



TRADE UNION DIGITALIZATION OFFICERS

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

**Training in Malaga  
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# **Training in Malaga – Platform work – 1st day**

**Platform work – key challenges for workers?**  
**working conditions**  
**union organising and collective bargaining**



# Training in Malaga – Platform work

Research findings in Europe

Unions' strategies to protect platform work

National and EU-level policies and unions' responses

# Platform work – Research findings



## Mapping Platform Economy



Definition

Employment

Regulations

Register

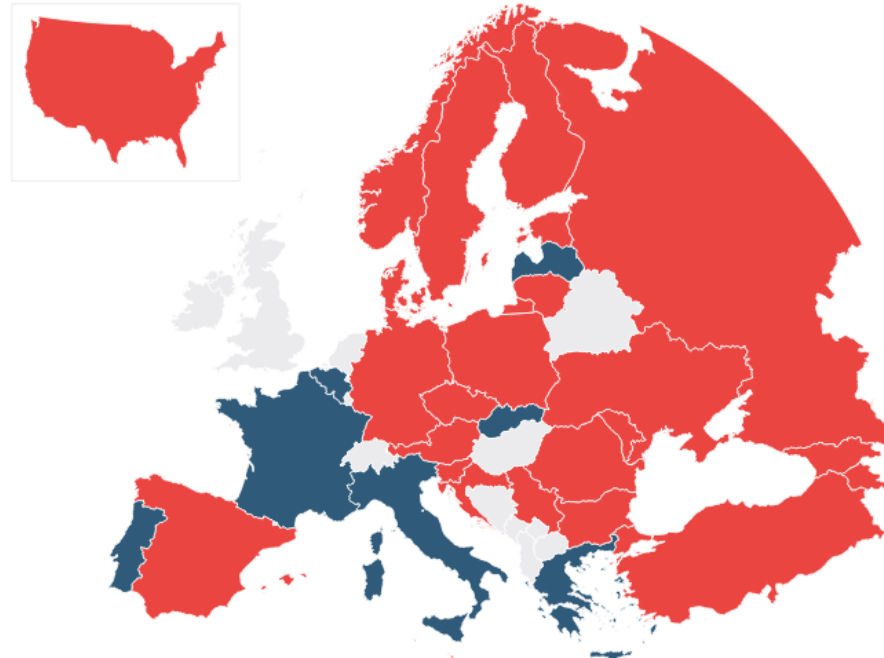
Agreements

Court cases

### Definition of online/digital (labour) platforms.

Online platforms operate under an unclear legal framework, which is subject to minimum standards established at the national level. Existing national laws and regulations are in need of revision and update. The source of defining platform companies can be linked to different legal domains, such as competition law, corporate income tax and/or labour relationship between the platform and the worker. However, only a few European countries have made an attempt to introduce a regulatory framework for online platforms, addressing specific needs of the provision of services or relating to the working conditions of people working through platforms.

The following map shows in which countries official definitions exist at the national level.



# Platform work – Research findings

Started to emerge in mid 2000s

Business model

Causalisation and informalisation of work

Non-standard forms of employment

Regulative loophole for fraudulent practices

UBER

taxify

Bolt

Take \$ Task

UBER  
EATS

amazon  
mechanical turk




# Platform work – Research findings

## The scale of employment - platform workers (European Commission)

In 2021, more than 28 million people in the EU work via digital platforms

This number is expected to reach 43 million in 2025

The introduction of regulation in the form of a directive could change the employment status qualification of between 1.72 million and 4.1 million people.





# Platform work – Research findings

## The scale of employment - platform workers (ETUI, 2022)

47.5 million internet workers, 12 million platform workers and 3 million main platform workers in the EU27 in 2021

17 per cent of the working age population did some internet work in the past year, 4.3 per cent did platform work and 1.1 per cent can be classified as ‘main platform workers’

