العمل عن بعد في القانون المدني

الأستاذ الدكتور
محمود خيري هاشم

إسناة القانون المدني
ووكيل كلية الحقوق لشؤون التعليم والطلاب جامعة الزقازيق
What is telecommuting?

one of the most arresting image in the public/ imagination of our time

Isolated rural electronic cable

Telecommuting

The electronic cottage


Distance work

Remote work

Telework

Networking work

Fierce controversy improves degrades

Alarm sounds

is it time to get

North American Companies

Timing Management

Telecommuting

Management


Ibid.

Planning is process of Determining Goals and How They are to Achieved.
العمل عن بعد والتنظيم والهيكل التنظيمي:

الباب الأول

العمل عن بعد في القانون المدني
الفصل الأول

تعريف عقد العمل عن بعد وتطوره

مقدمة:

المبحث الأول

تعريف عقد العمل عن بعد

تعريف عقد العمل الفردي:

جلة الفكر القانوني والاقتصادي
مجَّلة الفكر القانوني والاقتصادي - السنة الماشِرة - العدد الأول

١٢

معنى الاتصال:

(١)

(٢)

(٣)

جلة الفكر القانوني والاقتصادي
مجّلة الفكل الفانوني االاقتصادي – الفعّاشة الفعّادية لأعوٌ في المشتٍّ أٚ (عٔ بعد Telecommuting:
Electric Commuting

Telework

Work

Tele

Telecommunication

Telecommuting is generally defined as, "Moving the work to the workers instead of moving the workers to the work".

Generally


Telecommuting is generally defined as, "Using telecommunication technology to work at home.... Instead of commuting to a conventional workplace at the conventional time".

"Teleworking is a mode of work in which employees perform all or a significant part of their roles from a base physically separated from the location of their employer- usually their home- and use information technology as their main tool for operation and communication.

Telecommuting is the practice of working at home or at a satellite site near the home, where employees use computer and telecommunication technology in lieu of physically traveling to a central workplace.


"Periodic work outside of the central office one or more days per week either at home or in a telework center".

Tele-commuting

Staff working from off-site location from time to time and communicating with office via phone, fax or modem.

Working off-site

"Working off-site on occasion to deal with special circumstance".

The use of computer and communications technology to transport work to the worker as a substitute for physical transportation of the worker to the location of the worker.


Ibid.

Margrette, H. Olson: Organizational Barriers to Professional Telework, In Homework, note 12 at 215-16.

normal organizational confines of space and
time
for at least some portion on work
week
Related
telecommunication technology
Home
Subset of the border population
Self employed
Home worker
Professionals and clerical staff

NGOCE Org.
المجلة الفنانية الاقتصادية

التنويع والتسبيح:

تعزف ايعّ عٔ بعد تعزفاً شاَلاً:
There is not even an agreed term still not in place
greed term working a distance work

Virtual Tele-working Remote work policies
Practices low level service jobs

Ethnic minorities low-
The virtual office:


IT = Information technology = paid, low-level professional managers.

Virtual office
 Various estimations

Scot:

Australia

Tele-workers

At first blush
Happy medium
Area attorneys


R.K.A. Subrahmanya: "A legislative framework for home workers".

Before sending their first employee home far from new

Electronic age

abuse

Garment industry

Independent contractors
Moyennant une remuneration porfaitaire

commerceaux industrials

agricole artisanaux

subordination juridique

surveillance immediate rache
donneur d'ouvrage habituelle

الفصل الثاني

ميزات وعيوب العمل من بعد من الناحية القانونية والاجتماعية والاقتصادية

مقدمة:

المبحث الأول

ميزات العمل من بعد...
expenditures

Saving Northern Telecom
rent operation
alternative suburban satellite office
enable many people to avoid the long commute into (city location
enhanced company resilience
transportations external disruptions
natural disasters ever weather strikes
terrorist actions consumer demands
Godinez World Trade Center


reduced real estate cost

increased productivity

(1) A win-win situation
cost of equipment
furniture
software
planning

and training to prepare workers and their managers for participation


Disadvantages of Telecommuting for Society

- loss of jobs and revenue
- less demand
- less transportation

The potential loss of jobs and revenue

Bus drivers
Toll collectors
Restaurants
Dry cleaning

corner, clothing stores, banks, lunch cafes, business districts

Emergency, off-site

flexibility, situations


الفصل الثالث

إبراهيم عقد العمل الإلكتروني

المبحث الأول

التفاوض الإلكتروني والتراضي الإلكتروني

التفاوض الإلكتروني في عقد العمل عن بعد وأهميته:

negotiation

cahier des charges


install a telephone line

while the employee is working from home

Personal calls defined fax modem sufficient privacy household activities

Jamache and Myers.
Virtual Middleman

market maker
supplies
virtual middleman
hubs

I seek you
ICQ

Virtual Middleman: السمسار التشغيلي أو صانع السوق في عقد العمل من بعد: صور الإيجاب الإفتراضي في عقد العمل (العقد العامة):
Virtual workers are only a phone call away

powerful tools to access information

Telecommuting Agreement

Lesson Timouthy: Legal aspects of voice telephony on the internet

The agreement should include

A designation of a particular area of the employee's home as the workspace.

