

TELEWORKING AND HOME-BASED WORK: FROM THE CLASSIC LABOUR LAW SETTING TO THE EUROPEAN REGULATORY FRAMEWORK FOR THE DIGITAL WORK ENVIRONMENT¹

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ABSTRACT

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This study examines the legal institutes of teleworking and home-based work as manifestations of the evolution of the classical model of the employment relationship in the context of digitalization and the development of the European regulatory framework of the digital working environment. The study defends the thesis that these forms of labour organization do not represent only an alternative way of performing the labour function, but a normative expression of a deeper transformation of classical labour law institutions, which acquire a new functional content without changing their fundamental principles. The methodology for conducting the study combines normative, comparative law, systemic, functional and doctrinal analysis of the national and European legal framework. The scientific contribution of the development is expressed in the construction of a two-layer model for the analysis of the development of remote work and home-based work, based on historical, normative and functional periodization, as well as in the substantiation of the concept of the digital working environment as a modern space of labour regulation.

Keywords: teleworking, home-based work, employment relationship, digital working environment, European regulatory framework, work organisation, work-life balance

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INTRODUCTION

The development of digital technologies, the accelerated digitalisation of the economy and public relations, and the consistent development of the European regulatory framework are having an increasingly significant impact on the organisation of work and on the way employment relations are conducted. Changes in the economic environment, the development of information and communication technologies, and the need for greater flexibility in the organization of the labour process are gradually expanding the scope of application of various forms of work, in which labour functions are performed outside the employer's premises. In response to these processes, as early as 2011, the Bulgarian legislator introduced into the Labour Code (LC) an independent legal regulation of home-based work and remote work, which promptly brought the national labour legislation in line with the established international and European trends in the development of the labour organization. The subsequent development of the digital working environment, the widespread use of digital technologies, the penetration of artificial intelligence systems and the adoption of new European regulations raise a number of new questions related to the implementation of traditional labour law institutions, which are increasingly being implemented in conditions different from those in which they were established. This requires not only the updating of individual legislative decisions, but also an in-depth analysis of the way in which the modern organization of labour influences the content and practical application of the classical institutes of labour law.

Among the labour law institutes in which these processes find the most vivid manifestation, the so-called. Atypical employment relationships are remote work and home-based work. Although they received an independent legal framework in the Bulgarian labour legislation as early as 2011, their practical application acquired particular dynamics during the period of the COVID-19 pandemic, when the need to ensure the continuity of the labour process put to the test both the current legal framework and the practice of its implementation. However, this period has created considerable practical experience and contributed to improving the organisation of teleworking, which has been reflected in both legislative amendments and the development of labour practices. The new forms of labour processing and the way of their affirmation in practice and doctrine are undoubtedly a decisive step in updating the labour legislation in the directions of its adaptability to the new realities of social interrelations. In this sense, the flexibility created in the processing of labour and the options for distributing working time are a positive option for efficiency and quality of performance of the labour function. This creates the need, both normative and doctrinal, for a new vision of traditional legal institutions

and the urgent need for their adaptability in a legally guaranteed and legally permissible way, both to maintain the balance between personal and professional life and freedom of work, as well as to observe labour discipline and its functional correctness in the performance of labour duties (Koycheva, 2014), (Epitropov, 2014), (Yolova, 2019).

Today, the relevance of the problem is determined not only by the experience gained and the need to overcome the identified imperfections, but also by the introduction of artificial intelligence systems, algorithmic management of labour processes and the development of the European regulatory framework, which raise new questions with topical sound about the application of traditional labour law institutes.

In this context, **the purpose of this paper** is to study the development of teleworking and home-based work as modern forms of labour organization, to analyze their impact on the development of the classical model of employment and to derive the main trends in the development of the European regulatory framework. development of their legal framework. On this basis, generalizations, conclusions are formulated and proposals are made with practical applicability of the norms.

In order to achieve the set goal in the study, the following **tasks are solved**:

- To follow the development of the European and national legal framework for teleworking and home-based work, clarifying the place, specificities and importance of these forms of work organisation in the context of digitalisation;
- To analyze the impact of remote work and home-based work on the development of the main elements of the classical model of employment relationship, examining changes in the organization of work, workplace, working hours, employer control and work-life balance;
- To explore the importance of digitalisation, the use of artificial intelligence systems and the development of the European regulatory framework for the development and application of teleworking and home-based work;
- On the basis of the analysis, the main trends in the development of the legal framework and the application of teleworking and home-based work should be derived as a basis for formulating generalized conclusions about the development of these legal institutions.

The logic of the presentation follows the sequence of the research tasks set. The first part of the study traces the development of the European legal framework for teleworking and home-based work and presents the prerequisites for their occurrence. The second part analyzes the legal framework at national level, examining the transformation of the main elements of the

classical model of employment under the influence of digitalization, the use of artificial intelligence systems that led to the development of the legal institutions under consideration.

The present study defends the thesis that the development of teleworking and home-based work represents a natural stage in the evolution of labour law, in which classical labour law institutes do not lose their importance, but acquire new content in accordance with the specifics of the digital working environment and the development of the European regulatory framework.

The methodology of this study is based on a complex approach that combines normative, comparative law, systemic, functional and doctrinal analysis. The normative method has been used in the study of the national and European legal framework for teleworking and home-based work. The comparative law approach traces the interaction between national labour legislation and the evolving European regulatory framework. The system analysis allows the consideration of the individual normative decisions as elements of a unified legal construction, and the functional approach is applied in the study of the transformation of the main elements of the classical model of the employment relationship. Doctrinal analysis serves to derive the main regularities in the development of the legal institutes under consideration and to formulate generalized conclusions about their place in the process of digital transformation of labour.

Given the wide scope of the study, the study does not aim at an exhaustive analysis of all aspects of the current national and European legal framework, nor a detailed interpretation of the individual normative acts. The legal framework serves as a starting point for the analysis, but the subject of the study is not the independent interpretation of individual legal norms, but their systematic interpretation in the context of the development of the labour organization, the digital working environment and the European regulatory framework. In this sense, the emphasis is placed on deriving the main trends in the development of the legal institutions under consideration and on their impact on the classical labour law institutions in the context of the modern digital transformation of labour. This study examines teleworking and home-based work not as independent and isolated legal institutions, but as interrelated manifestations of the development of the modern organization of work, which is why their analysis is built on the systematic approach and traces the interaction between the national legal framework, the European regulatory framework and the social processes that determine their development. The development follows the regulatory framework as of 30.06.2026.

1. DEVELOPMENT OF TELEWORKING AND HOME-BASED WORK IN THE CONTEXT OF THE DIGITAL TRANSFORMATION OF WORK

1.1. The transformation of the classical model of the employment relationship as a prerequisite for the development of remote work and home-based work

The classical model of the employment relationship is a historically determined legal construction, formed under the influence of the industrial organization of production and social relations, characteristic of the late 19th and early 20th centuries. Its normative development is based on the understanding that work is done personally by the worker at a predetermined workplace, under the direct organizational control of the employer and within the framework of an established working time regime. It is on these characteristics that the main institutes of labour law are gradually built – the workplace, working hours, labour organization, employers' control, labour discipline and the rules for health and safety at work. The Labour Code regulates the rights and obligations of the parties to the employment relationship and the essential elements of the employment contract, the latter being binding on both the worker/employee and the employer (Mrachkov, 2018).

