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Shaping the future of work collectively

How trade unions anticipate the introduction of new technology at the workplace

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Purely assessing job losses and gains is one way of looking at the impact of digitalisation on the workplace. Based on this assessment, you can only decide whether digitalisation is 'good' or 'bad'. Increasingly, however, trade unions are realising that this amounts to gazing into a crystal ball, especially when they don't know which specific technologies will be introduced. That's why they see how important it is to be more proactive.

For example, The European Federation of Public Service Unions (EPSU), which represents around eight million public sector workers, is kickstarting a debate on how they can help workers shape their future workplaces. They want to achieve this by anticipating the introduction of technology and ensuring that workers have a say on the issue of how new technology is used.

Broadly speaking, the trend up until now has been to deal with the introduction of technology in a reactive way *after* the fact. Whilst EPSU will continue to do that type of work, it aims to rethink collective bargaining as a key tool to protect workers' rights in the face of digitalisation. Essentially, EPSU is pushing for employers to inform and consult workers *before* introducing technology.

By adopting this approach, it seeks to eliminate any potentially negative effects of technology (e.g. intrusion into worker's privacy, using an algorithm to assess their performance, preventing job losses or anticipating company restructuring before job losses happen). In this way it can make sure that the technology contributes to the development of the company as well as the workers.

Democratising the introduction of

technology

The British trade union Unite, the UK's biggest union with 1.42 million members across every type of workplace, is spearheading this approach with a new technology agreement. Under the current draft, the introduction of new technology will be done via a mutual agreement between employers and unions. It would include setting up a New Technology Fund to pay for and disseminate the work of a New Technology Sub-Committee with representatives exclusively from the ranks of the workers.

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The Sub-Committee will be able to consult expert assistance about new technology and its impact as it sees fit, inform the workforce about the results and help resolve any issues relating to the new technology between employers and workers. The representatives on the Sub-Committee will be looking at the impact of new technology on workers both before and after it has been introduced. Their role will also include inspecting new technology and notifying employers of worker complaints and any other issues that come up.

Unite is currently negotiating the agreement with different public and private organisations. In principle, this is an excellent idea that could be used and adapted across Europe. The trade unions can help identify issues relating to digital technology in advance and help come up with solutions. In practice, however, it remains to be seen how it will work. Will employers really sign up to it? How much money will be needed for the New Technology Fund and where will it come from? There will also be a need for more specific rules on how decisions are ultimately taken regarding the introduction of the new technology. In the case of disagreement between the New Technology Sub-Committee and the employer, what happens?

A right to disconnect?

Another growing issue facing workers in the public and private sectors is the invasiveness of digital technology such as email or Whatsapp messages in their private lives. EPSU, for instance, is looking at how to ensure that workers have a right to disconnect, clear boundaries between work and free time without the expectation that they should be answering emails and Whatsapp messages from the management.

In France, trade unions have been analysing and reflecting on digitalisation issues such as the right to disconnect since 2015. Five major trade unions were subsequently involved in drafting a report on labour and digital transformation, commissioned by the then Minister of Labour Myriam El Khomri. The 'right to disconnect', which was one of a series of recommendations set out, was eventually turned into law in 2017.

Now firms with more than 50 employees and a trade union representative are forced to include the right of being 'non-reachable' (or the right to disconnect from the use of digital tools) in mandatory annual negotiations with trade unions, specifically in the part on gender equality and quality of life. By requiring agreement regulating the use of new communication tools, the law aims to ensure that some time slots are exclusively earmarked for rest and holiday. A debate is ongoing among trade unions in the EU as to how to introduce and enforce this right, e.g. via legislation or collective bargaining.

It remains to be seen how these ideas will be defended and put into practice by the trade unions and how far they will be accepted by employers.

This is extremely important both for the public sector and private sector throughout Europe. Clear rules will help create boundaries to make sure that managers do not expect workers to be reachable whenever they like. A culture in which workers are expected to be available 24/7 and are increasingly called on to respond to messages during their free time will almost certainly lead to a blurring between private and working life. This would have detrimental effects in terms of workers suffering burnout and in terms of reduced productivity and economic losses for the public sector organisation or private sector firm.

Digital skills training

Apart from preventing potentially negative effects of technology, trade unions need to push the EU and its member states to expand the availability of digital skills through the education and training system. A recent report by the European Social Observatory, a research centre for social policy and employment, highlights the first agreement on digitalisation signed in France in 2016 – the first of its kind in Europe. Agreed between social partners within a telecommunications group, the agreement foresees the creation of a committee in order to anticipate the new skills that employees will need due to digital developments.

This is an excellent way of making sure that trade unions work with employers to identify digital skills and to ensure that workers are given the relevant training. This is good for the employer as they gain a more productive worker and good for the workers as they gain additional skills. This will give them more job satisfaction and makes them more marketable within the company and in the future job market should they choose to leave the company.

In the Netherlands, the Dutch trade union FNV has developed an innovative type of agreement, dubbed 'Duurzame Inzetbaarheid – Plus', or DI+ (Sustainable Employment Plus). It aims to predict possible job losses before they happen. It works as follows.

The employer retrains the affected workers, while they maintain their pay and conditions, so that they can find new roles, with the aim of making redundancies unnecessary. A good example of this is an agreement negotiated with Enexis, a network operator managing electricity supply in the North, East and South of the Netherlands. Since the plan came into force in 2014, several hundred workers have been involved in these DI+ plans. As a result, there have been no redundancies in the company. Similar agreements have now also been signed with other big companies in the energy transmission sector, namely TenneT and Alliander.

Taking a step back and looking at the big picture, many of the trade union's core ideas – including those relating to new technology agreements, the right to disconnect and digital skills training – are very sound and apply both to the public sector and the private sector. Furthermore, they could be used to ensure that workers in the currently relatively unregulated platform economy have certain basic rights. However, it remains to be seen how these ideas will be defended and put into practice by the trade unions and how far they will be accepted by employers.



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