Changing dynamics of work in the twin transition: Challenges and Opportunities for Social Partners and Role of Social Dialogue

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Challenges and Opportunities for
Social Dialogue in the Twin Transition
Capacity building seminar: Turkey

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- **Framework Agreement on Digitalisation**

- **Green Transition as part of the European Social Dialogue Work Programme**

A JOINT COMMITMENT – THE PROCESS

| When? | Negotiations lasted 9 months, from June 2019 to March 2020 |

| Who? | More than sixty representatives of national employers and trade unions |

→ Approved by the respective decision-making bodies and officially signed in the context of the **Tripartite Social Summit in June 2020**
→ ETUC, BUSINESSEUROPE, SGI Europe and SMEUnited

INTRODUCTION

The digital transformation brings clear benefits for employers, workers and jobseekers alike, in terms of new job opportunities, increased productivity, improvements in working conditions and new ways of organising work and improved quality of services and products. Overall, with the right strategies, it can lead to employment growth and job retention.

The transition also comes with challenges and risks for workers and enterprises, as some tasks will disappear and many others will change. This requires the anticipation of change, the delivery of skills needed for workers and enterprises to succeed in the digital age. Others include work organisation and working conditions, work life balance and accessibility of technology, including infrastructure, across the economy and regions. Specific approaches are also needed for SMEs to embrace digitalisation in a way that is tailored to their specific circumstances.

The EU and national governments have an important role to play, by ensuring that the framework conditions allow and support employers and workers to grasp the opportunities and leave them space to find appropriate solutions to deal with the challenges, bearing in mind that they know best the situation on the ground and what measures are needed to benefit enterprises and workers.

This framework agreement is the shared commitment of the European cross-sectoral social partners to optimise the benefits and deal with the challenges of digitalisation in the world of work.

AIMS

- Raise **awareness** and **improve understanding of employers, workers and their representatives** of the opportunities and challenges 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.

- 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;

BY:

- Outlining a **joint dynamic circular process**, which takes into account the different roles and responsibilities of the different actors and can be tailored to different national, sectoral and/or enterprise situations, industrial relations systems, jobs and different digital technologies/tools;

