

Information from the Department of Occupational Safety Management of the Ministry of Technology and Industry

on the rules of safe and healthy working conditions required for performance of work while teleworking with information technology or computing devices

The present information notice provides a summary of the occupational safety rules relating to teleworking with information technology or computing devices (hereinafter referred to as “computing device”) only. The occupational safety requirements of teleworking with non-computing devices are not included in this information notice.

What is teleworking?

In the case of teleworking, employees perform the work in a place separate from the employer’s place of business during the whole or part of the working time.

I. BASIC RULES RELATING TO TELEWORKING

The occupational safety rules relating to teleworking which differ from the general rules are contained in Act XCIII Act of 1993 on Labour Safety (hereinafter referred to as “**Labour Safety Act**”).

The implementation of the conditions of safe and healthy work within the meaning of Section 2(2) of the Labour Safety Act **shall be the duty of employers in the case of teleworking as well**, which shall not be affected by the employees’ occupational safety obligations.

Employers shall inform employees on the possibilities and practice of occupational safety consultation and interest representation at the workplace as specified in Chapter VI of the Labour Safety Act, as well as on the persons responsible for the associated task and their contact information.

Act I of 2012 on the Labour Code (**Labour Code**) provides for the **labour law rules** relating to teleworking.

Work equipment used in teleworking

With regard to teleworking, both the Labour Safety Act and the Labour Code allow the parties to agree that **the work equipment necessary for the performance of the work duty shall be provided by the employees themselves**. In teleworking, it is easy to identify what kind of work equipment can be provided by the employees to themselves. However, the agreement concluded with employees shall not exempt employers from their objective responsibility set out in Section 2(2) of the Labour Safety Act. That is, the employers shall verify conformity with the requirement of safe and healthy work of not only the pieces of work equipment provided by the employers, but also of those procured or used by the employees. In the case of **such work equipment, employers shall verify the safe and healthy condition of the work equipment in the context of the performance of a risk assessment**. Knowledge of the occupational safety requirements is indispensable for inspecting the condition of the work equipment, including verifying the existence and professional content of the occupational safety documentation, declarations of conformity, certificates, and the instructions necessary for operation. Therefore, the verification—in the context of a risk assessment—can only be performed by an expert

authorised to carry out occupational safety and health expert activity. **Here too, employees shall be responsible for maintaining the safe condition of the work equipment.**

It is expedient for employers to keep a register of the work equipment provided by employees based on Annex 1 of this information notice.

Preparation of risk assessment for teleworking

In accordance with the provisions of Section 54 of the Labour Safety Act, **employers shall perform risk assessment** for all activities that they carry out **so as to assess the risks jeopardising the health and safety of workers in terms of quality and—where necessary—in terms of quantity**, with particular regard to the applied work equipment, potential strain on the workers, from which rule the risks arising from teleworking shall not constitute exceptions.

Occupational Safety Training

Given the special nature of teleworking, during the **occupational safety training** of employees, it is also particularly important for employers to cover **the risks arising from teleworking; the health hazards; the preventive and protective measures** based on the findings of the risk assessment, but prior to the commencement of the work.

Accidents occurring while teleworking

The employees shall notify the employers of any accident that may occur while teleworking. The employer shall investigate the accident and decide whether to regard it as an accident at work or not. The Labour Safety Act considers accidents occurring during or in connection with work performance as accidents at work. If the employer qualifies the accident as an accident at work, it must investigate the circumstances of the accident.

If the accident at work occurs while using work equipment, pursuant to Section 23(2) of the Labour Safety Act, the work equipment concerned shall be subjected to an exceptional inspection after the accident.

