

Trade Unions in Transformation: Technological Change and Digitalisation

For trade unions to navigate change and position themselves strategically for the future, they have to embrace the challenges and opportunities driven by technological advancement and digitalisation. Issues to be considered include workers' rights over access to their data, the sustainability of algorithms in the platform economy, and how to effectively represent and serve workers in the digital era so that their voice is heard, and decent work is achieved.

Background

Technological change and digitalisation are impacting massively on the world of work. If trade unions are to successfully meet the challenges and take advantage of the opportunities related to technological and digital change, they must undergo a process of transformation. Only then will they be able to navigate uncertainty and change, adapt to changing dynamics in the labour markets, and position themselves for the future in a manner that meets the needs of workers.

The key aspects of Trade Unions' in Transformation are: crisis-management in times of Covid-19; innovative strategies to improve services to attract and retain members; mobilizing workers in emerging employment relationships (e.g. gig economy workers), sectors (e.g. the blue economy) and themes (e.g. violence and harassment or LGBTQI+ rights); internal governance of trade unions to make them more representative and accountable; enhancing workers' voice and tripartite dialogue; and coalition-building and campaigning. Technological change and digitalisation cut across all these fields. Technological change and digitalisation have multiple implications for the future of trade unions, from representing and serving traditionally underrepresented groups of workers, such as platform or gig workers, to campaigning on data rights and the responsible use of technology. At the organizational level, technological and digital change is key to strengthening trade unions' ability to organize and serve their members; to coalition-building and campaigning; and to advancing workers' voice and tripartite dialogue. For trade unions to be effective and inclusive it is key that technological and digital change are integrated into the process of social dialogue. This can be done by incorporating workers' data rights in collective agreements, and by using digital means of internal and external communication, an avenue greatly enhanced during COVID-19 lockdowns.

At the occasion of the ACTRAV global launch of the [Technological Change at the workplace resource package](#), trade unions, employment experts and ILO officials discussed the impact of technological advancements on workplaces. Over three consecutive days, the following topics related to technological change and their impact on trade unions were discussed.

Responsible Technology

Many trade unions have increased their digital capacity in representing and serving members. They use social media for campaigning, have developed apps to organize or file complaints, and have developed digital membership databases. The trend was accelerated by the COVID-19 lockdowns, and it is important that Trade Unions keep pace in preparing for a labour market that is increasingly data driven. However, it is important that trade unions are aware of the risks associated with digitization. For instance, they must ensure that members' data remains private so they are not put at risk. And those working on digital systems must have no right to use or access data other than for the purpose of supporting the union.

There are many good examples of tools and practices that enable trade unions to deal with workers' data in a more responsible manner. An interesting example is *WeClock*, an open-source app developed

by workers to help them to track and monitor their own data. The app measures working time, including time spend commuting and breaks, and provides important data that can be used in wage campaigns. Another example is *Lighthouse*, which helps trade unions to manage their data in a responsible, ethical manner. Meanwhile *GigBox* allows workers in the gig economy to monitor the pay algorithm of a platform, while *Driver's Seat* is a driver-owned data cooperative dedicated to levelling the playing field in the gig economy, whereby revenue generated by the app goes back to the members as dividends. These are useful tools for trade unions in transformation, offering innovative services to workers in respect of improved data privacy, the algorithms underpinning platform work, and providing important evidence on working time etc. for effective advocacy campaigns.

Improving workers' data rights

While the economy, and workplaces are getting more and more data-driven, it is important to remember that data can come from many different sources. Data can be harvested from people's social media usage, shopping habits, their use of apps, and in many cases this data is purchased from data brokers. While such data gathering is relevant to workers, location tracking systems or activity tracing, which monitors your online activity at work, are of more direct concern. Another surveillance technique is the use of audio-visual data, which can monitor workers' tone of voice in call centres. Trade unions need to be aware of the challenges and opportunities related to these developments.

Trade unions' goal should be to strengthen workers' agency over their data, and interesting examples exist of them using social dialogue and collective bargaining. For example, the Teamsters in California successfully negotiated that location-data, explicitly designed for safety and health purposes cannot be used in performance evaluations. Meanwhile a financial sector union in Ireland negotiated the non-commodification of employee's data on the basis of laws related to workers' privacy and human rights. Knowledge of digitisation and technology is key, and many trade unions have begun training digital shop stewards and began conducting periodic data impact assessments to assess how members are being impacted.

Sustainable algorithms

Today, algorithms are everywhere in the labour market and are having significant impact on labour conditions and workers' rights. Algorithms can be designed to find the best candidate for a job, to optimize work schedules or to measure productivity. Accordingly, algorithms can contribute to positive labour outcomes. However, there are also risks involved as, all too often, there is a lack of transparency around what is measured and what is done with the data. Furthermore algorithms often operate without workers and workers' organizations being consulted.

