



TRADE UNION DIGITALIZATION OFFICERS

**TRADE UNION DIGITALIZATION OFFICERS FOR EFFECTIVE TRADE
UNIONS IN THE NEW DIGITAL WORLD OF WORK**

**Online training
21st Feb 2024**

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the European Union**

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DURATION: 1 SEPTEMBER 2023 – 30 APRIL 2025

CREATION OF TUDO NETWORK

**EXCHANGE OF GOOD
PRACTICES AND
EXPERIENCES**

INFORMATIVE SEMINARS

E-LEARNING TOOL

**DISSEMINATION
ARTICLES**

**BOOSTED POSTS AND PAID-FOR
SOCIAL MEDIA ADS**



Project countries

Hungary, Italy, Malta, Poland, Romania,
Serbia, Slovenia, Spain, Turkey (9)

EU-level partners: ETUC, Eurocadres



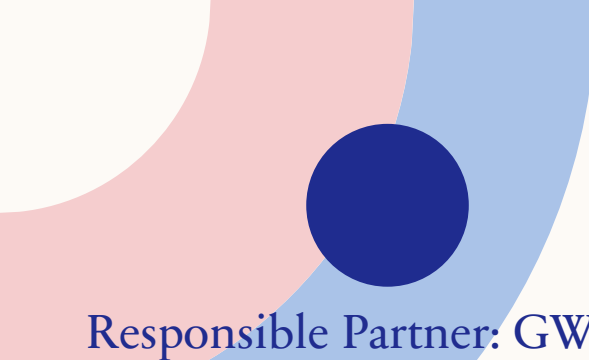
WORK PACKAGES

WP1 – Project management and coordination;

WP2 – Project dissemination;

WP3. Creation of TUDO network;

WP4. Capacity building



WP3 – Creation of TUDO network

(01.11.2023-30.04.2025)

Responsible Partner: GWU

Objectives:

- The knowledge on **the EU law and Framework Agreement on digitalization spread across in EU countries and the Candidate Countries;**
- **Best practices and recommendations** developed and exchanged, enhanced awareness of information, consultation and participation rights to address the challenges of **digital transition and COVID-19 repercussions (e.g. remote jobs, platform work, emergence of new forms of work)** through creation of the networking forum for social partners: **Trade Union Digitalization Officers** network from participating countries;
- More effective implementation of the European Social Partners Framework Agreement on Digitalization in EU Member States and dissemination of the Agreement to the candidate countries, resulting in mitigation of the negative employment, social and economic consequences of the Covid-19 crisis and **acceleration of digital transition** through achievement of more socially responsible manner of digital transition of the European economy, including the reconciliation of work and family life.



Deliverables:

- Manual presenting TUDO training content – OPZZ (4 month);
 - 2 online and 1 face-to-face training session organised within a framework of TUDO training course – GWU (6 month);
 - 1st online training session: 21.02.2024
 - 2nd online training session: 27.02.2024
 - Training in Malaga (Spain): 6-8.-3.2024
 - 3 online networking meetings of TUDO network – CATUS (19 month).
-



1st online training

**digitalisation
?**

1st online training

EU-level policies on digitalisation

European Social Partners Framework Agreement on Digitalisation

Implementation of ESPFAD – national level (recommendations) – discussion

Recommendations on digitalisation for the EU-level social dialogue from TUDOs - discussion



EU-level policies on digitalisation

European Digital Strategy 2020–2025 (Feb 2020)

New generation of technologies, helping to support the ‘just transition’ to a climate-neutral Europe via the European Green Deal.

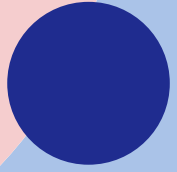
Digital Services Act package (Dec 2020)

the Digital Services Act (DSA) and the Digital Markets Act (DMA)

Directive on platform work (Dec 2021)

Europe’s digital decade (March 2021 – till 2030)

National-level policies on digitalisation





National-level policies on digitalisation

Role of the social partners in creation, consultation, implementation of the national-level policies?