- Highlighting **concrete approaches**, **actions and measures**, which employers, workers and their representatives can use, according to their specific needs and circumstances, to tackle topics such as skills, work organisation and working conditions.
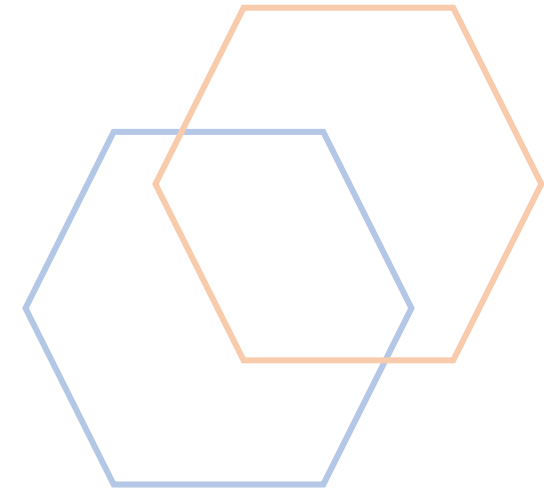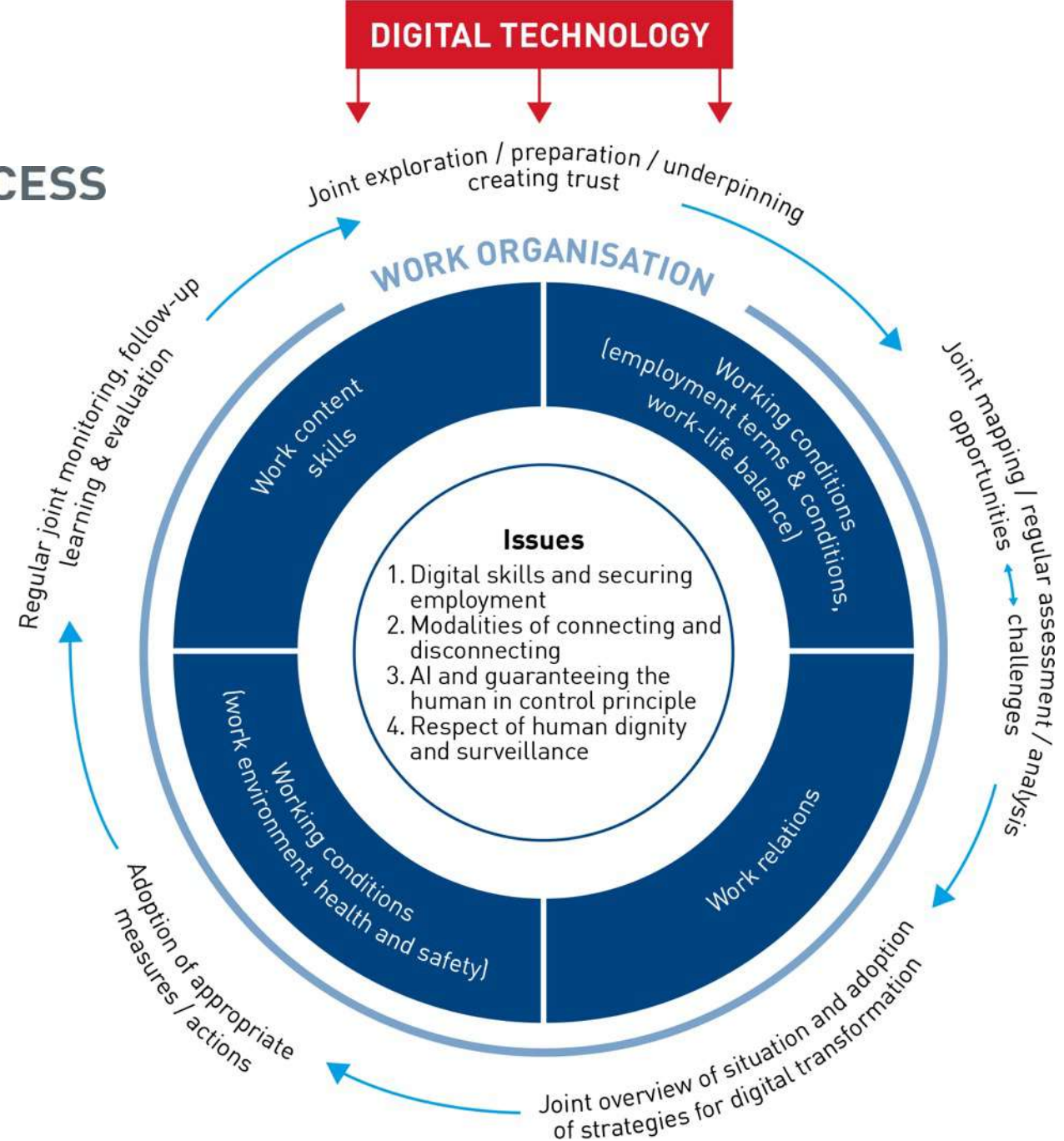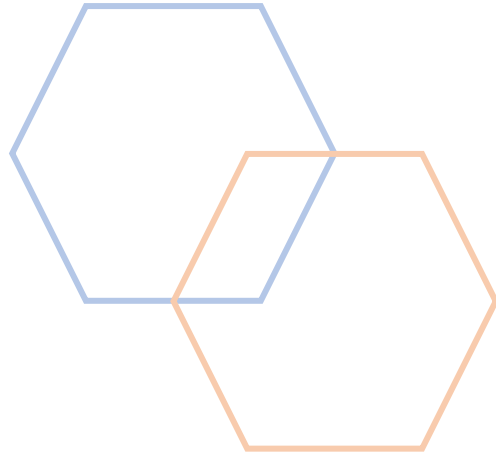
SCOPE

This Autonomous Agreement has been concluded by the European cross-sectoral social partners and applies to the whole of the EU/EEA.

