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**Working from home and work-life balance during
COVID-19: opportunity or pitfall for women?**

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Chapter I

Smart working and work-life balance

1.1 Work flexibility and decentralisation needs in the new Industry 4.0

As a result of the digital transformation, the workplace has changed quite significantly in recent years. Before, power was essentially linked to position in the corporate hierarchy: the company was seen as an efficient machine in which those at the top gave orders that employees had to carry out as quickly as possible.

Modern business organisation has different characteristics. Technological progress has reversed the trend: the advent of computers and the Internet has clearly favoured the most skilled workers: from unskill-biased technical change we have moved on to skill-biased technical change.

Moreover, it was noted that 'workers who performed highly routine tasks centred on predictable and easily programmable activities, such as switchboard operators, filing clerks, travel agents and assembly line workers, were particularly vulnerable to substitution by new technologies'¹.

¹ Giannetti R. (2002). *Crescita economica, capitale umano e salari nell'età dell'industrializzazione (1750-2000): una visione sintetica*, in S. Zaninelli, M. Taccolini (a cura di), *Il lavoro come fattore produttivo e come risorsa nella storia economica italiana*. Milano: Vita e pensiero, p. 219.

The demand for low-skilled workers has therefore been progressively reduced, given that routine tasks are the ones that can most easily be replaced by programmable machines. On the other hand, job opportunities have increased for creative, problem-solving and abstract-thinking workers, who are unlikely to be replaced by machines, so it is hard to imagine their employment levels falling.

All this has enhanced corporate flexibility: increasing flexibility in the workplace, in practice, means that employees are much less inclined to accept being directed and guided as if they were non-thinking machines or mere cogs in the corporate process. Modern business organisation, therefore, is characterised by a shift from the so-called cascade model to the Agile model.

The previous cascade model assumed a predictable world, but in reality this is not the case: the world is constantly changing, and the company must be ready to adapt to change, in other words it must be flexible. The error rate of the cascade model, therefore, has progressively proved to be very high due to the difficulty of adapting to change.

The Agile movement was born as a reaction to the cascade model. Companies began to feel the need for greater elasticity, flexibility and agility, as they had to be ready to adapt to an ever-changing world. The Agile manifesto was published in 2001 by a group of IT professionals who met in Utah. The fundamental principles of Agile can be summarised as follows².

1) the company's priority must be to satisfy the customer by delivering software that is good from the outset and on an ongoing basis;

² Thorèn, P.-M. (2019). *Agile People. Un approccio radicale per HR & manager*. Milano: Guerini, p. 19.

2) requirements can change even at an advanced stage of development: agile processes are such because they embrace and accommodate change in favour of the customer's competitive advantage;

3) the software is delivered continuously, with short frequency;

4) the most efficient and effective method of transmitting information within the team is in-person conversation.

The Agile philosophy focuses on satisfying the customer by continuously creating value for him, what matters is only his happiness.

In the logic of the Agile philosophy, therefore, hierarchical and top-down organisations are no longer considered effective, let alone efficient, in modern business organisation. It is frankly unrealistic to imagine that a company can be managed from above, far from the employees who actually do the work.

Decision-making power, therefore, must be distributed throughout all parts of the organisation: authority must be made available to all company departments. The underlying objective, therefore, is to create a great working environment for employees in order to create value for customers.

The Agile philosophy is indispensable for fostering change within companies, which is increasingly common in the current business environment. However, leaders are not always ready to manage it.

1.2 The notion of Smart Working

The emblem of the new corporate organisation, in which the office plays a marginal role, is Smart Working, which probably represents the main dynamic of change that the digital

transformation has suggested and, in some ways, imposed on companies³.

From the very moment it came into being, telework represented the moment of maximum expression of the change taking place in modern work organisation. In fact, it immediately became the concrete embodiment of the "old" home-working method, although it took on a more complex appearance.

The aim of telework was to meet a twofold need, on the part of the employer and the employee: for the companies and public bodies, in fact, the need was to modernise their work organisation; for the employee, on the other hand, there was an obvious need to reconcile his working activity with his social life, in order to achieve an adequate work-life balance.

Already at the outset, the effects of telework on the worker were analysed, with reference to possible "ghettoising" effects, especially with respect to the weaker sections of the workforce. It has been observed in this connection that not all forms of telework are to be regarded in positive terms, but only those that permit the introduction of flexibility that is favourable to the worker, enabling him to reconcile his professional and personal needs.

Smart Working is a European institution: in particular, the Netherlands was the first country to experiment with primordial forms of smart working as early as the 1990s, establishing it as a new way of looking at work⁴.

³ Cfr. Di Nicola P. (2018), Smart Working and Teleworking: two possible approaches to lean organisation management. https://unece.org/fileadmin/DAM/stats/documents/ece/ces/ge.58/2017/mtg4/Paper_11-Di_Nicola_rev.pdf, p. 1 ss.

⁴ Cfr. Angelici M., Profeta P. (2020), Smart-Working: Work Flexibility Without Constraints. *CESifo Working Paper* No. 8165. Available at SSRN: <https://ssrn.com/abstract=3556304>.

The inventor of the Dutch model was E. Veldhoen. Veldhoen, came up with a rather experimental form due to the lack of technological tools, which were much less common in the workplace at the time. Workers, however, began to work outside the office, thanks to availability mechanisms such as instant messaging and e-mail.

Over the years, however, the model has not been able to establish itself effectively, due to a series of problems that will be discussed later when the "nodes" of the institute are analysed. Suffice it to say that almost 75% of Smart Working projects in the Netherlands have failed.

Although this is a European model, paradoxically the best results have been obtained overseas: think, in particular, of Japan and the United States, which have always had very flattering figures on the subject, because they have interpreted smart working in accordance with its main spirit, i.e. as a tool to combat absenteeism and all the illnesses/pathologies deriving from work. In Europe, the most widespread Smart Working models are now found mainly in Scandinavia, not surprisingly one of the most technologically advanced areas in the world⁵.

There are, in fact, numerous definitions of Smart Working which help to outline its fundamental characteristics. It is not a new type of contract, but a different way of approaching company organisation, with the main aim of making company organisation more efficient. Understood in these terms, it is clear that Smart Working, beyond the various definitions that have been given, responds to a prevailing logic, that of flexibility, both on the part of the worker and the company.

⁵ Cfr. Angelici M., Profeta P. (2020), Smart-Working: Work Flexibility Without Constraints, cit.

Flexibility, in fact, is the main element of the institute and at the same time is destined to become, if it is not already, the main feature not only of the company organisation of the future, but also of labour law, which, as we know, must try to keep up with organisational changes, incorporating them and translating them into appropriate legal forms.

Botteri and Cremonesi observed that « reality offers us a panorama of the evolution of work performance that is increasingly coming out from the shadow of the company's wings, which are protective for some and threatening for others »⁶. The advent of technology has led to a downsizing of the office as a physical reference space, allowing people to work remotely, without having to travel to the company.

This is a revolution in all respects, which was completely unthinkable until a decade ago. According to Marciano, « the office has established itself as the place where the traditional organisation of work has reproduced its own microphysics of power, shaped by the symbolic universe of the factory and consisting of associating productivity with presence, time per unit of product »⁷.

However, the new way of thinking about work requires a change of course, which must involve both companies and employees, in the name of greater freedom. Hartog, Solimene and Tufano pointed out that « freedom is necessary to be able to operate in the best possible way, doing one's job according to well-defined

⁶ Botteri T., & Cremonesi G. (2016), *Smart working & smart workers. Guida per gestire e valorizzare i nuovi nomadi*, Milano: Franco Angeli, p. 414.

⁷ Marciano C. (2015), *Smart City: lo spazio sociale della convergenza*, Roma: Donzelli, p. 303.

results. Smart Working is the possibility to decide where, how and with whom you do your work »⁸.

In today's fast-paced society, there is a risk of focusing solely on work. However, it is well known that mental and physical wellbeing is indispensable to perform at our best in the workplace.

A company can be considered efficient when all its components find the right alchemy. When we talk about 'human resources' we mean the set of company policies and activities that hold responsibility and competence for the management of all the individuals in the company.

Human resources must therefore create an environment in which every person is in his or her rightful place: in such an environment, it is not only the employees who benefit, but also the company as a whole. The term 'resources' clearly implies that the company's objective must also be to safeguard its human capital by creating a welcoming environment in which all employees are motivated⁹.

From this perspective, it is clear that human capital must be cared for, safeguarded and protected like all other company capital, and even more so.

These reflections should lead us to understand that human capital, although it must be protected like all other company capital, cannot be considered in the same way as the machinery owned by the company: the human aspect, in fact, requires sensitivity,

⁸ Hartog K.L., Solimene A., & Tufani G. (2015), *The Smart Working Book. L'ora del lavoro agile è arrivata. Finalmente!*, Milano: Franco Angeli, p. 48.

⁹ Cfr. Aziz M., & Siddiqui D.A. (2019), Relationship between Flexible Working Arrangements and Job Satisfaction Mediated by Work-Life Balance: Evidence from Public Sector Universities Employees of Pakistan, Available at SSRN: <https://ssrn.com/abstract=3510918> or <http://dx.doi.org/10.2139/ssrn.3510918>.

attention and availability, all qualities that a human resources manager must possess on the whole.

Moreover, human resources managers must not limit themselves to safeguarding the company's capital, but must also increase and replace it: the main objective must be to make the most of the capital available, making it grow, because the growth and competitiveness of the company as a whole depends on the growth of its employees. Smart Working is considered the ideal tool for creating a comfortable and peaceful working environment.

It is clear, therefore, that the new Industry 4.0 has a significant impact on company organisation, imposing not only new organisational models but, above all, a new cultural paradigm that is essential for dealing with change and avoiding being crushed by the weight of change itself.

1.3 Smart Working, teleworking and agile working

Until the mid-eighteenth century, according to the Treccani, “work was an individual and artisan activity, often domestic, which was carried out at times and in ways that were not strictly compulsory”¹⁰. It was only with the Industrial Revolution that the workplace became centralised in the city and the factory. According to scholars Messenger and Gschwind¹¹, it was a phenomenon that led people from country homes to city factories.

¹⁰ G. Esposito, Il lavoro all’epoca delle prime industrializzazioni, in Enciclopedia Treccani, 2016, p. 39.

¹¹ Cfr. J.C. Messenger, L. Gschwind, *Three generations of Telework: New ICTs and the (R)evolution from Home Office to Virtual Office*, in *New Technology, Work and Employment*, 2016, p. 131 ss.

Until then, work was predominantly domestic: think of the seamstresses who worked from home on commission with their looms. This was a primitive phenomenon of 'Smart Working', obviously not even close to what it is today. That, in fact, was work on commission, whereas today when we speak of Smart Working we mainly refer to employees working from home in the employ of a company.

From home working we then moved on to teleworking. Teleworking « constitutes a form of organisation and/or performance of work using information technology within the framework of an employment contract or relationship, in which the work activity, which could also be carried out on the premises of the undertaking, is regularly carried out outside the premises of the undertaking »¹².

Teleworking is therefore the ancestor of Smart Working. This working model emerged in the 1970s as a result of the spread of technology. Teleworkers work mainly from home or in specific locations.

Unlike Smart Working, teleworking is not a type of contract, but a particular way of organising work. The responsibilities held at the workplace are transferred to the worker at home.

Unlike Smart Working, teleworking is a choice made at the beginning of the employment relationship and is not normally reversible. It is not necessarily the case, moreover, that in the case of Smart Working, the work is carried out at the employee's home. It would seem obvious, therefore, that smart working is a more agile form of telework, one might say its natural evolution.

¹² Gottardi D. (2000), *Telelavoro. Digesto delle discipline pubblicistiche (dir. lav.)*, XV, Torino, p. 416.

Smart Working can be defined as "a set of modern and unconventional organisational models, characterised by a high level of flexibility in the choice of work space, working hours and tools, and providing all employees of a company with the best working conditions"¹³.

Other literature, however, has defined Smart Working in these terms: «a new, more enlightened work environment that literally breaks down the physical barriers of “the office” as we know it. More and more, workplaces are being thoughtfully optimized to help employees do their best work—anywhere and anytime. While Smarter Working is certainly helping organizations to increase efficiency and reduce costs, it’s also enabling them to provide a workspace that better reflects how we work, and to fully leverage employees’ dynamic creativity and emotional connection to work»¹⁴.

In conclusion, it should be emphasised that there is no difference between Agile working and Smart Working, since the first expression is the Italian translation chosen, as will be seen, by the legislator to regulate Smart Working.

1.4 Smart working and work life balance

In the context of the pandemic, Smart Working, which had previously been experimented with on an occasional basis by most companies, has suddenly become almost the only way of performing work. In fact, Smart Working has become an

¹³ Gastaldi L., Corso M., Raguseo E., Neritotti P., Paolucci E., & Martini A. (2014), *Smart Working: Rethinking work practices to leverage employees innovation potential*, Pisa: Politecnico, p. 415.

¹⁴ Platronics G. (2013), *Smarter Working - The New Competitive Advantage*, New York: G-Data, p. 111.

indispensable tool for creating a smart organisation, i.e. a company characterised by close interdependence between human resources, in order to make work more efficient¹⁵.

In this context, the concept of work-life balance emerges, understood as the ability to strike a rational and balanced balance between time devoted to work and time devoted to private life. This concept benefits the individual first and foremost. In today's hectic society, where people are always in a hurry, there is a risk of focusing solely on work. Yet it is well known that mental and physical wellbeing is indispensable to perform at our best in the workplace.

However, an adequate work-life balance is also an advantage for companies, because only if employees have peace of mind can they work properly.

A company can be considered efficient when all its components compare, share and form synergies. Already in 1984, Tichy, Fombrun and Devanna observed that « the most effective and efficient company is one that manages to dynamically ensure a situation of coherence between the dimensions of strategy, structure and human resources »¹⁶.

Smart Working, therefore, which is destined to remain the ordinary way of carrying out work for a long time to come, will certainly have positive effects on the company as well.

In fact, the new post-pandemic corporate welfare will be called upon even more to enhance human resources, i.e. the set of corporate policies and activities that hold responsibility and

¹⁵ Cfr. Iapichino A., De Rosa A., Liberace P. (2018), Smart Organizations, New Skills, and Smart Working to Manage Companies' Digital Transformation. Available at https://link.springer.com/chapter/10.1007/978-3-319-78420-5_13.

¹⁶ Tichy N., Fombrun C., Devanna M.A. (1984), *Strategic Human Resource Management*, New York: G-Data, p. 41.

competence for the management of all individuals in the company.

According to Boldizzoni, the "strategic" management of human resources is « the most concrete attempt to elevate human resources to the role of a key variable both in training and in the implementation of business plans, operating within the systemic-situational or contingency paradigm of Harvardian matrix »¹⁷.

The new corporate welfare is bound to be based on this new vision: after all, the function of human resources is to create a comfortable environment in which each person is in the right place. In such an environment, it is not only the employees who benefit, but also the company as a whole.

1.4.a Time management and work-life balance

The new digital technologies, together with transformations in business organisation, are having an increasing impact on the way work is done and on a number of social issues (starting with those of the market and the local and global division of labour), for example the link between working time and the quality of non-working time. Above all, digital technologies are affecting the nature of work itself, i.e. the idea of what work is and what one can work with.

Modern culture and society, the French Revolution and liberalism affirmed the right of each person to the realisation of a freely chosen life project, i.e. the right to self-realisation. In subordinate work, regardless of the skills and circumstances that enabled individuals to self-fulfilment, this right was not recognised,

¹⁷ Boldizzoni D. (2016), *Nuovi paradigmi per la direzione del personale*, Torino: Giappichelli, p. 54.

neither by official culture nor by social organisation. In the twentieth century, Fordism and industrial society consciously and systematically denied this right, proposing instead a self-realisation in consumption and leisure.

« Democracy stopped at the threshold of the factory »¹⁸, argued Norberto Bobbio, because the subordinate worker is not recognised as having the rights of citizenship: similarly, self-realisation, which is recognised, sought after and praised in society, has in fact been excluded as a right from the workplace, where - at least until the last decades of the 20th century - the praise of subordination and enforceability has generally prevailed, instead of the autonomy and freedom that are indispensable for self-realisation.

Subaltern workers - the vast majority of working people - were in principle excluded from the recognition of a right to the construction of their own identity in the activity that occupies most of their time in life and is therefore able to determine and influence their overall personal identity¹⁹.