European Social Partners Framework Agreement on Digitalisation

This framework agreement aims to:

- **Raise awareness and improve understanding** of employers, workers and their representatives of the **opportunities and challenges in the world of work resulting from the digital transformation;**
- **Provide an action-oriented framework** to encourage, guide and assist employers, workers and their representatives in devising measures and actions aimed at reaping these opportunities and dealing with the challenges, whilst taking into account existing initiatives, practices and collective agreements;
- **Encourage a partnership approach** between employers, workers and their representatives;
- **Support development of a human-oriented approach** to integration of digital technology in the world of work, to support/assist workers and enhance productivity



European Social Partners Framework Agreement on Digitalisation

June 2020

Employers side: BusinessEurope, SMEUnited, CEEP

Workers' side: European Trade Union Confederation (and the liaison committee EUROCADRES/ CEC)

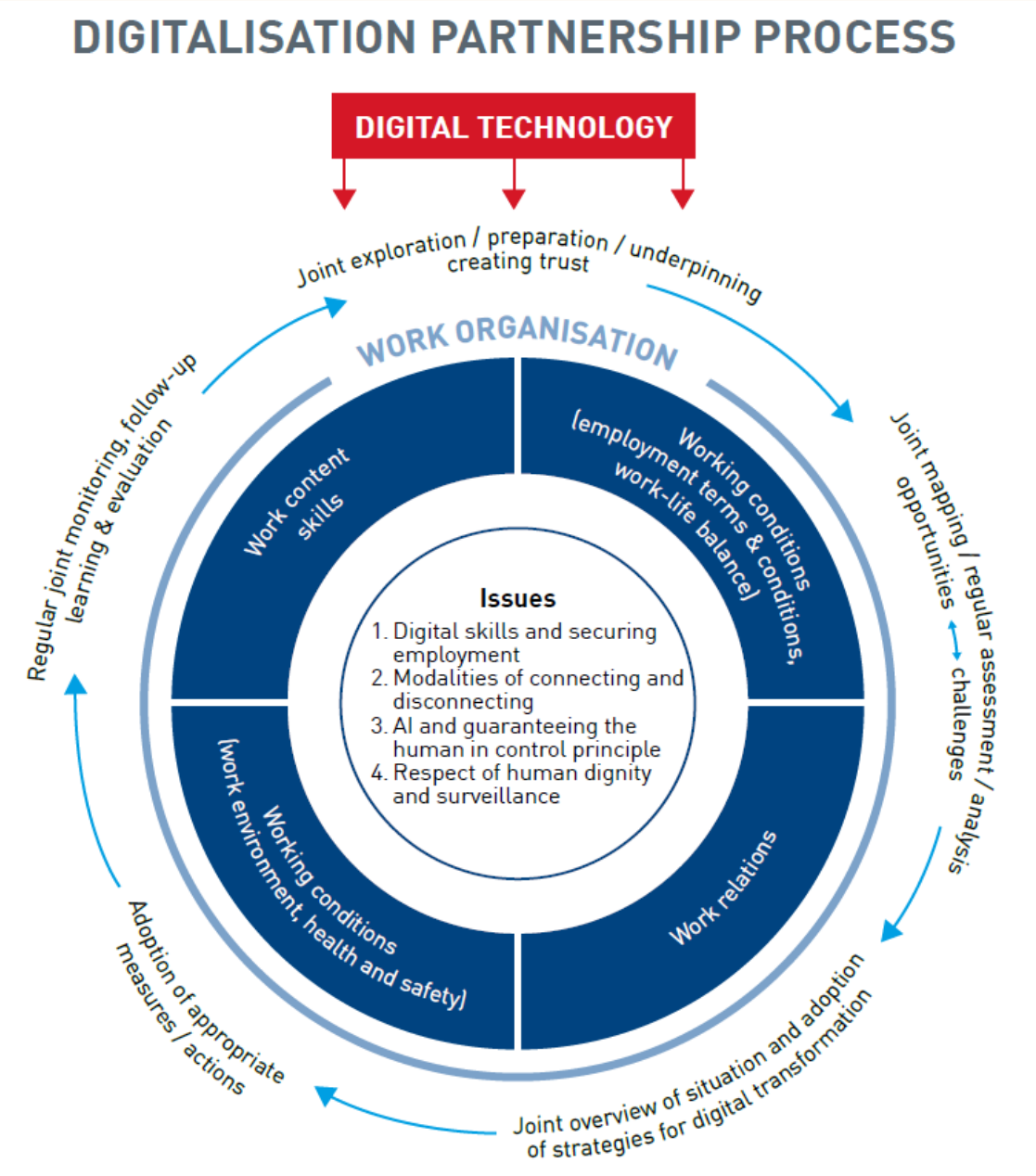
Applies to the whole of the EU/EEA in the public and private sectors, all economic activities including in activities using online platforms where an employment relationship exists, as defined nationally.

