THE RESEARCH OF TELEWORK ACTIVITIES RESEARCH OF TELEWORK ACTIVITIES

1.1. Definition of the activity carried out in the telework regime

In general, telework has entered the concerns of several researchers, being characterized in multiple ways. The need to telecommute has been expressed as far back as seven decades ago, with revolutionary advances in telecommunications and computing technologies that have enabled companies to organize work away from the traditional office through alternative arrangements of work [80], [133].

In the scientific literature, the term "teleworking" (with the meaning of telework) was used for the first time by J.M. Nilles, first addressing the term "telecommuting", defined as a network of computing and telecommunications components that allow employees of large organizations to work in offices closer to their homes rather than commuting long distances to an office central [89], [135].

Telework can only be done with the will of the employee, willing to carry out a professional activity outside the main workplace, thanks to information and communication technologies [17], [115].

Article 108 para. (1) of Law 81/2018, provides that employees "working at home" carry out their activities related to their position, entirely at home, without having the possibility to carry out some of their activities at the employer's headquarters [70].

Telework can be fully carried out elsewhere than the employer's premises, or it can be carried out partly at the employer's premises, partly elsewhere. With the appearance of O.U.G. no. 36/2021, the Romanian law no longer provides for a minimum limit for carrying out telework activities. In most European legal systems, the teleworker can work most of the time from a workplace other than the employer's headquarters [8], [70].

The meaning of the term telework is also expressed by the words „telelucru” or even taken from the English language telework [80]. In essence, it expresses the same meaning, i.e. "the activity by which Information and Communication Technology (ICT) is used to carry out a gainful activity at a distance from the place where the result of the work is needed or from the place where the work would normally be carried out" [134].

It is important that telework, from a legal point of view, should not be confused with homework, which is also done from home, but without the imposition of a direct and permanent connection with the employer [70], [136].

It should be noted that part-time employees can become telecommuters, but they cannot work overtime. Since telecommuting can represent a small breach in a firm control system for part-time employees, the concluded contract must establish the limits of a possible individualized program.

1.2. General considerations regarding the feasibility of telecommuting

Extensive desires to change the frequency of remote work emerged, rather than exploring the motivations behind these desires. In addition, it has been overlooked how factors relating to the contextual conditions in which telework is performed (e.g., job design, social and physical homework environment) might affect telework propensities. A more nuanced approach to this way of working is needed, considering factors relating to the contextual conditions in which remote work is carried out (e.g. job design, social and physical environment of homework [68], [133].

The aim is to provide insight into these risk factors and how outcomes are modulated by individual, social and organizational aspects.

1.3. Legislative regulations

The European Council, on September 20, 2001, launched an invitation to the social partners to negotiate an agreement to modernize the organization of work, with special attention being given to telework, as a model of a flexible form of work [2].

In several countries, certain communities have been formed made up of teleworkers, who live in other localities (especially in rural areas) and who collaborate logistically, in order to be able to practice remote work in good conditions.

At the level of the European Union, most member states have implemented the European Framework Agreement on Teleworking (EFAT) through legislative regulations or national agreements [106].

In Romania, the regulation of telework activity was the subject of Law no. 81 of March 30, 2018, published in the Official Gazette no. 296 of April 2, 2018, with subsequent amendments and additions. The law was adopted by the Romanian Parliament, in compliance with the provisions of art. 75 and of art. 76 para. (1) from the Constitution of Romania, republished [70].

1.4. Advantages and disadvantages of telecommuting

The benefits of telecommuting activities are multiple. It exists in many scientific works, with different research approaches, highlighting the beneficial effects of "telecommuting" on the environment [44], favorable assessments being from the Romanian business environment [8].

The reasons why an employer could opt for the implementation of telework activities would be due to changes in the labor market, reflecting the reduction of the need for physical mobility, or as a form of encouraging employees to replace physical travel to the company headquarters with the use of technology information and communications, with possible beneficial economic effects and contributions to a cleaner environment. Another reason can be related to the increase in economic efficiency by reducing the transport costs of employees as well as ensuring working conditions at the company's headquarters.

From the point of view of the teleworker, he will have to carry out his gainful activity, in accordance with his professional training and degree of training, respectively in accordance with the instructions/decisions received from the employer, so that he is not exposed to dangers of occupational injury or illness, neither to himself nor to other persons who may be affected by his work actions or omissions during the work process.