It covers all **workers and employers in the public and private sectors** and **in all economic activities** including in activities using online platforms where an employment relationship exists, as defined nationally.

When referring to 'enterprises' in this agreement, we mean organisations from private and public sector.

When referring to 'workers representatives' in this agreement, the prerogatives of trade union representatives are to be recognised, in accordance with national law and practice.

DIGITALISATION PARTNERSHIP PROCESS

DIGITAL TECHNOLOGY

Joint exploration / preparation / underpinning creating trust

WORK ORGANISATION

Joint mapping / regular assessment / analysis opportunities ↔ challenges

Work content skills

Working conditions (employment terms & conditions, work-life balance)

Work relations

Working conditions (work environment, health and safety)

Regular joint monitoring, follow-up learning & evaluation

Adoption of appropriate measures / actions

Joint overview of situation and adoption of strategies for digital transformation

Issues
1. Digital skills and securing employment
2. Modalities of connecting and disconnecting
3. AI and guaranteeing the human in control principle
4. Respect of human dignity and surveillance

Stages in the process

1) *Joint exploration/preparation/underpinning* ➡ Exploring, raising awareness and creating the **right support base and climate of trust**

2) *Joint mapping/regular assessment/analysis* ➡ Mapping exercise looking into the topic areas in terms of **benefits** and **opportunities** and in terms of **challenges/risks**. Possible measures and actions are also identified at this stage. SMEs may need external advice/support.

3) *Joint overview of situation and adoption of strategies for digital transformation* ➡ Result of the above steps. It is about having a basic **understanding** of the opportunities and challenges/risks, the different elements and their interrelationships + Agreeing on **digital strategies**

4) *Adoption of appropriate measures/actions* ➡ joint **overview** of the situation. It includes:
   o the possibility for a testing / piloting of the envisaged solutions
   o priority setting
   o timing, implementation in sequential time-bound phases
   o clarifying/defining the roles and responsibilities of management and workers and their representatives
   o resources
   o accompanying measures such as (expert) support, monitoring, etc.

5) *Regular joint monitoring / follow-up, learning, evaluation* ➡ Full circle to a **joint assessment of the effectiveness of the actions** and **discussion**

Workers' representatives will be provided with such facilities and information as necessary to effectively engage in the different stages of the process.

Process should be tailored to different national, sectoral and/or enterprise situations and industrial relations systems.

An approach which is relevant to different jobs, enterprises and sectors.

Existing tools and procedures should be taken into account in the joint mapping/regular assessment/ analysis

1 - DIGITAL SKILLS AND SECURING EMPLOYMENT

Key elements and Objectives

Shared interest but **different responsibility** of employers and workers

Social partners can play a supportive role for enterprises in their efforts to set up skills plans

A broad skills set will be needed for the workforce, depending on type of digital tool and national/sector/enterprise situation

Ensure the continuous employability of the workforce

Digital transformation of enterprises that leads to employment creation

Employers' commitment to introduce technology in a way that benefits employment, productivity, work content and improved working conditions.

Measures to be considered include :

- Commitment of **both parties to upskill or reskill**
- Access to and arrangements of **training; training provisions**
- 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**.
- Focus on **quality and effective training**
- 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.

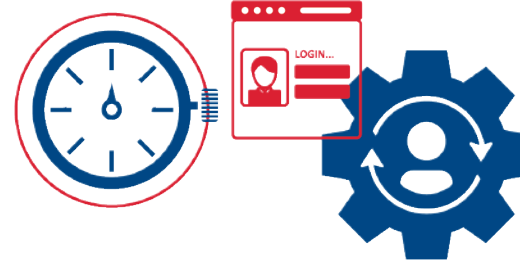## Strategies are built on a shared commitment of social partners to:

- Retraining and upskilling

- 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.

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.