II. DETAILED RULES OF OCCUPATIONAL SAFETY

Location of teleworking with computing devices

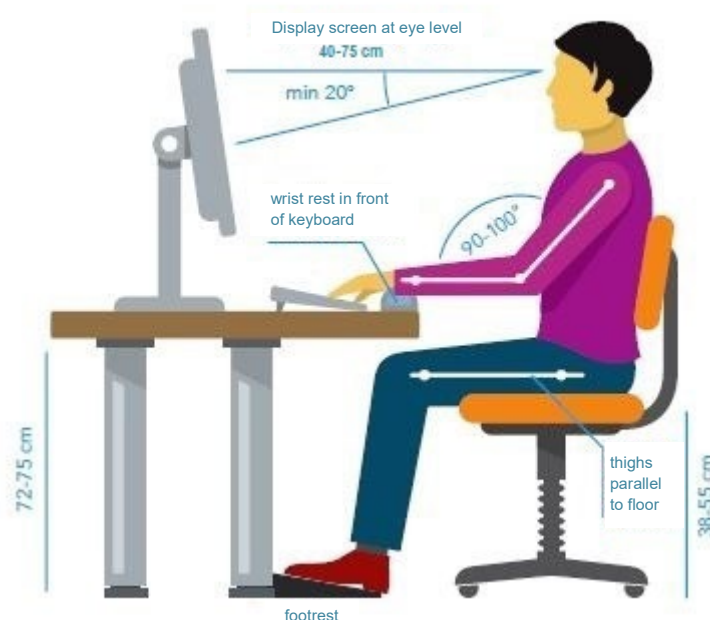
In accordance with Section 87(5) of the Labour Safety Act, **workplace shall mean all outdoor or confined spaces where employees are situated for the purpose of or in connection with the performance of work.**

In the case of teleworking with computing devices, **employers shall inform the employees in writing of the rules relating to safe and healthy working conditions necessary for the performance of work.** The recommendation for this written information is included in Annex 1 of this information notice. Based on the information provided by the employer, **the employee shall choose the place of work taking into account the implementation of safe and healthy working conditions.**

If the employer and the employee agree that the employee shall perform their work in their own home or in any other specific place as chosen by them, by using a computing device, then the place where they perform this activity shall be considered as workplace regardless of the fact that it is not the employer's registered seat, place of business or is not under the employer's direct or indirect control.

If telework is performed in the employee's home, not necessarily the entire flat, **but at least the area of about 2–4 m² where the desk, work chair, computer, filing cabinet, printer etc. are situated shall be considered as workplace.**

Appropriate design of a workstation with display screen equipment



Unless parties agree otherwise, the employer may verify the implementation of the occupational safety rules remotely by means of a computing device, in compliance with the data protection requirements.

Teleworkers may receive a flat fee for the costs relating to the performance of their tasks (utilities, insurance, etc.), the rate of which may reach 10 percent of the minimum wage applicable at any given time.

Teleworking with computing devices shall be subject to the following occupational safety requirements

- SzCsM-EüM Joint Decree No. 3/2002 (II. 8.) on the minimum level of safety and health requirements of the workplace,
- EüM Decree No. 50/1999 (XI. 3.) on the minimum safety and health requirements for work with display screen equipment.

III. ELECTRICAL SAFETY RULES OF TELEWORKING

I. Electrical safety rules of the electrical equipment of residential buildings (workplace)

In addition to SZCSM–EüM Joint Decree No. 3/2002 (II. 8.) on the minimum safety requirements for the workplace, in teleworking with computing devices, employers shall also take into account the provisions of the **Electrical Safety Code** (hereinafter referred to as “Code”) published as Annex 1 of NGM Decree No. 40/2017 (XII. 4.) on the interconnecting and user equipment and on electrical equipment and protective systems operating in a potentially explosive environment (hereinafter referred to as “Decree”).

One of the important requirements of the Code is set out in Point 1.13.2:

“After first use, the operator shall ensure the performance of periodical electrical safety review as follows:

...

e) performance of an electrical safety review of the electrical equipment of residential buildings at least every 6 years with the exception set out in Point 1.13.3.”

The term “electrical safety review” is defined in Section 2(3) of the Decree. That is:

“3. electrical safety review: detailed inspection of the electrical equipment—containing measurements and the assessment of the numerical results thereof—requiring special qualification in the area of heavy electrical equipment, which is capable of demonstrating whether the given equipment fulfils all criteria of the relevant standards or those of technical requirements containing equivalent technical solutions, as well as the comprehensive review of the electrical equipment performed upon the first check and the repeated periodical inspections, which includes the (fire safety) inspection of the protection of the electrical equipment against electric shock and its general standard-compliant condition”.