Goal:

to achieve a **consensual transition** by a successful integration of digital technologies at the workplace and by reaping the opportunities as well as preventing and minimising the risks for both workers and employers and to ensure the **best possible outcome for both employers and workers.**



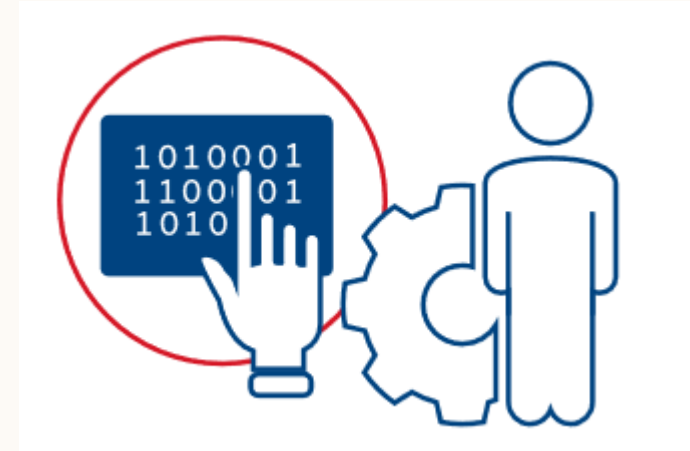
European Social Partners Framework Agreement on Digitalisation



European Social Partners Framework Agreement on Digitalisation

Digital Skills and Securing Employment

Objective: The main objective is to prepare our current and future workforce and enterprises with the **appropriate skills by continuous learning**, to reap the opportunities and deal with the challenges of the digital transformation in the world of work

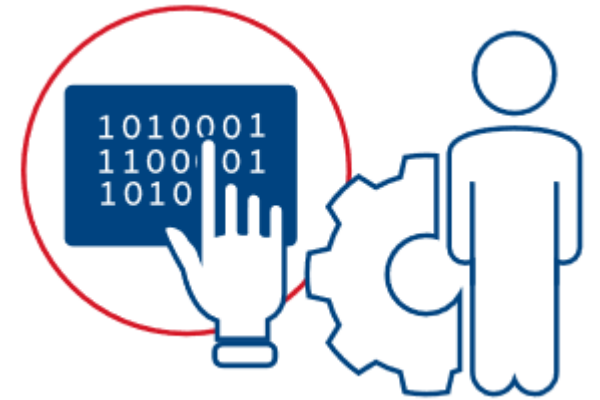


European Social Partners Framework Agreement on Digitalisation

Digital Skills and Securing Employment

Measures to be considered include:

- The **commitment of both parties to upskill or reskill** to meet the digital challenges of the enterprise.
- **Access to and arrangements of training**, in line with diverse national industrial relations and training practices and taking into account the diversity of the workforce, such as in the forms of training funds / sectoral funds, learning accounts, competence development plans, vouchers. **Training provisions should spell out clearly the conditions of participation**, including in terms of duration, financial aspects, and worker commitment.
- **Where an employer requests to a worker to participate in a job-related training that is directly linked to the digital transformation of the enterprise, the training is paid by the employer or in line with the collective agreement or national practice.** This training can be in-house or offsite and takes place at an appropriate and agreed time for both the employer and the worker, and **where possible during working hours**. If the training takes place outside of working time, **appropriate compensation** should be arranged.
- A focus on **quality and effective training**: This means to provide access to relevant training responding to the identified training needs of the employer and the worker. A key aspect of this in the context of the digital transformation is to train workers, to help them make the best possible use of the digital technologies that are introduced.

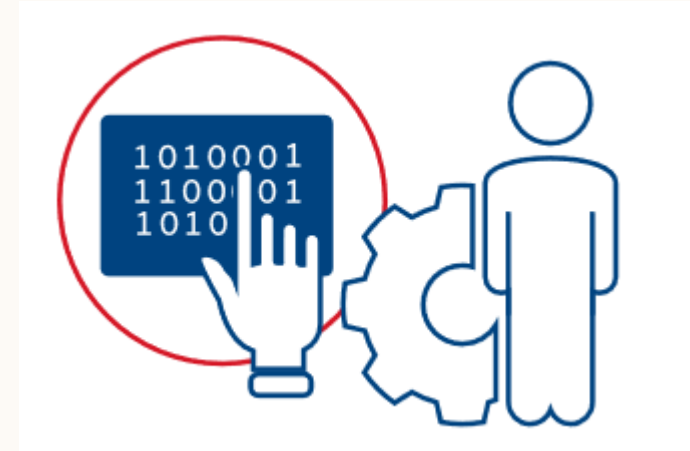


European Social Partners Framework Agreement on Digitalisation

Digital Skills and Securing Employment

Measures to be considered include:

