

## **How Trade Unions Can Use Collective Bargaining to Uphold and Improve Working Conditions in the Context of the Digital Transformation of Public Services**

Report on the conference held at the Friedrich-Ebert-Stiftung

Berlin, 26–27 June 2018



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### **Introduction**

Digitalisation is having a major impact on jobs and job content across the public services. Trade unionists representing public service workers met in Berlin at the end of June to debate the challenges, both positive and negative, that face workers and citizens.

Whether in the form of job cuts or the transformation of job content, public services are facing significant disruption. The UNSA civil service union in France estimates that between 3 and 8 per cent of staff (40,000 to 110,000 workers) will be affected in the near future; this applies particularly to administrative and technical occupations. The Unite multi-sector union in the United Kingdom (UK) believes that more than 230,000 of its 1.4 million members could lose their jobs to automation by 2035, with workers most at risk in health and local government.

However, this is not just a matter of speculating about the future. The process is already well underway, and in the Netherlands the FNV trade union reports that 1,500 mainly lower-skilled jobs – from a total of 15,000 – were cut as a result of the digitalisation of legal services.

This restructuring comes at a time when austerity continues to have an impact, with some governments implementing major cuts to the public service workforce. By 2022 in France, President Macron's government plans to reduce civil service numbers by 120,000, while in the UK, deep and sustained austerity measures have already seen hundreds of thousands of government jobs cut – particularly in local government.

However, there is also the potential for workers to benefit from digital change, because some of the most standardised and repetitive elements of their jobs can be carried out by machines. There is also the prospect of new forms of work as digital jobs are created. The key issue is how trade unions can ensure such positive outcomes by trying to regulate the process of job destruction and creation, and



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have a role in influencing the content of new jobs and the provision of training necessary to carry them out effectively. These issues were central to the debates between the 55 representatives of 35 public service unions from 15 countries and from the European level that met in Berlin on 26–27 June. The conference was organised jointly by the European Federation of Public Service Unions (EPSU), ver.di (the German services union and the largest representing workers in the public services), and the Friedrich-Ebert-Stiftung.

### Getting Information, Negotiating Agreements

The primary method for trade unions to gain the best from digitalisation and protect their members is through the negotiation of collective agreements, which can help regulate many of the issues that arise as a result of digital change – whether these impact on pay, working time, work-life balance, or aspects of health and safety, such as psycho-social risks.



Nina Monsen  
Foto: Mark Bollhorst

Thus far, this has been achieved on the largest scale in Norway where the Fagforbundet public services union negotiated a tripartite agreement with the government and the local government employers' organisation. Nina Monsen of Fagforbundet provided some details on the agreement, which commits the parties to engaging in social dialogue and tackling key issues, such as training and the development of new working methods. In practical terms this has meant, for example, that there is trade union involvement in a steering committee in the healthcare sector, which is looking at training needs and the introduction of new applications.

Colenzo-Jarrett Thorpe of the Unite trade union outlined the contents of the [draft of a new technology agreement](#) that the union has been promoting as part of a broader campaign to assess the impact of digitalisation across all the sectors in which it organises. The draft agreement covers a broad range of issues including training, health and safety, working time, monitoring, and surveillance and suggests adapting the bargaining structure to address issues around digital change.



Colenzo-Jarrett Thorpe  
Foto: Mark Bollhorst

This is an issue that has been taken up in Italy, and Nicoletta Grieco of the FP-CGIL public sector federation reported that in the last collective agreement covering central government, the unions and employers agreed to set up a joint body on innovation that will address questions related to smart working and work-life balance, well-being and occupational health and safety, preventing psycho-social risks, as well as work-related stress and burnout.



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Another challenge for trade unions is attempting to exert some influence on the process of change before key decisions about digitalisation have been implemented. The exercise of rights to information and consultation are vital

in this respect, offering the possibility that trade unions are alerted to potential change before it happens and even, ideally, before the final decisions have been made.