It follows from the definition that the electrical safety review is an extremely detailed inspection, which additionally requires calibrated and certified measuring instruments and specialised vocational qualification; therefore, the costs involved are not negligible.

Section 2(2) of Act XCIII of 1993 on Labour Safety sets out that *“Implementation of occupational safety and occupational health requirements shall be the duty and obligation of employers. The responsibilities of the employees concerned with labour safety shall have no effect on the employers’ obligation. The costs and other responsibilities associated with this employer obligation must not be devolved upon the employees.”* In the context of teleworking, the above shall mean that if the employee’s remote workplace does not have a valid electrical safety review, the costs of the performance of such review **shall be borne by the employer**. Point 1.13.2 of the Code provides for another possibility: the exception set out in Point 1.13.3.

Point 1.13.3 of the Code makes the following concession:

„1.13.3. The electrical safety review of the electrical equipment of flats located in residential buildings may be omitted if the following two criteria are fulfilled in combination:

a) there is overcurrent protection with rated current not greater than 32 A per phase and

b) the user equipment is protected by residual current operated circuit-breakers with sensitivity not greater than 30 mA”. Flats located in residential buildings usually have overcurrent protection with rated current of 16 A or 32 A (circuit-breaker or fuse), so in their case, the conditions laid down in Point 1.13.3(a) of the Code are satisfied. Certain flats are also protected by residual current operated circuit-breakers with sensitivity not greater than 30 mA; therefore, in their case, Point 1.13.3(a) and (b) of the Code are both satisfied, so the employer may decide not to carry out the electrical safety review.

In the event that the room used as the location of teleworking complies with the condition set out in Point 1.13.3(a) of the Code, **but does not have the residual current operated circuit-breaker** as referred to in Point 1.13.3(b) of the Code, **employers may choose to provide** their teleworking employees with **a mobile residual current operated circuit-breaker** as referred to in Point 1.13.3(b) of the Code; this way, they may also decide not to perform the electrical safety review. In the latter case, employers shall require their teleworking employees to operate the computing device exclusively via the mobile residual current operated circuit-breaker. However, employers shall require the employees to use the residual current

operated circuit-breaker as intended. The residual current operated circuit-breaker may remain owned by the employer, but the employee shall be responsible for its integrity.

2. Electrical safety rules of the operation of the computing device (as work equipment)

As according to Section 86/A(2) of the Labour Safety Act “*Work equipment for teleworking may also be provided by the employee subject to an agreement with the employer*”, difference must be made according to whether the computing device is owned by the employer or the employee. If the computing device is owned by the employee, “*The employer shall verify the safe and healthy condition of such work equipment in the context of the performance of a risk assessment*” according to Section 86/A(2) of the Labour Safety Act. Employers shall have no further duties concerning the computing device, because Section 86/A(2) of the Labour Code also sets out that “**Employees shall be responsible for maintaining the safe and healthy condition of the work equipment**”.

Within computing devices, a distinction must be made between low voltage and extra low voltage devices. The chargers of desktop computers (PCs) or other computing devices, printers and desk lamps operate on low voltage; therefore, the requirements set out in Section 19 of NGM Decree No. 10/2016 (IV. 5.) on the minimum level of safety and health requirements for work equipment and its use shall be applicable to such equipment:

“(1) The verification review of the protection of low-voltage heavy electrical equipment (hereinafter referred to as “electrical equipment”) against indirect contact, and the conformity of the contact protection device shall be ensured within the framework of an inspection by an electrician or a standard compliance review.

(2) Performance of an inspection by an electrician is required

a) as a final operation of installation after the setting-up, expansion, transformation or repair of any electrical equipment or equipment for protection against indirect contact;

b) as a first step in the event of the detection of an anomaly caused by a defect or deficiency in the indirect contact protection of the electrical equipment or the equipment for protection against indirect contact;

c) on the occasion of each indirect contact protection standard compliance review of the electrical equipment or the equipment for protection against indirect contact, as an initial stage; or

d) in the case of periodical verification reviews at the frequency specified in the law.