This model undoubtedly fulfills its purpose in the conditions of the industrial economy. The direct contact between the employer and the worker and the need for continuous organizational control logically determine the normative construction of the individual employment relationship. For decades, it is these characteristics that have been perceived as natural and immutable features of wage labour, which is why the legislative framework has developed and enriched around them.

However, the development of society in recent decades has rapidly changed this economic and social logic. The transition to a knowledge-based economy, the development of the services sector, the globalisation of business relations and the advent of digital technologies are fundamentally changing the way the work process is organized. An increasing proportion of work activities are no longer tied to a specific production premises, but can be carried out through the use of information and communication technologies, regardless of the physical location of the worker. This is not just a technological change, but a qualitatively new stage in the development of the labour organization, which puts under rethinking, respectively reassessment, part of the classic prerequisites on which the current labour law framework is built. The change should not be perceived as a rejection of the classical principles of labour

law, but as their natural development. The history of labour law shows that its institutions have always evolved under the influence of the social relations they regulate. In this sense, the development of teleworking and home-based work is not an exception to the classical model of employment, but a manifestation of its adaptation to the new economic and technological realities. This regularity can be explained not only by the historical development of labour law, but by the historical development of economic organizations and accounting practice, which reflect the changes in social and economic relations and predetermine the development of the forms of labour (Nedyalkova, 2026).

One of the first institutions on which these processes have a direct impact is the concept of "workplace". In legal theory, the thesis is defended that the traditional understanding of the workplace as a spatially determined place in the enterprise is no longer sufficient to encompass modern forms of labour organization. The opinion is substantiated that the development of remote and home-based work requires a functional interpretation of this concept, consistent with the digitalization of the labour process and the possibility of performing the labour function outside the employer's premises. The current study builds on this conclusion. If so far in theory the attention has been directed to the transformation of a separate institute of labour law, then here the analysis is extended to the very model of the labour relationship. Not only the place of work is changed, but the overall organization of the labour process. Employer control is gradually being carried out through digital means, communication between the parties is becoming electronic, and the working environment is increasingly being built as a virtual space in which physical presence ceases to be an obligatory element of the performance of the labour function (Andreeva, Shirvanyan, 2021).

These processes naturally lead to the emergence and development of new forms of labour organization, among which a special place is occupied by home-based work and remote work². Although they are often regarded as similar institutes, their importance is not limited to the different places of performance of their duties. They reflect a new philosophy of work organisation based on greater flexibility, the use of digital technologies and the ability to reconcile professional and personal commitments.

In this regard, other theoretical developments assume that home-based work should not be evaluated only through the prism of flexible employment, but also as an institution with a significant social dimension. The analysis shows that, in the presence of adequate regulations, it can contribute to a better work-life balance, but at the same time it raises new risks related to

the blurring of the boundaries between work and leisure time, constant digital connectivity and difficulties in exercising employer control. That is why the development of home-based work cannot be viewed in isolation from the need to modernise labour legislation (Alexandrov, 2024), (Andreeva, Yolova, 2020), (Andreeva, Yolova, 2020).

It would be wrong to explain these processes solely by the COVID-19 pandemic. Undoubtedly, it accelerated the practical application of remote work and raised a number of questions before the legislator, but did not create the prerequisites for its occurrence. They are the result of significantly deeper societal, economic and technological processes that started decades earlier and have been consistently promoted by the European Union's policies on digitalisation, flexible forms of employment and work-life balance, and ethical challenges in the use of AI systems (Alexandrov, 2021), (Radev, 2021).

Therefore, remote work and home-based work should be considered not as temporary deviations from the classical organization of work, but as a natural stage in the development of modern labour law. They are a manifestation of a broader process of transformation of the employment relationship, in which traditional institutions retain their legal essence, but acquire new content tailored to the specificities of the digital working environment. It is this evolution that necessitates the analysis of the modern European regulatory framework and its impact on national labour legislation.

1.2. From the industrial model to the digital working environment – the social, economic and technological factors for the transformation of work

The development of remote work and home-based work is not the result of an isolated legislative initiative or of temporary economic necessity, but a natural consequence of deep social, economic and technological processes that have changed the nature of work and the way it is organized in recent decades. It is these processes that gradually form a new working environment, in which the traditional spatial and organizational characteristics of the employment relationship are increasingly giving way to flexible models of performance of the labour function.

The first factor that determines this transformation is the structural change of the economy. While the industrial model is primarily based on material production and the need for the physical presence of the worker in the enterprise, the modern economy is characterised by the dominance of the services sector, digital technologies, information activities and the

knowledge economy. For a significant part of these activities, the creation of economic value is no longer directly linked to a particular workplace, but to intellectual work, information processing and the use of digital communication tools. As a result, the spatial linkage of labour gradually loses its traditional significance as a determining element of the organization of the labour process. Such processes of transformation are not unique to the organization of labour. The historical development of economic activity shows that the way of creating economic value has always been closely related to the prevailing model of labour organization and the means used for the implementation of economic processes. The transition to a knowledge and digital economy represents another stage in this evolution, in which intellectual work and information are gradually established as major drivers of economic value creation (Alexandrova, 2013), (Nedyalkova, 2025), (Alexandrova, 2008).

The globalization of economic relations also has a significant impact. The expansion of international markets, the cross-border provision of services and the internationalisation of employers' organisations are leading to the creation of teams operating across national borders and time zones. In these conditions, the organization of work is increasingly built on digital communication and coordination, and the physical presence in the enterprise ceases to be a universal prerequisite for the performance of labour duties. In this way, the traditional link between the workplace and the employer's location is gradually weakening, being replaced by a digitally organised work environment.

Of particular importance for the development of remote and home-based work is the accelerated development of information and communication technologies. The proliferation of broadband internet, cloud technologies, mobile devices, collaborative platforms and digital tools for managing work processes creates the technical prerequisites for the work function to be performed from practically any place, which provides the necessary conditions for communication and exchange of information. What's more, the digitalization and globalization of value chains can benefit businesses and workers, as they provide opportunities for optimized production processes and access to pools of specialized knowledge and skills (Yolova, Andreeva, Dimitrova, Blagoycheva, Nedyalkova, Bogdanov, 2023). In this way, digital technologies cease to be the only means of supporting work and become a major factor in its organization, the need for employers to prioritize the upskilling and reskilling of people of all ages (Antonova, Ivanova, 2021).

As the digital work environment evolves, so does **the nature of employer control**. In the industrial model, it is carried out mainly through direct observation of the work process,

while in modern forms of labour organization, control is increasingly realized through electronic systems for assignment, coordination, reporting and evaluation of performance.(Aleksandrov, 2024)

Organisational subordination, which remains the defining feature of the employment relationship, does not disappear, but acquires new forms of manifestation driven by the use of digital technologies. This raises questions about the protection of workers' privacy, the limits of electronic surveillance, the processing of personal data and the need to guarantee the right to exclusion in the context of permanent digital connectivity.

In parallel with technological changes, **New social needs**, which also have a significant impact on the organisation of work. The modern worker is increasingly looking for opportunities for a more flexible combination of work and personal life, and employers are faced with the need to provide conditions for attracting and retaining qualified specialists in a dynamic labour market. This makes flexible forms of employment an exception to a sustainable element of modern human resources management policy. The opportunities for applying flexible forms of employment correspond to the characteristics of Generation Z as part of the modern workforce and their attitudes towards achieving a balance between personal and working life, as well as between the processes of training and personal life. Last but not least, flexible forms of employment have the potential to influence labour migration processes by shifting the power and importance of some of the incentives or barriers to it (Serafimova, Jaroenwanit, Phuensane, 2024), (Aleksandrova, 2019).