# Platform work – Research findings

	Platform work					
	Done in the past 12 months	At least monthly	At least weekly	At least 50% of income	At least 20 hours per week	Main platform work
Overall	4.3	2.8	1.4	0.7	0.7	1.1
Austria	5.1	3.1	1.1	0.6	0.3	0.9
Bulgaria	3.8	2.0	1.1	0.5	0.8	1.0
Czechia	4.6	2.8	1.8	0.5	0.9	0.9
Estonia	4.5	2.7	1.4	0.5	0.7	0.7
France	5.6	3.6	2.2	1.0	0.8	1.4
Germany	4.4	3.2	1.7	0.8	0.2	1.1
Greece	4.4	3.2	0.8	0.8	0.9	1.4
Hungary	2.5	1.9	1.0	0.4	0.4	0.7
Ireland	6.5	4.5	2.2	1.7	0.8	2.2
Italy	3.8	2.9	1.7	0.6	0.8	1.2
Poland	2.9	1.3	0.9	0.6	0.8	1.2
Romania	2.2	1.6	0.9	0.5	0.6	0.7
Slovakia	5.7	4.0	2.1	0.5	0.5	0.9
Spain	4.8	2.3	1.1	0.9	1.0	1.3

Source: ETUI IPWS.






# Platform work – Research findings

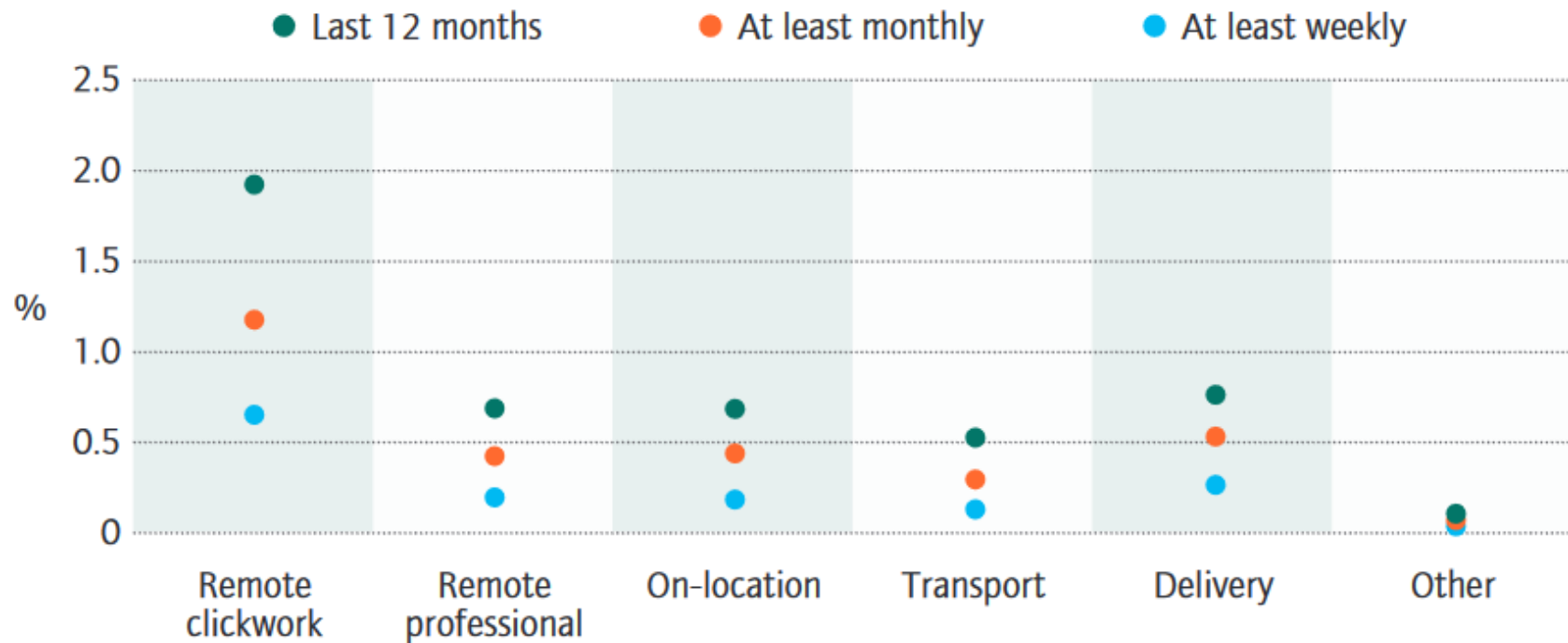
## The scale of employment - platform workers (ETUI, 2022)

Platform workers tend to be somewhat **younger**, they are **better educated** than those who have never done internet work and this is particularly the case for higher skill professional work. Internet work seems mainly to **complement offline precarious work** and serves as an **extra source of income** for those on less stable contracts.



