

Shaping the new world of work

**The impacts of digitalisation
and robotisation**

Conference report

—

ETUI-ETUC Conference

Brussels, 27-29 June 2016

Hotel Thon Europe, 1040 Brussels

European
Trade Union Institute
Bd du Roi Albert II, 5
1210 Brussels

+ 32 (0)2 224 04 70
etui@etui.org
www.etui.org
Twitter: @etui_org

Editor: Willy De Backer
Rapporteurs: Rory Watson and Owen Stafford
Photographer: Philippe Molitor, Gleamlight, ©ETUI
© ETUI aisbl, Brussels 2016

The views expressed in this report are the private views of individual speakers and contributors and do not reflect the opinions of the organisers.
Reproduction of the contents of this report in whole or in part is allowed, provided full credit is given to the ETUI. Contents of this report, in whole or in part, cannot be sold for commercial ends.



The ETUI is financially supported by the European Union. The European Union is not responsible for any use made of the information contained in this publication.

Table of contents

Plenary A – Inaugural keynote speeches	5
Introduction	5
Call for new European social model	5
Possible need for new legally guaranteed rights	6
Adapt to new technology, rather than oppose it	7
Many mega trends, not just digitalisation, are driving change.....	8
Clarion call for change in existing policies.....	9
Trade union movement must position itself in the political debate.....	9
Plenary B – The big picture (setting the scene)	11
Platform economy: the compass to guide us	11
Trade unions must lead “disruptive revolution”	11
Co-ops leading the field.....	11
“One Belt One Road”: business opportunities and jobs	12
“Social creatures”	12
A just transition	13
“Avoiding new inequalities”: jobs, training and education	13
Collective bargaining in the shared economy	14
Organising the millenials.....	15
Plenary C – Technology	16
How can trade unions organise online workers?.....	16
Digital union.....	17
Entering “a robot society”	17
The “angry high-skilled worker”	18
Trade unions’ role in a sharing economy	19
Change of approach.....	19
Plenary D – Employment	20
Treat scenarios with “a pinch of salt”	21
IMF increases focus on employment	22
Clarification and certainty needed on new employment relationships	23
Plenary E – Working conditions	25
Digital revolution being used for capitalist ends.....	26
Skills recognition requires regulation.....	27
More research needed into impacts of digitalisation	28
Legislation and social dialogue can improve working conditions.....	29
Keynote speech	30
EU must avoid digital losers and divides.....	30
Digital debate should cover all issues.....	31

Plenary F – How to re-think labour law?	32
A new paradigm.....	32
Uniting, organising and helping digital workers.....	32
Can the platform economy be regulated?.....	34
Step by step approach.....	34
A new category of worker.....	35
Plenary G – The way forward	36
Executive summary	39

Plenary A

– Inaugural keynote speeches

Introduction

Philippe Pochet, the European Trade Union Institute (ETUI) General Director and chairman of the first session, opened the three-day conference by welcoming participants and explaining what lay ahead. The aim was to “have the widest possible debate on the emerging phenomenon” of digitalisation and robotisation, and to analyse how “to give it meaning and organise it”.

He explained that the first day would set the scene, the second assess the implications for different areas of economic activity and the third consider possible future solutions, including the role of social dialogue at both national and European level.

Call for new European social model



Philippe Pochet and Luca Visentini

Delivering the welcoming speech, **Luca Visentini**, the European Trade Union Confederation (ETUC) General Secretary, stressed the care and thought which had gone into the precise title of the conference: *Shaping the new world of work: The impacts of digitalisation and robotisation*. “We discussed every word in the title so that the message is very clear,” he said, emphasising the plural nature of the consequences and challenges of the new economy.

This transformation raises big questions about the industrial revolution (whether it is defined as the third or fourth), the green, circular, digital and collaborative economies, robotisation and other economic changes. Many, like climate change, cut across several policy areas.

“The big question,” Visentini asked, “is whether we are or are not ready to react properly to these changes and to manage them?” He offered three main areas where possible solutions could be found:

- operating public/private policy partnerships in areas such as job creation, emphasising public investment over austerity and constructing a proper industrial policy for Europe;
- promoting a concept of competitiveness based on quality, skills and worker participation;
- ensuring a just transition to the new economy, while tackling unfair practices.

Visentini ended by emphasising the need “to think about new kinds of industrial relations and a new social model for Europe”.

He ended by emphasising the need “to think about new kinds of industrial relations and a new social model for Europe”. Trade unions need the tools and capacity to achieve this, while public actors should play a more proactive role.

Possible need for new legally guaranteed rights



Marianne Thyssen

Marianne Thyssen, the European Commissioner for Employment, Social Affairs and Inclusion, was the first, but not only, speaker to remind participants that the conference was taking place just four days after the UK had voted to leave the European Union. That decision, she said, left no room for “business as usual”.

She took the opportunity to update the conference on the Commission’s progress towards its “triple A social rating” for the EU.

Pointing to the growing evidence that inequality acts as a brake on economic development, she explained the European Commission’s response: the European Pillar of Social Rights. This identifies various principles, such as equal opportunities for education, employment, working conditions and social protection.

The Commissioner introduced another ingredient into the social model’s response to robotisation, digitisation and alternative forms of work in the collaborative economy: the need for a balance between flexibility and security.

This balance requires better protection for all transitions on the labour market, whether between unemployment, employment or self-employment, and more careful consideration of social protection.

Even in an economy where tasks are increasingly taken over by machines, Thyssen stressed that “full employment remains a valid policy objective”. In this context, skills and training take on extra importance to ensure equal access for all to the labour market.

She called for a rethink of the competences curricula should aim for, so that people’s skills match the job needs of today and tomorrow. “Employability is not a dirty word,” she insisted.

The Commissioner acknowledged that many fear alternative forms of work, such as more self-employment, will lead to a downward spiral in working conditions. This, she suggested, might require existing legally guaranteed rights on information, consultation, working time or collective rights, to be adapted to the new digital working environment.

She believed digitalisation “if steered correctly towards our main social principles, can be a force for improvement of the quality of work”. It would bring with it higher productivity, finance for more and better social security, more inclusive workplaces and a better work-life balance.

“Instead of looking back to the heyday of manufacturing, we must look forward to better reap the benefits of new, global, digital and collaborative economies for Europe’s citizens,” she urged the conference.

“This might require existing legally guaranteed rights on information, consultation, working time or collective rights, to be adapted to the new digital working environment.”

Adapt to new technology, rather than oppose it



Jeffrey Franks

Jeffrey Franks, IMF Europe Office Director, reminded the audience that the IMF had been engaged in a regular dialogue with trade unions since 2002. Unions, with their unique expertise, had a key role to play in the dialogue on the new world of work.

The current transformation, he said, was different from previous changes. Both the pace of technological change and innovation are increasingly fast. This is a global phenomenon affecting jobs and citizens across social and economic classes in complex ways.

He pointed to the growth of the new sharing – or collaborative – economy, with the emergence of business models such as Uber. This economy is growing by 25% a year, according to the European Commission, and over 5% of the European population has already provided goods and services on these platforms.

Globalisation has increased employment opportunities as well as competition, not just at home, but across the planet. “There is an increasing danger of a race to the bottom on workers’ pay and protection,” he warned.

This new world of work brings flexible working opportunities, but also raises questions about taxation, legislation and consumer/employer protection.

“There will be a need for legislation, regulation, social protection and trade union action.”

Franks pointed out that this is not the first time in history that technological advances have given rise to fears. In the past these have proved groundless. While he predicted robots would reduce jobs in some occupations, he suggested people could move to jobs robots are unable to do.

Technological change, he stressed, would not stop, so people must adapt to it and try to shape and guide the process. Elements of that shaping process, he suggested, involved:

- grasping the benefits from increased economic growth and higher incomes, while ensuring the benefits are fairly shared;
- supporting innovation and allocating more investment to education and training;
- paying more attention to protecting workers, rather than jobs per se;
- adapting labour market institutions to the changes being experienced.

“I feel technological changes will bring higher living standards, but probably not all fairly, so there will be a need for legislation, regulation, social protection and trade union action,” he concluded.