In addition to the benefits for the employer and the employee, telework is beneficial to family life, the employee being less stressed, more willing to spend more time with the family. Also, the community of which it is a part can benefit from the involvement of a greater number of employees in volunteer activities, in the life of the community.

1.5. Forms and ways of implementing telework

In the last 22 years, the interest of researchers, especially in the field of management, has increased to focus more on optimizing the implementation and use of telework, recognizing its practical contribution value in productive enterprises, with chances to become much more competitive, as well as to ensure a balance between flexibility and job security.

1.6. Conclusions on the opportunity to expand the work process carried out in the telework regime

For optimal applicability of telework, regular analysis of employment and working conditions as teleworkers is required, with a greater focus on how it affects their work-life balance. It is also necessary to correlate telework activity with teleworkers' health, performance, and prospects for favorable career development.

It is considered necessary that the decision-making factors on the labor market in Romania maintain a consistency in the correlation of the actions initiated at the EU level, intervening with measures to adapt the legislation, to prevent the situation of a negative impact on the well-being of teleworkers, due to employers' growing profit interests.

2. SYSTEMATIC APPROACH TO TELEWORK PRACTICE RESEARCH IN ROMANIA

2.1. Defining the telecommuting subsystem integrated into the generalized system of labor relations



Figure 2.2. Scheme of the telework system

Research into the practice of telework in Romania has entered the concerns of several specialists, considering the connotations determined on the labor market, with resulting socio-economic effects, on the one hand starting from the interest of companies (employers), and on the other hand coming as a solution favoring many employees [97].

Considering the previous considerations and the records identified in the specialized literature, an original characterization of the telework system was conceived.

2.2. Initiating research methodology

The research methodology on the telecommuting subsystem, as integrated in the labor relations system, will be carried out using a systemic approach, both from an economic perspective and from the aspect of the teleworker's well-being. The systems approach is based on the understanding and control of complex and evolving structures.

During the telework research, the previously established methodological steps were followed, considering the reasons for economic efficiency, both from the perspective of the employing company and from the material interest of the employee. The systemic approach to telework was realized in direct correlation with the accompanying economic phenomena.

2.3. Establishing the experimental database related to telework

In order to determine the main characteristics of telework implemented in the economic environment in Romania, experimental research was started on the evolution of the labor market in Timiș county.

From the actual analysis it can be concluded that the telework activity carried out in agriculture brings many benefits to both the employer and the employees. But the negative consequences that can occur, especially to the disadvantage of employees, should not be ignored. The research that highlighted the need for telework activity with a target towards the aspect of "wellbeing" [115] is confirmed, an aspect also developed by another research from Romania [25], [116].

2.4. Study on some characteristics of the evolution of labor relations simultaneously with the implementation of telework

A set of semi-structured interviews was conducted with the factors involved in the implementation of telework, both with employees and employers, as well as with public institutions, administrations, regulatory forums, the basis for the guidance and control activity of the Territorial Inspectorate of the county Timis. The desire of the employees to feel more integrated in a work team, where the team spirit is always visible in stimulating the responsible involvement of telecommuters, is noted.

2.5. Analytical study of the Romanian legislation regarding telework, compared to the European labor market. Proposals to improve the Romanian legislation in the context of the perspective of globalization of the labor market.

Analyzing this situation, is a pressing need for the most unified regulation of the development of labor relations in the EU member countries, intervening with modern methods, appropriate to the current technological progress.

To carry out analytical research on the current legislation and the effects it can have on the improvement of telework conditions, the articles of Law no. 81/2018, with all up-to-date amendments [70].

The current legislation regarding the regulation of the use of teleworking labor relations should be reformulated by integrating the aspects, some of which have also been notified by the EU, which would contribute to the efficiency of its practice, both from the economic and managerial perspective of the employer, as well as from the perspective of increasing the degree of well-being of teleworkers.

2.6. Study on the methods and techniques of statistical processing of experimental data and the selection of those considered optimal for this research

To process the experimental data contained in this research, a study was carried out on several

statistical processing methods and techniques, to select the ones considered optimal for this research. For the analysis of the research results, the use of regression analysis, Statgraphics Centiourn, operational research elements, artificial intelligence methods [114], [125].

2.7. Conclusions regarding the need to improve the practice of telework in Romania

The conducted study proves an increasing organizational confidence in the voluntary application of the telework system.

