Janus és a digitalis technológia szakszervezeti kihívásai

Janus and the trade union challenge of digital technology

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Roman god Janus

- had the unique trait of a head with two opposing faces, one turned to the past, the other to the future.

- Janus played the role of guardian of corridors and crossings in the life of our ancestors. God of change and transition.

- His two faces are a good illustration, in my view, of the challenges that digital technology poses for our society and for workers: the transition to a new industrial revolution, profound changes, opportunities and threats.

Opportunities put forward are of an economic nature: increased productivity, reduced number of intermediaries, intelligent systems for the conservation of energy and raw materials, traceability of products and waste, etc.

Expected risks impact on jobs, with a reduction in need for brawn and brainpower, irrespective of levels of qualifications or the sectors concerned.

Also an impact on employment relations, with an increase in atypical forms of work, including people with the status of freelancer or self-employed.

Digital technology may also have an ambivalent impact on work itself.

On one side, the possibility of greater asymmetrical, vertical and unilateral control of workers. The use and processing of digital data through Big Data and digital tools could make it easier to carry out surveillance of workers, for example via screen shots, checking connections or geolocation.

Conversely, the range of possibilities afforded by digital technology allow for more symmetrical, more horizontal, multilateral and democratic forms of cooperation between workers.

There is also the specific case of crowd-working platforms like *Upwork* or *Amazon Mechanical Turk,* where workers

from around the world offer their services online to perform various tasks, from skilled work to the simplest task.

Here, once again, winners and losers: the most highly valued on one side, contrasted with those who have a hard time getting a single task, sometimes itself subcontracted by other workers on these platforms. All this is played out in a virtual, globalised market. A task earning €3 would be considered as decent by a crowd worker in Nigeria, but as a poverty payment by his English counterpart.

So, what strategy should trade union be adopting in the face of digital technology? Here are some tips, some food for thought.

First, it is a matter of countering the "wave" theory. Digitalisation is too often presented by its smug advocates as THE disruptive revolution that is going to – and indeed must – change or destroy everything in its path. In their view, there must be no attempt to regulate it. for fear of killing a newly born extraordinary vector of modernity.

Some lobbies, including the *European Risk Forum*, an industry group hostile to the precautionary principle (on GMOs, endocrine disruptors, etc.), have gone on the offensive in favour of an **'innovation principle'**, joined by some digital platform lobbyists.

They aim to affirm, through this principle, that innovation is the expression of a fundamental freedom and is positive in itself, irrespective of its impact on health, the environment, and in our case, on work and workers.
The ETUC and the European trade union federations such as IndustriAll and UNI Europa are resolved to block this principle, to avoid it being taken up in the European Commission's "better regulation" initiatives.

More broadly, we must challenge this supposed conflict between regulation and freedom of innovation. One has merely to look back to the previous century to understand that the social and economic regulations established during previous industrial revolutions did not stop them – quite the contrary.

As a European trade union, the ETUC aims to turn the European level into a relevant arena for anticipating regulations and action on digital technology. We want first to influence the European Commission's strategy, which sees digitalisation only in terms of the economic opportunities for the European single market. The social dimension of digital technology and its impact on workers must be put on the European political agenda as a matter of urgency.

The agenda of the European social partners must also take up the digital issue as soon as possible. The European employers' associations are reluctant for the time being, but we are determined.

There are a lot of possible negotiating issues. They concern working conditions as much as respect for the privacy of millions of European workers.

In a recent study conducted in Germany by the daily newspaper *Bild*: 18% of workers said they had conflicts between family and working life, because of greater availability through digital devices. The question of the "right to disconnect" must be discussed in the trade union

movement, and could feed into social dialogue at all levels.

Other issues could be discussed, such as the definition of rules concerning the protection, use and control of workers' data.

Agreements on digital technology have already been signed here and there in Europe. This is the case, for instance, in the French telecom company Orange, where at the end of September 2016, the trade unions concluded an agreement with management on the "*digital transformation.*"

This agreement covers many facets of digital technology and its impact on work. It creates a new right to disconnect and proposes new shared rules on the use of employees' personal data.

It provides for training so that workers can adapt to these new tools, and that 80% of executives and managers are trained in collaborative work.

A "digital committee" composed of representatives of management and the trade unions will be in charge of monitoring implementation of the agreement and the

future impact of digital technology on the company's activities.

Other initiatives worth highlighting include that of IG Metall and GesamtMetall (employers), which launched a prospective project over a number of years in the metal sector in Germany, in order to adapt their social dialogue structures and training policies.

The digital platforms also present immense challenges for trade unions. Whether they operate in a local market (Uber, Deliveroo, online temp agency) or a virtual market in the case of crowd working online, these platforms are disrupting the traditional forms of trade union action and industrial relations. Yet these many challenges also offer opportunities for trade unionism.

The platforms active in the "conventional" sectors (transport, horeca, maintenance, etc.) ultimately employ workers IRL.[1] Trade unions must therefore convince these workers to join or to create unions, so as to get organised and defend their rights. As negotiators, the trade unions must pressure employers and legislators to

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[1] In Real Life

frame the activity of these platforms by legislation as well as by sectoral collective bargaining, where the activity of all the stakeholders ("conventional" companies and platforms) would be subject to the same rules. We could, for example, imagine that all workers in the passenger road transport sector (taxis, hybrid bicycle drivers, etc.) are covered by the same collective agreement irrespective of their status (salaried employee, self-employed worker, etc.). This could push the platforms to assume their social responsibility as employers or principals, and to abide by the rules in force concerning minimum wage, working time, occupational accidents or the right to training.

Things are more complex for the crowd working platforms, because the good old trade union practices (mobilisation of workers, sectoral bargaining, etc.) are less adapted to them. How can crowd workers be organised online? How can platforms that bring together providers of tasks and workers throughout the work be assessed and regulated? We are only at the beginning of the trade union discussion and action on crowd workers. But the idea of creating *crowd unions*[2] where workers could get organised and

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[2] A sort of online or e-trade union.

mobilised online deserves to be developed in Europe and elsewhere.

In addition to possible EU initiatives, the requisite regulation of these platforms, which is global in scope, affords a unique opportunity for the ILO to play a leading role, in my view. We could imagine the ILO assuming the role of a global regulating authority of these platforms,

The ILO is preparing to celebrate its centennial in 2019 and is busy drawing up an initiative on the future of work for that occasion. The proposals put forward here are a modest contribution to that discussion.

Challenge for employers as well:

I'm talking a lot about unions, but social partners, and challenges for employers!

As trade unionists, as social partners, we have a special responsibility to provide solutions for workers faced with the digital transformation.

In anticipating these changes, we must twist the neck of this great Janus, as it were, to force him to look us straight in the eye, with his face turned to the future. We can still influence, rather than suffer, the impact of digital technology on work and on workers.