

**NOT A GREAT  
PLACE TO WORK:  
THE CASE FOR  
BUILDING A BETTER  
WORKPLACE AT  
TELEPERFORMANCE**

MARCH 2022

**UAI**  
global  
union

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# INTRODUCTION

In 2021, Teleperformance (TP) achieved record growth, with revenues of €7.1 billion, up 24.1 percent over 2020, and its net profits rose by 71.9 percent, reaching €557 million.<sup>1</sup>

But while the company's reputation and profits soared, voluntary employee turnover at TP reached more than 75 percent.<sup>2</sup> This staggering turnover rate suggests there are significant problems in Teleperformance's workplace culture that will prevent the company from creating what Lead Independent Director Patrick Thomas called, "the best possible working environment for our employees, whom we strongly believe are the cornerstone of Teleperformance success."<sup>3</sup>

As one of the largest and most successful business process outsourcing (BPO) corporations in the world, Teleperformance has a responsibility to set high standards for the industry.

The company also creates risks for its long-term success and ultimately its shareholders if it fails to retain its skilled workforce—the cornerstone of its success—particularly in the post-pandemic environment of extreme labour shortages across multiple industries.

The company's 420,000 workers in 83 countries served customers tirelessly during the first two years of the pandemic, despite disruptions to routines

and the movement of almost half the workforce from call centres to their own homes. TP workers maintained vital communication with customers before, during and after lockdowns for some of the most powerful private enterprises in the world, including Apple, Google, Amazon and Vodafone. Teleperformance workers also linked public sector clients in the United States, France, the United Kingdom and the Netherlands to the people in those countries who needed critical information about Covid-19, visa processing, interpretation and other vital services.

In this report, UNI Global Union (UNI) documents troubling practices related to Teleperformance workers' unpaid work time, health and safety issues, excessive surveillance, and lack of full freedom of association during the pandemic. These are the same workers whose labour fuelled the company's record growth and profits.

We believe that when TP engages in unethical, unhealthy, or unsafe practices, the company harms not only its own employees, but workers in the industry worldwide. It also puts itself and the companies it serves at a reputational risk.

With much of the BPO sector's growth tied to the growth of clients, including technology companies, the labour standards in the sector will play a significant role in the future world of work. TP must lead the way in establishing the highest labour standards

1. "Teleperformance: Record Growth in 2021," *BusinessWire*, 17 Feb 2022, <https://www.businesswire.com/news/home/20220217005612/en/Teleperformance-Record-Growth-in-2021-Growth-in-Revenue-of-25.7-Like-for-like-and-in-Net-Profit-Of-71.9>.

2. The turnover figure has been calculated based on an average number of employees for the year, and totals 75.23252 percent. See employee totals in Teleperformance, *Universal Registration Document*, 2021, 28 Feb 2022, p. 86, [https://teleperformance.com/media/pwdprydyd/telep\\_deu\\_2021\\_uk\\_mel\\_mention.pdf](https://teleperformance.com/media/pwdprydyd/telep_deu_2021_uk_mel_mention.pdf).

3. Patrick Thomas, "Letter from the Lead Independent Director to Shareholders," *MarketScreener*, 7 Mar 2022, <https://www.marketscreener.com/quote/stock/TELEPERFORMANCE-SE-4709/news/Teleperformance-Letter-from-the-Lead-Independent-Director-to-Shareholders-39686220/>.

for the sake of the industry's future. That future, according to business forecasters and TP Deputy CEO Olivier Rigaudy,<sup>4</sup> is one in which a large percentage of Teleperformance employees will work from home depending on their clients' wishes and the quality of internet and electricity in each of their countries. With that in mind, it is important for TP to address the issues raised in this report, which affect both its work-from-home and call centre employees.

This report by UNI Global Union's Information, Communication and Technology Services sector (UNI ICTS) summarizes the results of a 2020-2021 OECD investigation and new evidence of TP's troubled workplace culture based on interviews with worker representatives from 12 unions in 11 countries that took place from October 2021 through March 2022.



### SYSTEMIC WORKPLACE ISSUES IN:

Albania	Romania
Brazil	Spain
Colombia	UK
El Salvador	US
Jamaica	Portugal
The Netherlands	Poland
Philippines	

### WORKERS REPORT:

- ❗ **Unpaid work time**
- ❗ **Health and safety irregularities**
- ❗ **Excessive surveillance**
- ❗ **Avoidance of freedom of association**

4. Interview with Olivier Rigaudy, *BFM Business*, 4 Nov 2021, [https://www.bfmtv.com/economie/entreprises/olivier-rigaudy-directeur-general-de-teleperformance-teletravail-j-imagine-mal-que-l-on-reviennne-a-une-situation-identique-d-avant-la-crise-je-ne-crois-pas-que-ce-soit-possible-ni-souhaitable\\_VN-202111040112.html](https://www.bfmtv.com/economie/entreprises/olivier-rigaudy-directeur-general-de-teleperformance-teletravail-j-imagine-mal-que-l-on-reviennne-a-une-situation-identique-d-avant-la-crise-je-ne-crois-pas-que-ce-soit-possible-ni-souhaitable_VN-202111040112.html).