Many mega trends, not just digitalisation, are driving change



Jeffrey Franks, Mark Keese and Philippe Pochet

“This is not just an agenda for governments, but needs a response from trade unions and employers.”

Mark Keese, Head of the Employment, Analysis and Policy Division, OECD, echoed Mr Franks’ point about the importance of social dialogue and trade union involvement. “This is not just an agenda for governments, but needs a response from trade unions and employers,” he stressed.

He maintained that digitalisation and new forms of working could not be seen in isolation. They had to be considered along with other mega trends such as globalisation, global warming, population ageing and political changes such as those likely after the UK’s recent vote to leave the European Union.

Keese pointed to the OECD’s emphasis on the need for better evidence on the impact of digitalisation on the world of work. The organisation itself launched a new policy on automation in January 2016 and rejects any sense of technological determinism, whereby changes to the labour market are passively accepted.

He noted that concerns about job losses are not new. The OECD finds US forecasts that 47% of all the country’s jobs could be automated within the next 40 years, to be “alarming”. Using a survey of adult skills, the organisation looked at jobs at risk and arrived at a far lower figure of 9%.

While many tasks could be done by computers and robots in future, he suggested jobs would not disappear, but people would need to adapt, especially as they stay in work longer and there is a danger their skills could become obsolete. That requires more training which should be assured by both public effort and collective bargaining. “We need increased opportunities for life-long learning,” he said.

The issue was touched upon in Panel 2 on the future of industry in Europe. Technology could bring the need for highly skilled jobs, especially in industry related services. However the panel heard that it was still unclear whether there would be people available for these roles.

Keese admitted that less was known than should be about the wider impact of the platform economy, the people involved, pay and working conditions. However, it disrupts long-term contracts between employers and employees. It is ushering in the return of piecemeal work, an increasing risk of precariousness, low and variable pay and reduced social protection.

He concluded that while digitalisation and robotisation would not lead to massive unemployment, they brought a risk of social inequalities and increased precariousness of work. To avoid that, required a coordinated response from government, trade unions and employers.

The OECD is addressing the phenomenon through its Future of Work initiative. This includes how collective bargaining could adapt to the new situation and a review of the OECD job strategy with an emphasis on both the number and quality of jobs. It would continue to help governments to develop their own skills strategy to respond to new skill needs.

Clarion call for change in existing policies



Guy Ryder

Guy Ryder, ILO Director-General, began with two observations. “Don’t try to predict the future with overconfidence,” he said. Secondly, there is currently too much unemployment, inequality and marginalisation. If these trends continue, the outlook is pessimistic.

He criticized those “mistaken policies” of the past 20 years that had created a high degree of disillusion among young people towards the world of work. “We need to move forward in a different direction,” he urged.

He welcomed the research initiatives the European Commission, OECD and IMF are taking. He explained the future of work initiative the ILO has launched and which will be at the centre of its centenary in 2019. This involves over 130 national tripartite dialogues and is designed to ensure the organisation is equipped to implement its mandate in an increasingly changing world.

The ILO is trying to establish the mega drivers that are changing the world of work. Technological advances cannot be considered the root of all the changes. Other factors play a role: demographic change, climate change and globalisation, for a start.

Given the scale of the challenges, Mr Ryder warned against “policy paralysis”. To avoid that, it is necessary to consider what work, and its “socialising function” mean in our societies. The current industrial revolution, with its reorganisation of production, is making a distinction between work and a job. “We have to work out measures for the way we regulate labour markets,” he said.

Later, in the discussion, he emphasised the importance of collective bargaining and called for it to be strengthened. “Bargaining and dialogue are fundamental to get this right,” he said.

Trade union movement must position itself in the political debate



Guy Ryder and Thomas Händel

Thomas Händel, Chair of the Committee on Employment and Social Affairs, European Parliament, as a former trade union secretary knows at first hand the consequences of technological change. He is convinced the new industrial revolution will not be limited to the industrialised world, but will also impact services, the way companies are organised and bring changes for workers.

The European United Left MEP called for more transparency in the debate about the future of the labour market and took a measured approach towards the changes now taking place. He suggested that optimists should be more cautious when predicting that robots would bring major benefits to the workplace. At the same time, he considered as “an exaggeration” fears that robotisation would affect millions of jobs. “Experience shows that the impact on workers will be quite limited,” he said.



The changes taking place should not lead to “technological determinism” and unquestioning acceptance, but should be met by a more comprehensive, holistic approach.

He acknowledged that digitalisation and robotisation would bring consequences for the whole of society. “So we need a political debate and I call on trade unions to position themselves as a movement that can have an impact on that debate. It is all about participation and workers have to be involved.”

He called for labour codes to be modified to take account of the changes taking place, minimum fees for the self-employed, redistribution of working time and effective regulation to ensure that increasing flexible working arrangements enable workers to enjoy a healthy work/life balance without being exploited.

Like Thyssen, he emphasised the importance of training. “If workers are to adapt to the new framework, we need regulations covering digital skills,” he said, adding: “We need to foster conditions so workers are involved in the industrial revolution.”

In the ensuing discussion, emphasis was placed on the importance of lifelong learning. Keese summed up the general feeling: “Training is not just initial training. We have to go beyond the rhetoric. It is not just that employers should offer training, but employees must be ready to take this up,” he said.

The issue of training was followed up in Panel 2 where participants claimed that firms needed the right incentives to retrain staff. Also raised was the need for companies to share their training content with academics and students to help smooth the transfer from education to the world of work.

Concern was raised about the impact of the current transition on female workers, although some speakers referred to potential benefits from greater flexibility. “But it’s not inevitable. We have to make it happen,” Franks warned.

There was general agreement that the changes taking place should not lead to “technological determinism” and unquestioning acceptance, but should be met by a more comprehensive, holistic approach. As Ryder insisted: “This is a discussion about policy.”

Visentini emphasised the need to introduce macroeconomic elements into the debate. He called for an injection of public investment, particularly for training and infrastructure. “The digital economy in the US was born from public investment,” he reminded participants.

He also made a distinction between real innovation and what is presented as such. Uber, he insisted, fell in the latter category. The model was old fashioned capitalism, exploiting workers by using new technologies. “With real innovation, trade unions should be involved.” To manage the transformation taking place, he called for new legal standards and use of traditional trade union tools, such as collective bargaining.

Asked what single policy would help meet the challenge of new ways of working, Franks suggested protecting workers rather than jobs. Ryder offered: “Reinforce dialogue and collective bargaining.” Keese called for training both to equip young people for jobs and to upskill workers, combined with social protection during periods of transition.

Plenary B **– The big picture** **(setting the scene)**

Platform economy: the compass to guide us

Trade unions must be at the forefront of developments that are shaping the new economy based on the new digital revolution. So advised **Jeremy Rifkin**, Author of *The Zero Marginal Cost Society*, President of the Foundation on Economic Trends.

Trade unions must lead “disruptive revolution”



Jeremy Rifkin

“We are going to get a compass to navigate a new journey over the next two generations starting today.”

Rifkin, the keynote speaker at Plenary B “The big picture (Setting the scene),” methodically explained the evolution of the new climate friendly world economy. It will be based on what he termed the “general purpose technology platform” – the infrastructure created by the Internet of Things (IOT) linking up communications, energy and transport. He implored the labour movement to lead from the front in this “disruptive revolution.”

According to Rifkin, poor economic management has led to an environmental crisis, with more extreme weather events– “droughts, wildfires and blockbuster snows”.

How can this be solved? “We are going to get a compass to navigate a new journey over the next two generations starting today,” he stated. “This involves weaning ourselves off fossil fuels in four decades and the convergence of a new communications technology, new energy sources and new modes of transport into the Internet of Things.”

Sensors from households, agriculture and industry are feeding into this “digital planetary platform”, which according to Rifkin is a huge leap forward for humanity, joining people together and “eliminating the middleman”, at a marginal cost.

Co-ops leading the field

Rifkin stated that the so-called sharing economy will be a reality by 2030, with goods and services increasingly becoming available at zero marginal cost, propelling SMEs and co-operatives as lead economic players.