If work is not simply an activity 'for hire' in exchange for a salary, the denial, in a thousand ways, of self-fulfilment cannot be unrelated to the conflict between capital and wage labour. The drive to find an identity and meaning in work is an integral part of this conflict, increasingly determining its characteristics. In particular, there is an affirmation of the fact that social inequity does not simply take the form of "exploitation" (which is the effect, not the cause, of what determines the lack of meaning in

¹⁸ Citato in Trentin B. (2014), *La città del lavoro*, Firenze: Firenze University Press, p. 39

¹⁹ Cfr. Ales A., Curzi Y., Fabbri T., Rymkevich O., Senatori I., & Solinas G. (2018), *Working in Digital and Smart Organizations. Legal, Economic and Organizational Perspectives on the Digitalization of Labour Relations*, Cambridge: Cambridge University Press, p. 41 ss.

work: the deprivation of freedom and power), but also that of the absence of what we might call a "democracy of self-fulfilment" that includes the right to self-fulfilment in work.

Work 4.0, from this point of view, has had the merit of calling into question the terms of the individual's right to self-realisation in work (not only subordinate work), which had already been transformed by the information technology revolution that, in turn, constitutes a development of the automation established in the 1950s. This is a process in which work is progressively moving away from the transformation of the raw material and the material object produced, while at the same time approaching immaterial transformations.

In this context, the relationship between work and free time is also being redefined: if work must necessarily lead to personal self-realisation, it must be reconciled with a prudent management of free time. Only those who feel good at work and live it happily can manage their free time in the best possible way²⁰.

The concept of knowledge work that emerged between the 1990s and the beginning of the new millennium fills the void that the end of Fordist work had created in terms of the conception of work. A further consideration concerns the nature of work 4.0, which challenges the idea - still predominant, even if more deeply rooted in some periods than in others - that work is an activity with no purpose in itself, and is therefore always carried out out of necessity or duty and characterised by a lack of freedom and self-fulfilment.

²⁰ Cfr. Bednar P.M., & Welch C. (2020), Socio-Technical Perspectives on Smart Working: Creating Meaningful and Sustainable Systems. *Information Systems Frontiers*, 22, p. 281 ss. Available at <https://link.springer.com/article/10.1007/s10796-019-09921-1>.

Wages constitute the motivation and compensation for work performed illiberally, and at the same time the promise of non-work time in which it is possible to search for purchasable satisfaction (consumption): a "free time" as opposed to work.

So the fact that in subordinate work one can instead find self-fulfilment - personal growth, satisfaction and freedom - completely changes the perspective: free time and work are two sides of the same coin that are no longer in conflict.

1.4.b Work-life balance

The work-life balance is an issue with a not very recent origin. Industrial society has responded positively, at least to some extent, to the need for more time off work, both to reduce the burden of subordinate activities and to improve the overall meaning of life for the wage-earner through increased consumption (tangible and intangible)²¹.

Instead of freedom in work, it therefore offered 'leisure'. Henry Ford, who became the emblem and the most famous promoter of this solution, shows that he is fully aware of all the stakes when he advocates the idea that 'leisure' makes workers consumers of what they produce.

Thus Marx's circular relationship between labour, 'capacity for enjoyment' and productivity growth is transfigured in terms of the pure valorisation of capital. Fordist « leisure » is a balancing act between the drudgery of heavy, alienated labour (assembly line) and the occasion of consumption of the goods produced by

²¹ Cfr. Bednar P.M., & Welch C. (2020), *Socio-Technical Perspectives on Smart Working: Creating Meaningful and Sustainable Systems*, cit., p. 281 ss.

labour. The offer of an overall idea of work as the sum of fatigue and "happiness".

Until the 1980s, there was a constant reduction in working time. Even if this is the result of the social context, in which labour struggles are obviously present, this reduction and the parallel increase in free time were conceived and realised by the managerial culture in function of capital and its development, and not only through the flywheel of consumption. In fact, they have been largely counterbalanced by the extraordinary increase in productivity, at least in the more advanced and "wide-ranging" sectors of the business world²².

Policies to promote work-life balance through measures at company level have been growing in popularity since the 1990s in the discourse on reconciliation policies: popularity that refers to the ambiguous consensus on the Corporate Social Responsibility (CSR) paradigm, to the appeal to the value of subsidiarity and to ancient traditions of paternalism, to the enhancement of the role of trade unions and second-level bargaining, to their potential effectiveness in responding to the specific care needs of the recipients.

The transformation undergone by so-called leisure time seems evident. It goes hand in hand with the end of the centrality of working time. As we know, this is a broader process, which concerns the profound changes that have involved the world of work in recent years, not only on an economic level, but also on

²² Cfr. Gastaldi L., Corso M., Raguseo E., Neirotti P., Paolucci E., & Martini A. (2014), Smart working: rethinking work practices to leverage employees' innovation potential. Available at http://www.valeriacapileo.com/wp-content/uploads/2020/03/Smart_Working_Rethinking_Work_Practices.pdf.

a symbolic one and in the construction of individual and collective identities²³.

The progressive expansion of leisure time - linked to the progressive reduction of working time and its flexibility - has led to the proliferation of non-work activities that do not coincide with mere rest. These have made an important contribution to the development of a person's 'soft skills', increasing their uniqueness and distinctiveness. The company can only benefit from this in qualitative terms.

Free time thus seems to compete with working time as the dominant time, both quantitatively and qualitatively.

1.5 The importance of work-life balance for workers

The workload concerns the demands (or questions) that the job places on the person, which have two important aspects: quantitative and qualitative aspects. Quantitative aspects relate to the quantity/number of things to be done in the time available, while qualitative aspects relate to the complexity of the work in relation to the skills possessed. Adverse health consequences may arise in situations of both work overload and underload.

Work overload is by far the most studied aspect of this specific risk. It arises from quantitative overloading of tasks or alternatively from tasks that are too complex for the skills possessed. Indicators of overload are, for example, being forced to work quickly or intensively, not having time for all the tasks to

²³ Cfr. Gastaldi L., Corso M., Raguseo E., Neirotti P., Paolucci E., & Martini A. (2014), Smart working: rethinking work practices to leverage employees' innovation potential, cit.

be done, not being able to work effectively because there are too many things to do.

In addition, common to many overload situations is the experience of frequent, unwanted interruptions by the worker, often unpredictable in their occurrence and duration, which constitute obstacles to the achievement of numerous or complex objectives, thus amplifying the effect of the overload.

Situations of work overload are related to a variety of negative health outcomes, including anxiety, depression, frustration, job dissatisfaction, burnout, intention to leave the organisation and even occurrence of myocardial infarction. Although work overload has often been assessed in competition with other psychosocial risk factors, particularly poor control, there is now robust evidence showing that prolonged exposure to high workload has a deleterious impact on mental and physical health independently of other risks²⁴.

Underloaded situations can also have negative effects on health. The temporary absence of external demands (in essence an underload situation) was considered important for the manifestation of what early psychoanalysts called “Sunday neurosis”. This problem took the form of psychosomatic symptoms of various kinds that emerged exclusively on that day. The psychoanalytic explanation for the phenomenon referred to the absence, on Sunday, of the demands and discipline arising from work, with the consequent emergence of neurotic phenomena. It was believed that many people could only defend

²⁴ Cfr. Gastaldi L., Corso M., Raguseo E., Neirotti P., Paolucci E., & Martini A. (2014), Smart working: rethinking work practices to leverage employees’ innovation potential, cit.

themselves against neurotic phenomena by engaging in an activity that makes constant external demands.

Beyond the plausibility of the proposed explanation, there is indeed evidence that an undersized workload may be correlated with job dissatisfaction and demotivation²⁵. However, it should be emphasised that the evidence concerning the effect of this specific risk, particularly in comparison with its opposite (work overload), remains rather sporadic.

The World Health Organisation defines work-related stress (WRS) as “a condition characterised by physical, psychological or social suffering or dysfunction, resulting from a feeling of not being able to meet demands or live up to expectations”.

WRS is a complex phenomenon that arises from the interaction of several psychosocial risk factors. These are related to work organisation, work content, workloads, control, night shifts, role, changing environmental conditions, skills and needs of the employee. Individual factors also play an important role in the development of WRS and Burnout.

Burnout syndrome is a dysfunctional behavioural syndrome that occurs when an individual in an organisational context reacts to external stimuli in a distorted manner, leading to psychological, individual and organisational distress.

Burnout, therefore, can be considered a multidimensional phenomenon, which is characterised by discomfort and physical and psychological stress, as well as a progressive depersonalisation that also affects work performance, reducing its quality.

²⁵ Cfr. Warr P.B., (2020), *Work, Happiness and Unhappiness*, New York: Erlbaum, p. 33 ss.

According to Farber²⁶ Burnout resulting from the absence of stimuli, rather than the presence of stressful factors, is in fact a model deficit. Burnout may depend on a condition of profound emotional stress. It has been observed that « stress is a physiological process of adaptation to the environment, with positive or negative effects, depending on the direction and intensity of the reaction. It can call into question two organisational aspects: the achievement of objectives and the psycho-physical health of workers »²⁷.

Work-related stress is a growing problem worldwide that affects not only the health and well-being of employees, but also the productivity of organisations. Work-related stress occurs when the demands of work of various types and combinations exceed a person's ability and capacity to cope. Work-related stress is the second most common compensated illness/injury in Australia, after musculoskeletal disorders.

The most common causes of work-related stress are work pressure, poor organisation and lack of support from managers. While some people manage to perform at their best under pressure and do their best work with a deadline looming, others find these kinds of challenges very stressful. Identifying what makes people feel stressed at work is the first step in learning how to manage stress.

The effects of work-related stress are increasingly becoming a problem for workplaces and communities. This is especially true

²⁶ Cfr. Farber B.A. (1983), *Stress and burnout in the human service professions*, New York: Pergamon Press, p. 32 ss.

²⁷ Baudino M. (2014), La polizia penitenziaria tra sovraffollamento carcerario e burnout: il dibattito interno. *Rivista di Criminologia, Vittimologia e Sicurezza*, 3/2, p. 107.

in office environments where workers are experiencing an increase in work-related stress.

The effects of work-related stress may vary from individual to individual. In general, work-related stress is associated with illness, low morale and commitment, anxiety and low productivity, and antisocial behaviour.

Stress phenomena have increased even more as a result of the Covid-19 pandemic. The economic impact of the pandemic has highlighted an important issue of strategy for organisations: to put pressure on or to make time for self-care?

Many leaders are reacting to stress by asking employees to work longer hours than normal, making them exhausted²⁸.

To survive the pandemic, organisations need agility, innovation and high levels of productivity. Pushing to the max is a sound method in the short term, but it ceases to make sense in a pandemic that is expected to impact the world economy for years to come.

When the closures began in the United States, it seemed as if a breath of fresh air was coming. Heralded as 'the big break', many hoped that without commuting, the increased time for themselves and their loved ones would continue. But as economic pressures mounted, it didn't take long for organisations to start scheduling meetings remotely during commuting hours, and the working day became longer and longer.

Before, many people worked nine hours a day, even if the contract was eight hours it was a tolerable situation. Because of smart working, now many people have been working fourteen hours a day for months and are paid the same as before. Rebelling,

²⁸ Cfr. Cersosimo D., Cimatti F., & Raniolo F. (2020), *Studiare la pandemia. Disuguaglianze e resilienza ai tempi del Covid-19*, Roma: Donzelli, p. 22 ss.

protesting, is interpreted almost as a form of disrespect towards those who have lost their jobs because of the pandemic. It was precisely for this reason that it was necessary to include a regulation on Smart Working.

The heaviness and weariness of the world that we feel at this moment requires us to take care of ourselves and each other in ways we may not have needed to before the pandemic. And that takes time, time that cannot be spent at work. But time to manage stress is not something our workplace culture is designed to accommodate.

The solution may be empathy. Business leaders have not had it at the top of their list. The focus has always been on revenues, but now there is a need for empathy: the cure for sadness is social connection. Empathy. Compassion. Connection. If we want to lead our teams in the kind of agile and innovative work we will need to do to take our organisations through this new challenge, we need to start with connection.

Instead of reacting to the threat of the pandemic economy with an instinctive urge to work harder, we can work smarter. Counterintuitive as it may seem, slowing down and giving empathy may be the way to greater productivity²⁹.

Even in the best of circumstances, challenges to productivity and company culture can arise when employees work at home. Fear and uncertainty associated with the pandemic have exacerbated these challenges, as has the lack of formal policies and procedures for teleworking. Common challenges associated with remote working may include lack of face-to-face supervision, daily

²⁹ Cfr. Cersosimo D., Cimatti F., & Raniolo F. (2020), *Studiare la pandemia. Disuguaglianze e resilienza ai tempi del Covid-19*, cit., p. 25.

structure and information, as well as social and professional isolation and loneliness.

In most cases, physical separation from the office and colleagues can generate these complications. Moreover, as we are not in a condition of physical proximity, we sometimes forget that we are also working with people who have their own lives, families and problems. We get caught up in our own personal situation and neglect to pay attention to how others are feeling. In other words, we forget empathy for others.

What remedies, then? Murali et al. (2018)³⁰ present organisational and collective interventions as the most effective strategies to reduce workload and promote self-awareness and self-care. The adoption of electronic communication systems could reduce workload and thus the risk of WRS.

Other risk factors include loss of autonomy, over-dependence on computer data, onerous rules, an asymmetrical reward system and a sense of powerlessness.

As a result, in order to make Smart Working a truly effective tool that produces concrete results at work, it needs to be regulated.

1.6 The critical profiles of Smart Working

The Covid-19 shock that started in March 2020 strongly challenged the way work is organised. In the space of a few weeks, public administrations and private companies had to reorganise work within their institutions by resorting to tools that had already been envisaged by the legislator but, at least up to that point, little used.

³⁰ Murali K., & Banerjee S. (2018). Burnout in oncologists is a serious issue: what can we do about it?. *Cancer Treat Rev.*, 68, 55-61.

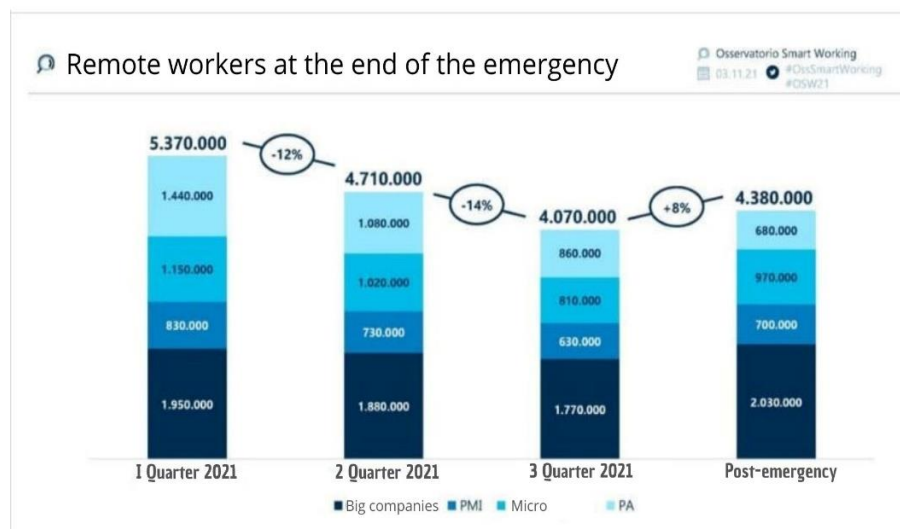
Smart Working, which affected only 1.3 million people in 2019, was the compulsory choice for many employers during the lockdown and in the uncertain subsequent phases. This change, dictated by the need to reduce public health risks, has generated numerous questions about the economic and social viability of this new form of work. Reconciliation of life time, worker productivity, reduction of costs (private and social) of congestion, savings for companies, inequalities between skilled and unskilled workers, are only some of the areas on which it would be necessary to start a careful reflection and analysis in order to better orient labour policies in the coming years.

In this regard, it should be noted that there is a different attitude towards Smart Working between public and private companies. In fact, state-owned companies have shown and are showing some difficulty in implementing Smart Working, for several reasons. First of all, they are paying for a lack of habit, as before the pandemic, the use of smart working in the public sector was rather limited.

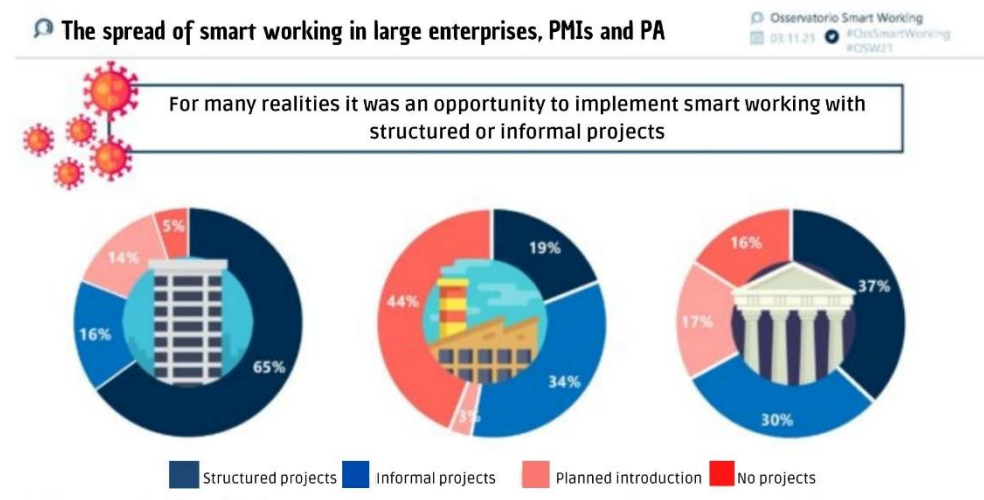
Secondly, there is a latent prejudice in the public, more so than in the private sector, that public employees in smart working would work less, thus causing their performance to drop. This is a cultural prejudice reminiscent of the old conception of Smart Working, and a good indication of why it has struggled to establish itself in the public sector.