European social policy is also making a significant contribution to the development of these processes, **which** is gradually integrating the digital transformation as one of the main factors for the development of the labour market. The policies of the European Union are increasingly promoting the construction of a digital single market, the development of digital skills, the modernisation of working conditions and the guarantee of work-life balance. teleworking and working from home should be seen not only as a result of technological progress, but also as part of a broader European strategy to adapt labour law to the digital economy.

The COVID-19 pandemic has demonstrated in practical terms the possibilities and limitations of remote work organization by accelerating the introduction of legislative solutions and organisational models that are largely based on technological prerequisites that existed even before the onset of the health crisis. The pandemic should therefore be seen as a catalyst for the

digital transformation of work and not as a factor that has created the need to develop teleworking and home-based work.

The social, economic and technological processes presented show that teleworking and home-based work do not constitute independent or accidental legal institutions. They are a natural result of the overall transformation of the labour organization in the digital economy and a reflection of the process of adaptation of labour law to the new working environment.

1.3. Shaping the European regulatory framework for the digital work environment – from the European Framework Agreement on teleworking to modern acts of the European Union.

The formation of the European regulatory framework on teleworking, home-based work and, more broadly, the digital working environment is not the result of a one-off piece of legislation, but of a consistent process of development of European social law, social dialogue and European Union labour policies. This process reveals the gradual transition from the classical understanding of work organized around the physical presence of the worker in the enterprise to a model in which the work function can be performed through digital technologies, while preserving the basic guarantees of labour law.

The primary legal basis of this regulatory evolution is contained in the provisions of the Treaty on the Functioning of the European Union, and in particular in Art. 153 and Art. 154 TFEU. Through them, the European Union is given competence to support and complement Member States' work in the areas of working conditions, social protection of workers and consultation of social partners. Of particular importance is Art. 154 TFEU, which places social dialogue at the heart of future social initiatives and opens up the possibility for the social partners to participate actively in shaping European labour standards.

In addition, the Charter of Fundamental Rights of the European Union outlines the values framework within which all subsequent acts should be developed. Article 31 of the Charter recognises the right of every worker to working conditions which respect his health, safety and dignity, as well as the right to limit the maximum working time, daily and weekly rest and paid annual leave. These safeguards are particularly relevant in the digital working environment, as it is in teleworking and home-based work that the risk of blurring the boundaries between work and leisure time is most clearly manifested.

The first major milestone in the development of the European framework is the European Framework Agreement on Teleworking of 16 July 2002, signed by the European

social partners. Its importance is fundamental because, for the first time at European level, teleworking has not been seen as an exception to the normal organisation of work, but as a form of work that should be integrated into the general system of labour law. The agreement focuses on the voluntary nature of teleworking, the equality of teleworkers with other workers, data protection, privacy, equipment, occupational health and safety, the organisation of working time, training and collective rights. It was signed by ETUC, UNICE/UEAPME and CEEP following a consultation launched by the European Commission on the modernisation of labour relations. The European social partners do not create a separate, isolated teleworking regime, but place it within the framework of existing labour law. Thus, as early as 2002, the principle was established that the performance of the labour function outside the employer's premises does not lead to a weakening of labour law protection. On the contrary, it requires the adaptation of classical guarantees to the new organisation of work.

The next important element of the European framework is Directive 2003/88/EC on certain aspects of the organisation of working time. Although it does not specifically regulate teleworking or home-based work, its importance is direct because it establishes minimum standards regarding daily rest periods, weekly rest periods, maximum working week and paid annual leave. In the context of digital connectivity, these standards take on a new meaning. When work is carried out outside the enterprise and communication is carried out by electronic means, there is a risk that the working time will actually extend beyond the agreed or legally permissible limits. The Working Time Directive is therefore one of the main acts to ensure that the flexibility of teleworking does not become a basis for the worker's constant accessibility.

Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work is of similar importance. It establishes the general framework of European law in the field of health and safety at work and is of particular importance for teleworking and home-based work. The reason is that the relocation of the labour process outside the employer's premises does not release the employer from the obligation to ensure the protection of the health and safety of the worker. On the contrary, it raises new questions related to risk assessment, workplace ergonomics, psychosocial risks, occupational isolation, stress, overload and the blurring of the work-personal boundary.

A particularly important place in the development of the European framework is occupied by the European Pillar of Social Rights of 2017, which does not create a separate special regulation for teleworking or home-based work, but sets the socio-political logic in

which these forms of work should be considered. The principles on fair working conditions, secure and adaptive employment, work-life balance and access to social protection are directly relevant to the digital working environment. It is through the European Pillar of Social Rights that the digital transformation of work is raised not only as a technological and economic process, but also as a matter of social justice and protection of human dignity at work.

Directive (EU) 2019/1158 on work-life balance for parents and carers also fits into this line. Its significance for the issue under consideration stems mainly from the framework of the law on the right to request flexible forms of work. Although the Directive is not a specific act on teleworking or home-based work, it recognises flexible work as a means of reconciling professional and family obligations. This is particularly important because teleworking and home-based work can be seen not only as cost-effective forms of work, but also as a mechanism for social inclusion, equality and support for workers with parental or family commitments.

Directive (EU) 2019/1152 on transparent and predictable working conditions is also essential. In the context of teleworking and home-based work, it is particularly relevant because it focuses on the clarity of the main elements of the employment relationship. In the case of work performed outside the employer's premises, prior clarity on the place of work, the working time regime, the accessibility of the worker, the manner in which tasks are assigned, accountability and the digital means of communication and control used are of particular importance. The directive thus contributes to limiting one of the main dangers in the digital work environment – turning flexibility into uncertainty.

The next stage in the development of the European regulatory framework is related to the right to disconnect. The European Parliament resolution of 21 January 2021 on the right to self-employment is of particular importance because it raises the question of the need for minimum standards at European Union level. The European Parliament stresses that this right is linked to the protection of workers' health and safety, fair working conditions and work-life balance. In this sense, the right to disconnect is not an independent privilege of the worker, but a guarantee against the risk that digital technologies will extend employers' power beyond working hours.

This issue continues to be relevant in the follow-up actions of the European Commission. In 2024, the Commission launches a first phase of consultations with the social partners, and in July 2025, a second phase on the right to self-employment and fair teleworking. These consultations raise questions about workers' right to disconnect, non-discrimination, access to equipment, data protection, surveillance, as well as health and safety at teleworking.

This shows that European policy already considers teleworking not only as a form of flexible employment, but as a complex labour law environment that requires independent guarantees.

Official research and reports by the European Commission and Eurofound also make a particularly important contribution to understanding these processes. They show that teleworking brings undeniable advantages, including greater flexibility, the possibility of better work-life reconciliation, and wider access to employment, but at the same time it poses risks related to isolation, intensified work, difficulty controlling working time, constant accessibility, and psychosocial stress. It is these studies that are important for the transition from perceiving remote work as an organizational opportunity to understanding it as an independent object of social-legal protection.

As part of this evolution, the European Commission's Decision of 24 March 2022 on working hours and hybrid work for Commission staff should also be taken into account. Although it has an internal institutional character, it is indicative of the way in which the European institutions themselves model the hybrid work organisation. The introduced principle, allowing up to three days of remote work per week and a minimum of two days of presence in the office, shows a desire to balance flexibility and the need for institutional connectivity, teamwork and organizational culture. This model has a broader meaning, as it demonstrates a practical trend towards the normalization of hybrid work as a sustainable form of work organization.