## THE OECD “SPECIFIC INSTANCE” REGARDING HEALTH AND SAFETY AND UNION AVOIDANCE AT TELEPERFORMANCE



In April 2020, UNI and four French trade unions filed a “Specific Instance” (SI) with the French National Contact Point (NCP) for the Organisation for Economic Co-operation and Development Guidelines for Multinational Enterprises. The SI drew attention to unsafe conditions in Teleperformance’s call centres in 10 countries and instances of union busting and retaliation against individual workers who organized for better conditions.

The SI said that the “... violations of the right to a safe workplace are linked, at least in part to its [Teleperformance’s] failure to carry out risk-based due diligence to identify, prevent and mitigate the human rights impacts of their operations.”<sup>5</sup>

In response to the SI of April 2020, the French NCP conducted an extensive investigation and concluded in July 2021 that the company had implemented policies to prevent, manage and monitor the pandemic in its subsidiaries, largely in accordance with OECD Guidelines. However, despite this finding concerning safety and health, the NCP included in its conclusions six recommendations on related issues, drawing special attention to problems in Albania, Colombia, India and the Philippines. The recommendations included strengthening TP’s policies regarding leave, sick leave and “work at home” costs to take into account Covid-19’s impacts and to improve workers’ representation on health and safety committees.

5. UNI Global Union, *OECD Complaint: Teleperformance Has Violated Workers’ Right to a Safe Workplace During the Covid-19 Pandemic*, 17 Apr 2020, <https://uniglobalunion.org/news/oecd-complaint-teleperformance-has-violated-workers-right-to-a-safe-workplace-during-the-covid-19-pandemic/>; and see UNI Global Union, *Despite OECD Investigation, Teleperformance Continues to be Irresponsible Employer in France and Abroad*, 9 Dec 2020, <https://uniglobalunion.org/news/despite-oecd-investigation-teleperformance-continues-to-be-irresponsible-employer-in-france-and-abroad/>.

Regarding freedom of association, the NCP called on Teleperformance to “strengthen its due diligence and engagement with stakeholders representing workers in order to ensure respect for the right of freedom of association and collective bargaining of workers as provided for in the OECD Guidelines.”<sup>6</sup>

Addressing the question of retaliation against workers who sought to organize their unions, the NCP suggested the company should exercise special vigilance in cases where staff representatives, trade union representatives and unionized workers are dismissed.<sup>7</sup>

The French NCP pledged to follow up with its recommendations in twelve months, in July 2022.<sup>8</sup> Despite the NCP’s clear recommendations, this report finds that the company’s anti-worker and anti-union actions are ongoing.<sup>9</sup>

Below, we summarize a consistent, documented pattern of behaviour, focusing on actions during the first two years of the Covid-19 pandemic. TP’s most troubling actions fall into these four categories:

- Unpaid work time,
- Health and safety irregularities,
- Excessive surveillance, and
- Avoidance of freedom of association.

**[Teleperformance should] “exercise a particularly strengthened vigilance in cases of dismissals involving staff representatives, trade union representatives and unionized workers . . .”**

French National Contact Point to the OECD.

6. French National Contact Point, *Final Statement of the French National Contact Point, “Teleperformance in France and the World,”* 5 Jul 2021, p.1, <https://www.tresor.economie.gouv.fr/Institutionnel/Niveau3/Pages/851b52ba-89f6-4722-b3ff-09684b58810f/files/550c6571-c752-421e-b789-937a3e057c1a>.

7. *Ibid.*, p. 14.