In conclusion, there is also a structural economic problem: most public companies have not equipped their employees with the appropriate equipment for Smart Working, such as computers, tablets, etc.

The private sector, on the other hand, is a different matter.



Source: D. Valore, Da smart a blended working. Come sarà il futuro del lavoro, Milano, Harper Collins, 2022



Source: D. Valore, Da smart a blended working. Come sarà il futuro del lavoro, Milano, Harper Collins, 2022

Many companies have appreciated the new way of working smart, also in economic terms, as it saves on rental costs (even some companies have cancelled rents expecting to stay smart for a long

time or have rented out smaller premises expecting never to return to full capacity with all employees in the company).

There are many positive experiments in pandemic management which go beyond mere Smart Working. Pastificio Rana, for example, established a two million euro overall salary increase during the period of the health emergency, special support for *baby sitting*, and the signing of a specific insurance policy for employees to protect them in the event of Covid-19 infection.

Luxottica, on the other hand, increased salaries for employees who had to travel to the office during the peak period of the pandemic, March-April 2020, and also guaranteed free access to the so-called swab to check whether or not one has contracted Covid-19, making it available also to workers' family members. Philips Italia has decided to strengthen the psychological counselling services available online and has set up courses to make employees aware of the correct posture to adopt when working in Smart Working.

Pirelli also decided to reorganise *online* a series of services dedicated to families that were previously provided in person: for example, recreational activities for employees' children, and the activation of a virtual counter to provide assistance to employees committed to caring for dependent family members.

However, there is also no shortage of cases of not very virtuous companies, which have, for example, deprived employees of meal vouchers, justifying this decision with the fact that the employee no longer physically goes to the office but is 'comfortably' at home in Smart Working. This decision clashes with the right of the smart worker to keep the same overall remuneration he or she previously enjoyed.

It has been observed that 'although the initiatives mentioned above are not structural and often unilateral because they are dictated by the emergency context from which they arose, they represent very meritorious actions because they are destined to alleviate with immediate effect (the power of decisions that can be taken without too many decision-making steps) the painful wounds resulting from the crisis we are experiencing'. The implementation of corporate welfare by virtuous companies is a very meritorious work also because it has been able to compensate, in some circumstances, for the bureaucratic slowness that has slowed down the mechanisms provided by public welfare.

Chapter II

Smart Working in Italy

2.1 Law no. 81/2017 for the standardisation of agile work

Agile work, commonly known as *Smart Working*, was first introduced into our legal system with Law No. 81/2017 even though, as has been appropriately observed, it is not a very significant substantive innovation, considering that the intervention of the legislator had the effect of «giving legal status to practices and forms of work that were already widely spread»³¹.

The aim of Smart Working, as stated in Law No. 81/2017, is to «increase competitiveness and facilitate the reconciliation of work and life times ».

In light of this consideration, it is easier to understand why the legislator, with Articles 18-24 of the aforementioned Law No. 81/2017, decided to introduce and regulate agile work for the first time in the Italian legal system³².

In particular, the *ratio legis* resides in the desire to improve company competitiveness, in line with the other reforms that have affected labour law, which is increasingly leaning towards a progressive flexibilisation of labour relations to the benefit of the company, which has been clamouring for this change for years.

³¹ Timellini, C., 2018, *In che modo oggi il lavoro è smart? Sulla definizione di lavoro agile*, in *Il lavoro nella giurisprudenza*, 3, p. 229 ss.

³² Per un primo commento a tale istituto si v. Frediani, M. (2017). *Il lavoro agile tra prestazione a domicilio e telelavoro*, in *Il lavoro nella giurisprudenza*, 7, 2017, p. 631 ss.; Falasca, G. (2017). *Job Act autonomi e smart working, la nuova normativa*, in *Guida al lavoro*, 22, p. 16.

At the same time, however, agile working also seems to be aimed at benefiting workers, satisfying the need to reconcile work and family needs³³.

Two, then, seem to be the souls that have informed the birth of the new institute: economic needs, first of all, but also personalistic ones. These are very ambitious objectives, the expression of particularly significant constitutional values, which must be adequately balanced, especially in order to prevent the objective of competitiveness from taking precedence over the requirements of improving workers' living conditions³⁴.

This is a compromise that should be pursued first and foremost by the company because, as mentioned earlier, if the climate within the company is optimal, i.e. if all employees are satisfied with their working life and time, it is easier to achieve positive results.

It should be pointed out that these objectives, however ambitious, do not seem to be able to be pursued effectively by simply introducing the institution since, as has been rightly pointed out, «legislative interventions or collective bargaining interventions are also needed "to identify the right checks and balances»³⁵.

It therefore seems appropriate, now, to analyse in concrete terms how Law No. 81/2017 regulates agile work, in order to verify

³³ Cfr., in tal senso, Caruso, S.B. (2016). *“The bright side of the moon”*: politiche del lavoro personalizzate e promozione del welfare occupazionale, in *Rivista italiana di diritto del lavoro*, 2, p. 177 ss.

³⁴ Cfr., sul punto, quanto osservato da C. Timellini, *In che modo oggi il lavoro è smart? Sulla definizione di lavoro agile*, cit., p. 230, according to which «As is well known, human resources are a strategic element for the company and its success, so it is necessary for workers to be serene for the business to succeed. Otherwise, however, work-life conflict generates negative effects such as stress, absenteeism and susceptibility to illness, thus threatening the well-being of the company and those who work in it».

³⁵ Tiraboschi, M. (2017). *Il lavoro agile tra legge e contrattazione collettiva: la tortuosa via italiana verso la modernizzazione del diritto del lavoro*, in WP C.S.D.L.E. “Massimo D’Antona”, p. 25.

which are the fundamental characteristics and which are the critical profiles of the institution.

2.2 The characteristics of the institute

Agile work is defined as that mode of execution of the subordinate employment relationship established following an agreement between the parties, also with forms of organisation "by phases, cycles and objectives and without precise time or place constraints, with the possible use of technological tools for the performance of the work activity»³⁶.

First of all, the legislator did not introduce a new type of contract, but merely defined an alternative way of executing the traditional employment relationship.

From the above definition, then, it is clear that the legislator intended to emphasise that performance should be judged in terms of 'result' and no longer, as has traditionally been the case, in terms of remuneration for hours worked³⁷.

Unlike teleworking, which has not been repealed by the legislator, still represents a viable alternative to Smart Workin, the latter is characterised by the fact that work is performed partly within the company and partly outside the company premises, without a fixed workstation.

In the case of Smart Working, therefore, the service can be performed anywhere.

It is no coincidence that recent years have witnessed the spread of so-called *coworking spaces*, real structured and organised spaces,

³⁶ Cfr. art. 18 della legge n. 81/2017.

³⁷ Cfr., sul punto, Polliani, P. (2017). *Approvazione della nuova disciplina sul "lavoro agile"*, in *Cooperative e enti non profit*, 8-9, p. 35 ss.

made available to the community, in which one can work as if in an office, using an Internet connection, printers, desks, etc.

Although the legislator has given the worker the possibility to decide where to work, it has nevertheless retained the limits on maximum working time, both daily and weekly, in order to prevent agile working from becoming a surreptitious way of circumventing them, in contravention of the relevant constitutional principles.

The agreement concerning Agile working must be made in writing and must regulate in detail how the work outside the company premises is to be performed.

The contract must contain the employee's rest periods, as well as all the technical and operational measures to guarantee the so-called *right to disconnection*, i.e. the employee's right not to suffer intrusion into his or her life and disturbances by the employer, through technological means, at any time of the day, even outside working hours.

The contract must also regulate how the employer may exercise its power of direction and control over the remote work activity performed by the employee.

The contract may be either for a fixed term or an indefinite term. In the case of an agreement for an indefinite period, termination may be exercised with not less than thirty days' notice³⁸.

In the presence of a justified reason, both objective and subjective, either party may terminate the contract without notice, in the case of an open-ended agreement, or before time, in the case of a fixed-term agreement.

³⁸In the case of workers with disabilities under Law no. 68/1999, the notice period in the event of termination by the employer is increased to a minimum of 90 days, in order to allow appropriate reorganisation of work paths in relation to the worker's life and care needs.

With regard to economic treatment, the agile worker is entitled to economic and regulatory treatment that is not less than the overall treatment of workers performing the same tasks and functions, but within the company.

As regards the safety profile, the employer remains responsible for the technological tools entrusted to the worker to perform his or her Agile work.

To this end, he is required to submit an annual report to the safety officer containing the risks to which the agile worker is potentially subjected by reason of his particular mode of work performance.

Tax and contribution incentives also apply to companies that hire agile workers in the same way as all other workers.

Again, it was noted that «the agreement to perform work in agile mode and its amendments are subject to compulsory communications to the Employment Centre, in the same way as for recruitment. The agile worker is entitled to protection against accidents at work and occupational diseases caused by risks connected to work performed outside the company premises, as well as protection against accidents at work occurring during the normal journey to and from the place of residence to the place chosen for the performance of work outside the company premises»³⁹.

In general the legislator's policy seems very clear: there is a desire to put the agile worker on an equal footing with all other workers in every respect, in order to prevent the peculiar way in which they perform their work from penalising them⁴⁰.

³⁹ P. Polliani, *Approvazione della nuova disciplina sul "lavoro agile"*, cit., p. 36 s.

⁴⁰ Cfr. P. Polliani, *Approvazione della nuova disciplina sul "lavoro agile"*, cit., p. 38.

2.3 Smart Working on a voluntary basis

Smart Working does not only represent an alternative way of executing the employment relationship, but is, rather, an expression of a true cultural revolution, of a new way of conceiving company management⁴¹.

In the corporate context, Smart Working is the result of individual projects on a voluntary basis. In other words, there is normally no obligation to work in Smart Working, with the exception of recent developments resulting from the ongoing Covid-19 pandemic.

In Italy, one of the first companies to use Smart Working on a large scale was Intesa San Paolo, a leading insurance banking company that decided to adopt agile working in 2014, following an agreement with the trade unions.

In other words, it is a new way of running the company, which is characterised by a new company *policy* signed by Intesa San Paolo with the trade unions, a communication plan, an *engagement* plan and, finally, a training plan.

The head of industrial relations at Intesa San Paolo presented the project as follows: «There is not only flexible work, there are also others, but flexible work is one of the most important because it has led us to invest in reconciliation with a paradigm shift. From control to trust. With an investment in trust and less activity based on the more archaic concept of control. These are the logics from

⁴¹ Cfr. De Masi, D. (2020). *Smart working: La rivoluzione del lavoro intelligente*, Milano: Giuffrè, p. 16 ss.

which we started. Greater well-being to increase productivity and results»⁴².

The project was carried out in agreement with the trade unions, which actively participated in its drafting, a sign of the *voluntary* and participative nature of the institute.

The decision to share the project with the union meets the need for sharing and collaboration, although Law No. 81/2017 does not require such a step, as it is possible to enter into the flexible work contract individually with each worker.

The decision to proceed in this way was explained by the Head of Industrial Relations as follows: «The first advantage is more technical and normative, and is linked to the opportunity to define with an agreement a subject that was not regulated. There was no legal basis for Smart Working. In addition, the union has a real ability to communicate with workers and is able to influence their involvement. If you invest in trust and responsibility you also need trust and responsibility in defining the rules with the union»⁴³.

Flexible working, although voluntary, is not seen by the company as a reward for the best employees, but a new way of working in its own right: «The idea that a person could work from home without a turnstile was a non-trivial change. Firstly, it was agreed that flexible working was intended as a way of working and not as a reward for the best people. So when a structure, an office, a service, a directorate is enabled to flexible work and has an intrinsic content of activity compatible with Smart Working, i.e.

⁴² Le dichiarazioni sono state riportate da Ambra, M.C. (2018). *Dal controllo alla fiducia? I cambiamenti legati all'introduzione dello smart working: un caso di studio*, in *Labour&Law Issues*, 1, p. 27 s.

⁴³ Le dichiarazioni sono state riportate da M.C. Ambra, *Dal controllo alla fiducia? I cambiamenti legati all'introduzione dello smart working: un caso di studio*, cit., p. 30.

consistent with working not from one's desk but from other places, people are given the option to join»⁴⁴.

First of all, the project is inclusive in that it involves, on a general level, all employees, provided they meet the requirements. In particular, the decision to accept the employee's request to access the new form of Agile working depends on the tasks performed, the degree of autonomy and the experience accumulated over the years.

In short, it must be ensured that the transition to flexible working does not become a *boomerang* for the company by reducing performance.

Moreover, the project is voluntary, the result of an employee's request that must be accepted by the manager. Flexible working can be joined at any time.

In concrete terms, the plan provides for a fairly simple operating mechanism: the employee has full freedom and option to join it by signing an individual-type agreement that eliminates the clocking-in and overtime mechanism.

2.4 Individual *Smart Working* projects

The agile worker becomes the master of his own time, both with his co-workers and with customers. The system, in order to function efficiently, requires great commitment and management skills on the part of each *manager*.

The *manager*, in fact, is the person in charge of determining, on a weekly basis, which days employees who have joined the

⁴⁴ Le dichiarazioni sono state riportate da M.C. Ambra, *Dal controllo alla fiducia? I cambiamenti legati all'introduzione dello smart working: un caso di studio*, cit., p. 30.

project can work remotely, taking into account, however, not only the needs of the company, but also those of the employee.

The *managers*, therefore, are the ones on whom, in concrete terms, the efficiency of the Smart Working mechanism depends. They decide, where necessary, to revoke or only temporarily suspend the possibility of Smart Working for those employees who have demonstrated their inability to achieve the set goals by not being able to optimally manage their working time remotely. Returning to the “Intesa San Paolo case”, the possibility of revocation was a point of contention with the trade unions, as it was feared that it could become a tool used in a biased manner to punish employees.

It was therefore decided that it is possible to revoke the possibility of working remotely in the presence of objective events.

However, it was correctly observed that «although the revocation must be justified in an objective and verifiable manner, this does not preclude the boss from properly exercising his power of control and possible sanctioning power over the employee. In fact, if the possibility of carrying out part of the work in agile mode allows the employee to free himself from the respect of rigid working hours and also from the constraint of physical presence in the office, it does not, however, exempt him from controlling the results to be achieved within a certain timeframe»⁴⁵.

Moreover, there is no doubt that the employer's power of sanction and control remains even in the case of flexible working. While it is true that he may not be sanctioned for not showing up for work, he will still have to account for the work performed remotely.

⁴⁵M.C. Ambra, *Dal controllo alla fiducia? I cambiamenti legati all'introduzione dello smart working: un caso di studio*, cit., p. 32.

Sharing, collaboration, concentration, these are the key words of the new way of conceiving the company. It is a choice that also has significant economic implications, as costs have been reduced: consider that there are now seven desks for every ten employees.

2.5 Corporate performance monitoring and evaluation systems

One of the major fears linked to Smart Working, which has long held back its diffusion in Italy, is the belief that the agile worker is less efficient due to the fact that he or she does not work in the company; in other words, that the worker, performing his or her services from home, may have a lower performance.

For this reason, most companies have introduced performance monitoring and evaluation systems to assess the performance of Smart Working employees.

This, for example, is what Intesa San Paolo did with regard to the project mentioned above. The project is based on three key words: flexibility, collaboration and autonomy. The results seem to be positive.

Suffice it to mention the use of revocation, which has only been used twice in three years: «We established that all revocations would be collected after the trial in order to understand in which cases they were revoked and why. I can tell you, however, that this never happened because in three years of flexible working we went from 700 to 8200 people and we only had two revocations.

One by a boss and one by colleagues»⁴⁶ says the ISP Industrial Relations Manager.

Absenteeism also decreased significantly: «During the experiment, we tried to measure quali-quantitative aspects of the phenomenon by questioning bosses and colleagues with specific surveys. For example, we measured the trend in the absenteeism rates of colleagues before and after the start of the experiment, examining how the first 1,000 people had performed in the year before and the year after the experiment. The data found were important, we had a clear reduction in single-day sickness absenteeism rates. People, given more flexibility in where they work, have reduced their levels of sickness absenteeism. Which is not to say that they work sick, but that by being able to choose more flexibly they have been able to better reconcile and increase productivity levels in the company»⁴⁷.