The current stage of development of the European framework already goes beyond classical teleworking and includes the wider digital transformation of work. In this context, the importance of acts and policies related to the Digital Decade, digital rights and principles, platform work and artificial intelligence should be taken into account. They do not always directly regulate teleworking or home-based work, but they do build the general normative environment in which these forms of work develop.

Directive (EU) 2024/2831 on improving working conditions in platform work is indicative of the new generation of European labour regulation. Its aim is to improve the working conditions of platform workers and to protect the personal data of those performing platform work. Its significance for the present study lies in the fact that it brings to the fore the problems of algorithmic management, digital surveillance and the determination of actual employment status. While platform work does not coincide with teleworking or working from

home, it reveals similar problems related to the organisation of work through digital systems, remote control and dependence on technological infrastructure.

Regulation (EU) 2024/1689 on artificial intelligence is also of particular importance. It is not an employment law act in the strict sense, but it is essential for the future of the digital working environment, as it introduces harmonised rules on artificial intelligence systems. In the context of labour relations, its importance is mostly manifested in the use of AI systems for selection, management, evaluation, monitoring and decision-making affecting workers. This is also particularly important for teleworking, where employer control is often carried out through digital tools rather than direct physical supervision.

From the foregoing, it can be concluded that the European Union does not yet have a single specific directive that comprehensively regulates teleworking, home-based work and the right to disconnect. Instead, the European regulatory framework is shaped by combining several sets of acts: firstly, acts on working time, occupational health and safety and transparent working conditions; secondly, acts on work-life balance and flexible forms of employment; thirdly, acts and initiatives on the right to disconnect and fair teleworking; fourthly, modern acts on digitalisation, platform work and artificial intelligence.

This normative fragmentation should not necessarily be assessed negatively. It shows that the digital working environment cannot be reduced to a single institution of labour law. On the contrary, it affects both the workplace, working hours, employers' controls, the protection of personal data, health and safety at work, work-life balance, collective rights and social protection. The European framework is therefore developing gradually and multi-layeredly, with each subsequent initiative complementing the previous one.

In conclusion, it can be assumed that the European regulatory framework for the digital work environment is going through several successive stages: initial recognition of teleworking through social dialogue; the subsequent application of common standards on working time and health and safety; developing the social dimension through the European Pillar of Social Rights; strengthening rights related to work-life balance and transparency of working conditions; raising the issue of the right of detachment; and finally, expanding the regulatory focus on platform labour, algorithmic governance and artificial intelligence.

It is this sequence that shows that teleworking and home-based work are not temporary or peripheral forms of work, but part of a wider transformation of European labour law. They require not only national legislative decisions, but also systematic interpretation in the context

of European standards for fair, predictable, healthy and socially balanced working conditions in the digital age.

1.4. Generalization and conclusions. Periodization of the development of the European regulatory framework of the digital working environment.

The analysis carried out shows that the development of teleworking and home-based work is not an independent process of changing individual labour law institutions, but is part of the wider transformation of the European model of labour organisation. Following societal, economic and technological factors, as well as the development of the European regulatory framework, allows us to conclude that the European Union has consistently built a comprehensive concept of labour regulation in the context of digitalisation.

This evolution is not realized through the adoption of a single normative act, but through the gradual construction of complementary legal mechanisms that expand the substantive scope of European social policy and adapt the classical institutes of labour law to the digital working environment. That is why the development of the European regulatory framework can be systematized in several relatively independent stages.

The first phase covers the period of initial institutionalisation of teleworking through the mechanisms of European social dialogue. Its main expression is the European Framework Agreement on Teleworking from 2002, which sets the foundation for European standards on voluntariness, equality, organization of work, protection of personal data, health and safety at work and collective rights of teleworkers.

The second stage is characterised by the extension of the scope of the common European labour law to new forms of organisation of work. During this period, the provisions on working time, health and safety at work, the protection of personal data and workers' fundamental rights also began to apply to teleworking, affirming the principle that the place of performance of the job function cannot be a basis for reducing labour protection.

The third stage is related to the construction of the social dimension of the digital transformation. The European Pillar of Social Rights and the subsequent directives on transparent and predictable working conditions and work-life balance focus on the need for digitalisation to be accompanied by a high level of social protection. It was during this period that teleworking and home-based work finally established themselves as legitimate forms of work organization, and not as exceptions to the general regime.

The fourth stage, which is still ongoing, is characterised by the formation of a comprehensive regulatory policy on the digital working environment. It already covers the issues of the right to disconnect, algorithmic management, platform work, the use of artificial intelligence systems, digital surveillance, the processing of personal data and the protection of workers' fundamental rights in the context of digitalisation. Thus, the subject of European regulation is gradually expanding from teleworking to the complex regulation of digital work.

The proposed periodization shows that European regulatory policy is characterised by a clear consistency and continuity. Each subsequent normative act does not cancel the previous decisions, but develops them, gradually building a unified system of principles, guarantees and mechanisms for adapting labour law to the digital economy. It is this evolutionary logic that determines the development of national legislations, which increasingly perceive European standards as a reference point for the modernization of the domestic legal framework.

From the point of view of Bulgarian labour law, this trend is of particular importance. The national regulation of teleworking and home-based work can no longer be viewed in isolation, only through the prism of domestic legislation. It should be interpreted and developed in the context of the emerging European concept of the digital working environment, which is progressively defining common standards for the organisation of work, the protection of workers and the exercise of employer power in the context of the digital transformation.

In this sense, it can be summarized that the European regulatory framework no longer regulates individual forms of employment, but lays the foundations for a new model of labour regulation, in which the digital working environment is perceived as a natural development of modern labour relations. It is this model that outlines the direction of the future development of both European and national labour legislation, including the Bulgarian one.

2. THE NATIONAL LEGAL FRAMEWORK FOR TELEWORKING AND HOME-BASED WORK – NORMATIVE CONSTRUCTION, CORRELATION AND SPECIFICS

2.1. Development of the national legal framework for home-based work and telework.

Following the development of the European regulatory framework shows that the digital transformation of work is not a one-off legislative event, but a continuous process of adapting labour law to the emerging social, economic and technological changes. A logical continuation

of this analysis is the study of the way in which these processes are reflected in the development of Bulgarian labor legislation. The national legal framework for home-based work and teleworking does not arise in isolation from European trends, but is formed as part of the general evolution of labor law towards the creation of normative mechanisms that allow the organization of work outside the traditional workplace while preserving the basic guarantees for the protection of workers and employees.

Until the beginning of the second decade of the 21st century, the Labor Code was built on the classical concept of the employment relationship, in which the performance of the labor function is closely related to the physical presence of the worker in the employer's enterprise. This legislative construction is completely natural, since it corresponds to the economic and organizational characteristics of the industrial model of labor. In this case, the workplace, the immediate employers' control and the spatial concentration of the labor process are mutually dependent elements of the labor organization.

However, the development of information and communication technologies, the growing importance of intellectual work and the gradual expansion of the service sector call into question the possibility of encompassing all emerging forms of employment. Increasingly, the labor function can be performed outside the employer's premises without changing the dependent nature of the work or the organizational subordination of the worker. It is these processes that give rise to the need for a legislative regulation of new forms of labor organization that combine flexibility in the performance of the labor function with the guarantee of labor protection.