He explained how “Three billion prosumers are producing and sharing virtual goods with each other at zero marginal cost in the fields of education, social media, music and videos”, adding how the music, TV and book industries have all been disrupted by technological change.

This sharing economy is now gaining a foothold in the energy, power and transport sectors, highlighting the examples of renewable energy co-operatives and car sharing.

Co-operatives are already replacing big firms, in this new economic paradigm, with Rifkin explaining how this has happened in Germany’s energy sector, with renewable energy produced by co-operatives set to hit 100% of energy production by 2040, taking over from major companies like ENBW and Vattenfall.

“One Belt One Road”: business opportunities and jobs

Rifkin described the “One Belt One Road” proposal, an IOT highway running from Shanghai to Rotterdam. He said discussions between the EU and China were beginning on this idea. If realised, this could see business opportunities and millions of jobs being created over the next two generations, especially in retro fitting buildings and installing renewable energy infrastructure.



Jeremy Rifkin

Wind and solar energy could lead to the creation of 23 million jobs in construction and another 17.5 million in energy facilities, he claimed, outweighing the jobs lost in the fossil fuel sector by three million.

This view was shared in Panel 9, which discussed the potential of the circular economy for job creation. Figures were given on energy transition, in re-manufacturing, repair, and leasing business models in France with 450,000 possible new jobs coming online.

However, Rifkin complained that money was still being spent on “second industrial revolution infrastructure across every region of Europe, 15 to 20 years after it peaked”. The EU would have to invest differently, he stated, adding that the European Investment Bank had infrastructure scale ups as a priority.

“Social creatures”

In drawing to a close, Rifkin claimed to be “only guardedly hopeful” that the third industrial revolution would become a reality. He felt optimistic that the changing attitudes of young people or “millenials” would help progress towards the new sharing economy. He described them as “social creatures” who want “to optimise their involvement in social networks”.

“The more talent they bring the more the network benefits.”

He concluded that the trade union movement needs to lead this shift.

A just transition



Laurent Berger and Luc Triangle

Triangle concurred with Rifkin that trade unions and workers had to be central to the debate: “It’s about our income and our welfare.”

The key point for Triangle was that there be a “just transition” whereby workers were not negatively affected. He concurred with Rifkin that trade unions and workers had to be central to the debate: “It’s about our income and our welfare.”

He expressed concern over a transition to “a more unequal society where the rich would become more powerful because they would own the digital platforms.”

Following Rifkin’s speech, **Luc Triangle**, General Secretary industriAll European Trade Union, asked him a series of questions about what this new economy would mean for Europe’s social model?

- What would be the value of labour?
- What would be the role of labour?
- What would be the definition of labour, income and a minimum wage?
- How would labour contracts change? How will companies make contracts if they are sourcing workers off the internet?
- How would collective bargaining by trade unions be carried out?

Triangle questioned Rifkin’s presentation for being unclear on these points.

“Avoiding new inequalities”: jobs, training and education



Susanna Camusso

Camusso called for assurances that all workers would be trained in the new economy so they would have jobs.

Susanna Camusso, General Secretary CGIL, said that while high skilled workers with high knowledge levels needed protecting, so did the jobs of lower skilled workers. She called for assurances that all workers would be trained in the new economy so they would have jobs.

Camusso agreed on the need for systematic investment, but felt this was not happening in reality. The EU, she said, should move in the direction of public investment “to avoid multiplying new inequalities”.

Triangle called for proper training to ensure “people were not lost during this process”. Workers who lost jobs in the transition must be able to find work in the new economy.



Laurent Berger

“As the next two or three generations would live in a period of transition, the question that needed answering was not 'where we were going but how to get there'.”

Laurent Berger, General Secretary CFDT, said that as the next two or three generations would live in a period of transition, the question that needed answering was not “where we were going but how to get there”.

He felt there was still a lack of balance between labour and education: how could it be ensured that people would find the right jobs? On working time, he queried how work and free time “could be reconciled”.

The theme was examined in Panel 11, dealing with work intensification, which has increased between 2005 and 2013. Data show that an extension of work intensification occurs in parallel with the dissemination and use of ICT tools. When the use of ICT at work is more than three hours a day (internet, intranet, emails), work intensification increases significantly.

Camusso expressed concern over the education system where students are being taught in so many vocations that general knowledge is left behind. This is still needed alongside specialist knowledge when interfacing between technologies.

Berger was worried that the sharing economy could still prove to be unfair. He asked what would be at stake for governments in terms of taxation.

“This is important for the way we fight as a trade union.”

Echoing Berger, Triangle asked what would be the role of the state when it came to taxes. How would governments pay for public services without tax income?

Collective bargaining in the shared economy



Luca Visentini

Luca Visentini, ETUC General Secretary, spoke about the difficulties of collective bargaining in the new economy. Repeating a discussion from an earlier plenary, he stressed that Uber was “not an innovative firm and not a collaborative economy example”. It exploited drivers, did not always pay tax and did not properly protect its workers.

He said that the most effective tool for trade unions to tackle these problems was collective bargaining. However, he felt this would be difficult as workers were hard to access given the nature of the new economy.

There were also calls during the discussion in Panel 19 for a political framework to reinforce, widen and defend collective bargaining. Its coverage needs to be extended to the growing population of workers that are not employees in the legal sense but are rather outside the bargaining system, such as crowdworkers, the self-employed and freelancers.

“What can we the trade unions do to provide workers, regardless of status with solutions?”

Solutions were needed and Visentini lauded models used by Nordic trade unions whereby self-employed people were contacted in different sectors. Their work was included in a framework collective agreement, setting standards for income, social protection, working time and pensions. They would assist in negotiations with employers and ensure standards in agreements were met.

“Could this be a first attempt to reply?” asked Visentini.

“What can we the trade unions do to provide workers, regardless of status with solutions?”

“The question we need to raise is are we trade unionists from the second industrial revolution? And how can we become trade unionists for the third industrial revolution which will be on our desk sooner rather than later,” stated Triangle.

Organising the millenials

Addressing the panellists’ points Rifkin said the Labour movement is currently in the same position as companies in the second industrial revolution. Trade unions “organise industrial, technical, social, strategic and political responses corresponding to these companies who control capital but who are now in disarray.” He said cooperatives along with SMEs and new start-ups could organise the logistics internet, as an alternative to big business like Amazon. “This could be done laterally if trade unions worked with these groups to organise this”. If such organising did not occur there would be “more Amazons” he said.

Rifkin also questioned the concerns over firms like Uber dominating the market. “You think Uber is going to successfully capture every single cab driver in the world? There’s no reason these drivers can’t form cooperatives, use the same GPS and unionise.”

Rifkin explained that as young people were re-organising cooperatives, the role of the labour movement was to ensure that they were fully protected, Regarding wages Rifkin said that young people were “social animals who didn’t want to be paid for doing nothing” as they wished to contribute and add value. Long-term employment he claimed, was moving towards the non-profit sector, where the Labour movement needed a presence. “The market will become more automated but the reason employment is moving to the non-profit sector is that it needs human beings”, said Rifkin. “You won’t see robots preparing children’s brains to become social creatures,” he stated.

Rifkin commented that unlike big business, trade unions were not successful in attracting young people, something he was critical of. The key he added is getting cooperatives and unions together: “join together and become part of the action. Trade unions have to organise the youth who must know they can’t organise with the click of an app. You’ve got to encourage the digital generation to organise and mobilise. Show them your spirit and wisdom to draw them into the fold”, he implored.

Plenary C

– Technology

How can trade unions organise online workers?



“The problem is that digital workers are set up to compete against each other.”

The impact of technology on today’s work environment was the overarching theme in Plenary C, with questions centred on what roles trade unions should play in protecting online workers.

In a world increasingly being defined by work, along with the evolution of the sharing economy with 3.5 billion people digitally connected, perils exist for workers based online.

Addressing the packed plenary **Mark Graham**, Professor of Internet Geography, Oxford Internet Institute, University of Oxford, said that connectivity is changing employment practices – and leading to problems.