To this must be added a significant increase in productivity. In terms of the number of people involved, this rose from 673 in 2015 to 8200 in 2018, 51% of whom were men and 49% women. The project has brought about a change in the way of working, which is more result-oriented: «The way of working has changed, with a greater focus on results, but no longer on the individual. This is not teleworking. We don't have people working from home all the time, so there is no isolation of workers: we use skype a lot with frequent meeting. With these remote

⁴⁶ Le dichiarazioni sono state riportate da M.C. Ambra, *Dal controllo alla fiducia? I cambiamenti legati all'introduzione dello smart working: un caso di studio*, cit., p. 32.

⁴⁷ Le dichiarazioni sono state riportate da M.C. Ambra, *Dal controllo alla fiducia? I cambiamenti legati all'introduzione dello smart working: un caso di studio*, cit., p. 33.

communication systems the interaction is always there, regardless of where the person is»⁴⁸.

The project also brought about a positive change in the relationship between workers and management, based on mutual trust.

In conclusion, the emergence of real flexible training should not be underestimated: «We have been working on the evolution of flexible working, giving birth to the project called flexible training, through the digitisation of training content...Again, employees can choose to do this training from home. This is what we call flexible training»⁴⁹. The Intesa San Paolo project, therefore, had positive effects not only for the company, but also for the employees. The key to success probably lies in the consultation with the trade unions, which allowed the project to be experienced from the very beginning in terms of collaboration, cooperation, and sharing. Over the next few years, therefore, it is likely to be implemented, especially in view of the increase in productivity and decrease in costs.

2.6 Smart Working during an emergency: added value or 'forced telework'?

In the course of the emergency, smart working has, in many cases, turned into a kind of “forced teleworking” or “forced remote

⁴⁸ Le dichiarazioni sono state riportate da M.C. Ambra, *Dal controllo alla fiducia? I cambiamenti legati all'introduzione dello smart working: un caso di studio*, cit., p. 35.

⁴⁹ Le dichiarazioni sono state riportate da M.C. Ambra, *Dal controllo alla fiducia? I cambiamenti legati all'introduzione dello smart working: un caso di studio*, cit., p. 36.

working”⁵⁰, as of something that has very little that is smart. Consider, first of all, the fact that, at least in the phase immediately following the emergency, the institution of smart working was not the result of an agreement with the individual employee, as provided for in Law No. 81/2017, but of a unilateral decision by the employer.

For this reason, Pesenti considered that «it can be argued, without great risk of contradiction, that the smart working experimented in most production sectors during the almost two months of the lockdown and probably also a good part of that which may have remained active during ‘Phase 2’, does not lend itself to being represented as a mass example or good practice, at least when it refers to companies (most of them) which, without the "sting" of the pandemic, would certainly not have arrived at this working method (and which therefore, in many cases, risk retracing their steps once the emergency phase is over) »⁵¹.

This runs the risk of having the opposite effect to the one for which Smart Working was introduced: if Smart Working was created to ensure that all workers have the opportunity to reconcile work and private life, the feeling is that the forced way in which it was set up, especially in those who were not used to this way of working, generates a feeling of aversion, increasing the desire to return to the office as soon as possible. Not to be underestimated, then, is the fact that Smart Working, during the emergency, has fuelled and accentuated economic and social inequalities between workers: not all families, in fact, have adequate space to ensure that each of its members has his or her

⁵⁰ Pesenti, L., Scansani, G. (2020). *Welfare aziendale: e adesso? Un nuovo patto tra impresa e lavoro dopo la pandemia*, Milano: Vita e pensiero, p. 18.

⁵¹ L. Pesenti, G. Scansani, *Welfare aziendale: e adesso? Un nuovo patto tra impresa e lavoro dopo la pandemia*, cit., p. 19.

own workstation to work (in the case of the smart worker) or to follow school lessons (in the case of children who follow in distance learning); not all families, then, have the possibility of having suitable devices to carry out the work performance remotely (some do not even have the number of devices necessary to work and follow school lessons), not to mention, then, the chronic connection problems that afflict many areas of our country due to the poor diffusion of broadband.

Well, in such a context, “forced” Smart Working has not had the same effects on all companies: those that had already experimented with it and had adequately prepared their workers, who therefore had no particular problems with this new *modus operandi*, have certainly benefited; on the other hand, those companies that had never used it, or even denied it to their employees, in the name of a cultural heritage and latent prejudice against remote working, encountered numerous problems.

These considerations, of course, “do not detract from the fact that we must hope that companies 'displaced' by the pandemic and forced to remotely work overnight can capitalise on the experience which, despite all its criticalities, could be intelligently taken as a premise from which to move for a redefinition of their overall (cultural, first and foremost) organisation. This could lead them to innovate their approach and this would be a not insignificant legacy that would bring them closer to those companies that, already organised in a less traditional manner, have been able to switch from physical to digital in (almost) zero time, without losing practically anything in terms of efficiency and productivity”⁵².

⁵² L. Pesenti, G. Scansani, *Welfare aziendale: e adesso? Un nuovo patto tra impresa e lavoro dopo la pandemia*, cit., p. 20.

What emerges, however, is that the forced Smart Working experienced in the course of the pandemic does not correspond at all to that agile work of which Law No. 81/2017 speaks, as it is not the result of the employee's freedom of choice, and above all it is not the result of his freedom of organisation: work, in order to be effectively smart, must be the result of the employee's free choice and free organisation, because only in this way he can reconcile his work well-being with his personal well-being.

According to Pesenti, however, those in Smart Working have responded better than others to the difficult situation that has arisen, managing to reconcile, in most cases, work, private life and school for the children in an ideal manner. However, Pesenti emphasises that this situation is valid in the emergency, but it is unthinkable to work only in smart working forever, because in the long term the negative effects would outweigh the current benefits: even Smart Working, conceived in the long term, would in fact begin to tire the worker.

Pesenti emphasises that “one thing that is certainly missing is listening, giving workers a voice, what their new needs are”⁵³.

2.7 The psychological effects of Smart Working

The pandemic situation we are currently experiencing has helped to remove technological and organisational resistance and constraints with respect to Agile work, and its mass experimentation has forced companies to implement this mode of work abruptly. If, on the one hand, this acceleration has allowed Italy to align itself, at least in part, with the use of Agile work

⁵³ L. Pesenti, G. Scansani, *Welfare aziendale: e adesso? Un nuovo patto tra impresa e lavoro dopo la pandemia*, cit., p. 21.

already widely used in other countries, on the other hand it has brought to the surface numerous aspects that need to be reckoned with.

At a time of a health and social crisis such as the one caused by Covid19, when remote work has become the new daily routine for so many workers, it becomes important to ask whether and in what way it may, in the long term, impact on their psychological well-being. Having to spend a significant number of hours in front of a computer, in the absence of social interaction, which is essential for psychological well-being, could generate stress and related disorders such as anxiety, depression and in some cases even *burn out*.

Agile working, in fact, is characterised by several contradictory aspects: some research has established that, compared to a life punctuated by rigid working hours, being able to choose and organise when and where one can work contributes, in most cases, to an increase in personal satisfaction. This makes it possible to take care of small commitments and tasks in one's private and family life, manage one's children, engage in physical activity, reduce stress related to travelling (commuting), pay more attention to one's diet and integrate work into one's life rhythm.

On the contrary, other studies show that the loss of social interaction in the workplace, the lack of confrontation and thus of learning from others, the loss of security and points of reference, the seemingly less opportunity to participate in the life of the company, the psychological and practical reshaping of one's family life, are all reasons for a marked increase in anxiety and frustration⁵⁴.

⁵⁴ Mari, E.; Lausi, G.; Fraschetti, A.; Pizzo, A.; Baldi, M.; Quaglieri, A.; Burrai, J.; Barchielli, B.; Avallone, F.; Giannini, A.M. Teaching during the

Despite the fact that, fortunately, Italy is not the country of greatest concern in terms of isolation, it is not difficult to see the economic repercussions of an organisational change such as the one brought about, or rather 'accelerated', by the pandemic situation we are currently experiencing. One should not underestimate, in fact, the psychological-relational consequences that could lead, on the one hand, as already mentioned, to an important increase in terms of anxious-depressive pathologies, but on the other also to compromises in empathic and cooperative capacities: if the other becomes an undefined individual behind a screen, it will be much more difficult to attribute feelings and emotions to him or her and really get in touch with him or her.

It is important to consider that, from an early age, the activation of 'mirror neurons' passes through visual contact with those in front of us and this allows the development of the ability to 'feel' what the other person is feeling. This is a necessary step for the development also of altruism and, therefore, necessary for the formation of a society that supports itself and cooperates for something that goes beyond the individual alone.

What can be observed is that we often speak of Smart Working in a simplistic way, without considering that any radical change is always complex and determines both structural criticalities of the enterprise and purely personal ones. For this reason, it is very important not to forget that each person is different from the others and that, faced with the same request for change, the behavioural responses may be completely opposite⁵⁵.

Pandemic: A Comparison in Psychological Wellbeing among Smart Working Professions. *Sustainability* 2021, 13, 4850. <https://doi.org/10.3390/su13094850>.

⁵⁵ Mari, E.; Lausi, G.; Frascchetti, A.; Pizzo, A.; Baldi, M.; Quaglieri, A.; Burrai, J.; Barchielli, B.; Avallone, F.; Giannini, A.M. Teaching during the Pandemic: A Comparison in Psychological Wellbeing among Smart Working

There is no doubt that it is necessary to rethink work and the spaces in which it is to be carried out, just as it is necessary to recalibrate the rules in order to align the mode of Smart Working with corporate objectives. It is becoming more and more evident that the following skills are needed for this new way of working: willingness to learn digital tools and technology in general; the ability to maintain focus on the project at hand; time management; being able to manage the boundaries between private and work life.

Hence the need for training programmes that help both the manager and the worker to develop all those skills that are and will be indispensable to face the challenges of the near future, which are probably already present: stress management, openness to experimentation, calmness, resilience, flexibility and adaptability. Also fundamental will be interpersonal skills: listening, respect, empathy, cooperation and assertiveness⁵⁶.

In conclusion, it is necessary to accept that the world around us has had to change fast and, along with it, the way we work is also definitely changing.

2.7.a Existing criticalities

Professions. *Sustainability* 2021, *13*, 4850.
<https://doi.org/10.3390/su13094850>.

⁵⁶ Mari, E.; Lausi, G.; Frascchetti, A.; Pizzo, A.; Baldi, M.; Quaglieri, A.; Burrai, J.; Barchielli, B.; Avallone, F.; Giannini, A.M. Teaching during the Pandemic: A Comparison in Psychological Wellbeing among Smart Working Professions. *Sustainability* 2021, *13*, 4850.
<https://doi.org/10.3390/su13094850>.

As revealed in a study published in Scientific Reports ⁵⁷ (journal of Nature), conducted in June 2020 on a sample of 6700 Italians, among the individuals most affected by depressive symptoms were those who could not leave home to go to work. « Although leaving home caused anxiety and fear of being infected [...] those who continued to go to work were less likely to develop depressive symptoms and anxiety».

Such data reveal how the disruption of 'normal' rhythms related to home-work travel, but also more generally the inability to leave the house, negatively affected workers' mental health.

A study published in the Medical Journal of Australia ⁵⁸ instead focused specifically on researchers who were forced to work from home during the pandemic, analysing the aspects that could have affected their mental health. Specifically, the research conducted in April and May 2020 on a sample of 163 Australian researchers highlighted the potential negative effects of working from home in pyjamas, since, since they do not have to go out, many employees choose to remain in their nightwear even during working hours.

The authors pointed out that, although it is not possible to establish 'whether pyjama wearing is the cause or the consequence of worsening mental health, there is a growing body of evidence on the effects of clothing on mental health'. Studies with a sample of patients in hospitals have found that incentivising them to wear their own clothes as soon as possible can have a positive impact, while the prolonged wearing of

⁵⁷ Scientists in pyjamas: characterising the working arrangements and productivity of Australian medical researchers during the COVID-19 pandemic

⁵⁸ Delmastro, M., Zamariola, G. Depressive symptoms in response to COVID-19 and lockdown: a cross-sectional study on the Italian population. *Sci Rep* 10, 22457 (2020). <https://doi.org/10.1038/s41598-020-79850-6>.

pyjamas could even slow down the healing process, as this garment would be linked by patients to the state of their illness, consequently leading them to feel even worse.

Changes in the daily routine can have a considerable impact on the well-being of employees. However, there are other aspects that can be risk factors and contribute to increased anxiety and stress for smart workers and all employees working exclusively remotely due to the pandemic⁵⁹.

It is impossible not to mention the disruption of family routines (especially for workers with young children struggling with DAD) and of work-life balance, with the consequent difficulties in finding a balance between personal and working life.

It is therefore important for employers to be prepared to «define with workers individual working patterns and schedules that facilitate the fulfilment of their care responsibilities. Employers are also called upon to support workers and prevent excessive workload from affecting their health and well-being.».

Managing employees remotely also necessarily entails an increased workload for managers: as shown by a study conducted by Microsoft on its managers in China, these activities required about 90 minutes more per week for managers due to the individual calls and meetings needed to manage remote tasks.

It is essential to define feasible objectives, «expectations and deadlines with respect to the highly unusual context in which Smart Working takes place, while ensuring the continuation of activities and required performance levels»⁶⁰.

⁵⁹ Delmastro, M., Zamariola, G. Depressive symptoms in response to COVID-19 and lockdown: a cross-sectional study on the Italian population. *Sci Rep* 10, 22457 (2020). <https://doi.org/10.1038/s41598-020-79850-6>.

⁶⁰ Delmastro, M., Zamariola, G. Depressive symptoms in response to COVID-19 and lockdown: a cross-sectional study on the Italian population. *Sci Rep* 10, 22457 (2020). <https://doi.org/10.1038/s41598-020-79850-6>.

Another aspect that can be recalled is the monitoring of employees working from home by means of special tools that allow the employer to keep an eye on aspects such as attendance, the number of hours worked, but also the activities carried out by the employee at the computer (mouse movements, frequency of typing on the keyboard, use of social networks): according to some research, these activities could contribute to increasing the stress levels of workers.

What are the solutions?

In a post-COVID scenario, with remote working and Smart Working possibly still in vogue, it might be useful to provide opportunities for socialising in presence, to rethink workspaces so that the hours one spends in the office are truly productive in terms of exchanging ideas, even unscheduled meetings and building social bonds.

To try to alleviate the sense of isolation felt by many people since the start of the pandemic, it was suggested that a few simple habits could make a difference, such as turning the camera on during remote meetings instead of keeping it off and preferring video calls to regular calls.

Thinking instead about the problems associated with the prolonged use of technology, it might be useful, for example, to try to organise one's day by defining schedules for working time but also for break times, as is the case when one is in the office. However, companies must also be alert to the potential risks of technostress for their employees.

2.8 A look at other experiences: the American case

In order to trace the genesis of Smart Working in the United States, it is necessary to start with the establishment of the Fordist factory model.

The term Fordism was coined around the 1930s, and was inspired by the astonishing success of Henry Ford and his automobile industry in those years. Indeed, through the scientific organisation of labour, as professed by the American engineer Frederick Taylor, Ford initiated what is known as mass production, the initial premise for the development of the consumer economy⁶¹.

The principle on which Taylor's scientific division of labour was based was a clear distinction between intellectual and manual workers, and a strict separation and fragmentation of the latter's work. The aim of the fragmentation of work was to limit discretion, which, according to Taylor, was the main factor of inefficiency and waste of time. Furthermore, echoing Adam Smith's theories, the fragmentation of work would have ensured an increase in manual skills, a specialisation of workers, with a view to increasing production capacity with a significant reduction in production time.

The 1970s are the years of the crisis of the Fordist production model. The idea of constant, indefinite growth, industrial costs and ever-decreasing consumer prices disappears. The standardisation of the product is no longer the market lever, and demands for increasingly diversified, customised and quality goods are making their way in. Within a few years, this led to a saturation of the market for industrial products, which, added to the harsh oil crisis of 1973 with a sharp rise in the price of crude

⁶¹ Iannotta M, Meret C, Marchetti G. Defining Leadership in Smart Working Contexts: A Concept Synthesis. *Front Psychol.* 2020 Sep 16;11:556933. doi: 10.3389/fpsyg.2020.556933. PMID: 33041921; PMCID: PMC7525207.

oil and its derivatives, progressively sank the Fordist-taylorist production system⁶².

The production system evolves and we quickly begin to refer to the subsequent period as post-Fordist or post-industrial. The advent of the Third Industrial Revolution is placed in this transitional phase. In light of this revolution, the post-industrial economic system is characterised by technological advancement, especially on the side of information exchange and the application of ICT - Information and Communication Technologies. The landscape of the new production system is strongly influenced by the globalisation of financial markets with the associated relocation of production. Also noteworthy is the overtaking in economic terms, in the second half of the 1970s, of the tertiary sector at the expense of the secondary sector.