(3) It is necessary to perform a standard compliance review

a) upon setting-up of new electrical equipment prior to the first operational use;

b) upon the expansion, transformation, or repair of electrical equipment after inspection by an electrician

c) in the event that an anomaly caused by a defect or deficiency in indirect contact protection was detected, but the determination of the cause of the anomaly or the identification of the defect, which would be necessary for the repair, was not possible in the course of an inspection by an electrician; or

d) in the case of periodical verification reviews of the frequency specified in the law.

(5) An operational test shall be conducted:

a) of the residual current operated circuit-breaker and the previously installed voltage operated circuit-breaker every three months;

...

(6) The periodical verification review with inspection by an electrician shall be performed at least at the following intervals:

...

c) at the time of the indirect contact protection standard compliance review, as an initial stage, every three years in the case of any part of the electrical equipment for which no specific frequency is prescribed above.

(7) The periodical verification review with standard compliance review shall be performed regularly, at least every three years, at the place qualifying as workplace, except for electrical equipment falling within the scope of the Decree on the Electrical Safety Code.

(8) The inspection result of the equipment under inspection shall be documented in writing, with the following content:

a) the equipment covered by the review;

b) name of the person responsible for performing the inspection and the number of such person's examination certificate issued to reviewers of compliance with indirect contact protection standards;

c) cause of the inspection;

d) date of the inspection and

e) authentication the end of the document, which consist of the date and the signature of the person performing the inspection.

(9) In addition to the elements listed in Paragraph (8)(a)–(e), the document prepared on the indirect contact protection inspection by an electrician and the results of the electrical operational test shall contain at least the rating of the equipment under inspection, which can be compliant or non-compliant.

(10) The indirect contact protection rating document prepared on the indirect contact protection standard compliance review shall contain at least the following in addition to the elements listed in Paragraph (8)(a)–(e):

a) the defects remaining upon the completion of the review, which, in addition to being listed in detail, shall be classified in groups of life-threatening defects and defects to be repaired as a priority, and this classification shall be marked clearly in the document;

b) the abridged report containing the numerical values of the measurement results as an annex.

(11) The equipment examined in the indirect contact protection rating document shall be rated according to the provisions prevailing at the time of the issue of the document.

(12) The findings of the inspection, as well as any measures taken must be recorded in the report, which shall be retained until the date of the next periodical verification review, with one copy stored at the premises."

In the case of computing devices, setting-up is not applicable (the putting into operation of the devices shall not be deemed as such); therefore, the requirements relating to setting-up from Section 19 **shall not apply**.

Tablet computers (tablets), laptops are operated at an extra small voltage; thus, no specific electricity safety requirements shall apply to them.

EMPLOYER'S INFORMATION

ON THE SAFE AND HEALTHY WORKING CONDITIONS FOR TELEWORKING WITH COMPUTING DEVICES

Pursuant to Section 86/B(a) of Act XCIII of 1993 on Labour Safety (hereinafter referred to as "Labour Safety Act") (name) employer informs (name) employee of the below occupational safety rules in order to ensure safe and healthy work performance:

1. Work equipment for teleworking may also be provided by the employee subject to an agreement with the employer. In the case of **work equipment** provided by the employer and the employee, the employer shall verify the safe and healthy condition of the work equipment in the context of a risk assessment. In this case, the employee shall be responsible for maintaining the safe and healthy condition of the work equipment.
2. The employer informs the employee on possibilities and practice of occupational safety **consultation and interest representation** at the workplace as specified in Chapter VI of the Labour Safety Act, as well as on the persons responsible for the associated task and their contact information.
3. The **workplace shall be designed** in a manner that allows the employee to have enough space to change their bodily position and movements. The room shall have enough floor surface, clear height, and airspace for the employee to be able to perform the work without jeopardising their health, safety, or comfort. A small workspace is not only liable to cause accidents but can also be psychologically demanding.
At the workplace, only fixed and solid, non-slip flooring without any hazardous protrusions, depressions, or slopes can be used.
4. The general and local lighting (work lamp) should ensure sufficient light and appropriate contrast between the screen and the background environment, taking into consideration the nature of the work and the visual requirements of the user.