# Platform work – Research findings

Figure 4 Platform work, by type of activity (%)



Source: ETUI IPWS.

# Platform work – Research findings

## The scale of employment - platform workers in Poland (ISP, 2018)

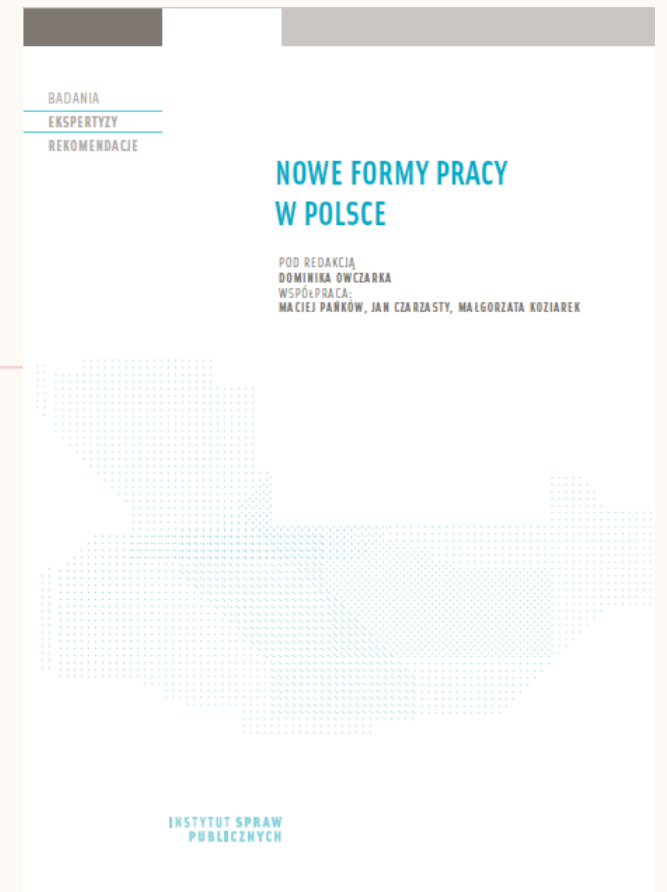
4% platform workers

Younger people / students

Living in large cities

Platform work as a side or casual occupation

Employed under civil law contracts or self-employed



# Platform work – Research findings

## The scale of employment - platform workers in Poland (ISP, 2018)

### Time commitment per week:

31% - difficult to estimate;

25% - less than 10h

25% - 10-20h;

14% - 20-40h;

9% - more than 40h

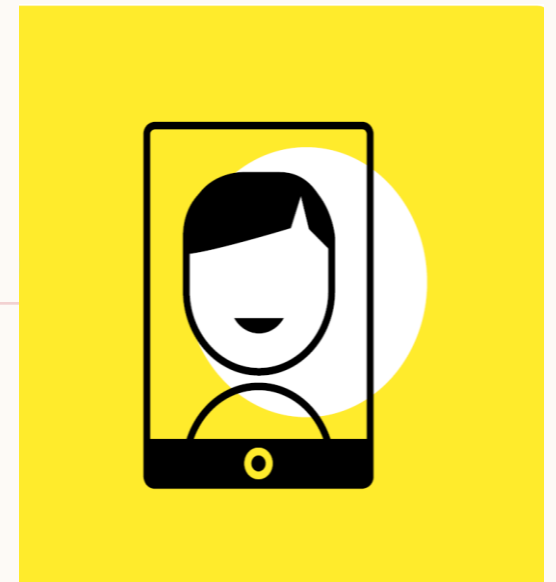
### Earnings:

40% up to 1 thousand PLN / 250 EUR

26% - 1-2 thousand PLN / 250-500 EUR

18% - 2-5 thousand PLN / 500-1250 EUR

9% - above 5 thousand PLN / 1250 EUR





# Platform work – Research findings

	STABILITY	SOCIAL PROTECTION	OSH	WORK-LIFE BALANCE	FLEXIBILITY OF WORKTIME	SKILLS AND CAREER DEVELOPMENT	HIGHER EARNINGS	ACCESS TO UNIONS	INTEGRATION AT WORKPLACE	INDEX	STRESS, intensity and length of work
Telework	16,7	16,1	28,8	36,3	45,3	23,9	29,5	16,2	15,9	25,4	25,9
Job Sharing	20,6	24,1	28,0	24,8	26,8	27,1	24,5	20,0	30,2	25,1	29,3
Causal portfolio	13,9	14,5	19,0	27,7	44,4	20,3	28,0	13,8	24,8	22,9	32,1
Platform work	16,8	15,9	21,3	20,7	24,9	25,2	27,1	17,0	21,1	21,1	26,3
	18,1	16,8	20,4	24,2	30,2	25,2	24,5	16,1	17,5	21,5	24,5
	17,2	17,5	23,5	26,7	34,3	24,4	26,7	16,6	21,9		27,6



# Platform work – Research findings

- Employment vs. self-employment / ucp
- No regulation specific to platform work
- third category of worker between salaried employee and self-employed (platform work as a temporary employment agency (e.g.: Take Task) 
- platform work as an atypical form of employment. Platform work is treated by platforms as cooperation with **independent contractors** (independent contractors, B2B)   
application of civil law and competition rules



# Platform work – Research findings

**Responsibility for running the business rests on the shoulders of the platform worker (independent contractor)**

- Payment of income tax, VAT
- Social security, sickness insurance
- Health insurance
- Personal accident insurance and others

**Limitation of workers' rights:**

- Right to minimum wage / minimum rate
- Working time regulations
- Right to leave (annual, unpaid, maternity, parental)
- Right to collective bargaining, conclusion of collective agreements
- Limited trade union rights in practice
- Right to labour courts
- Employee benefits (e.g. ZFSS, PPK, additional health insurance)(...)



# Platform work – Research findings

## Practical issues

- Negotiating rates (hourly vs. task-based rate)
- Method of calculating rates (algorithmisation and lack of transparency)
- Payment of rates below 50% of the minimum wage (no obligation to pay income tax and social security (forced labour ?))
- Labour exploitation - especially in the case of migrant workers
- Illegal practices of intermediaries (undeclared work, non-payment of wages, incorrect calculation of wages, contracts for "car / bicycle / clothes / thermal bag rental")
- Compliance with health and safety regulations
- Lack of training
- Lack of connection of the employee with the job and the employer
- Protection of personal data (GDPR)
- Limited security (vide London)
- Lack of control tools for platform work (labour inspectorates controls)



# Platform work – Research findings



**International Labour Organization**  
Advancing social justice, promoting decent work  
ILO is a specialized agency of the United Nations

**Digital labour platforms**

The emergence of the gig or platform economy is one of the most important new transformations in the world of work. An important component of the platform economy is digital labour platforms which includes both web-based platforms, where work is outsourced through an open call to a geographically dispersed crowd ("crowdwork"), and location-based applications (apps) which allocate work to individuals in a specific geographical area, typically to perform local, service-oriented tasks such as driving, running errands or cleaning houses.

Since 2015, the ILO has been studying digital labour platforms with a view to understanding the implications of this new form of work organization on workers and employment in general.

**ILO News**  
Digital economy  
Impact of digitalization on work in developing economies revealed by new ILO research >  
28 February 2024

**Article**  
Tackling water woes: ILO's vocational training success in Kenya >

**Related labour standards**  
• Employment Relationship Recommendation, 2006 (R198) >  
• Home Work Convention, 1996 (C177) >

**Contact us**

# Unions' strategies to protect platform work

**Challenges:** lack of physical workplace, dispersion of workers, flexible working time patterns, causal employment relation, and use of new technologies (both digital devices and online applications).

- through social media, thematic forums and dedicated online platforms
- **leaflets** encouraging to join unions and containing information about **services dedicated to platform workers.**
- **flash mob** in Cologne
- **Collectif des Livreurs Autonomes Parisiens (CLAP) for delivery workers in France**
- **Union platform for freelancers created by CFDT**, supporting them with accounting, civil and professional insurance, complementary health insurance, and legal advice, as well as mutual aid between members.
- **UILTUCS** (Italy) has established a **helpdesk** to support gig workers with fiscal and legal consultancy services.