In this context, there is a growing need for flexibility in the production system and in the use of labour. This changes the concept of productivity. According to the Taylorist-Fordist principle, productive efficiency is determined by a strict adherence to work schedules, the way work is done and pay was directly proportional to production. In this scenario, the worker's discretion is zero, forcing him to adapt to the times and ways dictated by management, within a hierarchy of roles and relationships.

The “One Best Way”, the most efficient and cost-effective way identified by Taylor to optimise the production cycle, does not allow for individual rhythms and control is pervasive. Today,

⁶² Iannotta M, Meret C, Marchetti G. Defining Leadership in Smart Working Contexts: A Concept Synthesis. *Front Psychol.* 2020 Sep 16;11:556933. doi: 10.3389/fpsyg.2020.556933. PMID: 33041921; PMCID: PMC7525207.

with the advent of new technologies and globalisation, thinking in these terms is no longer productively effective.

In the post-Fordist era and the technological revolution, productivity coincides above all with the capacity for adaptation, of continuous reorganisation according to market fluctuations and the trends of the moment, which implies a high degree of flexibility that becomes a dominant philosophy in contemporary society. The logic of control over process and employees is progressively downsized and, in its place, companies are pushed to weave a relational network, sometimes collaborative, among themselves, overcoming that state of absence of communication or exchange with the internal and external environment typical of the Fordist period⁶³.

In this dynamic of operation, the post-Fordist worker is no longer rigidly framed in the roles and tasks of the 20th century Fordist factory and is given more discretion: the worker, thanks to the skills and abilities at his disposal, makes the process more flexible and able to cope with the variety and variability of the system.

2.8.a The birth of telework

The crisis of the Fordist model and the rigidity that characterised it led to greater labour flexibility. It is no coincidence, therefore, that it was in the 1970s that people in the United States began to talk about distance working. The first to speak fully about distance working was Jack Nilles, an American scientist and transport policy expert, who proposed in 1973 the terms

⁶³ Iannotta M, Meret C, Marchetti G. Defining Leadership in Smart Working Contexts: A Concept Synthesis. *Front Psychol.* 2020 Sep 16;11:556933. doi: 10.3389/fpsyg.2020.556933. PMID: 33041921; PMCID: PMC7525207.

telecommuting and *telework*, the former understood as the possibility of “bringing work to workers rather than workers to work” and the latter as “any form of substitution of work travel by information technologies”⁶⁴.

While at first glance Nilles' two definitions refer to a common image of working at a distance, in substance their meanings refer to two completely different modes of operation. It is only by expressing this difference that it is possible to understand the statement that “working away does not in itself equate to working separate”⁶⁵.

Whereas telecommuting, which can be translated as *teleplacement*, refers in broad terms to a “mere delocalisation of work activities”, in which “where one works” certainly changes but “how one does the work” remains completely unchanged; telework, on the other hand, i.e. telework in the strict sense, does not only imply working remotely from the head office, but also the modification of operating methods, ways of communicating, relations between resources, functions and skills present inside and outside the company.

The difference, therefore, only occurs where the use of computer and telematic tools affects the work situation.

2.8.b Smart wWorking in the pandemic era

⁶⁴ Di Tecco C, Ronchetti M, Russo S, Ghelli M, Rondinone BM, Persechino B, Iavicoli S. Implementing Smart Working in Public Administration: a follow up study. *Med Lav.* 2021 Apr 20;112(2):141-152. doi: 10.23749/mdl.v112i2.10595. PMID: 33881008; PMCID: PMC8095324.

⁶⁵ Di Tecco C, Ronchetti M, Russo S, Ghelli M, Rondinone BM, Persechino B, Iavicoli S. Implementing Smart Working in Public Administration: a follow up study. *Med Lav.* 2021 Apr 20;112(2):141-152. doi: 10.23749/mdl.v112i2.10595. PMID: 33881008; PMCID: PMC8095324.

From Nilles' telework to Smart Working was not a short step, as the technologies did not yet allow it, but the American mindset has traditionally been used to thinking smarter. It is no coincidence that the first forms of Smart Working emerged in the United States at the same time as the emergence of technology, and have been a constant for almost a decade now⁶⁶.

The pandemic, therefore, has only accelerated an irreversible process that was already underway and in the face of which companies were by no means unprepared, so much so that the figure of the Head of Remote Work was even born.

Leading the way in 2019 was the company GitLab, a software house that decided to hire the first Head of Remote Work. It is not surprising that the first Head of Remote Work popped up at GitLab: this is a company that instituted Smart Working for all employees back in 2011.

The first among the heads of remote work is Darren Murph, 36, with a background as a communications consultant. As he explained in a [post on LinkedIn](#), *«The smartest, most transparent, and most progressive companies transitioning to remote will hire an executive to lead their journey in the next one to two years. This hire (or the lack thereof) will be a litmus test to job seekers who expect remote work to be supported, not merely allowed»*⁶⁷.

In short, it is also on the presence or absence of the Head of Remote Work that the value of a company will be measured. Indeed, in a scenario where more and more companies decide to

⁶⁶ Dermody G, Fritz R. A conceptual framework for clinicians working with artificial intelligence and health-assistive Smart Homes. *Nurs Inq.* 2019 Jan;26(1):e12267. doi: 10.1111/nin.12267. Epub 2018 Nov 12. PMID: 30417510; PMCID: PMC6342619.

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hire a Head of Remote Work, it is plausible that the best talent will highly consider the presence of such a manager before deciding whether or not to accept a company's job offer.

As Darren pointed out in his post, «*GitLab, GitHub, Facebook, Quora, and Twitter (and others!) are all hiring for, or already employ, a person or team whose full-time job is to ensure that remote work, works*». The giants of the digital economy, therefore, are looking for a leader in remote working. Faced with the revolution that Smart Working is bringing to global companies - also due to the acceleration brought about by Covid-19 - it is hardly surprising that many companies are gearing up to make Agile working even more efficient. Facebook itself, as anticipated, started looking for a head of remote working shortly after announcing that its employees will be able to continue - on request - to work remotely⁶⁸.

On the careers page of the social network par excellence, we read that «*We are looking for a Director of Remote Work to lead this strategy and collaborate with a broad group of cross-functional partners to prepare this shift in the way we design our organisations and grow our people. The Director of Remote Work will be a strategic thinker capable of understanding distributed and virtual teams, an exceptional relationship builder and change agent* ». The manager sought by Facebook must show particular management acumen to optimise the processes of this important revolution.

But what will the boss of remote working actually have to do? This is a hybrid figure, who will have to eliminate all the main

⁶⁸ Dermody G, Fritz R. A conceptual framework for clinicians working with artificial intelligence and health-assistive Smart Homes. *Nurs Inq.* 2019 Jan;26(1):e12267. doi: 10.1111/nin.12267. Epub 2018 Nov 12. PMID: 30417510; PMCID: PMC6342619.

problems associated with Smart Working. He or she will have to help the company manage IT-related issues in the best possible way to maximise the work of smart working employees, as well as organise work outside the office in the best possible way to eliminate overwork rates upstream. He will also explain how to develop remote-friendly projects. But that is not all. It will be his task to make the necessary suggestions to keep the corporate culture alive and effective even in the smart working era, as well as to ensure continuous - but not intrusive - communication between on-site and agile employees. A certainly complex job, for what will soon be a much sought-after professional figure⁶⁹. Also in the United States the pandemic forced Smart Working has brought some problems: after a year and a half of Smart Working, and despite an aggressive fourth wave of contagion, American employers are aiming for a return to the office. Employees are demanding protections while trying to maintain a couple of days away. But if, when and how to commute again are not the only issues in the ongoing debate between companies and employees in the US.

The most common problem was the extension of working hours. Before the pandemic, almost a third of Americans worked about 45 hours a week, and about 8 million worked as many as 60. While Europeans have reduced their presence in the office or factory by about a third over the past half-century, the US week has steadily expanded, to settle between 10 and 19 per cent longer than the Old Continent.

⁶⁹ Dermody G, Fritz R. A conceptual framework for clinicians working with artificial intelligence and health-assistive Smart Homes. *Nurs Inq.* 2019 Jan;26(1):e12267. doi: 10.1111/nin.12267. Epub 2018 Nov 12. PMID: 30417510; PMCID: PMC6342619.

Most workers want to extend the smart working concept they have experienced over the past year and a half thanks to the pandemic, to work smarter again: fewer hours, but more efficiently⁷⁰.

The New York *crowdfunding* platform Kickstarter is testing a four-day work week. Microsoft does not rule out replicating in the US the experiment done in Japan, where it recently tested a four-day week with unexpected results: productivity increased by 40 per cent and electricity bills were reduced by 23 per cent. According to research by the Society for Human Resource Management⁷¹, about 15% of American companies currently offer a 32-hour week - compared to about 8% two years ago. And workers who have tried the long weekend never want to go back. 78% say they are healthier, happier and less stressed and feel more focused. The academic world has taken note and allied itself with consultants, authors and trade unionists to expand this reality as much as possible.

Articles, surveys and research emphasise the benefits of a shorter working week in the office, not so much for productivity and GDP growth as for the mental health of an increasingly anxious and depressed country, of reducing poverty and increasing the birth rate, of families no longer having to jump through hoops.

It is too early to say, but the change taking place seems more cultural than economic. As Juliet Schor, Professor of Sociology at Boston College, explains, the pandemic has allowed a culture that legitimises (or celebrates) overwork and *burnout* to be

⁷⁰ Dermody G, Fritz R. A conceptual framework for clinicians working with artificial intelligence and health-assistive Smart Homes. *Nurs Inq.* 2019 Jan;26(1):e12267. doi: 10.1111/nin.12267. Epub 2018 Nov 12. PMID: 30417510; PMCID: PMC6342619.

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challenged and has empowered workers to demand time for childcare or elderly care or for themselves.

Nearly a century after Ford introduced the 40-hour week, Americans are coming to question whether it is not time to legitimise it. In fact, more than 80% support a bill that the US House recently began debating that would cut the working week to 32 hours, turning every extra hour into overtime. It has been since 1938 that there has been talk of reducing working hours in the US Congress.

2.8.c The corporate reorganisation of US companies in the post-Covid-19 era: the importance of internal communication

In the wake of the global Covid-19 pandemic, which is producing a worldwide health emergency, US companies have had to reorganise the way they work, including the function of internal communication⁷².

It should be emphasised, in particular, that internal communication becomes essential at this particular moment, when most offices are closed and work takes place exclusively or almost exclusively in Smart Working.

First of all, companies now operate in the context of a very complex, unpredictable and uncertain scenario: one does not know how long the emergency will last, one does not know what the consequences of the emergency will be, one does not know how one will emerge from the emergency, it is difficult to imagine future behaviour, work processes, etc.

⁷² Chiappetta M, Mazzalai E, Sernia S, La Torre G. Working in "smart" mode during the Covid-19 pandemic. Validation of a questionnaire in the healthcare sector. Clin Ter. 2021 May 5;172(3):211-214. doi: 10.7417/CT.2021.2316. PMID: 33956039.

Smart Working loosens interpersonal relationships, which are now exclusively virtual: all meetings, all meetings, are conducted telematically, with all the consequences in terms of relationships and communication skills.

The effect, in terms of internal communication, is first of all to reduce its formal character. Moreover, it is no longer possible to rely on communication that derives from direct experience and the vision of good practices and virtuous behaviour.

Not to be underestimated, then, is the fact that the context of fear and anxiety resulting from forced isolation produces an alteration of the psycho-physical balance, contributing to a more stressful working day⁷³.

Now, these particular elements «require the adoption of a timely, frequent and flexible mode of communication that combines operational information with communication to strengthen the sense of belonging to the company and convergence towards common goals; that combines motivational support with a correct statement of facts, realistically depressing many fears»⁷⁴.

How to communicate, then, in the era of total Smart Working and the almost total absence of interpersonal relations? We must first of all start from a fundamental point of departure, namely that the prerequisite for communication is listening.

It seems necessary, therefore, today more than ever, to interact with employees, to listen to their fears and anxieties, in order to understand what obstacles they are encountering in their way of

⁷³ Chiappetta M, Mazzalai E, Sernia S, La Torre G. Working in "smart" mode during the Covid-19 pandemic. Validation of a questionnaire in the healthcare sector. Clin Ter. 2021 May 5;172(3):211-214. doi: 10.7417/CT.2021.2316. PMID: 33956039.

⁷⁴ Zambolin, A. (2020). *La comunicazione interna ai tempi del Covid-19*. <http://www.messagegroup.eu>.

working and what, on the other hand, the benefits they are gaining.

According to Marino Pessina and Chiara Porta, CEO and managing director respectively of the Eo Ipso journalistic communication agency, «in the face of things that happen, especially in the face of a crisis, keeping quiet is the wrong choice; in the various crisis situations, one must always recognise the problem, making it clear immediately that one is affected by the crisis; one must assume one's social responsibility, because not admitting one's faults compromises the organisation's credibility; one must show seriousness, communicating the will to investigate and remove the causes of the crisis»⁷⁵.

One must not make the mistake of thinking that communication is resolved in mere 'talking'; communication, by definition, presupposes the sharing of something with someone, hence a relationship.

Because of the pandemic, relationships have been transformed. However, we must not make the mistake of assuming that communication necessarily presupposes speaking: it is well possible to communicate even simply with gestures, or even with a simple facial expression, even via webcam.

The purpose of communication is precisely to establish social relations, to allow each individual to enrich himself, communicating his emotions and information, and receiving, in turn, information, moods and emotions from outside.

Understood in this sense, it is clear that life itself is, in short, communication.

⁷⁵ Neri, G. (2020). *La comunicazione aziendale e Covid 19*. <http://www.cinquecolonne.it>.

Yet, because of the pandemic and forced isolation, of the now continuous Smart Working, new types of relationships must be established if communication is to continue. This is because internal communication is indispensable in the company, to create a climate of trust and above all cohesion.

Communication also has a persuasive function vis-à-vis others, and can also be directed in some way to control them: those with greater eloquence, i.e. greater communication skills, are more likely to succeed in doing so.

Communication, again, also helps to relieve anxiety: venting, communicating, is often a very useful tool to feel better, to get rid of anxiety or pain. Finally, communicating can also be useful to stimulate or solicit a reaction from others, to help them, to induce a behaviour they are afraid to adopt.

All this, today, must be done in an alternative way. Workplaces all over the world have been suddenly disrupted by the spread of the virus. Many workers who had never worked remotely before suddenly found themselves working from home and had to adapt to a new way of working.

Teams needed to stay in touch in order to work together on tasks and projects. Leaders, used to easily finding out what their employees are working on, had to communicate better with all those working in different locations⁷⁶.

All this took place against a backdrop of rapid changes for employees in their personal and professional lives, as they had to adapt very quickly to new ways of living, juggling home and work responsibilities at the same time. With this rapid change comes

⁷⁶ Chiappetta M, Mazzalai E, Sernia S, La Torre G. Working in "smart" mode during the Covid-19 pandemic. Validation of a questionnaire in the healthcare sector. Clin Ter. 2021 May 5;172(3):211-214. doi: 10.7417/CT.2021.2316. PMID: 33956039.

the need to communicate with employees quickly, not only to keep up with their daily work, but also to ensure that they are taking the appropriate measures to stay safe.

In today's reality, due to Covid-19, in those companies where internal communication was still at an undeveloped level, managers are now facing the consequences of outdated internal systems, irrelevant content, cumbersome templates and disengaged people. The pandemic is leading managers to realise that companies cannot grow, prosper or even survive without a competent, engaged and aware workforce.

They are finding that internal communication is evolving to a new level, where the focus is on accelerating decision-making, challenging people's knowledge and providing information that leaders, managers and employees use to frame issues, illustrate situations, make decisions and launch initiatives⁷⁷.

Working in a virtual environment is opening up avenues for innovation, ideation and more interesting management techniques. However, it is also causing anxiety, fear and loneliness. In this unprecedented period, internal communication systems, methods, content, cadence, feedback, tone and frequency can make all the difference.

With all the complexities of today's society, one is faced with constant clutter and information overload. In an age where information is abundant, the competitive advantage lies in the ability of managers to influence employee behaviour, attitudes and actions through relevant, authentic and contextual information and dialogue.

⁷⁷ Chiappetta M, Mazzalai E, Sernia S, La Torre G. Working in "smart" mode during the Covid-19 pandemic. Validation of a questionnaire in the healthcare sector. Clin Ter. 2021 May 5;172(3):211-214. doi: 10.7417/CT.2021.2316. PMID: 33956039.

The end result is a workforce that is able to make quick, accurate decisions consistent with business strategy, a workforce that, by and large, believes in the organisation's purpose, values and goals. As organisations rapidly evolve with Covid-19, the true transformation of internal communications is underway, from a necessary function to a critical organisational priority, and from a disciplined process to a true philosophy⁷⁸.