It is key that trade unions develop the capacity to weigh in on these discussions, both at the policy level and at the level of the company or individual worker. Trade unions' ability to offer relevant services in the field of algorithms can contribute to safeguarding and extending its membership, including in emerging jobs and sectors such as data cleaning or the booming delivery sector. Trade unions ought to advocate for improved transparency (e.g. what is measured and how); for greater accountability (e.g. what oversight mechanisms are in place); for the right to redress (e.g. the right to challenge actions and outcomes based on algorithms); for data protection (e.g. ensure workers have the right to access and correct personal data); and for the right to assess the potential risks and impacts of algorithms on workers' wellbeing. In addition, workers ought to be involved in mechanisms for creating and adjusting algorithms through trade unions being involved in the governance of algorithms.

Representing and serving platform or gig-economy workers

One particularly challenging, but also vibrant, field of trade union work has been in the platform or gig economy. Trade unions worldwide have advocated for the clarification of the employment status of platform workers and for them to be covered by international labour standards, starting with freedom of association and collective bargaining.¹ There are a number of examples of collective agreements that cover platform workers, such as bicycle couriers in Austria, *Uber Eats* riders in Switzerland and freelance domestic workers in Denmark. In cases where social dialogue has not been an option, platform workers have engaged in strikes, demonstrations and litigation. Virtual strikes have been organized, for instance, by logging out of the app or organizing digital picket lines.²

Box 1. Trade Unions representing and servicing platform workers.

In Argentina, the Platform Economy Staff Association is organizing workers in the gig economy through a new union supported by the main trade union federations. In Indonesia, motorcycle and taxi drivers and various trade unions established an Online Transportation Action Committee that has engaged in dialogue with firms and the Government to better regulate the sector. In the UK, independent branches have been established within trade unions to organize delivery riders. In other cases, riders join established unions.³ In Denmark, trade unions signed a collective agreement with a Danish-owned digital labour platform, addressing matters such as transition from freelance status to employment status, insurance coverage and dispute resolution. In Kenya, a mobile phone app is being used by informal economy workers in transport – “Matatu operators” – to access national health insurance.⁴

Innovative and inclusive social dialogue to mitigate the risks of technological changes and digitalization

Social dialogue and collective bargaining are central to ensuring that technological change and digitalisation go hand-in-hand with decent work. It is of central importance that mechanisms are inclusive and relevant to all workers, including platform or gig economy workers. It is also vital that the digital and technological transition are used to bring social dialogue and collective bargaining beyond bread-and-butter topics such as wages or working time to emerging issues such as the just transition to a green economy, discrimination, and violence and harassment at work.

While technology and digitisation radically alter the means, it is also important that technology and digitalisation issues relate to workers’ rights become the subject matter of social dialogue and collective bargaining themselves. Pertinent issues include the right to disconnect, data protection and algorithmic management to the introduction of technological surveillance of workers at the workplace.

A recent agreement between the Spanish Government and social partners over workers’ rights vis-à-vis algorithmic management ensures more transparency and helps to mitigate the risk of unfair and discriminatory algorithmic decision-making.⁵ Along the same lines, in the Republic of Korea, the Economic, Social and Labour Council, provides a forum where representatives of workers, employers

¹ The role of digital labour platforms in transforming the world of work, WESO, ILO, 2021
https://www.ilo.org/global/research/global-reports/weso/2021/WCMS_771749/lang-en/index.htm

² Ibid.

³ Ibid.

⁴ Trade Union Revitalization: Organizing new forms of work including platform workers, International Journal of Labour Research, 2022

https://www.ilo.org/actrav/international-journal-labour-research/WCMS_856837/lang-en/index.htm

⁵ Ibid.

and the government engage in social dialogue. The Council has set up multiple committees dealing with issues regarding digital platforms, including a Committee on the Digital Transformation and Future of Work.⁶

Conclusions and way forward

The world of work is changing at a massive pace. For trade unions to navigate this rapid change, and position themselves for the future, they have to embrace the challenges and opportunities of technological change and digitalisation. Trade unions need to increase awareness and promote responsible technology that protects workers' data rights, in particular relating to the use of algorithms and surveillance. In order to avoid algorithms undermining labour rights, trade unions need to advocate for improved transparency and accountability over how such algorithms function. This is particularly important in representing and serving workers in new jobs and sectors such as the gig-economy and platform work.

Innovative and inclusive social dialogue is itself becoming digitised and unions need to be using it as an essential vehicle for organization, negotiation and conflict resolution. Unions can build on the many good examples worldwide, ranging from the use of social media and workers' data for campaigning, the development of apps to organize members, the incorporation of provisions to protect workers' data privacy and safety in collective agreements, and the training of digital shop stewards, and conducting data impact assessments.

Inclusive, meaningful and innovative social dialogue and collective bargaining are more relevant than ever to assure that technological change and digitalisation go hand-in-hand with decent work.

⁶ https://www.ilo.org/global/research/global-reports/weso/2021/WCMS_771749/lang--en/index.htm