While the demand for online work is centred on the EU and US, the supply of online labour has a more global reach, including countries in Africa and Asia, such as India, the Philippines and Nigeria. Due to a huge imbalance between supply and demand, there exists an oversupply of services, which Graham stated reduced the bargaining power of digital workers, potentially resulting in “a race to the bottom”.



Mark Graham

He gave the example of the website ‘upwork.com’, where clients list jobs for online workers to bid on. This includes work in areas such as writing, graphic design and web development. An example of one such job advertised for \$50 saw the winning bidder offer just \$23. The bidder then passed on the job to another worker (interviewed by Graham’s research team) for just \$3.50.

“The problem is that digital workers are set up to compete against each other. With no physical proximity, some online workers have

laughed off the idea of joining a trade union as a ‘ridiculous notion’. They know someone who is willing to be treated worse than them,” explained Graham.

Many online workers classify themselves as entrepreneurs, freelancers and temps, who Graham said: “are receiving the risks of entrepreneurship but not the rewards. If workers withdraw their

"Many people perceive countries to have no sovereignty over the Internet, many believe online workplaces to have become 'unregulated and unregulatable'."

perceive countries to have no sovereignty over the Internet, further emphasising that many believe online workplaces to have become "unregulated and unregulatable". Instead, he argued that the Internet always has an economic geography, and by understanding its flows, we can work to better apply rules and norms that will improve the lives of those who use it.

services due to poor conditions, there are others to take their place."

He added that the problem with trying to regulate the online world is that many people

Digital union

Prominent among some suggestions to end exploitative practices endured by online workers, was Graham's call to organise digital workers. This could take the form of an organisation constructed along transnational lines uniting various online working groups under one umbrella. Alternatively, it could take the form of a cooperative or looser collective of workers: still striving to wield power as a group rather than as networked individuals.

Another possible strategy, given the geographically dispersed nature of the sector is what Graham described as "digital spaces of resistance" that involve online "digital picket lines", such as Facebook groups where feedback and complaints can be submitted.

Another solution put forward in Panel 22's discussion was that "connective action had to be integrated into collective action".

Entering "a robot society"



Bettina-Johanna Krings

Bettina-Johanna Krings, Head of Research area "knowledge society and knowledge policy", ITAS-KIT, Karlsruhe, began by asking: "Are we entering a robot society? If yes, how?" Her presentation elaborated on the proliferation of robotic and automation systems globally, in the areas of healthcare, automobiles, agriculture and science.

"Robots and automation systems are a success. The development of robot systems are strong with regard to future societies, specifically in the development, research and innovation processes. There are strong visions here from the rationalisation aspect," she said.

They could resolve work and labour market problems as well as societal issues such as demographic changes, Krings added.

She believes that the human-machine interaction is not greatly analysed.

"Who's responsible for what? Technology is crucial in human-machine interaction, but we do not know enough about it," she claimed

She explained that letting humans and robots work together side-by-side raises legal and security issues, leading to questions over who controls what?

In the discussion on Panel 23, it was stressed that the positive or negative effects from robotisation depend on who owns the robots. Also raised were the health and safety challenges posed by robots, including physical and psychosocial risks from interaction, such as stress, pressure, malfunctions and changing efficiency standards. This is in addition to other difficulties with implementing legislation and regulations whereby it is unclear where responsibilities lie.

“Letting humans and robots work together side-by-side raises legal and security issues, leading to questions over who controls what?”

Plenary moderator **Daniella Vincenti**, Editor-in-chief, Euractiv, asked Krings about the role trade unions could play in shaping robotisation.

Krings suggested that trade unions need to help develop new visions on the value of work, and devise “a new concept of work”. New ideas on institutional settings and “more fantasy on the institutional framework” are also needed.

“They need to work strongly on the social visions and the new way of work,” she concluded.

The “angry high-skilled worker”



Ursula Holtgrewe

Ursula Holtgrewe, Head of Department ‘Work and Equal opportunities’, Zentrum für Soziale Innovation (ZSI), posed the question to the session: where is work going?

In searching for an answer, she suggested it is becoming more globally distributed, with local jobs being outsourced and multinational corporations downsizing in western countries, moving to locations in South East Asia.

While these companies become “leaner”, Holtgrewe said this is not without risks or weaknesses, such as loss of control over core competences and loss of collaboration and coordination. “Building large technological infrastructure relies on human coordination and collaboration.”

This is leading to the advent of the “angry high skilled worker” said Holtgrewe. “This is due to a sense of frustration and insecurity as these workers, who are supposed to create value, are being pressurised, consistently evaluated and compared to global competition,” she informed the session.

More “platform cooperatives” run by workers, who collaborate together, rather than competing with each other need to be established, Graham said. Rather than having a market-based design, these should be created on a cooperative level. He linked a question on whether trade unions should themselves become platform-based to the need to establish such platform cooperatives, where workers share out rewards equally – that would be a positive development.

While Krings called for trade unions to focus on social, rather than technological, visions, Holtgrewe claimed that not all business is global and therefore there should be a place for national regulation.

“Work is becoming more globally distributed, with local jobs being outsourced and multinational corporations downsizing in western countries, moving to locations in South East Asia.”

Trade unions' role in a sharing economy

During the lively question and answer session, one query from the floor pondered whether trade unions could play a role in setting minimum conditions and standards in the platform economy?

Graham concurred, saying that better regulation was needed in countries where clients were situated. He called for clear guidelines, since no one knew what to pay platform workers due to a lack of regulation. While firms do not want to pay high fees to workers, they do not necessarily want to pay the cheapest either. These companies have difficulty deciding what would constitute a fair price for workers in the platform economy. Would it be the minimum wage or the lowest that workers are willing to accept?

As a solution to improve online workers' rights, he suggested "a digital worker fair work foundation", similar to fair trade foundations used to compensate coffee growers. "It would certify an entire value chain so people would be happy that this work is done ethically." One audience member added that for this to work the issue of "local capacity" would need to be solved, whereby workers would have to be brought back from the transnational to local and regional networks.

Change of approach



"It's about getting the right mixture of what's old and proven, and what's new and connecting these spheres. It's difficult to do, but it could work."

The question was asked if trade unions needed to change their approach in offering proper information to young digital workers who keep unconventional working times and may not be aware of standards or hold different values.

The unions that have the most impact are still those involved in "physical gatherings", Holtgrewe said. She suggested a combination of two approaches, with unions going to places where young online workers tend to gather. "It's about getting the right mixture of what's old and proven, and what's new and connecting these spheres. It's difficult to do, but it could work."

Krings agreed, but mentioned that "the question is whether we need to know in detail what the work is", adding "it is difficult to find standardised forms".

While it was easy to claim that minimum standards for online workers could be established, "people who work for low wages will still serve as a magnet", Graham warned. He repeated that the issue of high wage jobs being repackaged and resold for low wages had to be tackled.

Plenary D – Employment



Raymond Torres

worldwide and many jobs are vulnerable and unpaid. Employment relationships are changing, with the arrival of many intermediary ones, such as freelance work. Labour incomes lag behind productivity and, since January 2016, the growth of the middle class worldwide has slowed down.

He noted that a creative-destruction process is at work in the new technology/employment relationship. New products are being created and there is greater scope for individualising customer services. Non-routine occupations are on the rise.

These changes mean that it is not sufficient simply to raise general educational levels. The response needs to be more nuanced since some qualified jobs are decreasing. This requires a different political approach towards education.

"We need a new strategy to shape the world that is emerging to ensure the new technology is used for society's wellbeing, to enhance networks, provide good jobs and green the economy."



"It is not sufficient simply to raise general educational levels. The response needs to be more nuanced since some qualified jobs are decreasing."

Raymond Torres, Director of the ILO Research Department, set out the broad picture. He focussed on three issues: key employment trends, new technology and employment, and forecasts.

Global growth and wages are declining. There is a shortage of 50 to 60 million jobs

worldwide and many jobs are vulnerable and unpaid. Employment relationships are changing, with the arrival of many intermediary ones, such as freelance work. Labour incomes lag behind productivity and, since January 2016, the growth of the middle class worldwide has slowed down.