In a virtual work environment, connectivity is the glue that binds emotions and attitudes. From videos, webcasts, teleconferences and phone calls, contact and conversation with people trump social and digital. One should never prefer a virtual conversation to a real one, albeit mediated by a computer screen.

An overview of the future of internal communication post-Covid-19 may finally lead to the realisation that internal communication is strategic and fundamental within the company, and is an area in which investment must be made.

Companies have had to move quickly to the forefront of reviewing internal communications to ensure that their businesses run smoothly and efficiently during the pandemic⁷⁹.

Internal communication best practices dictate that when changes are introduced in the workplace, employees should be kept informed of important information in a timely manner, communication should be clear and concise, and conveyed through effective channels.

⁷⁸ Chiappetta M, Mazzalai E, Sernia S, La Torre G. Working in "smart" mode during the Covid-19 pandemic. Validation of a questionnaire in the healthcare sector. Clin Ter. 2021 May 5;172(3):211-214. doi: 10.7417/CT.2021.2316. PMID: 33956039.

⁷⁹ Chiappetta M, Mazzalai E, Sernia S, La Torre G. Working in "smart" mode during the Covid-19 pandemic. Validation of a questionnaire in the healthcare sector. Clin Ter. 2021 May 5;172(3):211-214. doi: 10.7417/CT.2021.2316. PMID: 33956039.

The pandemic has helped focus attention on the benefits of internal communication, changing the way we communicate, what we should communicate and how often we communicate.

As many companies have moved their employees to remote work, they are finding that they can communicate more quickly and effectively through digital channels. This includes online team/sharing platforms, pop-up messages, desktop tickers, video conferencing, instant messaging, corporate social media and more⁸⁰.

In some companies, not everyone works remotely. Some may have a combination of staff working from their usual workplace while everyone else is at home.

In other workplaces, there is no possibility of working from home: staff must remain on-site in essential roles such as health care, transport and goods.

These employees must be reachable at all times in case of emergencies, so it has become obvious that companies must be equipped with communication tools that can reach people quickly, regardless of where they are. Printed newsletters, in-person meetings and lengthy e-mail updates may now be a thing of the past.

The health and well-being of employees has often been the focus of internal communication, but now more than ever. In addition to the coronavirus itself potentially affecting employees and their families, there are a number of other mental health and workplace health issues that could arise during this period. This is why many companies have devised programmes and activities to help them

⁸⁰ Huey FL. Working smart. *Am J Nurs*. 1986 Jun;86(6):679-84. PMID: 3636064.

deal with the possible problems. During the pandemic, therefore, employee wellness programmes are particularly important. Many organisations are sending out more surveys and impulses than ever before to determine how employees feel and what they may need assistance with ⁸¹. The pandemic is set to mark the future of the company, as well as internal communication. Many, indeed, expect that when the pandemic is over, life will return to what it was before. This is unrealistic. The pandemic has shown that different ways of working are possible, and many people will be reluctant to give up the flexibility and work-life balance they have experienced since the beginning of the pandemic.

⁸¹ Huey FL. Working smart. Am J Nurs. 1986 Jun;86(6):679-84. PMID: 3636064.

Chapter III

Case studies - Smart Working and women workers: pitfall or opportunity?

3.1 Smart Working for working women in Italy

The decidedly more pronounced impact of the health crisis on the Italian labour market and, in particular, on that of women and the “Mezzogiorno”, in addition to reflecting more incisive containment measures in our country, stems from the type of growth experienced in recent years⁸².

Employment growth was concentrated in the low-productivity segment of the labour market, which absorbs most of the workforce, in unskilled, contractually precarious, short-time, often lower-wage positions.

It is this poorly protected segment that has been most affected by the health crisis. With an overall decrease of 4.7%, foreign female employees fell by 13%, temporary employees by 22.6%, and involuntary part-time employees by 8.3%.

In the “Mezzogiorno”, the health emergency has a greater impact on the weak segment of the labour market: total employed women fall by 7.3%, foreign women by 17%, fixed-term employees by 21.7% and involuntary part-time employees by 10.9%.

The much heavier impact of the crisis on female employment is mainly due to the increasing precariousness recorded in the previous decade, even in a context of quantitative growth of employed women. Between 2008 and 2019, employment in Italy increased by approximately 269,000 (+1.2%).

⁸² AA.VV., *Le donne e il lavoro nella pandemia*, in *Rapporto Svimez*, 2021, Bologna, Il Mulino, 2021, p. 173.

The impact of the health emergency on work-life balance problems was particularly pronounced. Many of the parents continued to work, sometimes in smart working mode, and could not count on any help in caring for their children. In addition, they had to cope with distance learning.

The school, as well as the world of work, was unprepared for the digital divide that loomed over many families and businesses, which complained of patchy technological and network deficiencies. On the one hand, distance learning has made it possible to improve the IT skills of learners, teachers and parents, on the other hand, certain key elements of the school, such as the interpersonal aspect that enables students to acquire transversal skills, have lapsed and there have been shortcomings in learning in general.

Distance learning has entailed an organisational reorganisation of the school, the working world and families, bringing into play all the work-family balance that women had somehow achieved.

Being able to reconcile educational activities and care services for one's offspring with work, which in some cases was carried out in the presence (e.g. the health and agri-food sector and many related never stopped) and in other cases in Smart Working, added a considerable weight on women's shoulders. The forced distance even from grandparents has further burdened this burden by not being able to take advantage of this typically Italian cushion of care services offered by the family.

Nearly 3 million families with minor children, some 900,000 of which are estimated to be highly critical, only a small fraction have been able to make use of Smart Working. Moreover, doing

Smart Working and simultaneously taking care of children is stressful and lowers labour productivity⁸³.

Women are generally involved in all family activities, although in this period of crisis in the family ménage there has been a greater involvement of fathers, in educational activities and in home care services.

Looking forward, the continuation of Smart Working and its use even after this health crisis has passed, due to the positive effects on costs and the environment, will require an increase in childcare services.

The government has tried to address the problem of reconciliation by providing additional parental leave to that already provided by legislation and bonuses for baby sitters also for those workers who have practised Smart Working.

In addition to the logistical and organisational aspects, there was also the economic problem, especially for those who could not access the redundancy fund or other forms of social shock absorbers during the lockdown.

According to ISTAT estimates, there are approximately 2.1 million households with at least one irregular worker and well over half of these households have only irregular workers⁸⁴.

Estimates indicate that the irregularity rate is higher among women, in the South and among those employed under 25 and older. About 40% of households with irregular employment and

⁸³ AA.VV., *Le donne e il lavoro nella pandemia*, cit., p. 176.

⁸⁴This estimate of irregularly employed household residents is taken from an integrated sample (labour force survey and administrative data) and corresponds to approximately 70% of the estimate from the National Accounts, which includes non-resident foreigners employed and those employed in illegal activities, as well as additions made by indirect methods during the matching of supply and demand. Cfr. ISTAT, *Rapporto annuale*, 2021.

44% of households with only irregular employment are concentrated in the “Mezzogiorno”.

The female component, which accounts for just over 40% of regular employment, comes close to 50% of non-regular employment. Female employees are characterised by a marked sectoral specialisation. Almost half of the more than 1.1 million non-regular female employees are concentrated in the personal services sectors, where they account for more than 70% of non-regular employment; in addition, just under a quarter of them are active in commerce, accommodation and food services⁸⁵.

The emergency, therefore, has led to conditions of further hardship for women, linked to greater difficulties in reconciling work and family life, for children, who have suffered more than anyone else from the negative effects of the lockdown, and for families with economic difficulties and irregular employment, who have seen their living conditions plummet.

The acute phase of the emergency has been overcome, but the persistence of the virus and the uncertainty over its definitive disappearance pose the need to address the critical issues that have emerged with a medium-term approach.

3.2 Statistical data

According to 2018 ISTAT data, almost 36% of employed women with children under 15 years of age declare work-life balance problems, this share rises to 40% if the children are under 6 years old. Fathers have much lower percentages 11.9% and 12.6% respectively.

⁸⁵ Ibidem.

The difficulties in reconciling work and family life depend on a number of factors, which can be traced back to two main ones: poor availability of childcare services and very rigid work organisation. The lockdown has completely wiped out the former by suspending all forms of care services, even those offered free of charge by grandparents, and has suddenly triggered flexible work reorganisation policies in smart working mode, bringing fathers into play whenever possible, replacing mothers involved in jobs considered to be of prime necessity such as health care and agribusiness⁸⁶.

With regard to pre-school children, childcare services are chosen by more than half of the families, while baby-sitting services are chosen by less than 4% (6% if both parents work).

The critical issues related to the health emergency are highlighted by the very low diffusion of working from home and the even lower diffusion of formalised teleworking. In 2020, the percentage of people using the home as their main place of work was just 0.8 per cent just over 180,000. These are mainly self-employed and dependent contractors who alternate between working from home and various workplaces⁸⁷.

On the whole, it is the workforce employed in skilled professions that is most used to working from home, both because such jobs allow greater autonomy and because they can also be performed in different places. If we add those employed who use the home as a secondary location, the figure rises to 3.5% (about 800,000 people, of whom 173,000 in the “Mezzogiorno”, or 2.8%).

⁸⁶ AA.VV., *Le donne e il lavoro nella pandemia*, cit., p. 176.

⁸⁷ Nelle nuova misurazione dello status nell'occupazione ICSE18 proposta dall'ILO, i dependent contractors sono occupati formalmente autonomi che non hanno dipendenti ma che sono vincolati da rapporti di subordinazione con un'altra unità economica (cliente o committente) che ne limita l'accesso al mercato e l'autonomia organizzativa.

The analysis by sectors shows somewhat higher percentages among those who offer services to companies and work with IT, however, these are very small shares of the employed: only 3% consider it a habitual place and 6-10% a secondary place. A rather interesting percentage of the employed relates to the world of education, which for 11.5% is used to working from home for that part of non-classroom work that can be managed independently by employees.

It is women, who are disadvantaged in terms of rigid working hours, who more often than men use the home as their main and secondary place of work, but still with very low incidences (0.9% and 3.4% respectively) as well as being more numerous among those who work in a single place of work (83.7% vs. 65,9%)⁸⁸.

Even less was the use of teleworking in 2020: of the approximately 400,000 employees who used their home as their main or secondary place of work, only 8.2% had a teleworking agreement (0.2% of the total number of employees) and 20.2% had a Smart Working agreement (0.5% of the total number of employees).

Small values if one refers to the approximately 8 million employed persons estimated by ISTAT, who could potentially do their work from home (35.7% of the total number of employed persons), of whom approximately 3.7 million are women and about 1.8 million in the South.

Evaluations more in line with the number of people employed in the sectors that remained active in Italy during the lockdown: about 16 million of whom 7.3 million were women, 4.5 million in the “Mezzogiorno”. This makes it clear that the lockdown has

⁸⁸ Cfr. ISTAT, modulo ad hoc nell’Indagine continua delle forze di lavoro del 2020, settembre 2021.

forced everyone to undergo a major transformation in working patterns if we consider that according to data from a *Eurofound Survey* about 50 per cent of women and 30 per cent of men in Italy have experienced forms of remote working⁸⁹.

3.3 Pitfall or opportunity?

The *lockdown* has caused an increase in inequalities to the detriment of women and children.

Many families complained of a shortage of mobile devices, including printers, and children found themselves following lessons on mere smartphones. Sometimes there was a lack of wifi connections, sometimes even first-graders were burdened with homework with their parents without any online lessons provided by teachers. In addition, the attention span was significantly reduced in front of a mobile device compared to being present.

Of the 3 million households with children under 15 involved, just over half had at least one parent employed in an active economic sector during the lockdown. Of these, 853,000 households (583,000 couples and 270,000 single parents, more than 80 per cent of whom were women) had both parents or the only parent who had to ensure attendance at work.

Thus, just over 2 million families had parents who were able to work remotely with various difficulties in reconciling work schedules, reorganising work time, sharing spaces and mobile devices with children involved in educational activities.

Another aspect that has hindered work and learning and caused stress is that of often inadequate housing sizes resulting in

⁸⁹ Cfr. ISTAT, modulo ad hoc nell'Indagine continua delle forze di lavoro del 2019, settembre 2020.

overcrowding and a lack of adequate space to study and work remotely. According to ISTAT 2020 data, about 30% of people live in overcrowded housing conditions⁹⁰.

The category of agile work that had been the subject of legislative intervention with the 2019 Budget Law, which had introduced the obligation to recognise Agile work for working mothers should they request it in the three-year period following maternity leave, had the opportunity to implement itself abruptly in order to cope with the pandemic.

Smart Working (Agile working), introduced by the law of 22 May 2017, no. 81 so-called "Jobs Act", is a modality aimed at helping workers to reconcile work and life times. Budget Law 2019, no. 145 of 30 December 2018, intended to facilitate access to 'Agile work' (or Smart Working) for two categories of workers deemed to have particularly significant family needs, namely female workers who are mothers within three years of maternity leave and workers with disabled children. However, this tool was little used, and only the obligation to guarantee health security put employers in a position to use this form on a massive scale⁹¹.

While, on the one hand, the labour market has implemented the agile work methodology, which in many cases has even turned out to have a positive impact on labour productivity, on the other hand, distance learning has held back this productivity growth. In addition, many team tasks, which are based on cooperative work, cannot guarantee the same quality and productivity standards

⁹⁰ Il sovraffollamento è definito in base ai seguenti parametri EUROSTAT: una stanza per famiglia, una stanza per coppia, una stanza per ogni componente adulto, una stanza ogni due componenti dello stesso genere con età 12-17 anni (due stanze se di genere diverso), una stanza ogni due componenti fino a 11 anni a prescindere dal genere.

⁹¹ AA.VV., *Le donne e il lavoro nella pandemia*, cit., p. 179.

with the use of web conferences, and need to alternate at least face-to-face moments with remote activities.

Rigidity in working hours and the absence of autonomy in the performance of work characterised almost half of workers in 2019, while only 2% enjoyed full hourly flexibility. The greatest rigidity involved women, workers in the South and the least qualified. Hourly flexibility and autonomy are important factors for job quality and life-time balance⁹².

The lockdown has exasperated an Italian problem and made it clear that schooling is an important element for work-family reconciliation in a country already characterised by low levels of female employment and considerable territorial disparities in the labour market and social services. As already reported in the SVIMEZ Report 2019, low female participation is largely connected to the inability of Italian welfare and labour policies to reconcile work and family life, also causing economic uncertainty and a change in social behaviour.

It has been said many times that the low female employment rate is largely attributable to the poor development of social services. In Italy, childcare and part-time education services do not guarantee wide coverage: it is not surprising that the virtuous circle of female employment is slow to be triggered. Welfare is substantially based on the family as the core of care functions, both directly and indirectly, with the help of workers employed in domestic and childcare services and care of the frail.

Other European models are also mainly based on social services provided by the private and public production system.

⁹² AA.VV., *Le donne e il lavoro nella pandemia*, cit., p. 180.

Reconciliation models are mainly based on care services and flexible working conditions. In Denmark, 66% of children under the age of 3 spend at least 30 hours per week in educational facilities. In Italy, on the other hand, the percentage increases only from the age of 3 years onwards (88%), while for younger ages less than a third is at day-care centres or toy libraries. Germany and the Netherlands make great use of part-time work to reconcile women's work with childcare, in particular, Germany goes from almost 60% for women with one child to three quarters for those with at least three children.

In the Netherlands, on the other hand, the share of women working part time is very high even for those who have only one child (78%) and increases for those who have more.

While Italy's position is certainly closer to that of other European countries if one considers the employment of female graduates, who have rates of 70% even in the case of women with at least three children.

This element confirms that the level of education of female workers is a key element in promoting female employment, even in the presence of family loads.

In light of what has been said so far, the question arises as to whether Smart Working represents a pitfall or an opportunity. A tool to finally keep life and work together, or a definitive ballast to career possibilities. At the crossroads of Smart Working, a crucial game for women's work in the post-pandemic is being played out.

A report by the Ministry for Equal Opportunities and Family Affairs, the result of a survey commissioned by Elena Bonetti and

conducted with 50 representative companies from all sectors in 2021, may be useful for this purpose⁹³.

It tells that where Agile working works and involves women and men equally, more successes are celebrated. But that there is still no balance and that men often occupy more space in presence, women more space in absence: they are asked to be "better than their male colleagues, but less competitive and ambitious".

It is easy to see the risks, especially when working from home, of increased family burdens for women and reduced career opportunities. Companies have chosen to help women first of all during maternity and return to work, with the support of psychologists or coaching courses. They have provided parenting courses also involving fathers. And, in a relationship of trust with employees, they have given more autonomy in working hours and guaranteed the right to disconnect from company computers and telephones not only in the evening but also during lunchtime, in order to be able to look after their children⁹⁴.