For companies, a new characteristic aspect appears, with the role of an indicator for the labor market, called "teleworking", which indicates the extent to which the activity at a workplace can be operatively carried out in a telework regime. By adding up the total of activities and workplaces where telecommuting can be practiced, a global indicator of the company's "teleworkability" can be obtained.

Knowledge of the impact of telework on the labor market in Romania must be considered, in the conditions of the expansion of the globalization of the labor market, with the simultaneous pursuit of regulations that ensure an increased degree of security and health at the workplaces of teleworkers.

3. RESEARCH ON THE OPPORTUNITY OF INTRODUCING THE TELEWORKABILITY INDICATOR IN THE PRACTICE OF INTER- AND INTRA-INSTITUTIONAL COMMUNICATION

3.1. Establishing methodological norms for the use of the teleworking indicator in the context of labor relations within commercial companies

From the data collected from the employers and employees in Timiș county, who mainly used telework gainful activity (TLM) in 2023, a rather heterogeneous view on the issue was found.

In the present research, a reconsideration of the term telecommuting is considered necessary. Thus, it can be considered as an Indicator of telework representing the maximum possible use in a certain work unit, in relation to the entire gainful state.

3.1. Evaluation of telework capabilities at the territorial level

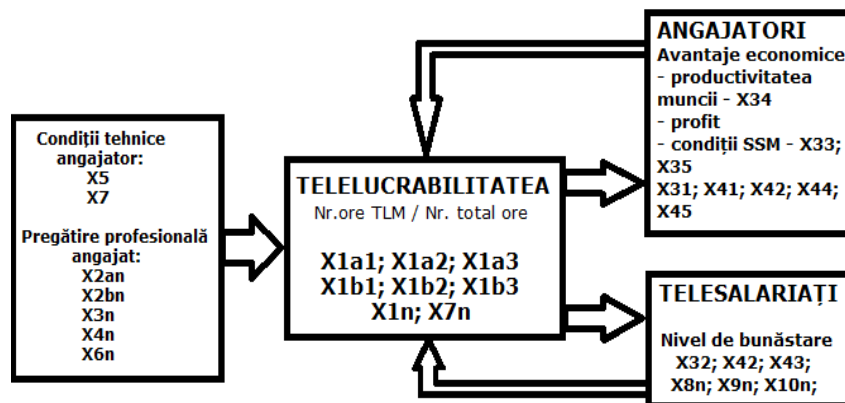


Figure 3.1. Scheme for evaluating the degree of teleworking according to the implementation model

In this context, teleworking is a technical feasibility, which is dependent on the types of task content that can be delivered remotely with available technology.

Because information processing tasks are now almost always performed with computers, the intensity of computer use in the workplace can be a significant feature of teleworking.

3.3. Optimized model of implementation and monitoring of telework activity

Telecommuting can be applied in any type of work arrangement where workers work remotely, away from the employer's premises or a fixed location, using digital technologies such as

networks, laptops, mobile phones and the Internet.

3.4. Conclusions on the feasibility of implementing the teleworking indicator

As deduced from the processing of experimental data, telework affects work-life balance, health, performance, and possible perspectives of workers, considered as elements that reflect the level of well-being of teleworkers.

It is found that the use as a reference in the characterization of the telework system implemented in Romania, is the indicator called teleworking. The implementation of this indicator will mean an easier way to measure the level of application of telework in the labor relations system, but also to define some limits on the availability of its expansion, especially for crisis conditions.

4. ANALYSIS OF RISK FACTORS CHARACTERISTICS OF TELEWORK

4.1. Study on the particular context of telework

In the integrative context of labor relations, the operation of the telework sub-system involves a scientific managerial activity of health and safety at work, based on the related provisions in force, especially of Law 319/2006, its updated additions. In the practice of OSH management, for preventive purposes, two strictly necessary operations are addressed: the identification and assessment of risks [25].

Each known method was analyzed, in part, following the applicability (purpose, level, mode), the necessary work tools, advantages and disadvantages [2].

4.2. Identify the similarities and differences identified between regular "office" work and telecommuting

Among OSH specialists, there are still opinions regarding the assimilation of telework activity, with that carried out by TESA staff, "in the office". During the last 5 years of telework research, a multitude of differences have been found regarding the relationships that accompany actual work.