8. *Ibid.*

9. In its Universal Registration Document of 2021, Teleperformance said the company set up global action plans “to take the recommendations into account and improve employee representation.” TP said that specific improvements were made in India, the Philippines and Albania. UNI believes the changes cited are not improvements for workers. Furthermore, when workers or their chosen representatives are not involved in making changes, the impact is difficult to see or evaluate. Teleperformance, Universal Registration Document, 2021, p. 99, [https://teleperformance.com/media/pwdprydyd/telep\\_deu\\_2021\\_uk\\_mel\\_mention.pdf](https://teleperformance.com/media/pwdprydyd/telep_deu_2021_uk_mel_mention.pdf)

## UNPAID WORK TIME AT TELEPERFORMANCE IN SEVEN COUNTRIES



This report documents unpaid work time in 7 of the 11 countries studied, based on a random sample. Using interviews with workers, UNI estimates that Teleperformance has not paid employees in these countries the equivalent of more than €10 million in work time annually for time spent logging into the company's computer system. UNI has also documented other forms of unpaid work at Teleper-

formance that are difficult to quantify on a country-wide level and are not included in this figure. This €10 million represents about 2 percent of the company's €557 million in profits in 2021. Teleperformance Chairman and CEO Daniel Julien could comfortably repay this amount to his workers from just one year of his proposed €19.5 million salary for 2021.

<b>COLOMBIA</b>	COP 198'059	(75% of 42'544) 31'908	COP 6'319'570'848	EUR	1'517'210
EL SALVADOR	\$372,80	(75% of 8'000) 6'000	\$ 2'236'800	EUR	2'057'990
<b>PHILIPPINES</b>	3950,04	(75% of 54'643) 40'982	161'880'539	EUR	2'823'940
POLAND	PL 1868.75	(75% of 1'100) 825	PL 1'541'718.75	EUR	2'823'940
<b>PORTUGAL</b>	176,84	(75% of 12'804) 9603	1'458'930	EUR	310'294
ROMANIA	RON 910	(75% of 1'000) 750	RON 682,500	EUR	1'698'194
<b>SPAIN</b>	EUR: 536.25	(75% of 4'000) 3000	1'608'750	EUR	137'974
<b>TOTAL</b>				<b>EUR</b>	<b>10'154'352</b>

In most of the countries surveyed, employees reported that time spent logging into the company's computer system goes unpaid, even though this process is mandatory and must occur in the same sequence at the start of each shift. The total time needed to log in varies but can be as long as 15-20 minutes in some cases.

João, a Teleperformance employee in **Portugal**, described for the authors of this report the complexity of a typical routine at the start of a work shift at home. He explained that simply entering initial login information takes at least two or three minutes. Employees working from home, as he does, must log into Microsoft Teams to receive a "token." João then uses the token to log into a software system that connects him securely to the Teleperformance network. Once João is securely connected, he must open a series of 11 work applications that belong to Teleperformance and the client. The only difference in this process between a remote and an on-site worker is the token that is received via Microsoft Teams to securely access the Teleperformance network from outside the company premises.

João said the operations he described usually take 10 to 12 minutes, but that additional software and supporting files differ from client to client. However, he said, "the absolute minimum time is always 8 to 12 minutes."

For the unpaid work calculation in the table above, UNI has conservatively calculated the time spent logging into the Teleperformance computer system per day as 10 minutes. Based on overall workforce numbers, we have estimated that 25 percent of TP staff is managerial or administrative and have removed them from the calculations because they are likely to have a distinct login process, unlike that of the average worker.

One worker in the Netherlands took legal action against Teleperformance over the issue of unpaid login times, with the Dutch court finding in his favour at the end of 2021, allowing the worker to claim for unpaid login time for the previous five years. The

company has appealed the precedent-setting decision.<sup>10</sup>

In every country surveyed in this report, UNI has observed at least one of the following examples of unpaid work time:



**Calls that continue past the end of a shift**



**Employees working through breaks**



**Internet or electricity network outages in workers' homes**



**Not paying promised or earned bonuses**



**Unpaid toilet breaks**

All these issues are costly for workers but are harder to quantify in a systematic way because they vary from country to country. For the purpose of this report, we have chosen to calculate only unpaid work time during the login period.

The impact of unpaid wages on individual workers is clear in the stories they shared, each of which is unique. Throughout this report we have used pseudonyms to protect the workers' anonymity.

Maria works in the Colpatría division of the Scotia-bank campaign in **Colombia** on a temporary contract. In August 2021 she logged into the TP system and worked a total of 105 hours. Her pay for that time period reflected only 96 hours, so she asked her supervisor about the discrepancy. The supervisor told her it was a result of problems with the company's internet connection.

<sup>10</sup>. In their *Universal Registration Document 2021*, p.290, Teleperformance wrote, "Provisions for risks at December 31st, 2021 include personnel-related risks in an amount of €18.7 million, principally concerning lawsuits with former employees, particularly in Argentina, Brazil, the Netherlands and France." There is no detailed report about the nature of these lawsuits, or if any of the provisions are related to the unpaid login issue in the Netherlands.

Maria used Teleperformance’s approved procedures to lodge a complaint about her inaccurate wages, but company representatives refused to meet with her without authorization from her manager, which she was unable to get. As of March 2022, Maria has not received an explanation for the discrepancy or payment of the full wages she earned.