Smart Working has shown opportunities, but also the risk of amplifying the gender gap in the world of work if equal principles and tools are not introduced to fully utilise women's talents. The demand for flexibility is increasingly widespread but especially for small and medium-sized enterprises it represents a cost.

And, in terms of reducing inequalities, it can eliminate the logic of presentism and bring meritocracy, as long as Smart Working is a tool for everyone, not the only way for women to reconcile work and family. This is why companies are calling for more and more compulsory paternity leave (it is now 10 days) and are

⁹³ AA.VV., *Le donne e il lavoro nella pandemia*, cit., p. 182.

⁹⁴ AA.VV., *Le donne e il lavoro nella pandemia*, cit., p. 183.

placing the emphasis on increasingly 'personalised' welfare, which also takes care of those who cannot work remotely.

Relevant in this context is maternity protection. Historically, family support policies have been implemented at work or started with maternity, paternity or parental 'leave'.⁹⁵

Work must not be an obstacle to having children or starting a family, whether natural or adoptive, but must be a means of fostering children and the natural or adoptive family; it must not be an opportunity to discriminate, but must contribute to giving and recognising open, reciprocal functions to parents and children, so that everyone plays their part.

There is also the risk of 'overprotection', whereby giving too much protection would end up harming the protected themselves: for example, giving too much protection to maternity would run the risk that employers would do everything to avoid hiring women or those close to maternity.

The ways are clear: on the one hand, the costs of family policies are to be borne by the community and the state as a whole, not by employers; the inevitable organisational difficulties arising from leave, leave or rest should be distributed as broadly as possible, with appropriate incentives (e.g. contribution reductions for replacement hires); the functions of mother and father should be interchangeable (except, of course, for childbirth) so that the employment of one or the other is neutral⁹⁶.

A key institution is maternity benefits. During periods of work prohibition or parental leave (or optional abstention), you are

⁹⁵ Cfr. M. Vitaletti, *Equilibrio tra attività lavorativa e vita familiare nell'emergenza Coronavirus*, in *giustiziacivile.com*, 85, 2020, p. 123 ss.

⁹⁶ Cfr. L. Zappalà, *Congedo straordinario e requisito della convivenza: uguaglianza, solidarietà e assistenza nelle famiglie "senza confini"*. Nota a C. Cost. 7 dicembre 2018, n. 232, in *Rivista italiana di diritto del lavoro*, 2, 2019, p. 315 ss.

entitled to social security benefits. Everyone is entitled to it, including apprentices and managers (Law No. 194 of 24 February 2006). The requirement for employees is to have an existing employment relationship with the right to remuneration, without minimum⁹⁷.

Periods of maternity leave are considered as work for career progression, if collective agreements do not impose special requirements. Holidays and absences for other reasons are not to be taken at the same time as maternity leave.

As for maternity leave, the legislation was amended in 2015 by Legislative Decree No. 80. In Judgment No. 116 of 2011, the Constitutional Court had already pointed out that maternity leave not only meets the need to recover the mother's psychophysical energies, but also considers and protects «the relationship established between mother and child during that period, not only with regard to the more strictly biological needs, but also with reference to the relational and affective needs connected to the development of the child's personality»⁹⁸.

In conclusion, welfare policies and flexible working hours, as well as favouring the employment of mothers, are also encouraging factors for less educated women, while the more educated ones already have a greater propensity to work, hence to active participation.

In the light of the reorganisational effects imposed by the lockdown, it emerges that the issues we face are very topical.

A strong discriminatory factor concerns the organisation of work in companies that should be family friendly and set objectives,

⁹⁷ Cass. civ., 25 febbraio 2005, n. 4012.

⁹⁸ Corte cost., n. 116/2011.

deadlines, meetings at times and rhythms that respect the needs of a working mother.

A recent survey conducted on a European sample showed that having a manager who is also a mother can facilitate work organisation that is more attentive to the needs of reconciling work and family life⁹⁹.

This flexibility in the way work is organised combined with the development of social services can be the key. We have European examples in this regard. The Scandinavian countries have good experience with agile working and very good IT skills in this regard, as well as a good ability to reconcile family and work. From the Netherlands we can learn about the flexible use of working time and the positive effects it has on female employment rates.

Such a flexibility measure accompanied by a resumption of school activities and integrated forms of support for parenthood are necessary to take up again the issue of family-work reconciliation, both nationally and locally, with extreme situations in some southern territories lacking adequate measures to ensure a fair reconciliation.

3.4 Methodology

In the following section we will describe the steps of the research, the instruments with which it was conducted and, in particular, we will refer to how and with what aim the literature analysis, the organisation of the structured interview and the in-depth interview, as well as the processing of the results were carried out.

⁹⁹ C. Lucifora, D. Vigani, Quando l'organizzazione del lavoro discrimina le donne, in «lavoce.info», 23 febbraio 2016,

The first step consisted in the search for the material necessary for the drafting of the paper; papers, books and articles from journals and newspapers concerning the individual topics of Smart Working, working women, and work-life balance post COVID-19 were selected. An in-depth literature analysis was carried out on the topic of Smart Working, first taking into consideration those books considered useful for a general overview of the subject, and then going into the various topics in greater depth: working women, work-life balance, critical profiles of the institution, the legislature, methods for evaluating Smart Working, and a comparison with the American case.

The analysis tools used were a structured interview and an in-depth interview. The latter was made possible thanks to the availability and collaboration of IGT Italia's Manager, Irene la Marca, responsible for coordinating Smart Working in the company. The structured interview was submitted to 219 female workers, a random sample representing the phenomenon studied in the previous pages. The objective of the model is to identify the criticalities that have emerged in the implementation of the Smart Working project.

The analysis of the literature led to the development of propositions that we will try to verify in the course of the conclusions.

The person

A crucial aspect of work is socialisation, which is important in order to grow professionally and as an individual. This can both increase work output and decrease it if one is in an uncooperative environment. It is essential that workers share a common culture

in order to create a pleasant and stimulating working environment. The managerial culture is important because: it fosters employees' identification with the company's values, mission and strategic visions; it fosters corporate flexibility; and finally, it leads to greater autonomy and empowerment of workers, who must be constantly aligned on different objectives.

Proposition 1: Smart working decreases socialisation
leading to relational criticalities

The family

Another important focus that emerged in the course of the analysis of the literature concerning labour legislation on maternity is the legislator's emphasis on the family, a cornerstone of Italian law, as a nucleus to be protected and enhanced for the growth of society. The new working method can be a valid possibility to cultivate and maintain strong family ties. This brings advantages including stability, serenity and positivity, improving the individual's quality of life both psychologically and physically.

Proposition 2: The Smart Working institute facilitates the
creation and management of a family

Time Management

Time management is a process of planning and controlling the time used for specific activities, in particular to increase effectiveness, efficiency and productivity. Time management can be improved by a range of skills, tools and techniques used to achieve specific activities, projects and goals within a given time

period. This is crucial from both a business and a personal perspective. A company that knows how to direct its employees on how to organise their work will be more effective and efficient. A key word in time management is certainly the responsibility of each individual to plan his or her days to achieve the required objective, which leads to greater satisfaction in the accomplishment of the goal. From a personal perspective, allocating time not only to work, but also to one's passions and private life improves mood, dedication and concentration.

Proposition 3: Smart Working enables effective Time management that improves individual and collective performance

3.5 The analysis tool: In-Depth Interview

The research was carried out through the administration of an in-depth interview with IGT Italia's Manager, Irene La Marca, responsible for the coordination of smart working in the company. The interview was conducted through the administration of open-ended questions, which required articulated answers. Questions were asked to complement those of the structured interview, making the analysis of certain topics more detailed.

By answering ten open-ended questions, Irene La Marca was able to express her point of view regarding Smart Working, introduced in the company with the advent of COVID-19. IGT Italia is a company with more than 1100 employees, and is a world leader in the regulated gaming sector. In recent years there has been a modernisation of the company based on five main cultural values: passion, innovation, responsibility, authenticity and collaboration. The introduction of Smart Working is part of the

restructuring that has taken place: the employee works 50% of the time from home and the remaining 50% of the time in the office, with digital devices provided by the company itself to its employees.

The company's policy is attentive to the needs of the individual and allows working hours to be customised to suit family needs. A dedicated team, called *People and Transformation*, is in charge of managing Smart Working, including drafting a code of conduct, planning space on site and listening to employees' needs. During the interview, Manager La Marca showed herself to be a great supporter of Smart Working: Irene is a mother and decided to join IGT's cause as she shares its values and above all, that of the importance of being able to have and enjoy a family. She has a background as a Sales Marketing Manager and says 'I have always enjoyed working in dynamic environments and look for a work-life balance'. The *forma mentis* that characterises his career is «working by objectives in the pursuit of efficiency». She also states that cultivating personal relationships in a serene environment is important. On the one hand, she prefers working in the office rather than from home because she carves out a personal and quiet space to work peacefully, whereas at home she finds it a bit more confusing. On the other hand, however, she finds that the use of technological tools in Smart Working has allowed for an all-round sharing of company projects. «Really anyone can attend meetings, even if they are in America» affirms. From a management perspective, La Marca finds that the change has introduced flexibility and less employee fatigue. The hybrid type allows for a positive office climate because employees are happy to socialise on “in-person” days, and have better individual

time management thanks to Smart Working days. Irene goes on to say « a balance has been sought ».

What was very interesting from the interview is the way Irene approaches this new methodology: « I evaluate my employees not by the hours they work, but by the goals they achieve. The important thing is proactivity, no matter if expressed from home or in the office».

With regard to the control of the employee, the manager emphasises one significant aspect: the person and not the means. Irene says «In my experience, Smart Working does not work on people who were not particularly good performers before. The judgement is not on the medium, but on how the person uses the medium. Some people cannot manage responsibilities, so Smart Working is not the ideal medium to fulfil their potential».

The institute has increased individual responsibility, because everyone has to set themselves KPIs and stick to them in order to achieve a goal without being constantly monitored. Socialisation is motivating; if it is lacking, one has to find one's own motor. From his experience, La Marca says that he has not noticed any decrease in productivity or increase in frustration at all, but on the contrary, he has seen a general benefit for employees from this new working condition. Adopting a hybrid method requires more coordination, technological advancement, responsibility, and goal orientation.

An adjective used to describe Smart Working is “democratic”, as it allows employees to find a work-life balance.

The focus is on the individual.

3.6 The structured interview

The questionnaire consists of 15 questions of three different types:

- closed-form questions, which ascertain the presence-absence of a phenomenon.
- multiple-choice questions, which reduce processing time and facilitate the respondent's task.
- optional open-ended questions, as they require broader reflection that cannot be condensed into a multiple-choice answer.

The definition of the research questions was supported by the analysis of the literature and the desire to meet the set survey objectives. Questions were asked to investigate the knowledge and practice of Smart Working, the need to practice Smart Working, working hours, stress in the workplace, the possibility of better organising family life, and the opinion of the institute. The aim is to understand whether women perceive and experience Smart Working as an added value, bringing benefits to their work-life balance or not, increasing or decreasing *time management*.

The questionnaire was submitted to 219 working women. First of all, there was a demographic and occupational mapping. 131 women were aged between 18 and 30, 41 between 30 and 45, and 47 between 45 and 65. The most frequently chosen job situations were “internship” and “self-employed”, followed by “junior” and “manager”, the last position being “executive director”.

It turned out that the respondents work, for the most part, between 5 and 8 hours, 25% even 9 hours or more. Fifty per cent work in hybrid mode, while 39% work in presence, the remainder totally remotely. This means that the phenomenon of total Smart Working, adopted as a pandemic, is gradually disappearing; this confirms the literature that

states that total working from home is counterproductive from a psychological point of view: the individual needs sociality, confrontation and relationships.

This statement is further confirmed by the answers to the questionnaire: more than half of the respondents prefer to work in hybrid mode. The hybrid mode is therefore the preferred one, because it combines flexibility and social relations. Those who work from home, in an environment, therefore, more relaxed, believe that they are able to provide the same performance as in an office environment.

This consideration should not come as a surprise because nowadays, thanks to modern technology, it is possible to have the same effectiveness and efficiency for certain activities that, until recently, were considered only possible in the office, for example, coordination with one's team. This is possible if there is the right technology to work remotely and access to company data remotely.

With regard to working hours, 38% noticed no change in the amount of time spent at work, while 23% noticed an increase in working hours. On the other hand, 16% stated that there was a decrease. From the answers it is possible to guess that work, in some cases, has affected private life, because it has increased in Smart Working mode. This should not happen if the company has an apparatus in place for the development of the Smart Working methodology, with precise rules and postulates regarding *time management*, so as to respect employees' private lives.

As far as *work-life balance* is concerned, 70% of the sample of female workers affirmed that Smart Working has absolutely helped them manage their free time for the following reasons: it eliminates the stress of getting to the workplace - in a city like Rome this benefit is particularly pronounced -, it gives the possibility to have a healthier diet, it has increased computer literacy, and it has allowed greater

flexibility with regard to time management and commitments. As a result, by leading a less anxious and stressful lifestyle, the individual feels more at ease in the working environment, knowing that his or her free time to devote to oneself is also valued. Implementing personal skills is an added value that the company must emphasise.

The questionnaire also reported that female workers experienced a reduction in contact with people, but this is not unfortunate if the benefit is to experience more of the family environment. On the isolation and frustration front, thus part of the psychological problems resulting from Smart Working, there are conflicting opinions. The phenomenon is personal, the statistics reflect this personalisation.

Asked if Smart Working helped in a family context with children, 83% of working women answered positively, this was due to the implementation by companies of maternity and family protection policies, as we have seen before in the legislative literature.

A critical issue that emerged from the interview was the possibility of career advancement: quite a few female employees (53%) think that total Smart Working, and thus not being present at the workplace, decreases the chances of promotion or career advancement and professional opportunities. While with regard to employees' perception of their own role, the respondents do not think that it changes whether they work in Smart Working or in presence. There is a fear that those who are not in regular contact with the person, such as executives or managers, will not recognise the value or the work brought by that employee; while those who are at the same level, or perform the same job function will perceive it.

Smart Working is a recent introduction, moreover it has, by its very nature, a large number of variables, so understanding whether there will actually be a gap in job advancement is possible if the phenomenon is monitored over time.

Those who work at the location believe that part of their work can be done at a location other than the workstation itself, specifically 75% of female workers who do not practice Smart Working believe that the institution can be introduced into their lives and that it can bring benefits.

"I perform more and get less tired" was one of the most frequent responses from those who adopt this working method.

Conclusions

This section aims to draw conclusions on the research carried out, identifying the implications that the models have presented, both from a theoretical and a practical point of view. In addition, an attempt will be made to highlight the limitations of the work and the future developments that would be interesting to pursue in order to continue the research on the in-depth strand.

The analysis of the data has shown that Italy is far behind in the implementation of Smart Working compared to other European countries and especially compared to the United States.

The general trend common to most of the affected countries has been to facilitate the implementation of remote working. In some jurisdictions, ad hoc regulatory changes were necessary. In Italy, the first European country to have been directly affected by the pandemic, there has been a simplification of the procedure for activating Smart Working, which was first addressed to the first affected areas of the country (the so-called 'red zones') and then extended to the most impacted regions, arriving, with the DPCM (Decree of the President of the Council of Ministers) of 1 March 2020, to involve the entire national territory.

Concretely, the possibility was recognised for private employers to resort to agile working (based on Law No. 81 of 22 May 2017) without an individual agreement with the employee and fulfilling the health and safety information obligation in a telematic and simplified manner. For the public sector, on the other hand, reference was made to Article 87 of Decree-Law No. 18/2020 under which Smart Working became the ordinary way of performing work in public administrations.

The consequences of Smart Working have not been the same for all workers: for women, in fact, it has turned out to be both an opportunity

and a pitfall, in that, on the one hand, it has revived that social role of caring for the family and the domestic 'hearth' that physical work, that carried out in the company, had both culturally and practically caused to disappear; on the other hand, there is a greater closeness to the family and thus a building and maintenance of solid bonds.

In this regard, the second proposition, which we wanted to analyse, is confirmed by both the structured interview and the in-depth interview. The manager states that through Smart Working it is possible to follow her children more closely, without taking away time and quality from her work. The same is stated in the survey by the 219 working women. While the first proposition, concerning the decrease in socialisation by practising Smart Working, and the consequent development of psychological problems such as depression, anxiety and burnout, described in the literature, does not seem to be so frequent in today's reality: the in-depth interview and the structured interview show that the new working method brings more advantages than disadvantages. If the institution is regulated by internal policies, so that work does not creep into workers' 'homes', they are well disposed to the new modality. Indeed, it is that the preferred choice of the 219 working women remains the hybrid one, because it allows them to maintain social relationships, but at the same time devote more time to their own lives, developing passions and interests, and enriching their personal baggage.