- Training arrangements that **provide skills which could support mobility between and within sectors.**
- **Internal or external training validation solutions.**
- The operation of schemes such as short time work that **combines a reduction of working hours with training, in well-defined circumstances.**

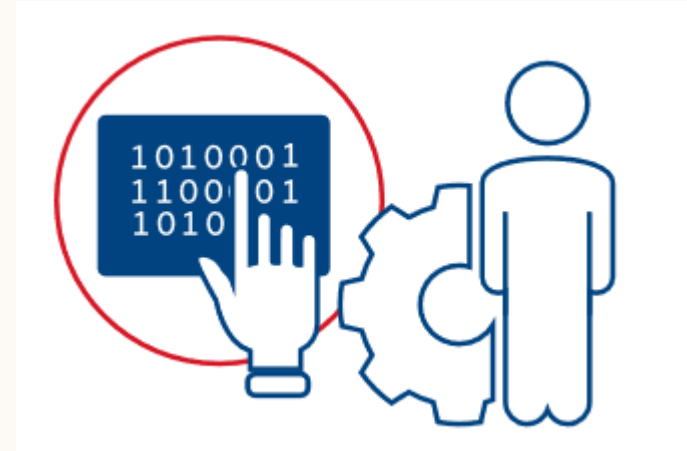


European Social Partners Framework Agreement on Digitalisation

Digital Skills and Securing Employment

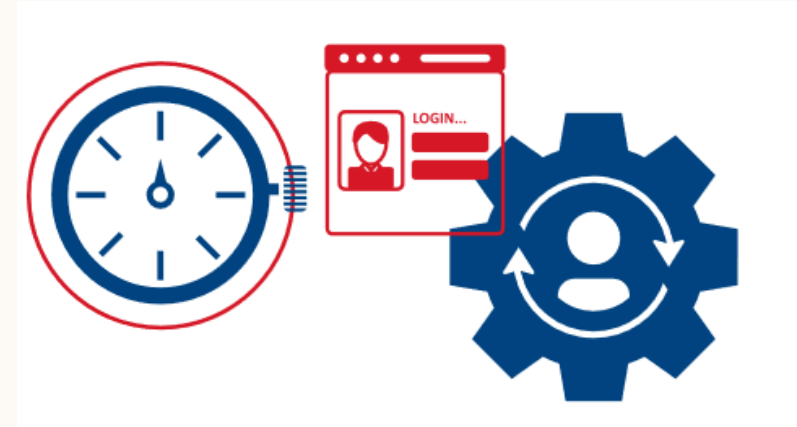
Digitalisation strategies are built on a shared commitment of social partners to:

- Retraining and upskilling, so that workers can transfer to new jobs or adapt to redesigned jobs within the enterprise, in agreed conditions;
- The redesign of jobs to allow workers to remain within the enterprise in a new role if some of their tasks or their job disappears due to digital technology;
- The redesign of work organisation if necessary, to take account of changed tasks, roles or competences;
- An equal opportunities policy to ensure that digital technology results in benefit for all workers.
- If digital technology contributes to inequality for example between women and men, this issue must be addressed by the social partners.



European Social Partners Framework Agreement on Digitalisation

Modalities of connecting and disconnecting



The presence and/or introduction of digital devices/tools in workplaces can provide many **new opportunities and possibilities to organise work in a flexible way** to the benefit of employers and workers.

At the same time, this may create **risks and challenges around the delineation of work and of personal time** both during and beyond working time.

It is the **employer's duty to ensure the safety and health of workers** in every aspect related to the work. To avoid possible negative effects on workers' health and safety and on the functioning of the enterprise, the focus should be on prevention.