In Portugal, Manuel told UNI researchers that he and his co-workers must complete their full login process before their shifts begin. If they don’t, they will lose their monthly on-time bonuses, which are valuable portions of their wages. Manuel added:

**“We have to log on 15 to 20 minutes prior to our shift just so that we can start work “on time.” This extra time isn’t paid. . . . We are also not paid for working past the end of our shift. Teleperformance does not pay for that time we are still answering a call when our shift ends. . . . Of course, this is hard for us. We are paid miserably, and they don’t even pay this extra time. Sadly, our payroll has diminished, and they just say it will stay this way. We have more work every day but no changes in the support that the company provides us.”**

Beyond the pervasive problem of unpaid login time, UNI researchers recorded a variety of issues related to unpaid work time. A few selected examples are discussed below:

Krysta, a former Teleperformance employee in Poland, was not paid the correct wages for taking on two positions at once, Supervisor and Project Manager, for two years. She complained to her managers about the underpayment and was dismissed by the company. She filed a lawsuit against Teleperformance in 2021 which is ongoing.

In Colombia, the third largest Teleperformance operation in the world, workers reported they were often not able to take two normal 10-minute breaks because call volumes were too high. For consistency across all countries we have not included break times in calculations of unpaid work time, focusing only on login time.

### CHARGING WORKERS FOR INTERNET ROUTERS

When employees moved to remote work in the Philippines in the second quarter of 2020, Teleperformance provided some of them with a wifi modem kit to facilitate the new work-from-home system, but that access came at a high price that cut deeply into their wages. The company charged PHP 1500 (€26) for a prepaid internet device that retails to the public for PHP 999 (€17). The cost of this necessary technology, provided without cost in call centre settings, is equivalent to approximately two days’ wages for Filipino workers. For consistency across all countries, this issue was not included in calculations.

In the **United States**—the fourth largest TP operation in the world—a total of USD 1.992 million in wage and hour violations at Teleperformance and its US subsidiaries have been recorded in the U.S. [Department of Labor Data Enforcement’s database](#).

This significant amount does not capture all wage and hour discrepancies at Teleperformance USA, only those in which Department of Labor actions were involved. The sum does not include settlements from court cases outside the jurisdiction of the Department of Labor.

Despite the size of the US TP workforce, UNI lacked sufficient data to include the United States in calculations of unpaid work time.

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As noted above, Teleperformance CEO Daniel Julien’s proposed salary for 2021 is €19.5 million. He is compensated generously for heading a company with widespread instances of unpaid work time for ordinary workers. This stands in stark contrast to the TP workers who often struggle to provide food, shelter, and other necessities for their families.

## HEALTH AND SAFETY FAILURES AT TELEPERFORMANCE



One impetus for UNI Global Union’s April 2020 Specific Instance against Teleperformance was concern about serious health and safety issues raised by workers and their representatives as a result of the Covid-19 pandemic. As discussed above, in July 2021, the French NCP recommended that Teleperformance engage with its stakeholders, including trade union organizations, as part of a due diligence process.

In September 2021, an article in *The Washington Post* put a spotlight on the dangers of the virus in call centres, demonstrating why engagement with all stakeholders is so critical. The Post reporters wrote about a Teleperformance worker in the Philippines who died from Covid-19 in August 2020, a week before the remote work policy was introduced at his workplace.<sup>11</sup>

Since that time, UNI’s interviews with workers in the Philippines and many other countries have revealed that health and safety concerns are broader than Covid-19 and many remain largely unaddressed.

### UNSAFE ON-SITE WORK DURING THE COVID-19 PANDEMIC

The poor conditions in which TP’s employees in the **Philippines** worked during the pandemic have been widely reported by activists and journalists inside and outside the country.<sup>12</sup> While Covid-19 lockdowns were in place, the company required certain employees to continue working on site, and in some cases to sleep on site at call centres. TP

<sup>11</sup>. Regine Cabato and Nick Aspinwall, “Your Call Was Important to Glen Palaje. It May Have Cost Him His Life,” *The Washington Post*, 9 Sept 2021, [https://www.washingtonpost.com/world/asia\\_pacific/covid-call-centers-philippines/2021/09/09/2afca61c-0a46-11ec-a7c8-61bb7b3bf628\\_story.html](https://www.washingtonpost.com/world/asia_pacific/covid-call-centers-philippines/2021/09/09/2afca61c-0a46-11ec-a7c8-61bb7b3bf628_story.html).