# Unions' strategies to protect platform work

**Challenges:** lack of physical workplace, dispersion of workers, flexible working time patterns, causal employment relation, and use of new technologies (both digital devices and online applications).

- <http://faircrowd.work/> – an online platform initiated by IG Metall, Austrian Chamber of Labour, Austrian Trade Union Confederation, and Unionen aiming at a workers' assessment (ranking) of digital platforms based on surveys with workers and exchange of information on workers' experiences. The portal contains also other useful information, like basic knowledge on platform work, contacts to unions organising gig workers, link to the 'Frankfurt declaration';
- <https://selbststaendigen.info/> – an online platform operated by Ver.di addressed to independent contractors (self-employed, gig workers, etc.) delivering legal, contract-related and tax advice to both union members and other independent contractors. The latter group is charged for the advice while the union members are supported on the basis of their membership fees.

# Unions' strategies to protect platform work

**Challenges:** lack of physical workplace, dispersion of workers, flexible working time patterns, causal employment relation, and use of new technologies (both digital devices and online applications).

- <http://www.turespuestasindical.es/> – an online platform operated by UGT to inform and advise platform workers in Spain. The goals of this platform include information, vindication of rights, organisation, and denunciation, as well as serving as a tool to encourage participation in unions;
- <https://precaritywar.es/> – an online platform operated by CCOO and addressed to atypical workers, aiming at legal assistance for platform delivery workers operating in Madrid;

# National and EU-level policies and unions' responses

## Draft Directive on improving working conditions in platform work (10 Dec 2021)

### Objectives:

- To improve working conditions through online platforms "by ensuring the correct determination of their employment status, promoting transparency, fairness and accountability in the algorithmic management of work through online platforms and improving the transparency of work through online platforms, including in cross-border situations, while supporting the conditions for the sustainable growth of digital labour platforms in the Union.,,
- Realising the European Union's Treaty value of **equality: in access to the labour market and social protection**, as well as in the context of the **competitiveness of economic operators** in the European Union's single market
- **Eliminating unfair practices**, in particular competing with other companies by avoiding the coverage of their workers by minimum standards of social security and a safe and healthy workplace.

# National and EU-level policies and unions' responses

## Draft Directive on improving working conditions in platform work (10 Dec 2021)

### Definitions:

#### *Article 2*

#### **Definitions**

1. For the purposes of this Directive, the following definitions shall apply:
  - (1) 'digital labour platform' means any natural or legal person providing a commercial service which meets all of the following requirements:
    - (a) it is provided, at least in part, at a distance through electronic means, such as a website or a mobile application;
    - (b) it is provided at the request of a recipient of the service;
    - (c) it involves, as a necessary and essential component, the organisation of work performed by individuals, irrespective of whether that work is performed online or in a certain location;
  - (2) 'platform work' means any work organised through a digital labour platform and performed in the Union by an individual on the basis of a contractual relationship between the digital labour platform and the individual, irrespective of whether a contractual relationship exists between the individual and the recipient of the service;
  - (3) 'person performing platform work' means any individual performing platform work, irrespective of the contractual designation of the relationship between that individual and the digital labour platform by the parties involved;
  - (4) 'platform worker' means any person performing platform work who has an employment contract or employment relationship as defined by the law, collective agreements or practice in force in the Member States with consideration to the case-law of the Court of Justice;

# National and EU-level policies and unions' responses

Draft Directive on improving working conditions in platform work (10 Dec 2021)

Key principles:

rebuttable presumption on employment status

reversed burden of the proof



# National and EU-level policies and unions' responses

## Draft Directive on improving working conditions in platform work (10 Dec 2021)

Controlling the performance of work within the meaning of paragraph 1 shall be understood as fulfilling at least two of the following:

- (a) effectively **determining, or setting upper limits** for the level of remuneration;
- (b) requiring the person performing platform work to respect specific **binding rules with regard to appearance, conduct towards the recipient of the service or performance of the work**;
- (c) **supervising the performance of work or verifying the quality of the results** of the work including by electronic means;
- (d) **effectively restricting the freedom**, including through sanctions, **to organise one's work**, in particular the discretion to choose one's working hours or periods of absence, to accept or to refuse tasks or to use subcontractors or substitutes;
- (e) **effectively restricting the possibility to build a client base or to perform work for any third party**