In 2017, the European works council (EWC) at the ENGIE utilities multinational agreed to set up a 20-person working group on digitalisation, in order to analyse technological innovation from the viewpoint of both employers and employees, although the group was dominated by employer representatives. A consultancy carried out interviews and research and came up with a series of recommendations. Among the conclusions were three key points: the need for forward-looking work and sharing of information; the provision of lifelong learning to ensure no worker was left behind because of lack of digital skills; and the assurance of workers' career development potential.

There is also clearly a role for trade unions at a more strategic level, and Henning Lühr of Germany's IT Planning Council explained how this worked in Germany, with the council engaged in consultations with trade unions and employers. One of the major challenges in the public sector is the decentralised nature of the German government – with 16 federal administrations and 13,000 municipalities – leading to many different approaches to digital change. This contrasts to the smaller and more centralised arrangements in a country like Denmark.



Henning Lühr  
Foto: Mark Bollhorst

### Dealing with Health and Safety Risks

Both the process of digital change as well as its outcomes can have a significant impact on workers. Restructuring can bring with it high levels of stress if employees feel uncertain about job security or major changes to job content.

The research carried out for EPSU by the Brussels-based research organisation OSE highlighted that the main concerns for workers in public employment services are work intensification, monitoring of work and workers, performance-oriented management, loss or standardisation of social relationships, and mental health outcomes.



Mikael Ruukel  
Foto: Mark Bollhorst

Mikael Ruukel of the Vision public services union in Sweden underlined the importance of employees having an influence over the introduction and development of computer systems. A survey revealed that where there was no employee influence, 55 per cent of workers thought that their IT system had reduced the amount of stress and disruption in their job. This is significantly below the 78 per cent of employees in workplaces where they did have an influence.

Vision, along with other unions in the local government sector, has been working closely with the SALAR municipal employers' organisation to ensure that health and safety questions are properly addressed. They have set up a »healthy work-life« organisation (Sunt Arbetsliv) to promote a good working environment.

### Working Time and Work-life Balance

A major threat from digital change is the pressure to be online all the time. This is a problem that has already been recognised by some employers and by the French government, which introduced the legal right to disconnect; this was explained by Annick Fayard and Alain Parisot of UNSA.



Annick Fayard, Alain Parisot  
Foto: Mark Bollhorst

## **Surveillance**

The use of digital tools to monitor workers' movements, breaks, and performance has long been of concern to trade unionists. For Massimo Cenciotti of the FP-CGIL public service federation, there may be advantages in increased surveillance in the waste sector to monitor the disposal of dangerous substances and criminal activity, which is a big problem in the sector. However, it does raise questions about the extent to which these systems are used to keep an eye on workers, track their whereabouts, and collect information about their performance. Cenciotti underlined the need for collective agreements that address these issues – for example, by ensuring that only specific and agreed places are subject to surveillance, and regulating the use of cameras in vehicles and data collected from workers' digital wristbands.

## **Fighting for Equality**

Trade unions are aware that digitalisation can pose a threat to equality, particularly given that IT occupations are dominated by men. Action on training for women is needed to address this, but as Zita Holbourne of the PCS civil service union in the UK also emphasised, there is evidence of adverse impacts on black and minority ethnic workers.



Zita Holbourne  
Foto: Mark Bollhorst

## **Ensuring the Investment is There**

If public authorities see digitalisation primarily as an opportunity for reducing costs, then they risk underinvesting in new services and processes. This poses a threat not only to the quality of service but also to working conditions, because employees are thus forced to deal with the consequences of failing systems with higher workloads and increased stress.

## **The Dangers of Outsourcing**

Digitalisation can bring with it an increase in the risk of public authorities looking to the private sector to deliver change. This raises a number of important issues, including the traditional trade union concerns about the impact on jobs and job quality that occur when services are transferred out of the public sector. From the perspective of users and citizens, however, the process can also be problematic if there are inadequate provisions to ensure data security – particularly where services are being delivered by overseas operators.