He noted that a creative-destruction process is at work in the new technology/employment relationship. New products are being created and there is greater scope for individualising customer services. Non-routine occupations are on the rise.

These changes mean that it is not sufficient simply to raise general educational levels. The response needs to be more nuanced since some qualified jobs are decreasing. This requires a different political approach towards education.

Risks to employment from digitalisation were also the subject of Panel 2's discussion. Job transitions could result in a situation where "digital losers" could exist. Certain jobs could be out of the market within ten years. On the other hand, some very highly skilled jobs could come on board. The question was whether the European education system was strong enough to deliver for industry's future needs. If not, investment could be lost.

Torres pointed out how the production process is becoming more fragmented and units smaller. Various individuals are involved, but not necessarily via a company. "Platforms are becoming more important than companies in the new global value chains," he said.

He called for a new strategy to shape the world that is emerging to ensure the new technology is used for society's wellbeing, to enhance networks, provide good jobs and green the economy.

This requires a new role for labour regulation, social protection – especially for the self-employed – skills and social dialogue. The ILO can be a key actor in these areas.

Treat scenarios with “a pinch of salt”



Dominique Méda

“Substituting humans with robots is not the only solution. Real cooperation between humans and robots is possible.”

Dominique Méda, Director of IRISSO-UMR 7170, Université de Paris-Dauphine, introduced a note of caution into predictions on the impact of robotisation. She criticised academics who pick up and repeat ideas on digitalisation and robotisation without investigating the original research behind those conclusions.

In particular, she questioned the widely quoted scenario that 47% of jobs in the US would be performed by robots. All forecasts, she added, should be taken with “a pinch of salt” since some of the studies on which they are based are “very controversial” and offer “alarmist predictions”.

Méda exposed what many speeches say what will work in the future: it will be more collaborative, production will not take place in large companies and the unity of time and space will disappear. There will be fewer differences between professional work and family life, more cloud working and more people will become their own employer.

While machines may replace humans in some industrial sectors, she argued the resistance of workers and consumers to robotisation should not be underestimated. “Substituting humans with robots is not the only solution. Real cooperation between humans and robots is possible,” she said.

Like others, she pointed to the growing influence of platforms which offer work, but do not take responsibility for those who provide that work as the concept of an employer changes. To prevent companies like Uber circumventing regulation, she suggested that legislation cover all forms of services.

Alongside the technological revolution, she reminded her audience not to forget ecological reconversion and the need to take care of the consumption of raw materials.

Méda called for a fairer distribution of work throughout the whole population and for a reduction in working time if jobs are at risk. Pointing to the strong correlation between trade union membership and the quality of employment, she reminded her audience of the central role trade unions can play in this debate.

IMF increases focus on employment



Prakash Loungani

Prakash Loungani, Advisor in the IMF's Research Department, insisted that unemployment in the digital economy is not inevitable. "It is what we choose it to be," he said.

He explained how the organisation is trying to change its views on unemployment, labour market institutions and trade unions. It is now paying more attention to the distributional consequences of economic development and policies since inequality lowers the durability of growth, while redistribution, unless extreme, does not.

"Unemployment in the digital economy is not inevitable. It is what we choose it to be."

Among the drivers of increasing inequality, he identified decline in union membership, capital account liberalisation and fiscal consolidation, more commonly known as austerity, as public sector wages are cut.

There is increasing recognition that labour market policies require a balance between promoting efficiency and protecting workers. In the past, he admitted, there had been too much emphasis on the former.

At the micro level, generous unemployment insurance should go hand in hand with employment protection that is not excessive. At the macro level, economies should be able to make the necessary changes to respond to economy-wide shocks. To achieve these conditions, collective bargaining institutions and trust between parties are essential.

Loungani confirmed the IMF is placing increasing importance on unemployment – as opposed to financial stability – in policy discussions. This involves taking seriously the social costs of unemployment and adopting a two-handed approach that boosts both aggregate demand and supply. Another feature is IMF support for quantitative easing, fiscal stimuli and calls for more investment.

While the IMF is not the key agency considering the impact of digitalisation on employment, it takes account of research by the ILO, OECD and ETUI and ensures this is reflected in its ministerial policy discussions.

He reminded his audience that fears about possible job losses because of robots are not new. They have been voiced for over 100 years. But, as he pointed out, the increasing use of ATMs in the US has also led to an increase in banking staff who have been upskilled to handle more complex tasks.

Overall, Loungani painted a picture of a more caring IMF that now looks to treat unemployment caused by trade displacement and technology more sympathetically.

That portrayal was vigorously challenged by one participant. He criticised the IMF's austerity policies and pointedly asked if Torres' comments were a marketing exercise. The

"Labour market policies require a balance between promoting efficiency and protecting workers. In the past there had been too much emphasis on the former."

ILO director strongly denied the suggestion, stating: “Nothing we advocate goes against stable employment relations.”

He urged trade unions to voice their concerns whenever they see a dichotomy between management backed research and what actually happens on the ground in countries. “The best role trade unions and civil society can play is to challenge us and keep us honest,” he said.

Clarification and certainty needed on new employment relationships



Veronica Nilsson

Technological change has made the labour market more precarious.

Veronica Nilsson, Deputy General Secretary ETUC, began by stressing the current high levels of unemployment: 8% in Europe (compared to 7% seven years ago) and 10% in the Eurozone. There has been a slight recovery, but not enough to create more jobs.

Technological change has made the labour market more precarious. Temporary contracts are on the increase, accounting for some 15% of all workers, as are part-time work and the bogus self-employed. One week, or even one day, contracts can now be found in France and Spain. In the latter, one quarter of all new contracts are for less than a week. The trends lead to inequalities and in-work poverty with some 10% of workers at risk.

Nilsson queried whether current employment contracts are fit for the future since the changes in work patterns are not just due to technological advances, but also to pressure to reduce costs. “In the long run, we can’t compete by cutting wages,” she insisted.

“In the long run, we can’t compete by cutting wages.”



A recent European Court of Justice ruling has defined an employment relationship as doing something under the instruction of someone else for remuneration. From a trade union perspective, this definition, and the rights it contains, she suggested, should cover online platforms and cloudworking, recognising the employment relationship that exists.

It should be accompanied by a European regulation of online platforms and a ban on online platforms that take a percentage of a worker’s pay.

Later, Nilsson acknowledged that regulation shopping was a major problem where companies and platforms try to circumvent both labour and fiscal legislation and urged a global solution. Torres noted that the ILO has global standards in this area and these should be applied. He explained that Germany, as current president of the G8, is pushing an initiative to compensate victims of accidents and bad working conditions.



In similar vein, as part of moves to organise workers in the digital economy, Méda advocated trying to encourage more people into start-ups with employees and making parent companies aware of their responsibilities for their subsidiaries' actions.

Nilsson linked these issues directly to wider EU economic policy. She expressed surprise that they were not considered in the national country reports in the European semester exercise and recommended the Commission do so in the next round of reports starting in the autumn.

Plenary E

– Working conditions



Ursula Huws

Ursula Huws, Professor of Labour and Globalisation, University of Hertfordshire Business School, said that since she began researching the impact of technology on work in 1976 she had seen a recurrent pattern.

Each crisis, has been followed by massive unemployment, a global restructuring of capital and huge investment in new technology. Then, five to six years on, there is a new industrial landscape and the debate has become polarised between utopian optimists and doom mongers. This is the case again now.

She argued, despite some claims to the contrary, that previously there had been little real change in the post war work model. Some 30% of the workforce in most member states had remained in secure employment with some 15-16% self-employed.

However, this time she considered “a new paradigm of work organisation is emerging”.

It is characterised by a massive concentration of capital and increasing dominance by multinational companies. There has been a spread of information and communication technologies, with mobile internet access almost universal. The global division of labour in both manufacturing and services has reached a critical mass and takes two forms: the movement of people to jobs and the movement of jobs to people.

There is a new wave of automation, while offshore outsourcing is decimating many traditional jobs in Europe. The new jobs are in different locations, creating different spatial diffusion patterns.