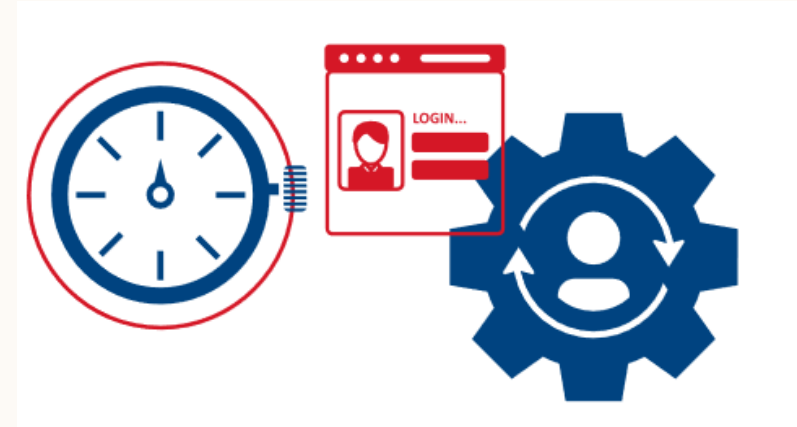
This refers to a **culture where employers and workers actively participate in securing a safe and healthy working environment** through a system of defined rights, responsibilities and duties, and where the principle of prevention is accorded the highest priority.

European Social Partners Framework Agreement on Digitalisation

Modalities of connecting and disconnecting

Measures to be considered include:

- **Training and awareness raising measures;**
- **Respect of working time rules** and teleworking and mobile work rules;
- Appropriate measures to ensure **compliance**;
- Providing **guidance and information for employers and workers** on how to respect working time rules and teleworking and mobile work rules including on how to use digital tools, e.g. emails, including the risks of being overly connected particularly for health and safety;
- Being clear about the policies and/or the agreed rules on the use of digital tools for **private purposes during working time**;
- Commitment from management to **create a culture that avoids out of hours contact**;

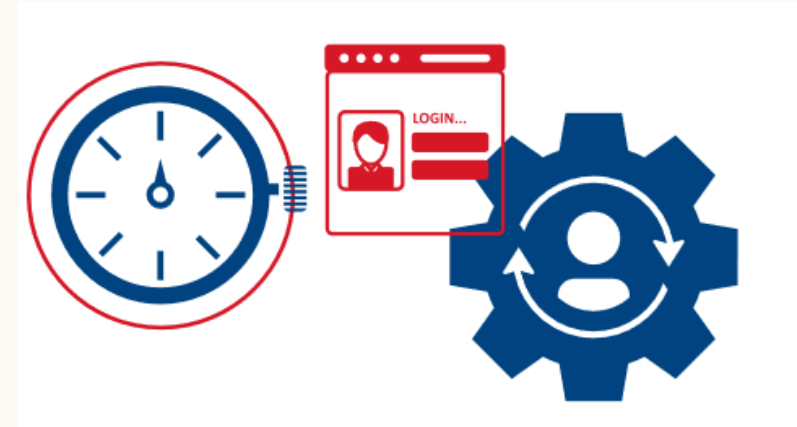


European Social Partners Framework Agreement on Digitalisation

Modalities of connecting and disconnecting

Measures to be considered include:

- **Work organisation and workload**, including the number of staff, are key aspects which need to be **identified and evaluated jointly**;
- **Achievement of organisational objectives should not require out of hours connection.** With full respect for working time legislation and working time provisions in collective agreements and contractual arrangements, for any additional out of hours contacting of workers by employers, the worker is not obliged to be contactable;
- And in respect of the bullet point above, appropriate **compensation for any extra time worked**, and;
- Alert and support procedures in a **no-blame culture** to find solutions and to guard against detriment for workers **for not being contactable**;
- **Regular exchanges between managers and workers and/or their representatives on the workload and work processes**; Alert and support procedures;
- **Prevention of isolation at work.**



European Social Partners Framework Agreement on Digitalisation

Artificial intelligence (AI) and Guaranteeing Human in control principle

The control of humans over machines and artificial intelligence should be guaranteed in the workplace and should underpin the use of robotics and artificial intelligence applications while respecting and complying with safety and security controls.

Trustworthy AI has three components, which should be met throughout the system's entire life cycle and must be respected in the deployment in the world of work:

- it should be **lawful, fair, transparent, safe, and secure, complying with all applicable laws and regulations as well as fundamental rights and non-discrimination rules,**
- it should follow **agreed ethical standards,** ensuring adherence to EU Fundamental/human rights, equality and other ethical principles and,
- it should be **robust and sustainable, both from a technical and social perspective** since, even with good intentions, AI systems can cause unintentional harm.

The potential tensions between respect for human autonomy, prevention of harm, fairness and explicability of decision making should be acknowledged and addressed.