<sup>12</sup>. See Olivia Solon and April Glaser, “Amazon Ring call center workers in Philippines ‘scared’ to go to work during pandemic,” *NBC News*, 15 Oct 2020, <https://www.nbcnews.com/tech/security/we-don-t-have-choice-amazon-ring-call-center-workers-n1243439>; Michael Atkin and Laura Kewley, “Call centre staff in the Philippines have been sleeping at work during coronavirus lockdowns to help Australian customers,” *ABC News [Australia]*, 27 Apr 2020, <https://www.abc.net.au/news/2020-04-28/call-centre-workers-in-philippines-sleeping-in-offices/12154842>; Francine Aizicovici, “Coronavirus : l’entreprise Teleperformance accusée de mauvaises conditions de travail,” *Le Monde*, 20 Apr 2020, [https://www.lemonde.fr/emploi/article/2020/04/20/coronavirus-teleperformance-accusee-de-mauvaises-conditions-de-travail\\_6037182\\_1698637.html](https://www.lemonde.fr/emploi/article/2020/04/20/coronavirus-teleperformance-accusee-de-mauvaises-conditions-de-travail_6037182_1698637.html); and Dave Lee, “Amazon contractors enduring ‘subhuman’ conditions in Philippines,” *The Financial Times*, 1 Apr 2020, <https://www.ft.com/content/8b7bc787-4f33-4909-85f0-8df36d165b69>.

pressured employees to continue coming to work through a “no work, no pay” policy.

Workers isolated together in unsafe conditions not only in Teleperformance’s Philippines operation but also in **Jamaica**. Jamaican workers were housed in rigidly controlled hotels on Saturday and Sunday nights during a lockdown. The company provided employees with standard hotel rooms shared by up to four employees at a time, making social distancing impossible, and raising health and safety concerns for these workers as a result of the ongoing pandemic.

## REQUIRED BREAKS DENIED

TP workers in several countries have reported difficulty taking their required breaks—a potential form of unpaid work time and a health hazard. For example, during interviews for this report, TP workers in Jamaica provided specific details of the health challenges they have faced as a result of the non-stop work culture, including the so-called “all hands on deck” periods when workers are unable to pause at normal break times. Jamaican workers say that not being able to take bathroom breaks has contributed to health problems, including bladder and urinary tract infections.

Angela, a former Jamaican Teleperformance worker, told a harrowing story of being required to work without a break:

**“I’ve gone through 10-hour shifts where I did not get not even a 15-minute break. They’re telling you “oh, we’re understaffed at the moment.” But you’re understaffed reason being because you’re underpaying. . . . They’re overworking you. They’re abusing you mentally. Because when you’re telling me, a grown woman 36 years old, that I cannot get up to go and pee, that is not funny. . . . A lot of people complain about bladder infections. . . . Getting one case of bladder infection and going to the doctor costs your entire paycheck.”**

In another example, workers in **El Salvador** reported the company refused to allow necessary breaks at call centres and—by using invasive surveillance software—even when they worked in their own homes.

## POOR ERGONOMICS RESULT IN PAIN

With the move to remote work, TP employees around the world have shared stories about poor ergonomics. Most workers cannot afford to buy supportive office furniture for their homes. UNI has gathered examples of TP workers using kitchen tables, plastic garden furniture and, in one instance, a suitcase as office furniture. Workers’ complaints have been recorded in a range of countries, including Colombia, Brazil and the Netherlands. With the company’s reported plans to maintain significant numbers of workers working from home, this health and safety risk is pronounced.

In some countries, specific labour laws govern ergonomics for remote work, but the ILO’s Guidelines for Occupational Safety also state that a company bears the responsibility to protect “the safety and health of all members of the organisation by preventing work-related injuries, ill health, diseases and incidents.”<sup>13</sup> This guideline applies regardless of location.

13. International Labour Organization, *Guidelines on Occupational Safety and Health Management Systems* (2nd ed., 2009), p. 6, [https://www.ilo.org/wcmsp5/groups/public/@ed\\_protect/@protrav/@safework/documents/normativeinstrument/wcms\\_107727.pdf](https://www.ilo.org/wcmsp5/groups/public/@ed_protect/@protrav/@safework/documents/normativeinstrument/wcms_107727.pdf).



Brazilian TP worker uses suitcase as desk.

## WORKER HEALTH AND SAFETY REPRESENTATIVES SHUT OUT

In **Poland**, labour laws give trade unions the right to conduct elections for health and safety inspectors (known as a Społeczny Inspektor Pracy or SIP). An employer may not prevent such an election and must provide the union with a list of all employees to facilitate communication between the union and individual workers. In 2021, Teleperformance did not cooperate in the election process of the NSZZ Solidarność Union, thereby impeding efforts to

safeguard workers' health and safety. According to a union representative, the company must allow the election to be conducted by the union. By involving itself in the election process, the company defied the workers' ability to elect representatives and blocked an essential aspect of workers' right to freedom of association.