Huws identified the formalisation of the informal economy, as with the spread of the Uber phenomenon, creating a new way of accumulating capital and monetising private life. In addition, the growth of self-service activities, such as booking and buying tickets on line, is transforming paid work into unpaid work.

“A new paradigm of work organisation is emerging characterised by a massive concentration of capital and increasing dominance by multinational companies.”

She identified key trends:

- growing use of online platforms to manage and monitor work;
- wider standardisation of tasks;
- growth of unrecognised and unrewarded consumption tasks;
- data from online activities used to set targets for performance monitoring, including customer ratings;

- increasing expectations for work to be carried out beyond the spatial and temporal boundaries of traditional workplaces and on a 24/7 basis;
- blurring of dividing line between paid and unpaid work;
- necessity of updating skills;
- need for competitive self-promotion in pitching for work;
- increase in unpredictable work demands.

Creative and public sector workers are in the front line of these changes.

Digital revolution being used for capitalist ends



Simon Head

Head considered that the digitalisation revolution had unleashed the “ruthless and predatory aspects of capitalism” without having social and reformist movements to act as a counter force.

Simon Head, Senior Fellow at the Institute for Public Knowledge at New York University and of St Antony’s College, Oxford, considered that the digitalisation revolution had unleashed the “ruthless and predatory aspects of capitalism” without having social and reformist movements to act as a counter force.

Head took issue with Rifkin’s positive assessment of developments in the US, arguing that the American economist was “averting his gaze from what is going on now in the relationship between capital and labour”. Since President Reagan had defeated airline traffic controllers in 1981, an offensive had been waged against trade unions. This has allowed major companies such as Amazon and Walmart to drastically reduce trade union density.

Head acknowledged that large information systems are helping science to increase mankind’s understanding of the nature of the universe and phenomena such as climate change. This is an authentic and objective use of scientific matter.

“The technology is also employed in reality mining for ‘surveillance of ourselves and our behaviour’ for ways in which corporations want us to behave.”

But, he added, the digital revolution is also being used to satisfy the diversity of business cultures in ways that make “the future quite terrifying”.



The first is in manufacturing where scientific sources have an enormous influence. Secondly, large service systems, such as Amazon and others, use systems analysis and programming for highly rigorous monitoring and surveillance techniques. Thirdly, the technology is also employed in reality mining for “surveillance of ourselves and our behaviour” for ways in which corporations want us to behave.

Fourthly, large companies, such as Google, collect and analyse big data, increasing “by a huge magnitude” the information they have on individuals. The final use of the information is by the state for security purposes, frequently accompanied, Head said, by pressure from anti-terrorist authorities to dilute personal and human rights’ safeguards.

Skills recognition requires regulation



Jill Rubery

At the same time, for skills to be recognised, regulation is necessary to enable validation through certification. The regulation should be both legal and collective, and “reinforced, strengthened and reinvigorated”. It should be used to establish differential pay for different skills and assist entry into employment.

Rubery suggested crowdworkers share many of the disadvantages women face. Crowdsourcing has no mechanism for valuing skills. Instead, it was a bidding competition across countries with different standards of living. It attracted those excluded from standard employment and involved cross-subsidisation from benefits, family and/or a main job. It fragmented time since this was split into narrow specific tasks and only the work done was paid for, not the time spent looking for it.



Rubery warned that digitalisation could reduce men's work down to that of women.

Digitalisation and gender working conditions was the theme **Jill Rubery**, Professor of Comparative Employment Systems, Manchester Business School, addressed.

She suggested that some of the reasons for the problems women face are the undervaluation and lack of visibility of women’s skills and divergence in men and women’s life courses. In her view, recognition of skills depends on the degree of power in the employment relationship.

Rubery suggested crowdworkers share many of the disadvantages women face.

In conclusion, she warned that digitalisation could reduce men’s work down to that of women. There is a need to guard against exclusion and to retain and expand the standard employment relationship.

Asked later about the impact on minorities of digitalisation, Rubery replied that each form of discrimination should be analysed and addressed separately, but that gender tends to be the main determinant behind different working conditions.

More research needed into impacts of digitalisation



Patricia Vendramin

Patricia Vendramin, professor at UCLouvain, presented how digitalisation is potentially increasingly deteriorating working conditions in Europe.

Like Dominique Méda in an earlier plenary session, she was critical of the alarmist forecasts many make about unemployment and duplication of research results without any questioning of the methodology behind them.

Digitalisation, she said, is leading to changes in tasks, occupations and jobs and creating new and quasi new forms of employment. Workers are becoming “digital nomads”. They are online at any time in different work locations and responsibility for the work is increasingly being placed on their shoulders.

The various forms of digital platforms present many different challenges to working conditions and relationships. They blur hierarchies and the concept of the workplace, the meaning and measurement of working time, setting of wages, the boundaries between working and private life, protection of privacy and time management, and can affect personal health and wellbeing.

She identified the risk of growing inequalities between standard open-ended forms of employment and various atypical forms with a growing polarisation between high and low skilled paid jobs.

Solidarity is increasingly becoming individualised as the world of work becomes less structured. This reduces scope for social interaction and heightens the risk of a gap between individuals at work and traditional collectives and between workers and institutions.

Vendramin identified the risk of growing inequalities between standard open-ended forms of employment and various atypical forms with a growing polarisation between high and low skilled paid jobs.



Marie-Hélène Ska

Since it is unclear how the situation will evolve, Vendramin called for more targeted research on different sectors and occupations. That research should also focus on education to ensure the right skills and training are on offer.

Marie-Hélène Ska, General Secretary CSC-ACV and chair of the session, endorsed the message in her closing comments, emphasising the importance of close links between the trade union movement and universities.

Legislation and social dialogue can improve working conditions



Agnes Jongerius

“Trade unions should put pressure on policy makers, not to deregulate, but to regulate and make digitalisation not just a consumer and privacy issue, but also a worker issue.”

and social dialogue. The former should set out minimum standards, while social dialogue would seek to negotiate them upwards. But in an increasingly digitalised and globalised world, she feared capital now has more power over labour.

Jongerius called on trade unions to lobby governments to recognise that digitalisation is changing the context of work from a national to an international environment and to respond accordingly.

“Trade unions should put pressure on policy makers, not to deregulate, but to regulate and make digitalisation not just a consumer and privacy issue, but also a worker issue,” she said.

Huws pointed to an even wider role for trade unions when replying to a question about the competition SMEs face from companies such as Uber.

“Trade unions must go beyond demands that look after their members,” she said, adding they should campaign on societal demands that protect all workers, whether union members or not.

Agnes Jongerius, MEP, Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, explained that the digital economy is almost a non-issue in her colleagues’ policy making and debate. Instead, MEPs’ focus in this area is overwhelmingly on data protection and consumer rights.

She noted that in the digital world, as can be seen with Uber and Facebook, there is no clear line between capital and labour. This makes it harder for the trade union movement to find a new role and to negotiate meaningfully in this new environment.

Improvements in working conditions, the MEP suggested, should be the role of governments

Keynote speech

EU must avoid digital losers and divides



Günter Oettinger

“Those who have the data have the power.”

Delivering the keynote speech, **Günter Oettinger**, the European Commissioner for Digital Economy and Society, said: “We are living through a digital revolution.” This is starting to move through all sectors and “everything that can be digitalised will be”.

He warned that “those who have the data have the power”. This raises fundamental questions about data ownership and employee privacy. Data protection and e-privacy, he insisted must be handled at the European, not national, level and he urged trade unions to convince their governments of the logic of this pan-European approach.

Digitalisation will lead to advantages and disadvantages in the labour market. It will see people more mobile and flexible and disappearance of the traditional 9-5 working day. On the downside, workers will be constantly contactable, so regulation or collective bargaining may be necessary to guarantee the right to be off line at certain times.

The commissioner stressed that everything had to be done to avoid digital losers. This requires both digital training to ensure everyone has basic digital competence and more IT specialists, of whom he estimated some 150,000 ‘That is what my notes said, but Kate H wrote 160,000’ are needed in Europe. “If we can’t meet that demand, it will mean our education policy has failed,” he said.