The optimal way of **workplace lighting** is natural light (window surface covering at least 15–20% of the floor area of the room). Natural light reduced by venetian blinds and a light filtering curtain is the best, not primarily due to the quantity of light, but because light connecting with the outside world is also required for good performance and mood. Artificial light should be diffused in the room and directed on the desk. Where a table lamp is used, the general artificial light must also be used, because the eyes must often adapt to both weak and strong light due to the significant differences in lighting. The natural and artificial light, and the light-coloured furnishings or walls should not cause direct light reflection and should not, as far as possible, cause reflective glare on the screen. The appropriate design of the lighting greatly influences wellbeing, performance, and fatigue during the performance of work. The level of fatigue depends on the visual task and the intensity of the lighting. If you need to read documents or do written work, eye fatigue can be prevented and mental and the emotional stress caused by intellectual work can be reduced by using the prescribed light intensity (500 lux) in the office work environment established at off-site workplaces. If you do not need to read documents, a lower light intensity (300 lux) may also be sufficient.

The light sources (windows and other openings, transparent or translucent walls), light-painted furnishings or walls should not cause direct light reflection and should not, as far as possible, cause reflective glare on the screen.

Reflective glare is one of the most adverse effects which someone working in front of a computer can be exposed to. In the case of work performed in these circumstances, the eyes' information recording capacity will be reduced within a short time and eye strain will also occur (e.g., tearing, redness, vibration).

The windows must be equipped with adjustable covering devices (e.g., slatted blinds) to reduce the daylight which the workstation with the display screen equipment is exposed to.

5. The **screen** must be placed in a way that the eyes of the person looking at the screen are directed at the centre of the screen. Distance between the screen and the eyes is very important: it should be about 50–75 cm depending on the diagonal of the screen. If the distance is too small or too great, eye strain may occur. The screen should be easily and freely swivelled and tilted. The upper edge of the screen should be at eye level or slightly below eye level. Head position is comfortable if the eyes are directed 35° downwards to the horizontal, forming a near right angle to the surface of the screen.
Light intensity (contrast and brightness) should be easily adjusted and adapted to the environmental conditions. The screen should be free of any reflection and reflective glare which might cause discomfort or vision difficulties to the user.

It is not adequate if the screen faces the window. In such cases, the window is behind your back; therefore, you throw a shadow on the surface of the screen with your body. The setting is also incorrect if you are sitting opposite the window. In this case, your eyes are continuously trying to adapt due to the difference between the light coming in through the window and the luminance on the surface of the screen, which results in rapid fatigue.

6. The **keyboard** should be tiltable and separated from the screen so that the user can assume a comfortable posture, preventing the arms and the hands from getting tired. The keyboard should always be before the user, at the centre, at a distance from the edge of the tabletop that allows the hands and the wrists to be supported. The surface of the keyboard should be mat to prevent reflection. The signs on the keys should be clearly distinguishable and legible from the working position.

Due to their specific design, **laptops and notebooks** are recommended to be used with a separate keyboard for continuous or prolonged work, as their use allows a more favourable positioning with the two items being independent of each other; therefore, the hand and the wrist can also be better supported.

7. The **desk** or the working surface should have a non-reflective surface and a size that ensures the flexible arrangement of the screen, the keyboard, the documents, and the connected devices.
8. The **work chair** should be stable, ensuring easy, free movement and a comfortable posture. The chair must support the spine, its surface should be such that prevents the employee from slipping off. The height of the chair should be easily adjusted, its back should be adjustable in height and tiltable. If the ergonomically favourable posture cannot be assumed, it is recommended to use a footrest.

The chair is suitable if the height of the sitting surface is easily adjustable; it should have a separate sitting pan and back pan; there should be an armrest, the sitting pan, the backrest, and the armrest should be cushioned; the backrest should be adjustable in height and tiltable;

the waist support should meet flexible resistance and when the rearward pressure ceases, it should return to the normal position, which requires good suspension. The stability of the chair should be ensured by five rolling legs, of which at least two should be fixable.

Standard cushioned high-backed chairs or armchairs can be used for computer work only occasionally, for a short period (1–2 hours a day). The advantage of using a balance chair (seat and knee support) is that the spine can maintain its natural curves. It is a significant disadvantage that there is a great pressure on the knee and the legs cannot be moved. For this reason, it can only be used for a short period of time.