Presence and/or introduction of digital devices/tools in workplaces - Opportunities and possibilities to organise work in a flexible way to the benefit of employers and workers; risks and challenges around delineation of work and personal time.

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

- 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

- 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

3 - Artificial Intelligence (AI) and Guaranteeing the 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 whilst respecting and complying with safety and security controls.

Setting out some direction and principles of how and under which circumstances AI is introduced in the world of work.

Trustworthy AI :

➡ Should be lawful, fair, transparent, safe, and secure, complying with all applicable laws and regulations as well as fundamental rights and non-discrimination rules

➡ Should follow agreed ethical standards, ensuring adherence to EU Fundamental/human rights, equality and other ethical principles

➡ Should be robust and sustainable, both from a technical and social perspective since, even with good intentions, AI systems can cause unintentional harm

Social partners to pro-actively explore the potential of digital technology and AI to increase the productivity of the enterprise and the well-being of the workforce
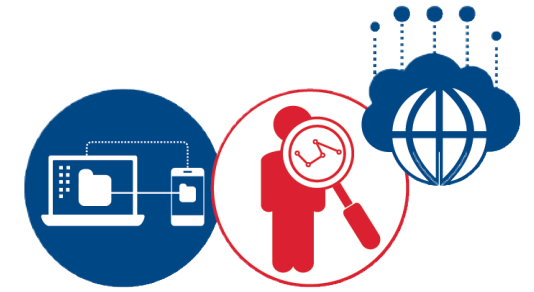
Measures to be considered include :

o Deployment of AI systems
  - ➢ should follow the human in control principle
  - ➢ should be safe
  - ➢ should follow the principles of fairness
  - ➢ needs to be transparent and explicable

o In situations where AI systems are used in human-resource procedures, transparency needs to be safeguarded through the provision of information

o AI systems should be designed and operated to comply with existing law, including the General Data Protection Regulation (GDPR),

4 - Respect of human dignity and surveillance

Data minimisation and transparency along with clear rules on the processing of personal data limits the risk of intrusive monitoring and misuse of personal data.

GDPR provides for rules in relation to the processing of personal data of workers in the employment context that need to be respected.

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 :

o Enabling workers' representatives to address issues related to data, consent, privacy protection and surveillance.

o 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.

o Providing workers representatives with facilities and (digital) tools, e.g. digital notice boards, to fulfil their duties in a digital era.
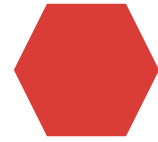
Implementation and follow-up

This framework agreement is an autonomous initiative and the **result of negotiations between the European social partners** as part of their sixth multiannual work programme for 2019-2021. In the context of article 155 of the Treaty, this autonomous European framework agreement commits the members of BusinessEurope, SMEunited, CEEP and ETUC (and the liaison committee EUROCADRES/CEC) **to promote and to implement tools and measures**, where necessary at national, sectoral and/or enterprise levels, in accordance with the procedures and practices specific to management and labour in the Member States and in the countries of the European Economic Area.

The signatory parties also invite their member organisations in candidate countries to implement this agreement. The implementation of this agreement will be carried out within three years after the date of signature of this agreement.

Member organisations will report on the implementation of this agreement to the Social Dialogue Committee. During the first three years after the date of signature of this agreement, the Social Dialogue Committee will prepare and adopt a yearly table summarising the ongoing implementation of the agreement. A full report on the implementation actions taken will be prepared by the Social Dialogue Committee and adopted by the European social partners during the fourth year.

In case of questions on the content of this agreement, member organisations involved can jointly or separately refer to the signatory parties, who will jointly or separately reply.