Designation certain hours as work

A provision that allows the employer to inspect the premises with reasonable notice or, with an injury, immediately after it is sustained, while such an agreement will not relieve an employer from liability. It can create evidence of compliance that will help in an investigation.

The employee is required to hold any client or business meetings at the official work office, not at home.

The employer will provide itemized pieces of equipment and any necessary upgrades.

The employee will be responsible for securing the telecommunications equipment provided by the employer and will be responsible for any damages to the equipment resulting from failure to secure it.

Ownership of electronic machinery

Liability insurance

employer participation in payments of the office-related maintenance

confidentiality

Disciplinary issues

post termination restrictions

Health and safety issues

Indirect discrimination in term of

(*) career advancement


Employees sign an agreement that specifies the time the employee may work.


simplest way

unwanted

Exempt positions

unpaid

(*) For overtime advance approval

Signed agreement on the basis of the time of work of the employee in the simplest way:

Unwanted

Exempt positions

Unpaid

Undertaking:

The legal aspects of telecommuting.


A provision that permits the employer to inspect the employee's premises upon reasonable notice or in the case of any injury immediately after such injury was sustained.

A provision designating certain hours as work hours.

A provision designating a particular area of the employee's home as his or her workspace.

Dallas

Draft

That safe work practices are being followed.

Supplies

Some firms

are of equipment

Some

not
The policy should be signed by the worker before beginning work at home.


Many consultant recommend that employers develop a telecommuting policy, which could include an agreement between employer and employee as to the conditions of the telecommuting arrangement.

"The telecommuting agreement should specify duties, job functions, how often they should come to the office, specifically how often their performance should be measured, how they will pick up new assignments, how they interact with their supervisors, and anything else related to job performance," Said Aon's Mr. Roskopf.
Mr. Zaccanti of Author Anderson said that when he was a risk manager, his firm even called for some basic dress requirement. "No pajamas, but the bunny slippers were in," he quipped.
مجّلة الفكر القانوني والاقتصادي - السنة العاشرة - العدد الأول

شّهادة توثيق الإلكتروني:

Digital time stamp

Authorizing certificate

Attesting certificate

(1)

جلة الفكر القانوني والاقتصادي
How do you begin (successful telecommuting program)

six steps

1. Select the job
2. Select the people
3. Train the manager
4. Train the telecommuters
5. Link the telecommuter to the office
6. Finally, take care of technical details
كيفية اختيار قانون المقد: ف
Contrast electroniques

tacites

qui eliget

judicem eliget

ex voluntates

control

internationaux concleus via internet

مكان إجرام عقد العمل الإلكتروني:

مبدأ قانون الإرادة والعقود الدولية الإلكترونية وعقد العمل:
Telecommunication

Employers

benefits

Telecommuting or alternatively

Internet

work place

Employers

Other technology

mediation conciliation

mediation online

advance

E. mail

extraordinary
The fundamental philosophy behind this concept is not a right or privilege, but a need for flexibility in the workplace. The goal of Telecommuting is to provide the most convenient location for the worker, allowing them to work from home or any other location that suits their needs. This flexibility is essential in today's fast-paced business environment, allowing employees to balance their work and personal life more effectively. (1)

ToBi A. Brimsek, CAE, and David, R. Bender, Ph. D. Making room for the virtual office. Association Management, Dec. 1995, 47, 12, ABI/Inform Global, P. 72.
satellite office  
hom office  
hoteling  
virtual office  
team role  
clean air  
car pooling  
condensed work  
public transportation incentives  
weeks  
proposals and regulations will be adapted formally in 1966.

العمل في الإسلام والعمل من بعد:

جلة الفكر القانوني والاقتصادي
 موقف الشريعة الإسلامية من العمل الإلكتروني:

جلة الفكر القانوني والاقتصادي
جلة الفكر القانوني والاقتصادي
المبحث الثاني

تدريب العاملين من بعد

الوارد البشرية:

تخطيط الجودة لتنمية الارد البشرية:
Nancy M. Dixon: Evaluation a tool for improving HRD quality, University Association Inc. 8517 Production Avenue, San Diego, California, 92121. In association with American Society for Training and Development.
Operational objectives
Performance objectives
Instructional objectives
Reaction objectives

Feedback

Personal growth
Employees may also be asked to undergo some training and preparation before telecommuting, including viewing video tapes, working with a checklist or using an interactive computer program.
Cognitive skill

Psychomotor skills

Attitudes skills
Continuous Training

Ahlulbait Training

Colman

Stenberg

virtual workplace

labor force

Web-based Training
Enabling skills

مهمة صاحب العمل بسبب إهماله تدريب مهنيه:

التدريب في الشريعة الإسلامية:


 مجلة الفكر القانوني والاقتصادي - السنة الحادية عشرة - العدد الأول