RemoteHeR · Module 6 case study · Spain

MODULE 6 CASE STUDY · SPAIN

Six people, four problems, one week



Tinted Glass Services. One situation, four national versions. This is the Spain version.

DRAFT – partner review

Drafted for Paderborn University (build lead) to review. National detail must be verified by the partner in that country.

The situation

Tinted Glass Services is a fictitious company of about sixty people. It is setting up a customer support team of six people who will work fully from home in your country, and it is about to hire a seventh. You are the only HR person involved, and there is no in-house lawyer.

Four things land on your desk in the same week. **First**, the operations manager has drafted a one-paragraph telework agreement for all six: "You may work from home. Costs will be agreed case by case. The company may end this arrangement at any time." **Second**, the team lead wants software that takes screenshots every five minutes and ranks people weekly by activity, "so we know they are working". **Third**, the advert for the seventh role asks candidates for their current salary, gives no pay range, and asks for "native-level English" and "a natural fit with our fast-paced office culture", although the role is fully remote. **Fourth**, Ana, one of the six, asks whether she can spend two months working from her sister's flat in another EU country.

What this case study is for

Everything in Module 6 meets a real constraint here: the agreement, working time and duty of care, cross-border work, GDPR, monitoring, pay transparency and inclusive wording. Work it through for your own country first. Then read one other country's version and note what you would have to do differently there, and which differences are legal rather than cultural.

What is different in Spain

Before you use any of this

National detail below is a starting point for your own checking, not legal advice. Rules change, Directive

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(EU) 2023/970 had to be transposed by 7 June 2026, and thresholds differ by company size and collective agreement. Verify the current position for your country before you act on any of it, and escalate what you cannot establish.

Spain has a dedicated remote work statute, Ley 10/2021. According to the Skills Mapping Report, it requires a written remote work agreement where remote working reaches 30 per cent of working time over a three-month reference period, and it requires the employer to meet the associated costs (Skills Mapping Report, source 6). The six are fully remote, so start by checking what content the agreement must contain.

Use your national annex

Lesson 6.1 has a national annex for Spain. It lists, area by area, the laws and sources to check and who to ask, including monitoring, the data protection authority and the national status of the Pay Transparency Directive. Use it alongside the table below. It is a draft to be verified by the national partner.

What to check

What to check	Why it matters here
What content must the written agreement contain under Ley 10/2021?	The one-paragraph draft is far too thin. Compare it section by section with the required content.
How are the employer's costs to be compensated, and what does the convenio colectivo say?	"Case by case" leaves the cost obligation open. Sector or company agreements may fix the method or amount.
Can the company end the arrangement "at any time"?	Check what the law and the agreement say about voluntariness and reversal before you accept that clause.
How does the working-time register apply to fully remote staff?	Activity software is not a working-time register. Check what has to be recorded, and how.
What do the law, the convenio and AEPD guidance say about digital disconnection and monitoring tools?	Screenshots and rankings need a clear position before installation, and staff and representatives must know what is collected.
Which representation exists: delegados de personal or comité de empresa?	The consultation route and timetable differ. Check before the tool or the agreement is announced.
Has the Pay Transparency Directive been transposed, and from when do the advert rules apply?	Check the national rules on salary ranges and pay-history questions before publishing.

Who to ask

- Inspección de Trabajo y Seguridad Social, for telework, working-time and cost questions

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- AEPD, Agencia Española de Protección de Datos, for monitoring and data protection guidance
- The workers' legal representatives (delegados de personal or comité de empresa)
- A graduado social or employment lawyer, for anything you cannot establish
- The social security administration and a tax adviser, for Ana's two months abroad

What you are asked to do

1. Mark up the operations manager's agreement: keep, clarify, amend, check further or escalate, clause by clause.
2. Write your position on the monitoring software in five sentences or fewer.
3. Rewrite the advert: the pay information, and every requirement that is vague or not needed for a remote role.
4. Decide whether you can answer Ana, and write your escalation question if you cannot.
5. List the personal data this team creates, with a lawful basis and a retention period for each.

Questions to answer

- What is missing from the operations manager's agreement for your country, and what would you add, clarify or check?
- What position do you take on the screenshot software (proceed, modify, pause or escalate), and what do you tell the team lead, in words?
- What must change in the advert before it is published, both on pay and on wording?
- Can you answer Ana yourself? If not, write the escalation question you would send, and to whom.
- Which personal data does this new team create, on what lawful basis, and for how long will you keep it?
- Compare with one other country: name one legal and one cultural difference, and what you would do differently there.

Read one other country's version

When you have finished, read the version for one country other than your own. What would you have to do differently there, and which of those differences is legal rather than cultural? Write three or four sentences. You can include them in the written account for your Module 6 artefact.

Before you finish

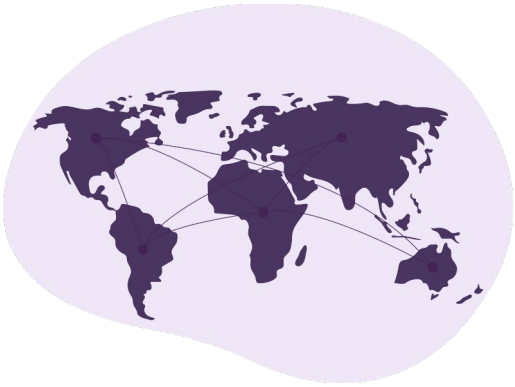
- ☐ Every clause of the draft agreement has an action: keep, clarify, amend, check further or escalate
- ☐ Your monitoring position names the purpose, the method, the concern and what happens next
- ☐ The advert gives pay information and no longer asks for current salary

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- ☐ Ana's request is answered or escalated with a precise question
- ☐ You compared one other country and named one legal and one cultural difference



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