9. According to Section 6 of EüM Decree No. 50/1999 (XI. 3.) on the minimum safety and health requirements for work with display screen equipment (hereinafter referred to as “EüM Decree”) *“if justified by an ophthalmological examination, or if the glasses or contact lenses used by the employee are not appropriate for working with display screen equipment, the employer shall provide the employee with the minimum necessary glasses for clear vision for working with display screen equipment.”*

Based on the EüM Decree, glasses for clear vision are not automatically provided to employees employed in jobs using display screen equipment; instead, they need to be provided if the **worker’s own glasses or contact lenses** are not suitable for working with display screen equipment **according to the ophthalmological examination**. In case of suitability, the employer is not obliged to provide the employee with new glasses.

Section 6 of the EüM imposes the obligation to provide *“the minimum necessary glasses ensuring clear vision for working with display screen equipment”* on employers. **The employers’ obligation of reimbursement applies to two spectacle lenses for clear vision and a spectacle frame ensuring their normal use. The level of the obligation of reimbursement is not defined by the EüM Decree as an amount**, since the price of the glasses depends—among other things—on the dioptries and the frame required for the lenses; therefore, they may vary from one individual to another. The wording *“minimum necessary”* means the least costly lenses and frame suitable for the purpose. Accordingly, employers are obliged to reimburse an amount corresponding to the price of the lowest priced lenses for clear vision for working with display screen equipment and frame, but at their own discretion, they can also determine higher expenses to be reimbursed.

10. The **noise** caused by the equipment belonging to the workplace must be taken into account when arranging the workplace, with special regard to preventing the noise from disturbing focus and speech comprehension. Noise primarily reduces attention and concentration, and as a result, it causes early fatigue. Except for the computing devices and the necessary peripherals (e.g., scanner, ink-jet or laser printers), no other noise sources (e.g., matrix printer, household appliances) should be in the work environment.
11. The **temperature** of the work room should be suitable for the human body during the entire period of work. The climatic conditions of the working environment are adequate if they ensure the employees’ wellbeing and optimal capacity for work. The ideal air temperature in the room must be 20–22 °C in the cold season and 21–24 °C in the warm season. The equipment belonging to the workplace and the heating elements should not produce such a quantity of heat that would cause discomfort to workers. When selecting and positioning the heating elements, it must be ensured that they cannot pollute the air of the workplace.

Each **radiation**, except for visible radiation, must be limited to a negligible level from the perspective of the user’s health and safety.

Normal humidity can usually be ensured by opening the windows. During the heating period, an excessively low humidity is disadvantageous as it may dry the respiratory tract mucous membranes and the conjunctival and corneal membrane; therefore, it is recommended to use vaporisers.

12. **Telework may only be performed in a room which has overcurrent protection as presented by the employer as part of the training.**
13. **If the room used for teleworking does not have residual current operated circuit-breaker as presented by the employer within the framework of the training or the existence thereof cannot be verified, the low-voltage equipment may only be operated via the mobile residual current operated circuit-breaker provided by the employer.** The residual current operated circuit-breaker must be operated by employees as intended, as specified in the **user manual**.
14. A break of at least ten minutes must be taken regularly, at least every hour; at these times, it is recommended to stand up, move and stretch.
15. Unless parties agree otherwise, the employer may verify the implementation of the occupational safety rules remotely by means of a computing device.

Date:, day month 20..... year

Employer's signature:

I received the employer's information, I familiarised myself with the occupational safety rules set out therein, and I accept that I can perform telework only at a workplace complying with these rules.

Date:, day month 20..... year

Employee's signature:

List of work equipment used in teleworking

I, the undersigned

Name of employer:

.....

Place of receipt:

.....

Name of employee:

received on this date each of the following pieces of work equipment from
..... employer:

Description	Type	Serial number

The employer verified within the framework of a risk assessment and authorised the use of the following work equipment provided by the employee:

Description	Type	Serial number

Other
remarks:

.....
.....
.....

Date:

.....
employer

.....
employee