The theme of Time management is taken up in both the structured interview and the in-depth interview: it is closely linked to work-life balance, to which all 220 women interviewed aspire. Manager Irene La Marca points out that it is indeed possible to have one's own organisation of the day with flexibility, without precise timetables to be respected if one works for 'objectives', and Smart Working is the ideal means to achieve work-life balance. Investing oneself with

responsibility and realising that one can work wherever one wants, without strict time constraints, makes one less stressed, more dynamic, responsive to one's surroundings and independent. Therefore, the third proposition is confirmed.

The three propositions studied in this thesis are fully met in the working environment of IGT Italia, the workplace of interviewee Irene La Marca. In the last few months I have been able to experience first-hand the corporate culture and the hybrid Smart Working organisation of this company, which has put in place spaces, technological tools, training courses, and a dedicated team so that the employee is proud and happy to belong to it.

It is important to consider, however, a limitation of the study discussed in the previous chapters. The choice of modelling a phenomenon such as Smart Working, which has, by its very nature, a large number of variables, inevitably leads to a simplified view of the phenomenon. This inevitably determines limits to the treatment due to the simplification of situations which, in reality, are much more complex.

Wanting to carry out an analysis of a more quantitative nature, one could have used stratified sampling rather than the random sampling used in this analysis. By doing so, the data collected and the resulting conclusions would have had greater statistical significance.

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Summary

The emblem of the new corporate organisation, in which the office plays a marginal role, is Smart Working, which probably represents the main dynamic of change that the digital transformation, due to COVID-19, has suggested and, in some ways, imposed on companies. From the very moment it came into being, Smart Working represents the moment of maximum expression of the change taking place in modern work organisation. In fact, it immediately became the concrete embodiment of the "old" home-working method, although it took on a more complex appearance.

It has been observed in this connection that not all forms of telework are to be regarded in positive terms, but only those that permit the introduction of flexibility that is favourable to the worker, enabling him to reconcile his professional and personal needs. In Europe, the most widespread smart working models are now found mainly in Scandinavia, not surprisingly one of the most technologically advanced areas in the world.

Smart Working responds to a prevailing logic, that of flexibility, both on the part of the worker and the company. Flexibility, in fact, is the main element of the institute and at the same time is destined to become, if it is not already, the main feature not only of the company organisation of the future, but also of labour law, which, as we know, must try to keep up with organisational changes, incorporating them and translating them into appropriate legal forms.

The new way of thinking about work requires a change of course, in the name of greater freedom; Hartog, Solimene and Tufano pointed out that « freedom is necessary to be able to operate in the best possible way, doing one's job according to well-defined results. Smart Working is the possibility to decide where, how and with whom you do your work ».

Until the mid-eighteenth century, according to the Treccani, "work was an individual and artisan activity, often domestic, which was carried out at times and in ways that were not strictly compulsory". It was only with the Industrial Revolution that the workplace became centralised in the city and the factory. Today when we speak of Smart Working we mainly refer to employees working from home in the employ of a company.

In the context of the pandemic, the institute, which had previously been experimented with on an occasional basis by most companies, has suddenly become almost the only way of performing work. In fact, Smart Working has become an indispensable tool for creating a smart organisation, i. a company characterised by close interdependence between human resources, who share the same culture and values, in order to make work more efficient.

As a result of the digital transformation, the workplace has changed quite significantly in recent years. Before, power was essentially linked to position in the corporate hierarchy: the company was seen as an efficient machine in which those at the top gave orders that employees had to carry out as quickly as possible (so called Cascade model).

Modern business organisation has different characteristics. Technological progress has reversed the trend: the advent of computers and the Internet has clearly favoured the most skilled workers: from unskill-biased technical change we have moved on to skill-biased technical change (so called Agile model).

In the logic of the Agile philosophy, therefore, hierarchical and top-down organisations are no longer considered effective. Decision-making power must be distributed throughout all parts of the organisation: authority must be made available to all company

departments. The underlying objective, therefore, is to create a great working environment for employees in order to create value for customers.

The concept of efficiency is not only for the company, but also for the individual himself, as he finds a balance between work and private life, highlighting its skills and potential. In this context, the concept of work-life balance emerges, understood as the ability to strike a rational and balanced equilibrium between time devoted to work and time devoted to private life.

In a few weeks, public administrations and private companies had to reorganise work within their institutions due to the emergency of COVID-19. Some criticalities have appeared about the economic and social viability of this new form of work. Reconciliation of life time, worker productivity, reduction of costs of congestion, savings for companies, inequalities between skilled and unskilled workers, are only some of the areas on which it would be necessary to start a careful reflection and analysis in order to better orient labour policies in the coming years. In this regard, it should be noted that there is a different attitude towards smart working between public and private companies.

Talking about the introduction of Smart Working in Italy, the legislator decided to introduce and regulate Agile work for the first time in the Italian legal system in 2017. Agile working seems to be aimed at benefiting workers, satisfying the need to reconcile work and family needs. These are very ambitious objectives, the expression of particularly significant constitutional values, which must be adequately balanced, especially in order to prevent the objective of competitiveness from taking precedence over the requirements of improving workers' living conditions.

First of all, the legislator did not introduce a new type of contract, but merely defined an alternative way of executing the traditional employment relationship. From the above definition, then, it is clear that the legislator intended to emphasise that performance should be judged in terms of 'result' and no longer, as has traditionally been the case, in terms of remuneration for hours worked. Smart Working is characterised by the fact that work is performed partly within the company and partly outside the company premises, without a fixed workstation. The agreement concerning the institute must be made in writing and must regulate in detail how the work outside the company premises is to be performed. With regard to economic treatment, the agile worker is entitled to economic and regulatory treatment that is not less than the overall treatment of workers performing the same tasks and functions, but within the company.

In Italy, one of the first companies to use Smart Working on a large scale was Intesa San Paolo, a leading insurance banking company that decided to Adopt agile working in 2014, following an agreement with the trade unions. The project is inclusive in that it involves, on a general level, all employees, provided they meet the requirements. In short, it must be ensured that the transition to flexible working does not become a *boomerang* for the company by reducing performance. Moreover, the project is voluntary, the result of an employee's request that must be accepted by a specific manager, called Head of Remote Working.

« If the possibility of carrying out part of the work in agile mode allows the employee to free himself from the respect of rigid working hours and also from the constraint of physical presence in the office, it does not, however, exempt him from controlling the results to be achieved within a certain timeframe».

In the course of the emergency, Smart Working has, in many cases, turned into a kind of "forced teleworking" or "forced remote working", as of something that has very little that is smart. Consider, first of all, that at least in the phase immediately following the emergency, the institution of Smart Working was not the result of an agreement with the individual employee, as provided for in Law No. 81/2017, but of a unilateral decision by the employer.

At a time of a health and social crisis such as the one caused by Covid19, when remote work has become the new daily routine for so many workers, it becomes important to ask whether and in what way it may, in the long term, impact on their psychological well-being. Some studies show that the loss of social interaction in the workplace, the loss of security and points of reference, the seemingly less opportunity to participate in the life of the company, the psychological and practical reshaping of one's family life, are all reasons for a marked increase in anxiety and frustration.

A clear example of the consequences of Smart Working on individuals are the habits of American workers; to understand them, it is necessary to analyse the historical evolution of work in the country.

Taylor, an American engineer who lived at the time of the Second Industrial Revolution, developed the so-called "scientific division of labour", which was based on a clear distinction between intellectual and manual workers, and a strict separation and fragmentation of the working activities. The aim of the fragmentation of work was to limit discretion, which, according to Taylor, was the main factor of inefficiency and waste of time. Furthermore, echoing Adam Smith's theories, the fragmentation of work would have ensured an increase in manual skills, a specialisation of workers, with a view to increasing production capacity with a significant reduction in production time.

The 1970s are the years of the crisis of the Fordist production model. The idea of constant, indefinite growth, industrial costs and ever-decreasing consumer prices disappears. Within a few years, this led to a saturation of the market for industrial products, which, added to the harsh oil crisis of 1973 with a sharp rise in the price of crude oil and its derivatives, progressively sank the Fordist-Taylorist production system. The advent of the Third Industrial Revolution is placed in this transitional phase. In light of this revolution, the post-industrial economic system is characterised by technological advancement, especially on the side of information exchange and the application of ICT - Information and Communication Technologies -, that allowed a flexibility which the Taylorist model (The "One Best Way") did not allow. In the post-Fordist era and the technological revolution, productivity coincides with the capacity for adaptation, of continuous reorganisation according to market fluctuations, which implies a high degree of flexibility. The logic of control over process and employees is progressively downsized and, in its place, companies are pushed to weave a relational network.

The first to fully speak about distance working was Jack Nilles, an American scientist and transport policy expert, who proposed in 1973 the terms telecommuting and telework, the former understood as the possibility of "bringing work to workers rather than workers to work" and the latter as "any form of substitution of work travel by information technologies". Leading the way in 2019 was the company GitLab, a software house that decided to hire the first Head of Remote Work. Faced with the revolution that Smart Working is bringing to global companies - also due to the acceleration brought by Covid-19 - it is hardly surprising that many companies are gearing up to make Agile working even more efficient.

The most common problem of the institute was the extension of working hours. While Europeans have reduced their presence in the office by about a third over the past half-century, the US week has steadily expanded, to settle between 10 and 19 per cent longer than the Old Continent.

Not to be underestimated, then, is the fact that the context of fear and anxiety resulting from forced isolation produces an alteration of the psycho-physical balance, contributing to a more stressful working day.

With this rapid change comes the need to communicate with employees quickly, not only to keep up with their daily work, but also to ensure that they are taking the appropriate measures to stay safe. In today's reality, due to Covid-19, in those companies where internal communication was still at an undeveloped level, managers are now facing the consequences of outdated internal systems, irrelevant content, cumbersome templates and disengaged people.

An overview of the future of internal communication post-Covid-19 may finally lead to the realisation that internal communication is strategic and fundamental within the company. The pandemic has helped focus attention on the benefits of internal communication; as many companies have moved their employees to remote work, they are finding that they can communicate more quickly and effectively through digital channels.

After having given a definition to Smart Working, analysed in detail the characteristics and changes encountered in companies, the new mindset, new work figures that have arisen, and, by means of a few examples, brought to light possible criticalities, we go on to focus on a particular category of individuals: women, and how they have reacted

to the abrupt change in working methods, coinciding with family management and working at home.

Let's start the debate by defining the Italian labour scenario during the pandemic: employment growth was concentrated in the low-productivity segment of the labour market, which absorbs most of the workforce, in unskilled, contractually precarious, short-time, often lower-wage positions. It is this poorly protected segment that has been most affected by the health crisis. With an overall decrease of 4.7%, foreign female employees fell by 13%, temporary employees by 22.6%, and involuntary part-time employees by 8.3%. The impact of the health emergency on work-life balance problems was particularly pronounced.

Many of the parents continued to work, sometimes in Smart Working mode, and could not count on any help in caring for their children. Distance learning has entailed an organisational reorganisation of the school, the working world and families, bringing into play all the work-family balance that women had somehow achieved.

Nearly 3 million families with minor children, some 900,000 of which are estimated to be highly critical, only a small fraction have been able to make use of Smart Working. Moreover, doing Smart Working and simultaneously taking care of children is stressful and lowers labour productivity. Women are generally involved in all family activities, although in this period of crisis in the family ménage there has been a greater involvement of fathers, in educational activities and in home care services. Looking forward, the continuation of Smart Working and its use even after this health crisis has passed, due to the positive effects on costs and the environment, will require an increase in childcare services. The lockdown has forced everyone to undergo a major transformation in working patterns if we consider that, according to data from a Eurofound Survey, about 50% of women and 30% of men in

Italy have experienced forms of remote working. It has caused an increase in inequalities to the detriment of women and children. Many families complained of a shortage of mobile devices, and children found themselves following lessons on mere smartphones. As already reported in the SVIMEZ Report 2019, low female participation is largely connected to the inability of Italian welfare and labour policies to reconcile work and family life, also causing economic uncertainty and a change in social behaviour.

Reconciliation models are mainly based on care services and flexible working conditions. In Denmark, 66% of children under the age of 3 spend at least 30 hours per week in educational facilities. In Italy, on the other hand, the percentage increases only from the age of 3 years onwards, while for younger ages less than a third is at day-care centres or toy libraries. Germany and the Netherlands make great use of part-time work to reconcile women's work with childcare, in particular, Germany goes from almost 60% for women with one child to three quarters for those with at least three children. While Italy's position is certainly closer to that of other European countries if one considers the employment of female graduates, who have rates of 70% even in the case of women with at least three children. This element confirms that the level of education of female workers is a key element in promoting female employment, even in the presence of family loads. A tool to finally keep life and work together, or a definitive ballast to career possibilities.

At the crossroads of Smart Working, a crucial game for women's work in the post-pandemic is being played out. A report by the Ministry for Equal Opportunities and Family Affairs, may be useful for this purpose. It states that where Agile working works and involves women and men equally, more successes are celebrated. Relevant in this context is

maternity protection. In conclusion, welfare policies and flexible working hours, as well as favouring the employment of mothers, are also encouraging factors for women. A recent survey conducted on a European sample showed that having a manager who is also a mother can facilitate work organisation that is more attentive to the needs of reconciling work and family life. This flexibility in the way work is organised, combined with the development of social services, can be the key.

In the last section of this paper, we want to emphasise what has been underlined in the previous pages through practical cases. In detail, through the structured interview and the in-depth interview. The latter was made possible thanks to the availability and the collaboration of IGT Italia's Manager, Irene La Marca, responsible for coordinating Smart Working within the company. The structured interview was submitted to 219 female workers, a random sample representing the phenomenon studied in the previous pages. Three propositions have been identified for verification: Smart Working enables effective Time management that improves individual and collective performance; The Smart Working institute facilitates the creation and management of a family; Smart working decreases socialisation leading to relational criticalities.

By answering ten open-ended questions, Irene La Marca was able to express her point of view regarding Smart Working, introduced in the company with the advent of COVID-19. IGT Italia is a company with more than 1100 employees, and is a world leader in the regulated gaming sector. The company's policy is attentive to the needs of the individual and allows working hours to be customised to suit family needs. A dedicated team, called People and Transformation, is in charge of managing Smart Working, including drafting a code of conduct,

planning space on site and listening to employees' needs. In her point of view the use of technological tools in Smart Working has allowed for an all-round sharing of company projects; and from a management perspective, the change has introduced flexibility and less employee fatigue. The hybrid type allows for a positive office climate because employees are happy to socialise on "in-person" days, and have better individual time management thanks to Smart Working days. The institute has increased individual responsibility, because everyone has to set themselves KPIs and stick to them in order to achieve a goal without being constantly monitored.

From what concerns the structured interview, the definition of the research questions was supported by the analysis of the literature and the desire to meet the set survey objectives. Questions were asked to investigate the knowledge and practice of Smart Working, the need to practice Smart Working, working hours, stress in the workplace, the possibility of better organising family life, and the opinion of the institute.

The aim is to understand whether women perceive and experience Smart Working as an added value, bringing benefits to their work-life balance or not, increasing or decreasing time management. The questionnaire reported that female workers experienced a reduction in contact with people, but this is not unfortunate if the benefit is to experience more of the family environment. On the isolation and frustration front, thus part of the psychological problems resulting from Smart Working, there are conflicting opinions. The phenomenon is personal, the statistics reflect this personalisation. Asked if Smart Working helped in a family context with children, 83% of working women answered positively, this was due to the implementation by

companies of maternity and family protection policies, as we have seen before in the legislative literature.

In conclusion, the analysis of the data has shown that Italy is far behind in the implementation of Smart Working compared to other European countries and especially compared to the United States. The general trend common to most of the affected countries has been to facilitate the implementation of remote working. For women it has turned out to be both an opportunity and a pitfall: on one hand, it has revived that social role of caring for the family and the domestic 'hearth' that physical work had both culturally and practically caused to disappear; on the other hand, there is a greater closeness to the family and thus a building and maintenance of solid bonds. In this regard, the second proposition, which we wanted to analyse, is confirmed by both the structured interview and the in-depth interview. While the first proposition, concerning the decrease in socialisation by practising Smart Working, and the consequent development of psychological problems such as depression, anxiety and burnout, described in the literature, does not seem to be so frequent in today's reality: the in-depth interview and the structured interview show that the new working method brings more advantages than disadvantages. If the institute is regulated by internal policies, so that work does not creep into workers' 'homes', they are well disposed to the new modality. Indeed, it is that the preferred choice of the 219 working women remains the hybrid one, because it allows them to maintain social relationships, but at the same time devote more time to their own lives, developing passions and interests, and enriching their personal baggage. The theme of Time management is taken up in both the structured interview and the in-depth interview, and in both cases 220 women stated that it is more likely to achieve a work-life balance through hybrid smart working than in the fully face-to-face mode, where possible.