Joint Project on Implementation of the Framework Agreement on Digitalisation
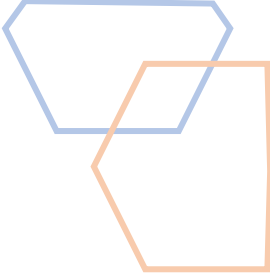
- ## Aim
  - To develop a digital tool which supports social partners at different levels to implement the autonomous framework agreement on digitalisation in a partnership approach (including a repository of examples of existing initiatives, practices and collective agreements

  - To organise country visits and cluster seminars between social partners from different countries to promote the agreement and to support national social partners implementing the agreement

  - To promote and disseminate the online tool at a final conference

- ## Timeline
  - 2022 - 2023
    - 2022: develop online tool
    - 2022 (second half) – 2023: country visits and cluster seminars
    - 2023: Final Conference and launch of digital tool

Social Dialogue Work Programme 2022-2024
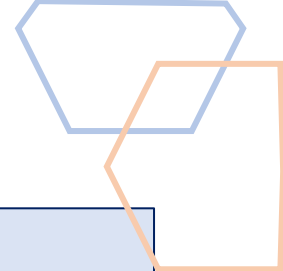
Green Transition

"Green transition, decarbonisation and circular economy along with digitalisation contributes to changing jobs, tasks, and to creating new occupations while others disappear. **These transitions are interlinked and mutually reinforcing**..."

"**Social partners should play an active role to ensure that a just transition**, underpinned by appropriate public funding and investments, creates quality jobs and supports enterprises and workers adapting to change, including new skills needs, upskilling, redesign of jobs, organising job-to-job transitions and work organisation improvements."

Instrument: Framework of Actions

What is a Framework of Actions?

- Negotiated text identifying a common approach, challenges and priorities.

- Follow-up: 4 years of annual reporting by national social partners on actions carried out at national level

- Previous Frameworks of Actions addressed Youth Employment (2013), Gender Equality (2005), lifelong development of competencies and qualifications (2002)

European Social Partners' project
Circular Economy and the world of work
October 2020 – October 2021

CIRCULAR ECONOMY: why such a topic?

- A **prominent theme** on the European political agenda

- Moving towards a circular economy is a **key requirement for decarbonising the European economy** and ensuring access to scarce natural resources

- Transition to circular economy **brings opportunities and challenges and profoundly impacts labour markets**

- National social partners' approaches to circular economy, concrete solutions to dealing with related impacts and strategies to anticipate future changes

CIRCULAR ECONOMY: impact on labour markets

- **Jobs**: destruction, creation, but above all a profound structural change
  - Different timeframe of changes
  - Different degree (sectors/regions)
  - "Domino" effect to jobs not directly impacted by transition
  - Changes within jobs (specific tasks)

- Importance of **skills**
  - Upskilling
  - Reskilling

- Potential **OSH risks and opportunities**

- Shift of **economic paradigm**
  - importance of communication and information dissemination
  - building sharing understanding

CIRCULAR ECONOMY: EU Social Partners' project activities

- Three **national joint cluster seminars** (October 2020, January 2021, April 2021)

- **Experts' survey** (Trinomics)
    - taking stock of the situation at the national level
    - collecting good practices
    - Including discussions from the three joint seminars

- **Final report** and **joint European Social Partners' Recommendations**

- **Final joint conference** (October 2021)

CIRCULAR ECONOMY – joint EU Social Partners recommendations (I)

- Social partners should **promote the shift to circular economy**

- Social partners **should bring the topic of socio-economic impacts of the transition to the circular economy on the agenda of Social Dialogue** at different levels

- At the company level employers and trade union representatives should **use Works Councils to collect information and develop concrete measures** to support transition to circular economy

- At regional, sectoral and company levels, Social Partners should **map and anticipate the needs for training, upskilling and reskilling** of workers

CIRCULAR ECONOMY – joint EU Social Partners recommendations (II)

- Social partners at different levels should **evaluate the consequences of the transition to circular economy on collective agreements**

- Social partners should **strengthen the implementation of health and safety measures** to guarantee good working conditions

- Social partners should **discuss ways to help ensure the competitiveness of enterprises**, taking account of particular needs of SMEs

- Social partners should discuss ways to **ensure that the shift to circular economy models goes along with improving gender equality and inclusiveness of the labour market**

Thank you for your attention!