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RISING TOGETHER FOR DECENT WORK IN THE DIGITAL AGE

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INTRODUCTION

Since 2014, UNI has identified the Future World of Work and digital transformation as a priority policy issue. But it is fair to say that digitalization is no longer an event which will take place in the future. Indeed, the future is now. In recent years the digital transformation of our economies has given this topic a new urgency in all our sectors.

Changes to the nature of the work and the quality of jobs are coming at a steady pace. These shifts were accelerated by the pandemic, which hastened the adoption of e-banking, e-commerce and online customer service. Today's worker in retail may function more as a sales adviser, who helps the customer to find a product online. With the expansion of self-checkout in grocery stores, cashiers may be expected to take on different roles. A cleaner may now clean only those parts of the building which have been used the previous day –

as detected by a digital sensor. Streaming upends the payment model for writers in the media sector, as residuals have plummeted. The newspaper industry has been ravaged by the loss of advertising revenue to the digital giants, leaving graphical workers with far fewer newspapers to print. These are only a few examples of the challenges workers face in UNI sectors.

In some cases, workers are not necessarily seeing the scope of their jobs change, but are being pushed to work harder and faster, through technology designed to squeeze the greatest effort from their every minute at work.

In every case, workers and their unions must be at the bargaining table to negotiate the impacts of these changes - to ensure that the new forms of work are safe, that workers have a wage with dignity, that schedules are fair, and that workers share in the gains of new efficiencies.

ALGORITHMIC MANAGEMENT

Some of the most egregious examples of the application of new technology arise in connection with algorithmic management (AM). Amazon's methods are the best known, but certainly not the only example. The growth and use of these technologies exploded during the pandemic.

Algorithmic management involves the use of surveillance systems coupled with digital analytics to track the pace and sometimes quality of work. It often directs how to work and how fast. These systems include keystroke monitoring programs; cameras that track workers' movements and interactions; and voice and other biometric programs. They are designed to monitor, record and store information about workers' performance, which inevitably leads to pressure to work harder or face the algorithmically directed consequences. It is no wonder that these technologies have been nicknamed "Bossware" and that workers talk about "the Squeeze". UNI's 2021 report [The Amazon Panopticon](#) gives a detailed analysis of the technology deployed by Amazon and in use by other employers.

These technologies most commonly affect workers in warehouses or call centres, drivers and a diverse array of workers using computer keyboards or wearables. In the call centre industry, companies have put sophisticated monitoring programs into their workers' homes and sometimes cameras engage in non-stop surveillance. In post and logistics, delivery drivers can have inward facing cameras in their vehicles. Platform work would not be possible without the tools of algorithmic management to assign tasks and measure performance.

Of course workers have always been evaluated and had productivity goals – this is nothing new. But new technologies enable a productivity squeeze on a qualitatively different scale because the data inputs and processing power are much greater. Whereas, in the past, a supervisor had time constraints to analyse the available, limited data; today the information is analysed by a machine. This can lead to granular, real-time assessment of each worker.

Constant surveillance degrades work and violates privacy, especially when the worker is at home. The resulting pressure for more productivity causes workers to skip breaks to make quotas, and it leads to both physical and psycho-social health and safety problems.

UNI and its unions are fighting back against the negative impacts of algorithmic management, some form of which affects almost every sector. UNI's recent report [Algorithmic Management: Opportunities for Collective Action](#) gives an overview of strategies for resistance and has concrete suggestions for bargaining over this topic.

LEGAL CHALLENGES

Unions in some countries can legally challenge surveillance and data collection, a key building block of algorithmic management. For example, UNI is coordinating a legal challenge to Amazon's surveillance through the European Union's General Data Protection Regulation (GDPR), which gives individuals a right to access information about personal data an

employer is collecting and processing about them. Laws to address the collection of data, or privacy concerns, are on the horizon in many jurisdictions which do not yet protect workers in this area.

Additional efforts to tame algorithmic management include challenges to the productivity pressures resulting from its implementation and using existing health and safety regulation to argue that the productivity pressures are unsafe. Health and safety regulators should recognize the psycho-social and physical impact of this new technology, and they should develop rules for ensuring that the workplace remains free from back-breaking targets.

And finally, some governments, most prominently Spain, have adopted new laws to require bargaining over the algorithms which govern platform workers.