There have been cases in both Norway and Sweden in which outsourcing has run into major problems. Data on three million patients was compromised when a regional health authority outsourced its ICT system, having ignored the recommendations of the Fagforbundet public services union that the outsourcing should not proceed.

## **Losing the Personal Touch**

Digitising public services raises the issue of personal contact and the protection of vulnerable citizens. Public authorities should be aware of the risks of leaving certain groups behind – such as the elderly, those with no knowledge or experience of the Internet and electronic services, or migrants with little or no competence in the national language.

Yet this lack of the personal touch can also pose problems in changes to services that previously relied on the discretion and advice of public service workers. If access to certain services is through



an automated system that relies on algorithms to make decisions, then it reduces human input. Can this automated decision-making process be checked and modified?

Maria Östberg Svanelind of the Akademikerförbundet SSR in Sweden said that there was evidence of social workers leaving their jobs, because they felt that decisions about social care were being



Maria Östberg Svanelind  
Foto: Mark Bollhorst

completely automated with no role for professional judgement. Peter Raben of the HK union in Denmark made a similar point about more limited roles for case workers and reductions in face-to-face contact, which can be critical in dealing with sensitive issues – for example, child welfare. Henning Lühr of the IT Planning Council in Germany takes this point further expressing concern that the spread of the use of algorithms could lead to technical solutions taking precedence over policy decisions.

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### **Moving forward at the National and European Levels**

Recommendations for follow-up by EPSU included:

- using collective bargaining and social dialogue to develop frameworks for the digitalisation of public services that address the protection of health, safety, and working conditions
- developing a model of collective bargaining and training schemes to support trade unions' capacity at all levels to regulate the introduction of new technologies in the workplace and anticipate possible adverse effects
- ensuring that digitalisation is clearly recognised as a form of restructuring that can have significant impacts
- putting together an overview of studies on the impact of digitalisation
- establishing a regular process for evaluating the impact of digitalisation
- defining a procedure to follow the transition and transformation of work and jobs
- publishing a bibliography of studies and an analysis of the risks to and protection of the health and safety of public service workers when faced with reorganisations and restructuring
- raising the issue of social dialogue at a time of digital change in the context of the European social dialogue.
- continuing to exchange good practices among trade unions
- continuing to explore how digitalisation and its impact on company policies can be effectively discussed in the framework of the European work councils



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### Links to the Presentations

- The impact of digitalisation on job quality in European public services – The case of homecare and employment service workers, [final report](#) by OSE for EPSU
- The impact of digitalisation on job quality in European public services – The case of homecare and employment service workers, [annexes](#)
- La transformation numérique dans la fonction publique en France, [présentation de Annick Fayard et Alain Parisot, UNSA Fonction publique, France](#)
- How trade unions can use collective bargaining to uphold and improve working condition in the context of the digital transformation of public services, the Italian experience in the light of collective bargaining and the project of the European Sectorial Social Dialogue Committee for Central Administrations, [presentation by Nicoletta Grieco, FP-CGIL, Italy](#)
- No to austerity, no to racism, [presentation](#) and [slideshow by Zita Holbourne, PCS, UK](#)
- Campaigning for a draft new technology agreement, [presentation by Colenzo Jarrett-Thorpe, Unite The Union, UK](#)
- Tripartite cooperation and digitalisation in Norway, [presentation by Nina Monsen, Fagforbundet, Norway](#)
- Tripartite cooperation and digitalisation in Norway, [presentation summary by Nina Monsen, Fagforbundet, Norway](#)
- Impact of digitalisation on job quality in public services *Homecare and Public Employment Services*, [Presentation by R. Peña-Casas, D. Ghailani & S. Coster, European social observatory – OSE](#)
- Denmark: Digitisation-ready legislation, [presentation by Peter Raben, HK/Stat, Denmark](#)
- »IT Safety Inspections« and Digital Work Environment, [presentation by Mikael Ruukel, Vision, Sweden](#)