



# Implementation of the ETUC<sup>1</sup>/BusinessEurope/SMEUnited/SGI Europe Framework agreement on Digitalisation

3rd Joint Report

2023

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<sup>1</sup> Including the Liaison Committee Eurocadres/CEC

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| <u>Country</u> | <u>Implementation results /initiatives</u>   |
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| Austria        | <p><b>Ad 1.) DIGITAL SKILLS AND SECURING EMPLOYMENT</b></p> <p><b>1.a.) Employment Service Austria</b></p> <p>In 2021, the Employment Service Austria (AMS) implemented the "Corona Job Offensive" program. The program started in 2020 with the aim of helping 100,000 unemployed people to receive digital education and training. An important area in which the training took place was the area of "electronics/digital technology". With 17,400 participants in the field of "Electronics/Digital Technology" the goal of training more unemployed people in this important area has been exceeded.</p> <p>In order to give jobseekers better vocational orientation, the AMS revised the career information system to the extent that the occupational profiles are classified according to the DigComp model. For each occupation, the extent to which digital skills are required in the respective occupation is indicated.</p> <p>As part of the climate and transformation offensive, the Federal Ministry of Labour and Economics promotes the necessary capacity building of the workforce in order to successfully master the transformation. The program starts in 2023.</p> <p><b>1.b.) Wise up/ apprenticeship training</b></p> <p>Four years ago, the Austrian Federal Economic Chamber (WKÖ) launched a broad-based education offensive to provide companies with concrete support in meeting several challenges such as personnel development. With wise up, the digital education and training platform for Austria's economy, one of the central lighthouse projects of this offensive has been launched. wise up offers companies of all sizes an easy-to-use, market-proven learning solution that allows to digitize internal learning content and</p> |

furthermore access over 15,000 courses on the platform. Besides companies, with wise up also founders get support with the required skills for founding a company such as legal basics, technical skills and business management. With wise up digital learning can be used in several areas of apprenticeship training. In addition to the option of digitizing in-house learning content, wise up offers curated learning content for numerous apprenticeships on the learning platform. The learning platform furthermore provides access to basic school competences such as math and German.

### **1.c.) Awareness Events**

The Federation of Austrian Industries organized on 4<sup>th</sup> of October a High-Level Forum on digital transformation focusing on Artificial Intelligence, Data-Sharing, Data-Cloud and Digital Skills. One goal of the event was to promote artificial intelligence as major technology for future developments. The necessary digital skills are key to govern and promote Artificial intelligence and secure Employment.

### **1.d.) Automated guided vehicles (AGVs) in training: Gaining experience in the use of driverless transport systems in apprenticeship training**

As of now, there are no formal training or learning offers on automated guided vehicles (AGVs) in training companies and vocational schools. Siemens Professional Education and Siemens Mobility created a sandboxing project, in which both trainers and apprentices gain experience in the use of AGVs in apprenticeship training. In the project, two AGVs are designed by the apprentices themselves. Their AGVs should fulfil basic functions such as sensor technology, control and transport. The project results will be made freely available in the form of e-learning materials. The AGVs will be developed in such a way that they can also be used in training scenarios outside the company in the future (regardless of which company/training institute).

## **Ad 2.) MODALITIES OF CONNECTING AND DISCONNECTING**

“smartWorkLife” – Conscious Recovery instead of Boundless Stress

The app swoliba helps to balance flexibility and recovery, enabling for conscious connection to and disconnection from work. Through a variety of scientifically based exercises, the app enables not only individual recovery experiences, but also a general increase in well-being in the long term. The exercises in the app are designed in such a way that excessive states of exhaustion are

averted and a positive mood is built up. The exercises can be selected independently according to personal preferences. The team around Martina Hartner-Tiefenthaler at the Technical University of Vienna have tested the effectiveness of the app and found that the experience of stress can be reduced in comparison to the control group and the ability to concentrate can be increased.