European Social Partners Framework Agreement on Digitalisation

Artificial intelligence (AI) and Guaranteeing Human in control principle

Measures to be considered include:

- Deployment of AI systems:
 - should follow the **human in control principle**;
 - should **be safe**, i.e. it **should prevent harm**. A **risk assessment**, including opportunities to improve safety and prevent harm such as for human physical integrity, psychological safety, confirmation bias or cognitive fatigue should be undertaken;
 - should follow the **principles of fairness**, i.e. ensuring that workers and groups are **free from unfair bias and discrimination**;
 - needs to be **transparent and explicable with effective oversight**. The degree to which explicability is needed is dependent on the context, severity and consequences. **Checks will need to be made** to prevent erroneous AI output.
- In situations where AI systems are used in **human-resource procedures, such as recruitment, evaluation, promotion and dismissal, performance analysis, transparency needs to be safeguarded** through the provision of information. In addition, an affected **worker can make a request for human intervention** and/or contest the decision along with testing of the AI outcomes.
- AI systems should be **designed and operated to comply with existing law**, including the General Data Protection Regulation (GDPR), **guarantee privacy and dignity of the worker**.



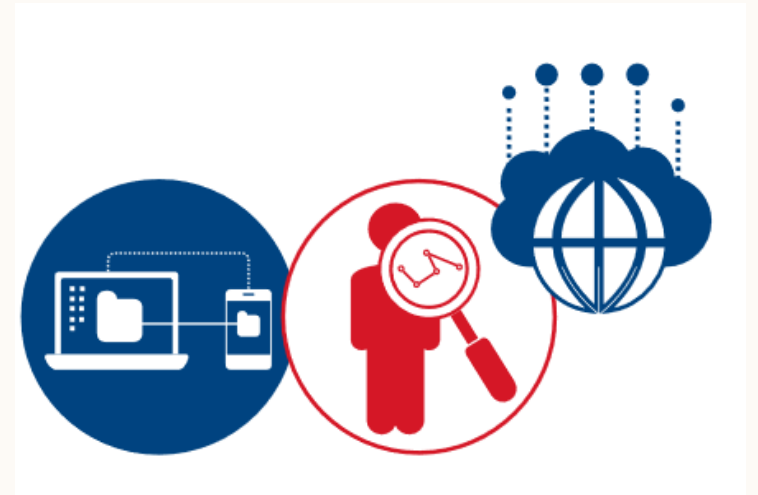
European Social Partners Framework Agreement on Digitalisation

Respect for human dignity and surveillance

The social partners in this agreement recall **article 88 of the GDPR** which refers to **possibilities to lay down by means of collective agreements**, more specific rules to ensure the protection of the rights and freedom with regards to the processing of personal data of employees in the context of employment relationships.

Measures to be considered include:

- **Enabling workers' representatives to address issues related to data, consent, privacy protection and surveillance.**
- **Always linking the collection of data to a concrete and transparent purpose.** Data should not be collected or stored simply because it is possible or for an eventual future undefined purpose.
- **Providing workers representatives with facilities and (digital) tools, e.g. digital notice boards, to fulfil their duties in a digital era.**



European Social Partners Framework Agreement on Digitalisation

Implementation

The signatory parties shall evaluate and review the agreement any time after the **five years following the date of signature**, if requested by one of them.





**Implementation of ESPFAD at national level
recommendations and discussion**

**SITUATION IN SPECIFIC COUNTRIES (CASE STUDIES,
PROBLEMS FACED BY TUDOS)**

**JOINT DISCUSSION AIMED AT IDENTIFYING JOINT
SOLUTIONS**



**Recommendations on digitalisation for the EU-level
social dialogue from TUDOs - discussion**

Action plan and priorities for the next months of TUDOs work (national and international activities)

Manual for TUDOs

Trainings:

1st online training session: 21.02.2024

2nd online training session: 27.02.2024

Training in Malaga (Spain): 6-7.03.2024

3 online networking meeting of TUDO network

Information, consultation and participation rights

- Country specific regulations
- Information, consultation and participation rights:
 - Works councils Directive 2002/14/WE
 - Directive 94/45/EC → Directive 2009/38/EC → recast - European Works' Council
 - Board-level employee representation (country specific regulations)
- Cross-Border Mergers Directive 2005/56/EC and Directive 2019/2121 amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions

EU legal acts on information and consultation (and related issues)

Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees <https://eur-lex.europa.eu/eli/dir/1994/45/oj>

Council Directive 2001/86/EC of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0086>

Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32002L0014>

Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32005L0056>

EU legal acts on information and consultation (and related issues)

Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast) <https://eur-lex.europa.eu/eli/dir/2009/38/oj>

Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32017L1132>

Directive (EU) 2019/2121 of the European Parliament and of the Council of 27 November 2019 amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019L2121>

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THANK YOU