In this context, the amendments to the Labour Code, promulgated in the State Gazette, No. 48 of 24 June 2011, which for the first time in the Bulgarian legislation establishes an independent legal framework for home-based work and remote work. The legislative decision is not limited to the introduction of two new forms of labor organization, but marks the beginning of a qualitatively new stage in the development of Bulgarian labor law. For the first time, the legislator legally recognizes that the labor function can be performed outside the employer's enterprise without changing the legal nature of the employment relationship.

The legislator's choice to regulate home-based work and teleworking as two independent institutes is also not accidental. Although they share the common characteristic that work is done outside the usual workplace in the enterprise, they differ both in the way of labor organization and in the technical means used, the nature of the working environment and

the peculiarities of employer control. Already at legislative level, there is an understanding that not all work carried out outside the enterprise constitutes teleworking and that home-based work retains its autonomy as a legal institution.

This legislative approach follows the European logic outlined in the 2002 European Framework Agreement on teleworking, but does not constitute a mechanical reproduction of its principles. The Bulgarian legislator takes into account the European standards with the specifics of the national legal system by building an independent normative structure, integrated into the general system of the Labour Code. In this way, the development of the national framework becomes an example of the process of harmonization between European and domestic labour law, in which European policies serve as a guideline and specific legislative decisions are adapted to the specifics of the national legal environment.

As already noted in a previous study in Bulgarian labor law doctrine, one of the first consequences of this legislative development is the need to rethink the classical concept of the workplace. Its traditional understanding as a spatially defined place in the employer's enterprise gradually proved insufficient to encompass new forms of labor organization (Andreeva, Shirvanyan, 2021).

The present study takes this conclusion as a starting point, but builds on it by assuming that the transformation affects not only the institution of the workplace, but the overall model of the employment relationship, including the organization of work, employer control, the way of communication between the parties and the exercise of fundamental labor rights.

The subsequent development of digital technologies is gradually expanding the practical application of home-based and teleworking. In this process, both the development of the digital economy and European policies aimed at promoting flexible forms of employment and achieving a better work-life balance make a significant contribution. In another study, the author argues that home-based work should not only be considered as a form of flexible work organization, but also as an institution with a significant social dimension that can contribute to a better reconciliation of professional and family commitments, provided that the regulatory framework provides sufficient safeguards against the risks of excessive digital connectivity and blurring of the boundaries between working and leisure time (Andreeva, Yolova, 2020). The present study further develops this thesis by placing it in the broader context of the digital transformation of work and the development of European regulatory policy.

The practical importance of the current legal framework is particularly evident during the COVID-19 pandemic. As already deduced in the first chapter of this study, the pandemic is

only accelerating processes that have already been driven by the digitalisation of the economy, the development of information technologies and a coherent European policy to modernise the organisation of work.

The analysis carried out allows us to conclude that the development of the national legal framework for home-based work and teleworking is not a series of separate legislative amendments, but a consistent process of adaptation of Bulgarian labor law to the changing organization of work. Like the development of the European regulatory framework, national legislation is going through different stages that reflect both changes in public relations and the need to ensure adequate protection of workers in the digital working environment.

2.2. Legal characteristics, distinguishing criteria and ratio between home-based work and telework

The clarification of the legal characteristics and the relationship between home-based work and teleworking is essential both for the correct application of the current legal framework and for the understanding of the logic adopted by the Bulgarian legislator in the regulation of the two forms of labor organization. Although in practice they are often used interchangeably, the current Labor Code consistently regulates them as two independent legal institutions, each with its own subject of regulation, peculiarities of the labor organization and specific rights and obligations of the parties to the employment relationship.

This legislative approach is not accidental. As mentioned in the previous point, the national legal framework is the result of a process of adaptation of labour law to changing social relations and to European trends in the development of flexible forms of employment. It is for this reason that the distinction between home-based work and teleworking should not be deduced solely from the place where the work is performed. Although the spatial element matters, it is not the only and is not always the decisive criterion. The legal nature of the two institutes should be clarified through a cumulative analysis of the legal framework, their functional purpose and the way in which the performance of the labor function is organized.

The Bulgarian legislator regulates home-based work in Section VIII "a" of Chapter Five of the Labor Code. According to Art. 107b of the Labor Code, home-based work is the work that is carried out under an employment relationship in the home of the worker or employee or in other premises of his choice outside the employer's workplace, against remuneration and with the use of materials, raw materials, semi-finished products and other means provided by the

employer or at the expense of the worker or employee. Several essential characteristics can be deduced from the legal definition.

First of all, home-based work retains all the main features of the employment relationship – the personal performance of work, the organizational dependence of the worker and the remunerated nature of the work performed. The worker continues to perform a labor function under the direction and control of the employer, despite the fact that this control is carried out differently from the traditional model of labor organization.

Secondly, the normative construction of Art. 107b of the Labor Code shows that the legislator connects home-based work with the performance of a certain production or service activity outside the enterprise, as the organization of the work process, the materials used and the means of production acquire particular importance. It is this feature that traditionally distinguishes home-based work from remote work and determines its independent place in the system of labor law.

As already stated in a previous study, the place of work should not be perceived solely as a physical characteristic of the employment relationship. The development of the new forms of labor organization shows that the concept of "workplace" gradually acquires a functional content, which is determined not only by the spatial location of the worker, but also by the ability to perform the agreed labor function through the appropriate organizational and technical means. The present study takes this conclusion as a starting point and develops it further, assuming that it is the functional approach that allows a clear distinction between home-based work and teleworking.

Unlike home-based work, remote work is regulated in Section VIII "b" of Chapter Five of the Labor Code. According to Art. 107h of the Labor Code, this is a form of organization of work taken out of the employer's premises, which is carried out through the use of information technologies and which, before its outsourcing, has been or could have been carried out at the employer's premises.

The legal definition also shows that the legislator uses a different regulatory approach. While in home-based work the organization of work outside the enterprise is of leading importance, in remote work the defining feature is the use of information and communication technologies as a means of performing the labor function. It is digital connectivity that turns teleworking into an independent legal institution, which differs not so much in the place of work but in the way in which communication between the employer and the worker is carried

out, the assignment of tasks, the control over the performance and accountability of the work performed.

In this regard, it should be noted that information technologies are not only a technical means of carrying out labor activity. They are an element of the very normative construction of the institute. It is through them that the remote performance of the labor function is realized, the exchange of information between the parties to the employment relationship is carried out and the opportunity to exercise employer control without direct physical presence is created. This distinguishes teleworking from both the classical organization of work and the traditional understanding of home-based work.

The analysis carried out shows that despite their common belonging to atypical forms of work organization, home-based work and teleworking cannot be considered as identical legal constructions. What they have in common is that in both institutes the labor function is performed outside the usual workplace in the enterprise, while preserving the basic principles of the employment relationship and the labor law protection of the worker. However, the differences are manifested in the way of work organization, the role of information technologies, the nature of employer control and the functional purpose of the respective institute.

It is for this reason that the present study accepts that the legislative distinction between home-based work and teleworking is not the result solely of a different place of work. It reflects the existence of two independent models of organization of the labor process, which are developing in parallel in the conditions of digital transformation of labor. This conclusion is essential both for the correct interpretation of the current provisions of the Labour Code and for outlining future directions in the development of the national legal framework (Fig. 1).