4.3. Analysis of risk factors when practicing telework

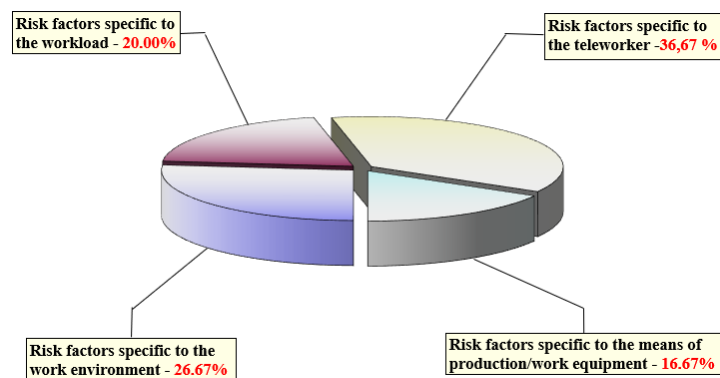


Figure 4.3. The weight of the cumulative risk on the components of the telework system

In general, an analysis of the security status of a system can be carried out from a temporal perspective - "a priori" or "posterior"; in both cases the approaches can be inductive or deductive.

The risk analysis of the entire telework system was approached, considering the database presented in chapter 2. The main purpose of the OHS research for teleworkers was to identify some possible ways to improve dangerous situations, with the establishment of concrete proposals to improve teleworker safety.

4.5. Defining new risk factors developed by practicing telework

The direct opinions of the teleworkers on the dangers they consider by practicing telework gainful activities were retained. A top of the common opinions expressed was made.

The highest percentage was of those who answered:

- "There are no dangers" - 51.12%;
- "Social isolation" - 25.77%;
- "Sedentarism, with risk over time of musculoskeletal conditions" - 14.51%;
- "Other psycho-social reasons, including those related to family life" - 8.60%.

In the II phase of the research of the risk factors of telework, a broader context, of digital transformations, was considered an approach largely justified, not only by the focus on business efficiency and profitability, but also by the desire for more well-being.

4.6. Conclusions on the predictable dangers of telecommuting

The interests of employers and employees are largely antagonistic, both sides looking for the profitability of the relationship, but also to achieve the desired "well-being".

The isolation of the teleworker can distance him from the collective interests of the organization he is a part of, opting more towards the "gig" economy over time.

It is considered that through this research, the state institutions, in this case the Labor Inspection, through the territorial Inspectorates can be more useful in perfecting modern labor relations, telework being an increasingly current form, with a natural correlation of technological progress, with a perspective towards the effective utilization of forms of artificial intelligence.

5. PROCESSING AND INTERPRETATION OF THE DATA RESULTING FROM THE RESEARCH OF THE FUNCTIONALITY OF THE TELEWORK SUBSYSTEM AT THE LEVEL OF TIMIȘ COUNTY

5.1. Analysis of recorded experimental data, from the employees' perspective

In the context of achieving the main objectives of the research, a careful analysis of the honest opinions of the 634 employees - teleworkers, who agreed to participate in this research, voluntarily and anonymously, was carried out. The way in which the data collection was carried out was explained in subchapter 2.3. 634 questionnaire responses were analyzed.

This procedure is designed to summarize multiple columns of quantitative data [117], [125]. It will calculate various statistics, including correlations, covariances, and partial correlations.

5.2. Analysis of recorded experimental data, from the perspective of employers

One of the main objectives of the research was to determine the predictable characteristics of the evolution of the teleworking phenomenon. Carefully analyzing the positions expressed by the employers in Timiș county, through the discussions held, but especially through the data written in the requested forms, some ambiguity was observed. To make a more objective analysis of the data collected through the initiated experimental research, the statistical processing of the data resulting from the experimental research was carried out.

22 characterization sheets of the way of carrying out telework activities were selected, judged to be the most complete and representative of the Timisoara business environment. Annex 1 presents a centralized situation of the data subjected to this stage of statistical processing.

5.3. Partial conclusions on the results obtained from the statistical data processing

In conclusion to these applications of statistical methods, it can be mentioned that telework has favorable prospects, but in a better correlation with influencing factors. The research highlights in a clearer picture the current state of the efficiency and effectiveness of the use of telework, with some important milestones for improvement.