# National and EU-level policies and unions' responses

## Draft Directive on improving working conditions in platform work (10 Dec 2021)

- the right to access and challenge the content of the digital platforms algorithm managing the work,
- confirmation of the right to information and consultation,
- protection of personal data (specific provisions for platform workers),
- obligation to comply with health and safety regulations,
- obligation to register platforms and provide employment information to national authorities,
- the right of workers to communicate with each other through the platform without access by the employer



# **Training in Malaga**

## **Impact of digitalisation on job quality – 2nd day**

**How digitalisation impacts working conditions and modes of union organising in various sectors?**



# Impact of digitalisation on job quality

Overview of the main opportunities and threats related to digitalisation - Voss and Rego (2019)

## Opportunities:

- **New jobs** (computer engineers and scientists, network experts, maintenance etc.)
- More ‘**agile**’ **work organisation**; new forms of more **flexible and more autonomous work**
- **Abolition of repetitive, low-skill and routine tasks**, reduction or elimination of **arduous or dangerous work**. Improvement of occupational safety and health
- Better ergonomics, help in performance of **heavy or complex tasks**



# Impact of digitalisation on job quality

Overview of the **main opportunities and threats** related to digitalisation - Voss and Rego (2019)

## Opportunities:

- **New forms of collaboration and cooperation among workers**
- **Reshoring** (return of industries and new ‘smart’ factories – and jobs – to their regions or country of origin)
- **Possibility of new ways of distributing productivity gains** (working time reduction)
- Possibilities of **social emancipation due to a new concept of ‘work’ and change of economic model based on peer-to-peer relations** (where all participants/actors are equal) and common goods



# Impact of digitalisation on job quality

Overview of the main opportunities and threats related to digitalisation - Voss and Rego (2019)

## Threats:

- **Destruction of medium and low-skilled jobs** (automation and computerisation)
- **Intensification of ‘anytime, anywhere’ work; ‘always-on culture’; ‘hyper-connectivity’** resulting in blurring of the boundary between private life and working life leading to stress and burnout
- **Loss of control by workers over their own expertise, know-how and free will** (becoming the “tool” of a machine)
- **Digital management, policing of workers, risk of mutual loss of trust between employees and management**
- **Depersonalization of work**, loss of face-to-face interactions, erosion of social skills at work
- **Precarisation of jobs and of employment relationships**, dependence on ‘data masters’; ‘servification’



# Impact of digitalisation on job quality

Overview of the main opportunities and threats related to digitalisation - Voss and Rego (2019)

## Threats:

- **Weakening of collective action and industrial relations**; shrinking of traditional collective bargaining coverage
- **Skills and training/labour demand mismatch**
- Exacerbation of inequalities (as regards skills and competences, “core” vs. “peripheral” jobs and positions, etc.)
- **Wage level stagnation or decline due to an increase in highly flexible employment relationships and interrupted employment histories**
- "Digital Taylorism" and **emergence of a class of digital workplace-based workers** (crowd sourcing); world competition among workers for all jobs not requiring face-to-face contact
- **Erosion of country-based tax base and social insurance financing**

# Impact of digitalisation on job quality

Overview of the main opportunities and threats related to digitalisation

*The impact of Digitalisation on job Quality and social dialogue in the public services (DIGIQU@LPUB) conducted in the years 2021-2023 in Denmark, Finland, France, Germany, Hungary, Italy, Poland and Spain*

Public administration

Healthcare

Electricity sector



# Impact of digitalisation on job quality



Overview of the main impact of digitalisation on job quality, DIGIQU@LPUB (2021-2023)

## Positive impacts:

- greater flexibility in time and space (remote work),
- more autonomy at work,
- reduction of routine repetitive tasks,
- better work-life balance,
- improved collaboration,
- communication and knowledge sharing with colleagues and users,
- the reduction of absenteeism,
- physical and mental health outcomes.