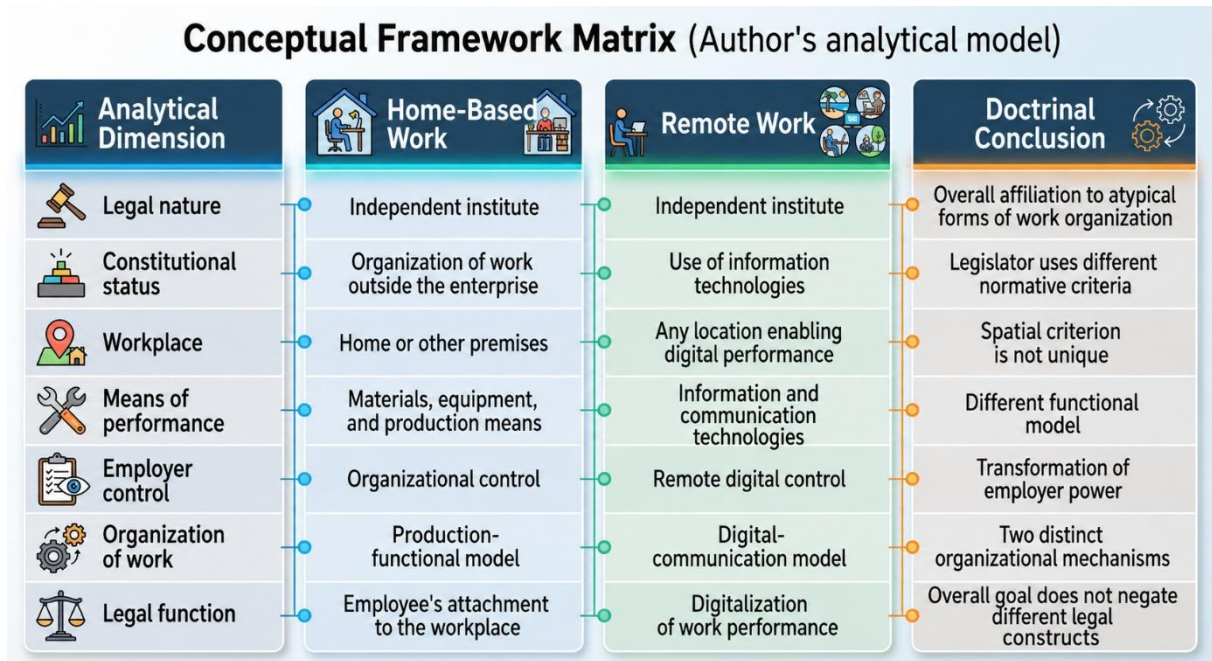


Fig. 1. Conceptual matrix

Source: Author's analytical model

The proposed analytical model shows that the legislative distinction between home-based work and teleworking is not based on a single criterion, but on a system of interrelated regulatory, organizational and functional features. It is their totality that determines the independent place of the two institutes in the system of labor law.

2.3. Specifics of the content of the employment relationship in home-based work and remote work.

2.3.1. Transformation of the spatial element of the employment relationship.

One of the main structurally defining elements of the classical employment relationship is the place of work. In the traditional model of labor organization, the spatial element is realized through the interdependence between the place of work and the workplace, which are determined by the employer at the occurrence of the employment relationship and are accepted by the worker or employee by reaching an agreement on the content of the employment contract. Although the place of work is a mandatory element of the content of the employment contract, its specification is a manifestation of the employer's organizational power, since it is the employer who organizes the labor process, determines the spatial parameters of the performance of the labor function and bears the responsibility for creating the necessary conditions for its implementation.

This legislative construction is a logical consequence of the industrial model of labor organization, in which the performance of the labor function presupposes the physical presence of the worker in the enterprise, direct employer control and the provision of the working environment by the employer. In this model, the spatial element has not only organizational but also legal significance, since it determines the boundaries of employers' power, the exercise of control, the fulfillment of obligations to ensure healthy and safe working conditions, as well as the organization of working hours.

As already explored in the legal doctrine, the concept of "workplace" should not be perceived only as a physically defined space, but as a legal category, the content of which is determined by the way the labor process is organized and the ability to perform the assigned labor function (Andreeva, Shirvanyan, 2021). The present study takes this conclusion as a starting point, but builds on it by assuming that the development of home-based work and teleworking leads to a transformation not only of the concept of "workplace", but of the entire spatial element of the employment relationship.

In the case of home-based work and remote work, the legislator retains the mandatory nature of the arrangement regarding the place of work, but significantly changes the way its content is formed. In contrast to the classical model, in which the employer unilaterally determines the spatial organization of labor within its organizational power, in the two institutes under consideration there is a significant expansion of the participation of the worker or employee in determining the place where the labor function will be performed. The spatial organisation of labour is no longer entirely the result of the employer's order, but becomes an element of contractual cooperation between the parties to the employment relationship.

It is here, according to the present study, that one of the most significant transformations of the classical model of the employment relationship is manifested. The spatial element ceases to be an exclusive manifestation of the employer's organizational power and gradually acquires the character of shared organizational responsibility between the employer and the employee. The worker is no longer only the addressee of the employers' orders regarding the place of work, but an active participant in its determination and organization. This amendment reflects on the content of the mutual rights and obligations of the parties and raises new questions about the limits of employer responsibility.

This transformation is particularly evident in the provision of healthy and safe working conditions. In the classical model, the employer organizes the working environment, exercises

direct control over it and bears the main responsibility for its compliance with legal requirements (Dimitrova, 2020). In the case of home-based work and teleworking, however, a significant part of the actual organization of the working environment is carried out by the worker or employee himself. It is he who chooses the specific premises, organizes its use in everyday work and to a large extent determines the conditions under which he performs the assigned work. This does not relieve the employer of his legal obligations, but undoubtedly changes the mechanism by which they are implemented in practice and implies a new distribution of organizational functions between the parties to the employment relationship.

In this sense, the present study defends the view that the development of home-based work and teleworking does not lead to the abolition of the spatial element of the employment relationship, but to its functional transformation. The space in which the work is done ceases to be the sole object of the employers' organization and becomes the result of the joint participation of the parties in the implementation of the employment relationship. It is this transformation that raises new questions about the content of employers' organizational power, the limits of labor protection and the distribution of responsibilities for ensuring a safe and healthy working environment, which will be addressed in the next parts of this study.

2.3.2. Transformation of the organization of the labor process and working time

The organization of the labor process and the establishment of the working time regime are some of the most essential manifestations of the employer's organizational power. In the classical model of the employment relationship, it is the employer who determines the way of organizing the production process, distributes labor functions between workers and employees, determines the working time, organizes its reporting and exercises direct control over the performance of labor obligations. Thus, the spatial concentration of labor, working time and employer control form a mutually determined system that characterizes the industrial model of labor organization.

This concept finds its normative reflection in the Labor Code through the provisions governing the employer's organizational power, the obligation to observe the established working hours, labor discipline and control over the performance of labor duties. In the classical organization of work, the employer exercises these powers directly, since the worker performs his labor function in the organizational environment of the enterprise, in constant contact with the employer or with the managers appointed by him.

The development of home-based work and teleworking does not change the legal nature of the employer's organizational power. The employer continues to organize the labor process, to determine the labor function, the way it is performed, the requirements for the quality of work and the working time regime. At the same time, however, the mechanism by which these powers are implemented in practice is changing. Direct organizational control gradually gives way to an organization based on predetermined rules, electronic communication and remote interaction between the parties to the employment relationship.