Oettinger pointed to the importance of suitable infrastructure and governance to avoid the dangers of a digital divide. That divide could be between generations. The young tend to be “digital natives”, while older generations require more training. It could be between cities and rural areas or between northern and southern Europe.

Youth unemployment, he suggested, could be tackled by developing digital skills among young people. The EU’s Social Fund, Erasmus and youth unemployment initiatives should all include digital training among their activities, he suggested.

The commissioner added his voice to calls for trade unions to become involved in the responses to the increasing digitalisation of European industry. The Commission is organising a round table on digital skills and job creation in September. He invited trade union involvement.

Digital debate should cover all issues



Peter Scherrer

Scherrer stressed the need for effective rules – whether European or national – to protect workers and feared that often the former are the lowest common denominator.

Oettinger later retorted that the downgrading of standards the Commission proposes was invariably the work of EU governments in the Council of Ministers.

Scherrer spelt out trade unions' other objectives: a proper privacy law, ensuring people in the digital economy are part of the social security system and a wish for the Commission to approach all these issues "in a more holistic rather than compartmentalised way". These, he said, should also be examined by the round table.



Rudy De Leeuw, Günter Oettinger and Peter Scherrer

highly skilled work and reduce the gap between regions, countries and genders," he said, adding: "We can develop an alternative and take account of what trade unions and the common people are saying."

ETUC Deputy Secretary General **Peter Scherrer** agreed that there should be no losers from digital technology and that there was a need for massive investment in infrastructure. However, he pointed out that some member states do not have the necessary finance to make that input and that this could increase the gap between winners and losers.

To which, **Oettinger** later responded that the EU budget had insufficient resources to "realise all these good ideas" and that member states had the money.

Scherrer spelt out trade unions' other objectives: a proper privacy law, ensuring people in the digital economy are part of the social security system and a wish for the Commission to approach all these issues "in a more holistic rather than compartmentalised way".

In response, Oettinger confirmed there would be no restrictions on the subjects under discussion. "We need the complete picture from robotisation to social affairs." He added: "I'm sure we won't have the same answers to all the questions, but we could get common understanding."

Closing the session, ETUC President **Rudy De Leeuw** accepted the invitation to the September round table.

"We need a stronger EU that can manage

Plenary F

– How to re-think labour law?

A new paradigm



Isabelle Daugareilh

“Can labour law embrace new activities or should these fall under a new category?”

The traditional labour market structure has been centred on workers and employers said **Isabelle Daugareilh**, CNRS Research fellow, Université de Bordeaux. But now she asked: how should labour law be adapted to the new digital work environment? She pondered whether adaptation or starting from scratch would be better. “Can labour law embrace new activities or should these fall under a new category?” She preferred adaptation.

However, the digitalisation of work has blurred the lines between worker and employer. “The problem is that power is no longer expressed as it used to be as we have not analysed relations,” Daugareilh added, since the responsibility of employers has been eroded.

Alarm was expressed during the debate that digitalisation has helped create monopoly companies like Amazon, which have human resources platforms, or as Daugareilh described “an octopus” that controls workers. In this context, can the privacy of workers be protected, she asked, noting “the law has nothing efficient to offer”.

As in Plenary C, the platform ‘upwork.com’ was given as an example of how a company can operate without a continent or responsibility. Both workers and states were big losers in the digital economy, said Daugareilh, adding that profits from “Uber in Paris go to Silicon valley”.

Uniting, organising and helping digital workers



Michel Bauwens

Michel Bauwens, Director of the P2P Foundation, differentiated between the “commons” concept and the sharing economy – the former seeing value created through the sharing of knowledge, such as Wikipedia, while the latter has negative connotations for labour. This includes workers competing against each other, low wages, and ownership remaining private. He gave the example of Facebook which exercises centralised control over peer-to-peer technology. None of the creative value

"If we abandoned the division between independent and subordinate workers, it would be a step forward."

is shared with the co-creators, in this case the subscribers.

In terms of labour law, Bauwens said that commodity labour was slowly diminishing, and the part of economy with these new forms of work increasing. He lamented the dichotomy that was emerging between autonomous workers in a more precarious position and subordinated or salaried workers. "If we abandoned the division between independent and subordinate workers, it would be a step forward," he stressed.

Daugareilh suggested that for workers to organise they need to have "collective places outside digital companies".



Isabelle Daugareilh and Esther Lynch

Session moderator **Esther Lynch**, ETUC Confederal Secretary, called for more courage in setting out an agenda to regulate the platform economy.

"Make it an offence to offer work at below the minimum wage," she proposed.

For Bauwens, the main challenge was to provide "salary advantages" for freelance and autonomous workers. The solution lies with labour mutuals. He lauded the example of SMART in Belgium, which deals with 75,000

workers, offering them workspace and legal and financial support. He described how such an organisation's mutual guarantee fund, into which members contribute a small amount, allows invoices to be paid within a few days, "something very important to independent workers worried with cash-flow issues".

Bauwens shared another proposal: a legal solution to establish "virtual salary conditions" for non-subordinate workers. He claimed this would create a level playing field and help eradicate any "jealousies" among independent workers when they view the perceived privileges salaried workers may have, compared to their own uncertain position.



Simon Deakin

"It has a business model based on regulatory know how - knowing how to get around rules and exploit loopholes. It is no accident that former Commissioner Neelie Kroes was appointed to its board of directors."

Simon Deakin, Professor of Law, University of Cambridge, agreed with Bauwens on labour mutuals, claiming they would encourage the development of cooperatives as well as being a good form of income security. However, he

added, that there were too few of them in the shared economy to make an impact. Therefore, a new framework would be required, as they now have to compete with larger firms.

Can the platform economy be regulated?

Prof Deakin explained that the shared economy was difficult to regulate. This was due to US legislative exemptions for internet and e-commerce firms from legal rules, usually endured by tangible businesses. He described Uber as “a tough minded capitalist firm intent on a high rate of return”.

“It has a business model based on regulatory know how – knowing how to get around rules and exploit loopholes. It is no accident that former Commissioner Neelie Kroes was appointed to its board of directors,” he added.

Prof Deakin spoke of the significance of the British Luddite movement in the 19th century which organised the defence of labour rights. This was in response to the courts’ refusal to enforce rules to protect workers. He reminded the session that collective bargaining had begun under the Luddites and their actions were a pre-cursor to the modern welfare state.

He likened the recent ‘Viking’ case that was widely seen as an attack on workers’ social rights by the European Commission, to the Luddites’ struggle. The European Court of Justice, he said, prioritised the EU’s internal market and economic integration over those social rights.

Step by step approach



Michał Boni

A shift to a new paradigm may need a new framework, such as the case with autonomous cars, which would require legislative changes on insurance, issuing of drivers’ licences and legal documentation.

As regards re-thinking labour law in the area of robotisation **Michał Boni**, MEP, EPP group, European Parliament, called for a case-by-case approach, since more knowledge is required. He warned that there should be no discussion of legal changes until “there is a better understanding of the current state of play”.

On responsibility and liability for robot actions, he said that solutions would need to be future proof. A shift to a new paradigm may need a new framework, such as the case with autonomous cars, which would require legislative changes on insurance, issuing of drivers’ licences and legal documentation.

Existing rules concerning data protection, privacy, and ownership of data are adequate for new challenges, Boni believed.

He called for cooperation across the board from businesses, legislators and trade unions in preparing a review for a regulatory framework in labour law. He reiterated that only after assessing the threats and benefits that robotisation might bring could that framework be considered.

A new category of worker

People who create their own work need their own designation and a new bundle of rights, Lynch pointed out, asking whether this would bring any benefit to the labour movement. How could this best be addressed, she asked.

Daugareilh believes this would require political discussion and a re-think of the principles of fundamental rights. She concluded that the way ahead was the creation of a common labour law with fundamental rights for people who work. “We should think of fundamental and common principles for all workers and I believe that is possible,” she said, arguing that segmentation between categories would create tensions and conflicts between people.



Bauwens claimed there is a fundamental difference between these self-employed workers and self-employed entrepreneurs due to the absence of the profit dimension.