This chapter, in addition to the fact that it brings methodological innovations to approach the data that reflect the state of implementation and functionality of the telework regime, it also clarifies certain existing interdependencies between the factors that influence the interest to practice telework by employees, as well as to obtain superior economic results by employers

6. ARTIFICIAL INTELLIGENCE ELEMENTS APPLICABLE REGARDING THE MONITORING OF TELEWORK ACTIVITY

6.1. Identifying and analyzing forms of integrative AI for telework

To anticipate the future values of the output variables, based on the currently available information, in this chapter, it is proposed to use the same data sets to develop appropriate neural networks [40].

6.2. Establishing correlations between economic efficiency indicators and telecommuting practice using neural networks

For the construction of the neural networks, the data were collected and organized as described in the previous chapters. First, the data was split into 3 distinct sets: training data, validation data, and test data.

Based on all the considerations presented, the following neural networks were conceived, designed, and analyzed for the research focused on the state of telecommuting and the perspectives of the telework system.

6.3. Partial conclusions on the applicability of artificial intelligence in establishing the predictability of telework evolution

Several areas were identified in which the obtained results can be applied, in the process of harmonization and regulation of telework [114]. These include developing policies and considerations to improve the employee experience of telecommuting, optimizing organizational performance and anticipating future trends in the field.

An extra touch was added to the usefulness of neural networks, in combination with the tools offered by MATLAB and the Neural Fitting module, as valuable resources in the process of harmonization and regulation of telework, contributing to the improvement of organizational practices and policies, promoting a positive experience for employees, as well as increasing labor productivity.

7. CONCLUSIONS AND PERSONAL CONTRIBUTIONS. RESEARCH PERSPECTIVES

The optimization of labor relations, through the introduction and expansion of teleworking, can be ensured through the responsible involvement of the applying commercial companies, but also of the competent institutions, with a higher responsibility for managers.

7.1. Personal contributions

This doctoral thesis brings both personal contributions, from a theoretical, experimental and applied point of view, based on a related documentary study, on the definition of an appropriate experimental program and on a correct theoretical and experimental approach to some situations taken from the reality of the dynamics of labor relations.

Under the theoretical aspect, several contributions are highlighted in the content of the thesis, such as: * critical analysis of the main influencing factors of the telework system; * documentary study on the current level of concern of scientific research undertaken in this field; * - critical analysis of the main aspects regarding teleworkers and their employers; * - the comparative analysis of some characteristic data of the telework practice expressed by employees and employers; * - the development of an original model regarding the systemic approach to the analysis of the functioning of the telework system integrated into the whole of labor relations; * defining and explaining telecommutability as an indicator and function determining the implementation and progress of telework; * determination of a model for approaching the issue of telework from the aspect of teleworking conditions, from the perspective of work productivity and the level of well-being of teleworkers. * The application contributions consist of: the identification and validation of the main technical and organizational conditions necessary for the implementation of telework, in accordance with international practices and in accordance with EU directives; * establishing a methodology to investigate, analyze and interpret the factors determining the practice of telework; * establishing some directions of action by employers to optimize the work process, under the conditions of

ensuring the balance and flexibility of managerial measures, correlating the desire to earn with the state of satisfaction of teleworkers, with a favorable effect on the substantial reduction of the level of labor force fluctuation, respectively the increase its stability.

7.2. Prospects for further research development

Both the content and the conclusions of this thesis can be the basis of new principles in the approach to labor relations customized through telework, respectively of new directions of study and research, such as: * expanding experimental research towards the conception and design of computer programs monitoring the evolution of the level of teleworking, correlating the economic effects with those of teleworkers' job satisfaction; * the deepening of experimental research on other influencing factors on telecommutability, both in the relationship with the work process and in terms of the standard of living at the societal level; * the multidisciplinary approach to research on the complex aspects involved in the use of telework, keeping harmony between the technical-scientific level reached at a given moment and the level of physical, mental and pressure demands in the societal environment, with predictability over the transformations over time, of the system and of the individual; * correlation of management activities, based on the integrated system implemented in organizations, unitarily approaching total quality, environmental accuracy and ensuring health and safety conditions at work; * taking into account the predictability of the establishment of virtual companies in the future, where telework is the majority, and the operation is based on the initiative of some teleworkers with complementary qualities, who come together to satisfy, simultaneously, as diverse a range of requests as possible, uniting their efforts and helping each other, it becomes important to find appropriate solutions of the content of the legislation and the methodological package of organization and control over the activity as a commercial company.

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