It is here that one of the most significant features of home-based work and remote work manifests itself. Although the employer retains its organizational power, the implementation of the day-to-day organization of work is to a much greater extent carried out by the employee himself. Within the framework of the conditions agreed with the employer, he organizes the sequence of tasks assigned, distributes his activities over time, plans the work process and bears significantly greater responsibility for the effective use of working time. Therefore, the subordination nature of the employment relationship does not change, but the way in which the organizational power of the employer reaches the specific performance of the employment function.

This feature is particularly pronounced in terms of working hours. In the traditional model, the employer has immediate control over the beginning, duration and end of the working day, as well as over the observance of breaks and established working hours. In the case of home-based work and remote work, these opportunities are objectively limited by the lack of physical presence of the worker in the enterprise. This requires the use of new organizational mechanisms based on pre-agreed rules, electronic recording of working hours and a higher degree of self-discipline and self-organization on the part of the worker or employee.

It should be emphasized that the increased role of the worker in the organization of his own work activity does not mean a weakening of the employer's power or the abolition of subordination as the main feature of the employment relationship. On the contrary, the employer continues to determine the content of the job function, the expected results and the rules for the performance of the work. Only the form of exercising this power, which is increasingly being exercised through digital means of communication, electronic assignment of tasks and remote monitoring of their implementation, is changing. In this context, the development of information technology and artificial intelligence systems sets a new stage in the evolution of the organization of work. If, in the initial development of teleworking, a

significant part of the control over the organization of working time was based on the independent behavior of the worker, modern digital technologies now make it possible to use intelligent systems for automated recording of working time, monitoring the performance of assigned tasks, analyzing work processes and assisting the employer in exercising his control functions. In these cases, artificial intelligence does not replace employer organizational power, but becomes a means of exercising it in the digital working environment.

Therefore, the transformation of the organization of the labor process and working time is not expressed in the restriction of employers' powers, but in the development of new organizational mechanisms for their implementation. Digital technologies, including artificial intelligence systems, are changing the way work is organised and controlled, without affecting the fundamental principle of subordination on which the employment relationship is built.

2.3.3. Transformation of employers' power and control over the performance of the labor function

Employers' power is one of the main components of employers' legal capacity and finds its manifestation in the right of the employer to organize the labor process, to assign labor tasks, to exercise control over their performance and to exercise disciplinary liability in case of non-fulfillment of labor obligations. It is through the employers' power that the organizational dependence of the worker or employee is realized, which traditionally distinguishes the employment relationship from other contractual relations.

In the classical model of labor organization, control over the performance of the labor function is carried out directly in the working environment of the employer. The physical presence of the worker in the enterprise allows constant organizational control over the work process, compliance with working hours, the performance of assigned tasks and labor discipline. The spatial unity between employer and worker determines the immediate nature of this control and creates relatively clear boundaries between the professional and personal spheres of the worker.

The development of home-based work and teleworking poses new challenges to the exercise of employer power. On the one hand, the employer remains responsible for the organisation of the labour process and for achieving the agreed results. On the other hand, the lack of direct physical contact between the parties requires the use of new forms of assignment, coordination and control over the performance of the labor function. Thus, employer power does not lose its importance, but adapts to the specifics of the digital working environment.

In this regard, various electronic means of communication, workflow management systems, platforms for assigning and reporting tasks, as well as specialized software for tracking the performance of work activities are increasingly used.

At the same time, it is the numerical nature of these mechanisms that gives rise to the need to clearly define the limits of employer control. Unlike traditional work environments, where the work space is relatively clearly separated from the worker's private life, in home-based work and teleworking, the two spheres often exist simultaneously within the same physical space. This significantly increases the risk that the exercise of employer control will affect the privacy, personal correspondence and protection of the employee's personal data.

That is why the development of the European legal framework in recent years has been aimed at building guarantees that will ensure the necessary balance between the legitimate interest of the employer to control the performance of the job function and the fundamental rights of the worker. The principles of proportionality, necessity and transparency in the use of digital surveillance tools, as well as the requirement that the worker be informed in advance of the manner and scope of the controls carried out, are of particular importance.

In the same context, the development of European policies on the *right to disconnect* should also be considered. The constant digital connectivity inherent in teleworking creates the prerequisites for blurring the boundaries between working and personal time and for effectively extending the period during which the worker remains available to the employer. That is why the understanding that the digital organisation of work should not lead to continuous accessibility of the worker is increasingly accepted in European legal policy. And it must be accompanied by guarantees for the actual exercise of the right to rest, private life and mental health.

From the analysis carried out, it can be concluded that digitalization does not transform the essence of employers' power, but changes the forms of its exercise. Along with traditional methods of organisational management, digital coordination and control mechanisms are gradually being developed, including through the use of artificial intelligence systems. However, this evolution should be accompanied by adequate safeguards to protect the fundamental rights of the worker, so that the use of new technologies does not upset the balance between the effective organisation of work and the privacy of the private sphere.

2.4. Conclusions and generalizations

The normative and functional analysis of remote work and home-based work shows that their importance goes far beyond their perception as alternative forms of work organization. They represent a deeper transformation of the classical model of employment, conditioned by the processes of digitalization, the development of information technologies and the formation of a new European regulatory environment.

The study confirms that the introduction of these forms of work does not lead to a change in the legal nature of the employment relationship, but to a rethinking of the way in which its main elements are realized. The employment relationship retains its fundamental features – the personal provision of the workforce, organizational dependence, remuneration and employer power, but the content of these institutes acquires a new functional dimension, consistent with the specifics of the digital working environment.

In this context, the classic categories of labour law – workplace, working hours, employer control, work organisation, occupational health and safety and protection of private life – can no longer be considered solely through the traditional criteria built for the industrial model of work. They are developing as dynamic legal institutes, the content of which is adapted to the use of digital technologies, electronic means of communication and new organisational models of work. Of particular importance is the need to achieve a balance between economic efficiency and the protective function of labor law. The expansion of opportunities for remote performance of work duties creates prerequisites for higher productivity, greater organizational flexibility and a better combination of work and personal life. At the same time, however, new risks arise related to digital surveillance, continuous connectivity, the blurring of the boundaries between work and personal time, the protection of personal data and the psychosocial burden of workers. It is for this reason that modern labor law is gradually focusing its development on the construction of guarantees that combine technological innovation with the effective protection of fundamental social rights.

Based on the conducted research, it can be concluded that the development of teleworking and home-based work should be considered not as a temporary adaptation to technological changes, but as a permanent evolution of labor law. This evolution does not negate the classical principles of labour protection, but adapts them to the new conditions, while at the same time putting before the legislator the need to consistently improve the legal framework in line with dynamically developing European law and the needs of the digital society.

In broader philosophical and legal terms, the development of remote work and home-based work reveals a much deeper pattern in the evolution of labor law. For the first time since the creation of the classical model of the employment relationship, its main elements turn out to be independent of the physical space in which the work is performed. The workplace ceases to be a purely geographical category, working time is increasingly organized through the result of work, and employers' power is realized through digital means, algorithms and information systems. This shows that modern labor law is gradually moving from regulating the work carried out in a specific physical space to regulating relations built in a digital environment, in which the leading question remains not where the work is done, but how the dignity, autonomy, security and protection of the person as a bearer of labor rights are guaranteed.

This is where the real transformation of modern labor law manifests itself. Its mission is no longer limited to regulating the organization of labor, but is expanding to build a legal framework capable of preserving the balance between technological progress and the enduring values of the welfare state. No matter how dynamically digital technologies and artificial intelligence develop, the foundation of labor law remains unchanged – the protection of the human being who creates social and economic value through their work. It is for this reason that the future of labour law will not be determined by technology per se, but by the ability of law to direct its development in the interests of the individual, safeguarding his dignity, freedom and social protection as the supreme values of the European legal order.