The French NCP found there were no employee representatives on health and safety committees at Teleperformance in **India** and the **Philippines**. In **Greece** and **Portugal**, the NCP found that there were no health and safety committee members elected by workers.<sup>14</sup> The safeguarding of health and safety is always best achieved by elected representatives of the workers themselves. The French NCP recommended Teleperformance, "strengthen employees' representation in health and safety committees in India and the Philippines" and "that it make progress towards the election of these committees' members by workers."<sup>15</sup> Following the recommendations of the French NCP, Teleperformance stated in the 2021 Universal Registration Document that it had changed the structure of its health and safety committee and there was now one staff representative for all 21 sites in the Philippines.<sup>16</sup> The company reported 54,643 employees in the Philippines in the same document.<sup>17</sup>

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As the examples above clearly demonstrate, after the July 2021 French NCP report, Teleperformance workers in several countries were still reporting problems regarding health and safety protocols. Despite the French NCP's recommendations to improve engagement with stakeholders on these issues, workers still face a lack of necessary breaks for personal hygiene, poor ergonomics in furniture and equipment and challenges electing worker representatives to safety and health committees.

14. French National Contact Point, *Final Statement of the French National Contact Point, "Teleperformance in France and the World,"* p.10, <https://www.tresor.economie.gouv.fr/Institutionnel/Niveau3/Pages/851b52ba-89f6-4722-b3ff-09684b58810f/files/550c6571-c752-421e-b789-937a3e057c1a>

15. French National Contact Point, *Final Statement of the French National Contact Point, "Teleperformance in France and the World,"* 5 Jul 2021, p.10, <https://www.tresor.economie.gouv.fr/Institutionnel/Niveau3/Pages/851b52ba-89f6-4722-b3ff-09684b58810f/files/550c6571-c752-421e-b789-937a3e057c1a>.

16. Teleperformance, *Universal Registration Document*, 2021, p. 99, [https://teleperformance.com/media/pwdpryd/telep\\_deu\\_2021\\_uk\\_mel\\_mention.pdf](https://teleperformance.com/media/pwdpryd/telep_deu_2021_uk_mel_mention.pdf).

17. *Ibid.*, p.34.

## EXCESSIVE WORKER SURVEILLANCE AT TELEPERFORMANCE



Teleperformance and all its clients rightfully demand that all customer data remain safe and secure. As work moved from secure workplaces to employees' homes during the pandemic, the company faced new security challenges.

The company had less control and oversight in home environments than in a traditional workplace. For example, in call centres—in keeping with industry security standards—mobile phones, pens and paper are not permitted in work areas because they could be used to record sensitive data.

With the massive increase in remote work triggered by the Covid-19 pandemic, the company had to introduce new monitoring techniques and technologies, a necessity employees understood and accepted. Cameras were introduced in many countries, which check the home working environment for objects present in the work area that could illegitimately record customer data. However, UNI has found that Teleperformance extended surveillance to protect customer data beyond a reasonable point, creating a situation in which monitoring of employees in many regions is disproportionate and invasive.

**New monitoring tech was rarely negotiated with union reps and employees themselves were rarely consulted.**

In only a few cases were new monitoring technologies negotiated with elected trade union representatives or delivered through consultation with employees themselves. In Colombia, Teleperformance has required that workers engaged in remote work sign a new 56-page contract for all accounts, which allows the company to:

- Use information from workers and their families, including data, photos and videos of minors to circulate internally for information purposes through bulletins and the intranet.
- Use polygraph tests.
- Give contact information to outside parties wishing to contact workers directly for commercial motives.

- Make video and audio recordings of workers in their homes for non-security reasons.
- Process personal data on devices owned by employees that are also used for work purposes.

In the **Netherlands**, extensive monitoring software was installed on TP employees' personal laptop computers when those workers were engaged in remote work. The employees were not informed of the monitoring functions included in the software or if their personal information stored on their devices could be compromised.

In **Spain**, Teleperformance asked employees to sign new personal employment contracts for working at home that Spanish unions believe are inconsistent with the country's privacy regulations. The company requires that workers consent to inspections of their homes by TP officials, and many workers fear retaliation if they refuse. TP has so far refused to bargain over the substance or implementation of the new agreements. Spain's CCOO and UGT union federations have filed legal action against the company, citing the fact that TP has asked workers to provide their personal mobile numbers and to be available outside scheduled hours in case of emergency.