# Impact of digitalisation on job quality



Overview of the main impact of digitalisation on job quality, DIGIQU@LPUB (2021-2023)

## Negative impacts:

- physical and mental health outcomes
- work intensification,
- de-personalisation of service tasks ('social time'),
- individualisation of work relationships with colleagues and managers,
- control and monitoring of workers and their job tasks,
- blurring of boundaries between work and private life,
- physical and mental health hazards

# Impact of digitalisation on job quality

Overview of the main impact of digitalisation on job quality, DIGIQU@LPUB (2021-2023)

**Paradoxical tensions:** workers must cope with these in order to strike a proper a *balance*.

- greater flexibility in time and space vs. respect of effective contractual working hours,
- work-life balance vs. hyper-connectivity,
- individualised work vs. team work,
- enhanced information vs. information overload,
- increased autonomy vs. increased control,
- upskilling vs. deskilling,
- better public services vs. distancing from the users.

# Impact of digitalisation on job quality



Overview of the main impact of digitalisation on job quality, DIGIQU@LPUB (2021-2023)

## Survey results:

- Impact of digitalisation
  - for roughly one **half** of the respondents, digitalisation has had a **neutral (no change)** impact on job quality,
  - for around **one third** of workers it has had **positive effects**,
  - while for about **one fifth** of respondents the change has been seen as **negative**.
- Workers from the **public hospital and healthcare services** stand out from the other public services considered in the project by expressing **stronger negative impressions and describing a less positive impact**

# Impact of digitalisation on job quality



Overview of the main impact of digitalisation on job quality, DIGIQU@LPUB (2021-2023)

## Survey results:

- Impact of digitalisation
  - digitalisation is perceived by workers as an additional factor, rather than the cause of fundamental changes in the quality and organisation of work in the public services.
  - Technical advances allowed by digitalisation exacerbate trends towards reorganisation, flexibilisation and individualisation of work which were already affecting EU public services. These trends are the outcome of the packages of reforms implemented as part of the process of privatising public services, the overwhelming application of the ‘New Public Management’ organisational paradigm in a context of constrained austerity of public expenses, including limitations of public workforce size.



**Training in Malaga – 2nd day**  
**Information, consultation and participation rights**

# 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>

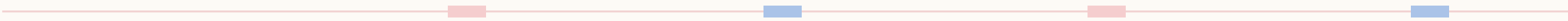




# **Training in Malaga – 2nd day**

## **Key competences for TUDO**

# Key competences for TUDO

- Thematic knowledge on various aspects of digitalisation, including potential gains and challenges for workers
  - Knowledge on collective representation mechanisms (both legal regulations and practices)
  - Union organising and networking skills
- 
- A decorative horizontal line with four colored segments: a light red segment, a light blue segment, a light red segment, and a light blue segment.



# Key competences for TUDO

**Thematic knowledge on various aspects of digitalisation, including potential gains and challenges for workers.**

The above parts of the manual aimed at shedding a light on some **selected aspects of digitalisation and challenges for the workers**. The TUDO trainings will develop further these aspects and will allow for **discussion and exchange of experiences** of the officers from various countries.

This will allow TUDOs to conduct their work aiming at counteracting

- possible increase of inequalities among workers,
- deterioration of working conditions and
- mitigating possible negative impact of digitalisation on the workers' rights



# Key competences for TUDO

## Knowledge on collective representation mechanisms (both legal regulations and practices)

- In order to act effectively, the TUDOs need to have broad knowledge and understanding of workers' rights and collective relations. Despite the fact that the training provided will focus specifically on various aspects of digitalisation, some selected elements on collective labour relations will be provided to the participants, e.g. **legal regulations on information, consultation and participation rights** (mostly at the EU level), **European policies and initiatives** (e.g. Charter of Fundamental Rights of the European Union, European Pillar of Social Rights, recent developments on platform work directive, telework and right to disconnect directive, recast directive on European works councils, reform of European social dialogue, etc.).
- It is recommended that **TUDO will develop their knowledge individually on country level regulations and practices related to trade unions, collective labour disputes, industrial relations systems, including collective bargaining, etc.**)



# Key competences for TUDO

## Union organising and networking skills

- The tasks for TUDO is to **provide support in their own country in order to prepare union members** to negotiate various aspects of digitalisation at company and sectoral level, and to update their knowledge by exchange in the international network.
  - Therefore, **effective transnational cooperation, communication and negotiation skills**, as well as the use of digital communication tools in the work of TUDO will be of key importance.
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**THANK YOU**