Bauwens claimed there is a fundamental difference between these self-employed workers and self-employed entrepreneurs due to the absence of the profit dimension. Referring to ‘upwork.com’, he asked that as labour law is national, could it protect independent workers who are international and not tied to an EU state?

A holistic approach is required to better understand technical problems, **Boni** claimed. He warned: “We’re losing the big picture” when discussing labour law and platforms. “We need to understand all the issues, all the threats and all the advantages,” he said. In the new digital world, it is important to focus on the rights of workers, users and consumers at the same time, he stressed.

He reiterated that a “part by part” analysis is needed when discussing a new framework, be it regulatory or non-regulatory. He concluded that the European Parliament working group on robotics wanted trade union views on this issue, when it begins work in the autumn. He called for increased cooperation between unions and MEPs.

Plenary G

– The way forward



Maxime Cerutti

Maxime Cerutti, Director of the Social Affairs department, BusinessEurope, began by stating that the challenge facing social partners and policy makers is to underpin the process of technological change now taking place.

This requires a balance between factors such as competition and protection. He pointed to the joint statement employers and trade unions had recently agreed on apprenticeships. Employers, he said, would like to discuss with trade unions and European and national authorities how benchmarks could be designed to advance European social rights.

“Employers would like to discuss with trade unions and European and national authorities how benchmarks could be designed to advance European social rights.”

As for the Commission, he pointed to the need for stronger coordination of national policies, but warned against any detailed European prescription.

Catelene Passchier, Vice President FNV, said that the challenge is technology is changing. This is being accompanied by “a kind of vanishing trick” as employers disappear from the stage. “We have to determine who is responsible and then find someone to negotiate with,” she said, pointedly asking employers: “Are you ready to come back to the table and take responsibility and stop disappearing.”



Catelene Passchier

“We have to determine who is responsible and then find someone to negotiate with.”

The Dutch, she explained, apply an ‘if you can’t beat them, join them approach’. As a result, the FNV accepts part-time and agency workers are covered in their negotiations on working conditions. It is looking to extend this to the self-employed.

What is needed, she maintained, is to combine the trade union view that digitalisation is a threat, with the employers’ view that it is an opportunity. At the end of the day, she said, both trade unions and employers agree on the need for decent and sustainable work.



Nils Trampe

Nils Trampe, Permanent Delegate of DA, Danish Employers Association, rejected the view that employers are disappearing. “I think companies are adapting to new challenges,” he suggested, adding that the speed of change means they have to adapt quickly.

He pointed out that collective agreements in Denmark contain training rights and that a qualification fund provides finance for those that need it.

Sam Hägglund, General Secretary EFBWW, noted that the use of robots was nothing new in the building sector where hard physical work is the norm. It had been used by architects since the 1970s and now increasingly for the actual building work itself. The construction sector contains many real self-employed workers without any difficulties. It is with the false self-employed who do not have any rights that the problems lie.

He pointed out that studies have shown that false self-employment makes the sector less efficient and competitive. This means that reducing the extent of false self-employment in the sector would be a win-win situation for trade unions and employers. Thus it has frequently been on the agenda of the European Social dialogue in the sector.



Sam Hägglund

The discussion confirmed that there is a general wish on both sides of industry for constructive social dialogue at the European level. However, Passchier expressed frustration with the current state of play. She argued the arrangements should be strengthened to show European social dialogue is relevant and can deliver cross-border benefits for both workers and the EU as a whole.

Trampe defended a more restrictive role for social dialogue. It should be limited to skills and training, with the state taking care of social security matters and European policy makers with competition law, he maintained.

An intervention from the floor asked the panel to consider how trade unions and employers could shape digitalisation. That debate should not be limited to just the situation of the self-employed. It should aim higher to create a framework that would take on board the interests of trade unions and employers alike.

Passchier agreed with the need for more ambition, but argued that EU competition law made it difficult to organise workers who are not employees since it considers them to be enterprises, not individuals.

Cerutti pointed to the need to keep in mind European competitiveness. BusinessEurope, he explained, is keen to have partners who understand the importance of changing working conditions and economic cycles. This requires organisation of transitions on the labour market so that people remain employable and there is overall employment security.



Competitiveness and its cost and non-cost aspects should be supported to create and distribute wealth, he said. Hägglund acknowledged that trade unions tend not to focus sufficiently on competitiveness and labour costs.

Passchier picked up Trampe's earlier call for trade unions to try and recruit more workers into their ranks. She pointed to the need for innovative ways to reach out to workers "to show we can be useful to them". But she also urged employers and politicians to help provide the legal instruments that would facilitate the process.

A speaker from the floor, involved with IG Metall, pointed to various examples of self-initiative crowd platforms. "We should speak to each other more, find out what is out there and offer help to workers before negotiating with platform operators," he said, adding that many of them wish to build sustainable jobs. Passchier agreed on the need for more exchange of information about the different experiences encountered.

Summing up, Cerutti described the round table as a constructive and interactive way of exchanging views. "It is important we understand each other better," he said, urging the social partners to "focus on issues where we have common interests".

Executive summary



Jacki Davis

"Yes we can, but no we're not"

Just before the final plenary session, the conference's 'themeweaver' **Jacki Davis** summarised three days of intense discussion on 'shaping the new world of work'.

"The stakes could not be higher," she stated, in an economy witnessing increased robotisation and digitalisation. The reshaping of the world of work brings unprecedented change, offering opportunities and also huge challenges: jobs can be created, but many could be destroyed.

She outlined the conference's main themes, questions and recommendations in 10 concise messages:

1. The need to sustain growth and create quality jobs. Can this be achieved by the EU? Will there be a fair distribution of the benefits of digitalisation and the prevention of further inequalities? "We need to avoid the situation of digital winners and losers," Davis emphasised.
2. There has been both an evolution and revolution in the economy. An evolution has happened in terms of precarious work, in-work poverty and low wages, all of which already existed. The revolutionary part is how these trends are being exacerbated. "But actually how revolutionary is this?" asked Davis. "Is this old wine in new bottles – old fashioned capitalism using new technologies to exploit workers?" Is the collaborative economy actually anything of the sort?
3. The revolution cannot be stopped so it is up to policy makers, trade unions and other actors to shape the world of work. Technology and robots can change the world and can be regulated. Whether this is good or bad depends on who owns the technology.
4. Europe is not on the right track at the moment. Current policies are failing to tackle issues. The debate about the social dimension in the single digital market has not received any attention.
5. A "one size fits all" solution will not work. A range of responses is required in different areas, Davis stressed. In some cases there is no need for new legislation, such as in data protection. However, the law is inadequate in other areas and needs radical re-thinking. Anticipating change is imperative. "You can't plan public policy on something you can't predict," reminded Davis.
6. Everyone has to work together through consultation and negotiation. This is challenging in a world where it is increasingly difficult to identify the worker, the workplace and the employer. More debate is needed on how to undertake collective bargaining. How can workers be convinced that they need trade unions to represent them?
7. A holistic approach is necessary to address concerns over widening inequalities. While some could reap huge rewards, others could lose heavily. To prevent this scenario, action needs to be coordinated across Europe at domestic and sectoral level.

8. Skills, training and lifelong learning are essential to address inequalities. Many concerns were expressed over possibilities of a digital divide between those with the required skills and those without. This could undermine the fabric of society. Skills forecasting is essential to deliver the necessary training in the new economy.
9. Holistic, comprehensive and 'joined-up' thinking is required. Issues such as the digital revolution and taxation are intertwined and impact on society at large.
10. Research is key to give trade unions and civil society the "ammunition" needed to raise awareness of major challenges, propose new solutions, answer questions and hold policy makers to account when they don't deliver.

Summing up the rich insights from the six plenary sessions, 24 panel debates and over 160 speakers, Davis concluded that trade unions could act as a strong leader in this economic transformation. But they had not yet seized the opportunity.

"Yes we can, but no we're not," she summed up to the packed audience adding: "Much of it lies in your hands."

Her assessment, like the conference, ended on a high note. The future would be "safe" in trade union hands, she predicted.