CONCLUSION

The dynamic development of digital technologies, changes in the organization of work and the formation of a digital working environment pose challenges to modern labor law that go far beyond the need to create new regulatory solutions. They raise the question of the ability of classical labour law institutions to adapt to the new economic and technological realities without losing their identity and without weakening the basic protective function of labour law. It is this question that motivates the present study and determines its scientific orientation.

This study aims to explore the development of teleworking and home-based work not only as independent legal institutions, but as a manifestation of the deeper transformation of the classical employment relationship in the context of digitalization and the construction of a European regulatory framework for the digital working environment. In accordance with the

set objective, the historical prerequisites for the emergence of the two forms of work, their normative development in national and European law, as well as their impact on the main elements of the employment relationship – the workplace, working time, labor organization, employers' power, control over the performance of the labor function and guarantees for the protection of the private life of workers were analyzed.

The analysis carried out gives grounds to assume that the goal has been achieved, and the defended research thesis has been confirmed. The study proves that teleworking and home-based work are not just new forms of work organization that have emerged in response to technological development or societal changes in recent decades. They are the normative expression of a much deeper process – the gradual transformation of the classical model of employment relations and the transition from labor regulation carried out in a certain physical space to the regulation of labor relations in a digital working environment.

The analysis carried out shows that this transition does not change the legal nature of the employment relationship. Its main features are preserved – the personal provision of the labor force, organizational dependence, remuneration of labor and social protection of the worker or employee. However, the way in which these fundamental characteristics manifest themselves in practice is changing. The workplace ceases to be a only spatially defined category, working time is increasingly organized through functional models of the performance of the labor function, and employer power is realized through digital means of management, communication and control. It is this functional transformation that outlines the new content of traditional labour law institutions.

The study also found that the European regulatory framework is gradually building a complex regulatory model where the rules on teleworking and home-based work can no longer be considered in isolation. They operate in close intersection with the legal framework for the protection of personal data, the use of artificial intelligence systems, cybersecurity, platform employment, transparency of algorithmic governance and the protection of fundamental rights. This allows us to conclude that European labour law is gradually moving towards the establishment of an integrated legal architecture of the digital working environment, in which individual regulations complement each other and form a common system for the protection of workers.

One of the main results of this study is to prove that the digitalization process should not be perceived as a factor that calls into question the classical principles of labor law. On the contrary, the analysis shows that it is precisely the sustainability of these principles that allows

them to adapt to the new social relations. The means of organization and performance of labor are changing, the technologies through which the employer exercises its managerial powers are changing, but the main function of labor law remains unchanged – to guarantee the protection of a person as a bearer of labor rights and legitimate interests.

The scientific results achieved in this study allow several significant contributions to the development of labor law doctrine to be deduced.

First of all, a two-layer methodological model of research has been developed, based on a parallel analysis of the national and European legal framework. In contrast to the traditional approach, in which European acts are considered as an external factor for the development of national legislation, this study analyzes them as interrelated elements of a single regulatory system that determines the direction of development of modern labor law.

Secondly, an author's periodization of the development of remote work and home-based work is proposed, which goes beyond the traditional historical tracking of regulatory changes. Two complementary analytical layers are derived – historical-normative periodization, tracing the transition from the industrial model to the digital working environment, and functional periodization, revealing the consistent transformation of the main elements of the employment relationship. By combining these two approaches, a model that could be used as a methodological basis for future research on other manifestations of the digitalisation of work is proposed.

The proposed methodological approach and the scientific results achieved are not limited to further developing the existing scientific assumptions regarding teleworking and home-based work. They outline a more general concept of the development of labor law in the context of digitalization, in which the transformation does not cover individual legal institutions, but the very environment in which labor relations arise and are realized. This is the doctrinal significance of this study.

Thirdly, on the basis of the normative and functional analysis carried out, the concept is substantiated that the development of teleworking and home-based work should be considered as a stage in the construction of a new legal architecture of the digital working environment. In this way, the subject of labor law regulation is gradually expanding – from regulating the individual forms of labor organization to regulating the overall digital environment in which the labor function is carried out.

Fourthly, the study develops a philosophical and doctrinal statement on the modern development of labor law. The thesis is substantiated that digitalization does not destroy the classical labor law structure, but proves its vitality through its ability to adapt to new social relations. Regardless of the transformation of the workplace, working hours, organizational models and means of employer control, the main value on which labor law is built remains unchanged - the protection of the person, his dignity and social security. It is this continuity between tradition and development that outlines the philosophical basis of the modern evolution of labor law.

The results achieved have not only theoretical, but also significant practical applicability. The developed analytical model can be used in the future improvement of national labor legislation, in the formation of policies on the digital organization of work, in the development of internal rules for teleworking and home-based work, as well as in collective bargaining. The outlined criteria on the transformation of the workplace, working time and employer control can support both law enforcement authorities and case law, as well as employers and social partners in building models that combine organizational effectiveness with the guarantee of fundamental labour rights. In addition, the proposed two-layer methodological model could also be used as an analytical basis for future research on algorithmic labour management, the use of artificial intelligence systems, platform employment and other manifestations of the digitalisation of labour relations.

The historical development of labor law convincingly shows that any technological transformation puts existing legal constructions to the test. However, the strength of labor law has never consisted in the immutability of its institutions, but in their ability to develop together with society without losing their value basis. If the industrial revolution lays the foundations for the classical model of the employment relationship, then the digital transformation marks the beginning of the next stage of its evolution. This is not a transition from one labour law to another, but a natural process of development, in which traditional institutes acquire new content tailored to the specificities of the digital working environment.

It is in this perspective that one of the most important directions for the future development of both labor law doctrine and European and national legislation is outlined. The analysis of the current legal framework shows that despite significant progress in the regulation of digitalization, the protection of personal data, the use of artificial intelligence systems and the transparency of algorithmic management, there is still a lack of a uniform legal standard that provides a comprehensive assessment of the eligibility, transparency, proportionality and

compliance of digital systems used for employer control in remote work and home-based work. Existing regulatory decisions govern individual aspects of this process, but do not establish a common mechanism to certify that specific digital control solutions simultaneously comply with labour law, personal data protection, fundamental rights principles and the evolving European digital and artificial intelligence regulatory framework.

It is possible that the next stage in the development of the European labor law doctrine and future legislation is outlined here – the construction of a common model for assessing and certifying the compliance of digital employer control systems with established European standards for the protection of labor rights. Such an approach would create the necessary preconditions for greater legal certainty, predictability and trust in the use of digital technologies in employment relations, while ensuring an equal level of protection for workers in the European Union's digital internal market.

The current study does not claim to put an end to the scientific debate about the development of teleworking and home-based work. On the contrary, its purpose is to contribute to the formation of a broader doctrinal concept for the development of labor law in the context of digital transformation. The past shows why classical labor law institutes emerged. The present reveals the need to rethink them in the context of the digital work environment. The future will inevitably pose new questions to the legislator and legal science. The past explains why labor law arose. The present shows why it is changing. The future will show how far the law will be able to steer the digital transformation so that technological development and human dignity remain complementary, rather than mutually exclusive, values. It is in this perspective that the current research sees not its end, but the beginning of the next scientific horizon.

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