At the beginning of the pandemic, Teleperformance in **Greece** introduced clauses similar to Spain's in their work-from-home agreements, allowing the company to visit workers' homes.

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The examples above constitute striking invasions (and potential invasions) of employees' private lives and infringement on what has come to be known as the "right to disconnect."

Unfortunately, there is no reason to believe extreme surveillance will disappear as the health emergency wanes without strong efforts by workers, their union representatives, public and private allies, clients and Teleperformance investors. All indicators point toward the company keeping a significant percentage of its workforce at home—and under surveillance—for the foreseeable future.

**UNI has found striking invasions (and potential invasions) of employees' private lives and infringement on what has come to be known as the "right to disconnect."**

## AVOIDANCE OF FREEDOM OF ASSOCIATION AT TELEPERFORMANCE



Most of the problematic issues detailed in this report could have been avoided if workers were able to organize freely in trade unions and collectively bargain over the conditions of their employment. Teleperformance claims it complies with national and international labour laws, that social dialogue takes place between workers and management at various levels of the organization, and that all employees have the right to collective bargaining and may freely associate without “interference, retaliation or discrimination.”<sup>18</sup>

**“Workers are not represented by unions in the vast majority of countries in which Teleperformance operates.”**

However, despite robust organizing efforts at multiple worksites, workers are not represented by unions in the vast majority of the more than 80 countries in which TP operates. Where workers organize, UNI has seen a pattern of retaliation, avoidance of bilateral engagement wherever possible, refusal of

dialogue and deliberate attempts to thwart organizing efforts. Teleperformance typically takes an aggressive and oppositional stance, rather than a neutral one, regarding trade union organizing.

UNI’s Specific Instance to the French NCP documented incidents of company retaliation against workers who organized during the pandemic. On one occasion in **Colombia**, management fired workers who organized a collective walkout to protest unsafe conditions, including inadequate social distancing, lack of personal protective equipment and shared equipment—all problems that increased the likelihood of Covid-19 infection. On another occasion in **Colombia**, workers organized a union in response to health and safety concerns related to the pandemic, and the company responded by not renewing the contracts of worker leaders. In **Albania**, the president of the Solidariteti Union was dismissed by Teleperformance soon after the pandemic emerged. According to the French NCP, these actions by the company were “contrary to the freedom of association of workers, as recommend-

18. Teleperformance, *Human Rights Statement*, <https://teleperformance.com/en-us/codes-and-policies/human-rights-statement/>.

ed by the OECD Guidelines, thus akin to anti-union practices.” The NCP called on Teleperformance to “ensure, as soon as possible, that its Albanian and Colombian subsidiaries respect the right of workers to form or join trade unions and representative organizations of their choice.”<sup>19</sup>

Despite unions being well-established in both Colombia and **Albania**, Teleperformance continued to undermine the genuine engagement and organizing efforts of employees and their unions there.

In August 2021, when **Colombia**’s Utraclaro union asked to begin negotiations with Teleperformance, the company responded with a series of bad-faith measures, including:

- Deducting excessive dues from the pay of union members in an apparent attempt to interfere with the relationship between workers and their union.
- Not passing on union dues to the union.
- Filing frivolous legal claims against the Utraclaro union’s internal processes, including a complaint about how the union conducted internal meetings to ratify bargaining demands. TP’s legal case aims to frighten workers into not joining the union because, if successful, it would remove a legal obstacle to dismissing them.
- Refusing to recognise a duly chosen worker representative on the bargaining committee.
- Refusing to participate in arbitration with the union at the Ministry of Labour.

In **Poland**, Teleperformance refused to engage with the Solidarność Union after representatives raised issues about the lack of a social fund and lack of elections for health and safety representatives, both legal requirements. The company has only recently agreed to meet union representatives about these issues after legal action was threatened.

With the rise of working from home in many countries around the world, organizing by workers to attempt to remedy the problems outlined in this paper is now almost completely impossible because employees are working from home. Workers have no way of knowing who their colleagues are or how to contact and communicate with them easily. This poses risks for the ability of workers to exercise their rights to freedom of association, and therefore warrants measures by the company to proactively mitigate these risks.

In their 2021 Universal Registration Document, Teleperformance said the company had engaged the social auditing firm Verego to ask 5,000 employees and managers about the application of freedom of association. The company said that, “None of the employees interviewed reported any obstacles to their freedom of association or freedom to join a trade union.”<sup>20</sup>

Staff surveys are a problematic measurement of freedom of association because national trade unions are not questioned, and examples of rights violations are not documented. National trade unions should be contacted to ascertain if workers have attempted to exercise their right to freedom of association at the company, and to document what happened when they did. Verego did not contact any national trade union representatives or UNI Global Union to ask if any Teleperformance workers had attempted to form a union. There is also no clear evidence that Verego considered the conclusions of the French NCP issued in July 2021, regarding Colombia and Albania.