BARGAINING

Unions have been bargaining over the introduction and the impacts of new technology for decades. Although much of this bargaining and social dialogue has

taken place in the manufacturing sector, many of the key principles developed over many years would apply equally in the context of algorithmic management and, more generally, the introduction of new technology of any kind.

The key recommendations of UNI's algorithmic management report are the following:

- Employers must give sufficient notice before technology is introduced to allow time for an assessment relating to the impact on safety, production expectations, job security, privacy and other issues.
- Monitoring and data collection must be proportionate to legitimate business needs and the parties will evaluate whether less intrusive means are available. Monitoring should be based on the premise that the work environment is based on mutual trust and respect.
- Workers should be informed about how much data is collected, its storage and – most importantly – the purposes for which the data may be used.

- All disciplinary decisions, and decisions about the pace of work, must be taken by a human, not an algorithm. Digital monitoring should not generate discipline unless egregious or illegal conduct is involved.
- Workers must get the training and skills they need to remain employed and develop in the job. Digital literacy involves developing the skills and competencies to use digital technologies effectively and creatively.
- Algorithms must not be black boxes and their outcomes should be explained in clear understandable language, not technical jargon. Furthermore, it is vital to adequately inform, consult and train workers and union representatives about algorithms and their application.
- Employers, who benefit from digital technologies in terms of increased productivity, flexibility and/or enhanced insights, must share the advantages with workers. For example, a shorter work week could be an alternative to job displacement.

THE INTRODUCTION OF GENERATIVE AI

Generative AI, as distinguished from algorithmic management, involves large language models (LLMs), which have been “trained” with writings, sounds and images taken from the internet. Several “chatbots” such as ChatGPT were released to the public in late 2022, and they have amazed the world with the quality of their writing and content creation using predictive analysis. Although the technology is currently unreliable when it comes to the facts, there is a widespread assumption that these errors will diminish over time.

Unlike algorithmic management, which essentially is a tool to push for higher productivity without any actual reduction in the time required for a task, this technology has the potential, if used positively, to revolutionize the economy by increasing productivity and marks a new step in the digital transformation of work.

Although the tool is too unreliable at this point to be consistently useful for most purposes, many employers are engaged in a scramble to figure out how the chatbots

can be used in their businesses. There is a new industry of consultants which offer advice on writing the best prompts in order to get the best results from ChatGPT and others like it.

Some companies, such as IBM and BT, predict that the technology will enable them to reduce assistants in the future, but very few have already done that. In the case of call centres, there is already clear evidence that some calls can be automated (meaning handled by bots). More interestingly, the use of a GPT can supplement the work of a call centre agent, and as such reduce the time required for each call. Outsourced customer support giant Teleperformance, for example, has announced that it has its own GPT and is investing in more generative AI technology for the future.

In the most recent analysis, [OpenAI](#) with the University of Pennsylvania's Daniel Rock found that large language models such as GPT could have some effect on 80 per cent of the US workforce. In contrast to what we saw in earlier waves of automation, higher-income jobs would be

most affected, they suggest. McKinsey's [recent report](#) echoes this figure of 80 per cent.

One of the most urgent areas of concern about generative AI arises in the creative professions, such as the actors, writers and graphic designers. Some have already brought legal action against Open AI for using their content to train the LLMs without their permission, thus infringing on their intellectual property. Others, such as the actors and writers, both on strike at the time of writing, are demanding to bargain with the film studios about the use of AI in a manner which will diminish their employment. The actors, in particular, are demanding to secure control over their images and voices so that they are not replaced by AI in the future. This fight may be the first of many to come and will create important precedent for negotiating guardrails around the use of this transformational technology.

There are many other concerns about generative AI and artificial general intelligence, and not a day goes by without media coverage of the topic and calls for

regulation. Some important figures in the field have spoken out to say that the technology must be treated as an existential threat to humanity. Many recommend the creation of a global body to regulate AI and that there should be a certification or approval before any AI tool can be released. The technology so far is dominated by big companies, adding to concerns about the power wielded by these corporations as well as the impact of the profit motive on the use of the technology.

Although the future is uncertain, it is clear that many workers will be affected and that we must prepare to be at the bargaining table to shape the future we want. Many recommendations in relation to bargaining over algorithmic management also apply to chatbots. And just as the writers and actors who went on strike in the United States have demanded to bargain on this topic in order to prepare for the future, all unions should put this topic on the agenda for bargaining or social dialogue in order to be prepared.

