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## **Could US employers in Ireland lead the charge on ending remote working for Irish workers?**

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8–10 minutes

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The peak of remote working in Ireland may be well behind us.

In the disorienting uncertainty of Covid, many predictions were made about the future of work. Some employment experts began to imagine a new world order in which the very idea of working in an office with scores of other people and sharing their germs was no longer feasible.

It was suggested that many workers would never face lengthy commutes again – and that property markets would be upended by workers moving to the countryside and enjoying the benefits of cheaper rents and smaller mortgages.

With hindsight, some of those forecasts clearly went too far.

Over recent months, big companies have been lining up to call their workers back to the office. Titans of commerce such as Amazon and JP Morgan have brought the curtain down on hybrid working arrangements for their staff; it is five days on location or nothing at all. In the US, telecom giant AT&T and retailer Walmart have done the same.

Presiding over this shift is Donald Trump, who returns to the Oval Office on Monday with his inauguration in Washington, DC. The new US president said last year he wanted federal government workers back in the office – or they would face the prospect of being sacked.

In the US and UK, the debate over whether working from home should be abolished has entered the realms of a culture war. The music streaming platform Spotify has poured scorn on those companies who have imposed return-to-office mandates, saying it won't be treating its employees like "children" and that it will be maintaining its popular "work from anywhere" policy. In London, the Daily Mail has been actively campaigning against the concept of working remotely, even though around half of British workers are thought to have some sort of flexible working arrangement.

Ireland's large coterie of US companies means that thousands of workers here could face the prospect of a pivot back to the old days. One US outfit, which recently opened a new operation in the south of the country, is mentioned as having initially promised remote working options to new staff, only to reverse the decision before Christmas.

“From an Irish perspective, employers have embraced remote working, but there has been some movement on the very considerable flexibility provided during Covid,” says Michael Doyle, employment partner at law firm A&L Goodbody.

Since last March workers have the right to request remote working under the terms of the Work Life Balance Act. The Workplace Relations Commission (WRC), the State agency responsible for industrial relations and arbiter of workplace rows, has been busy as a result. Its first decision landed in August.

A staff member at video-sharing platform TikTok had claimed that the social media company had “completely disregarded” her needs when rejecting her request to work remotely. Alina Karabko cited her difficulties in sourcing accommodation in Dublin, saying in order to be in the TikTok offices by 7am she would need to get up at 3am and drive for 2½ hours.

In its adjudication the WRC dismissed the case, finding that TikTok had treated the complaint very seriously and had considered it in detail.

In the five published cases to date, the WRC has found every time in support of the companies involved, and rejected the complaints from the workers.

“The WRC won’t look at why the employer refused it – the rationale that is being given, such as the need for collaboration or on-site engagement – it just looks to see if the employers complied with the legislation and the code of conduct,” says Catherine O’Flynn, employment law partner at legal practice Mason Hayes & Curran.

“The employers can be fairly confident that the WRC will find in their favour as long as they follow the process.”

Workers are essentially reliant on the goodwill of their managers.

It is thought unlikely that there will be a toughening of legislation, even though remote working features in the new [programme for government](#), the policy roadmap for the next government formed last week by Fianna Fáil, Fine Gael and nine Independent TDs. Clearly influenced by the Rural Independent Group TDs enlisted to support the new coalition, it says remote working “has been hugely positive for rural Ireland, enabling people to live and work in their own community.

“We recognise the immense opportunities that connectivity can generate for work, education, health and rural development,” the document states.

The agreement makes mention of the continued roll-out of high-speed broadband as underpinning flexible working conditions.

According to Trayc Keevans, global foreign direct investment director at recruitment agency Morgan McKinley, in many cases the managers making the call to roll back remote working arrangements may not be aware of the problems faced by workers here.

Again, large US companies are mentioned as being the most likely to push back on flexible options.

“The decisions, in many cases, are being made in international headquarters outside the country, without full visibility of the specific infrastructure challenges that we have here,” she says. “It is not always practical to ask people to return to the office; many people moved to new locations during the pandemic, making the office commute from their new locations increasingly unfeasible.

“Then there are the cost-of-living pressures of recent years – the quality and price of housing and access to childcare is becoming a much bigger problem for many people than is even being reported.”

On the face of it, employers still hold the whip hand. Yet, the benign economic environment strengthens the position of Irish workers. The low unemployment rate is seen by several employment experts as key to keeping flexible working on the table.

“People have got used to flexibility that is almost taken for granted. I don’t see people giving that up freely or easily,” says Sam Dooley, country director with the Stepstone Group, the parent company of IrishJobs.ie. “In what is likely to remain a tight labour market, companies really need to retain their top talent while also having the infrastructure to attract new talent. Being the first one to step out and take away this flexibility could mean that people will walk away from you.”

It is this fear of losing key workers to competitors that ensures that many companies continue to offer flexible options – options that in different circumstances may have been revoked. That raises questions about what might happen to remote working should the employment picture change in the future, as it almost inevitably will. In an economic downturn, with more workers competing for fewer jobs, employers would be under less pressure to concede to working arrangements they are less than keen about.

“If there were more workers looking for jobs, that would be a game-changer,” warns one union official.

Privately, many employers would happily ditch their flexible working models, feeling that the ethos and spirit of their businesses, particularly with many people working remotely on Mondays and Fridays, has been hollowed out.

For now there appears to be no imminent economic threat, despite Trump’s re-election. Many Irish economists are continuing to make robust forecasts about the months ahead.

As for those companies and multinationals who are demanding a full return to the office – not all may be as it seems. The popularity of hybrid working is such, says Catherine O’Flynn, that suspicions arise about the real intentions of any companies choosing to abandon the policy.

“Employee representatives have been wondering if this is an attempt to downsize by some companies – did they recruit too many people over recent years?” she says.

“By calling workers back to the office, we may see people choose to leave in a process of natural attrition.”

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