19. French National Contact Point, *Final Statement of the French National Contact Point, “Teleperformance in France and the World,”* p.14. <https://www.tresor.economie.gouv.fr/Institutionnel/Niveau3/Pages/851b52ba-89f6-4722-b3ff-09684b58810f/files/550c6571-c752-421e-b789-937a3e057c1a>.

20. Teleperformance, *Universal Registration Document 2021*, p.128, [https://teleperformance.com/media/pwdpryud/telep\\_deu\\_2021\\_uk\\_mel\\_mention.pdf](https://teleperformance.com/media/pwdpryud/telep_deu_2021_uk_mel_mention.pdf).

Given the documentation of risks to these rights from the NCP and even acknowledgment of these risks in TP's Duty of Vigilance plan, the survey findings of zero workers reporting obstacles should raise red flags for its adequacy as a tool to identify and address these human rights concerns. This approach is comparable to the company using the paid benchmarking service Great Place to Work® to demonstrate a lack of problems, rather than acknowledging risks and challenges and working with stakeholders to address these. An assessment by corporate governance analysts PIRC of Great Place to Work®, amongst other employee engagement indicators, highlights that "it should not be mistaken for an objective or rigorous method of assessing a company's workforce practices."<sup>21</sup>

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Despite the French NCP recommendation that TP "ensure the respect for the right of freedom of association and collective bargaining of workers as provided for in the OECD Guidelines," the company continues to follow its traditional pattern of behaviour by frustrating attempts by workers to organize.

## CONCLUSION

Teleperformance is not a company whose name and logo are known globally as are many of their clients such as Apple, Netflix or Expedia. But TP is one of the world's largest employers and the runaway leader in the call centre segment of the BPO industry.

Emerging stronger than ever after two years of adaptation during the pandemic, the Teleperformance model represents the future of work for an important part of the global economy. This is a future in which the world's most high-value companies and governments outsource their business services to surrogates operating primarily in low-cost markets, often where there are few guarantees that labour rights will be enforced. These companies demand well-trained, multilingual employees, but the low-cost locations they flock to often have few protections even for their highly skilled workers. This is a future where more and more employees will be working from home.

The pressure to cut costs and for greater and greater output is unrelenting, leading companies to take advantage of weak labour regulations, to cut corners and to avoid trade unions whenever and wherever possible. Such shortsighted strategies are becoming embedded in the international business model.

*And what are the results of this model for workers?*

This report found that workers are frequently subjected to excessive surveillance; often pushed to skip breaks for the sake of increasing productivity; and may go unpaid for significant periods of time during their shifts, including while logging in and when calls go beyond the end of a shift. Our researchers also found many workers who express a rational fear they will face retaliation if they openly organise with their colleagues to form a trade union. Our conclusion, based on the research completed for this report, is that TP—an undisputed giant in the globalized BPO call centre industry—should be held to higher standards.

21. Alice Martin and William Glover, PIRC, *Exposing Social Washing: Executive Pay, Social Indicators and Measuring Decent Work*, Mar 2022, <https://www.pirc.co.uk/wp-content/uploads/2022/03/PIRC-Report-Exposing-social-washing-Mar22.pdf>.

*If any company is going to build a better future for its international workforce, shouldn't it be Teleperformance?*

Workers deserve some simple guarantees from TP:

- To be paid for all time worked, including time logging in and minutes that stretch beyond the end of a shift.
- Enforcement of regular and adequate breaks from work.
- Elected worker health and safety committees, with enough staff representatives to adequately cover the number of worksites and the size of the country operation.
- Worker surveillance that does not go beyond the company's security needs and is negotiated fairly with workers through collective bargaining with trade unions.
- Freedom of association to organise with colleagues in a trade union, even if working remotely from home. Workers and their union representatives should be able to communicate through the same digital tools used in the workplace.
- A commitment to respect and apply core ILO labour standards in all countries, including freedom of association and collective bargaining, through a global agreement with UNI Global Union.

In the post-pandemic world, Teleperformance has boundless opportunities to use its size, wealth and global reach to lead in developing a workplace culture that fully and unreservedly supports human rights and workers' rights. The number of employees globally now stands at more than 400,000 making Teleperformance one of the largest employers in the world. As the market leader in the global BPO call centre industry, Teleperformance must use its position to promote decent work standards and labour rights across a sector that has come to represent the future of work in many countries around the world.

[www.uniglobalunion.org](http://www.uniglobalunion.org)

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