REMOTE WORK

During the Covid-19 related lockdowns, it is estimated that between 30 and 45 per cent of employed workers, depending on the country, were working from home or some other remote location. A large number of these workers have remained in some form of remote work, and this is likely to continue.

While many welcome the ability to avoid long commutes and have more flexibility in organizing their working day and family responsibilities, there are also many red flags for workers.

Studies show that working from home, in general, could result in longer work hours and a blurring of work and home life. UNI Professionals & Managers has published several reports on the right to disconnect including one in October 2020 on [legislative initiatives](#) about the right.

Remote working also raises issues concerning health and safety, appropriate compensation, the maintenance of the employment relationship, the ability to organize and surveillance.

To respond to these concerns, in February 2021 UNI issued its [Key Trade Union Principles for Ensuring Workers' Rights when Working Remotely](#), a collaborative effort between UNI's ICTS and Finance sectors, as part of a webinar with case studies from affiliates. Key points from the study include that remote work should be voluntary, and it should not put those who work from home in dead end jobs. The right to disconnect is necessary and, critically, unions need digital access to remote workers.

This has been a time where unions everywhere are negotiating over this topic, and UNI has seen that where unions have strength at the bargaining table there are some very good agreements to guarantee a safe workplace, good equipment and economic support. In order to enable the sharing of this information, UNI has created a [database of remote working agreements](#).

The database contains 119 agreements, which are tagged by topic (i.e., Health and Safety, Freedom of Association, Surveillance, the Right to Disconnect, etc.) and sector in order to make the research easier.

(For access, please email RemoteWork@uniglobalunion.org and indicate your name, trade union or organization, and the reason for your request.)

Especially for those who are working entirely on a remote basis, it is crystal clear that we must get the framework and the rules right from the start or we will lose members and bargaining coverage. UNI's Teleperformance global agreement, signed in late 2022, has enabled some unions to negotiate good access language for remote workers, which includes access to the induction events, and access to the company's internal communication mechanism.

Finally, some countries have adopted legislation on the topic, and workers' right to disconnect is becoming standard within Europe, [for example, in Portugal](#). UNI has worked with International Lawyers Assisting Workers (ILAW) to draft model legislative language, which is available in many languages and available to members on its Wiki page. If you are interested in access to this model legislation, please

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UNI ENGAGEMENT AND OTHER KEY DEVELOPMENTS

At the Liverpool Congress in 2018, UNI adopted the [10 Principles for Ethical AI](#), which have become the foundation on which we approach the work in this vast topic. Since then, we have deepened our understanding of digitalization and the related challenges to workers.

In November 2019, UNI hosted a full day session to discuss and stress the importance of bargaining in connection with technology. Nearly every sector has a focus in this area as part of their work.

Also in 2019, with UNI's input, the ILO issued its [centenary declaration](#) for the future of work, which concluded that the future of work must be human-centred and put workers' rights at the heart of economic, social and environmental policies, and that there should be just transition measures to protect and support

livelihoods in the accelerating digital transformation of work.

UNI played a key role in the development of the [OECD's Principles on AI](#) as well. Issued in 2019, they were subsequently adopted by the G20 and several governments.

Like the ILO Declaration, these principles call on governments to ensure that AI puts humans at the centre of change. They encourage social dialogue, a focus on worker wellbeing, fair transition policies for affected workers, non-discrimination, the rights of workers to gain needed skills, and the fair and broad sharing of the benefits from AI.

Finally, in addition to the documents referenced above, the report [Algorithmic Management – A Trade Union Guide](#), published in September 2020 by UNI Professionals & Managers, describes both the potential advantage of reducing bias in hiring decisions (if the algorithm is programmed to do that) and the importance of transparency and negotiations concerning disciplinary triggers and production targets.

CONCLUSION: DECENT WORK IN THE DIGITAL AGE

UNI aims to promote a fair and inclusive working environment that ensures no worker is left behind due to advancements in technology and management systems. A regulatory approach together with collective bargaining action are the keys for achieving an outcome which is ethical and safe. Through these measures, we can help safeguard workers from job displacement and ensure work with dignity while maximizing the benefits gained from new technologies. In sum, decent work in a Digital Age must include a just transition which protects jobs and conditions and ensures that the gains made possible through digital technologies are widely and broadly shared.



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