### **Ad 3.) ARTIFICIAL INTELLIGENCE (AI) AND GUARANTEEING THE HUMAN IN CONTROL PRINCIPLE**

The organization Plattformindustrie 4.0 organized multiple events on artificial intelligence at the workplace, the cybersecurity issues, and the requirements to the use of trustworthy AI. AK, WKÖ, ÖGB and IV are strategic partners of Plattformindustrie 4.0. Their awareness events rely on research from the year 2021. For example: AI for good - human centered use of AI ([https://plattformindustrie40.at/wp-content/uploads/2021/11/AI-for-GOOD-Leitfaden\\_Plattform-Industrie-40.pdf](https://plattformindustrie40.at/wp-content/uploads/2021/11/AI-for-GOOD-Leitfaden_Plattform-Industrie-40.pdf)) and Cyber-Security for production plants ([https://plattformindustrie40.at/wpcontent/uploads/2020/08/Leitfaden\\_CyberSecurity\\_2020-final.pdf](https://plattformindustrie40.at/wpcontent/uploads/2020/08/Leitfaden_CyberSecurity_2020-final.pdf))

#### **AI Assistance Systems in the Workplace - Digital assistance systems in the workplace screened for risks and potential**

Responsible application of artificial intelligence (AI) in everyday work is a prerequisite for exploiting the potential of new technologies. With this participatory research approach to technology development, workers are also significantly involved in order to work out risks and potentials. The focus is on ethical considerations, such as questions about data protection, or aspects of equal opportunities, such as possibilities for inclusion through assistance systems. The project results are summarised as concrete recommendations and published in an online handbook. Another handout contains concrete recommendations for the involvement of workers in digitisation projects in companies.

### **Ad 4.) RESPECT OF HUMAN DIGNITY AND SURVEILLANCE**

A Transparent Workforce - This study reveals where and to what extent monitoring and control are already applied in the workplace 4.0 in Austria.

In many companies, permanent data collection is already a reality - but not only to optimise processes. Data is used to evaluate the performance of employees, to sanction misconduct, and increasingly also for automated management decisions. At the same time, the IT systems are often complex and non-transparent, and the pace of development is high. The project by activist Wolfie Christl created a map of such technologies and practices to provide workers and their representatives with an overview. This enables informed participation. <https://crackedlabs.org/daten-arbeitsplatz>

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|---------|--|
|         | <p><b>5) Digitisation Fund</b></p> <p>In 2018, the Austrian Federal Chamber of Labour initiated a program addressing the digital challenges of future labour relationships. 150 million Euros were budgeted for the years 2019 - 2023 aiming at providing scholarships for training and education as well as establishing a fund to finance projects to develop, use and implement technology aiding the interests of dependently employed people in Austria.</p> <p>A list of supported projects can be found following the Link below and by browsing through the federal country sites of the respective chamber of labour. All in all more than 500 projects received funding through the Digitisation Fund by the end of 2022.</p> <p><a href="https://wien.arbeiterkammer.at/service/digifonds/geoerderte-projekte/index.html">https://wien.arbeiterkammer.at/service/digifonds/geoerderte-projekte/index.html</a></p> <p>Examples range from enhancing workplace participation in times of mobile work to artificial intelligence, platform algorithms for job allocations and workplace data processing, surveillance, and control. Ultimately these projects seek to highlight best practices on how to go about the digital transformation in a broadly beneficial way.</p>  |
| Belgium | <p>In this report, the National Labour Council (NLC) provides an overview of the actions taken since June 2022 in the area of digitisation, by the social partners at the interprofessional, sectoral and regional levels, based on the contributions received.</p> <p>Several points of convergence can be drawn from these contributions, mainly:</p> <ul style="list-style-type: none"> <li>- at the federal and sectoral levels, increased attention to disconnection and teleworking</li> <li>- the continuation of previous plans and projects, potentially with adjustments</li> <li>- an intensification of the digital transformation of public institutions, businesses and society, in particular by strengthening and deploying digital tools and the digital economy, increased attention to administrative simplification through support actions, training, awareness, etc.</li> </ul> <p><u>At the federal level:</u></p> <ul style="list-style-type: none"> <li>- the NLC continued its work to modernise the contractual framework for structural teleworking. It will soon begin reflections on the impact of artificial intelligence and algorithms on work;</li> <li>- the sectors, and failing that, companies with at least 20 employees, will have to provide modalities for the right to disconnect and for the implementation of a mechanism to regulate the use of digital tools (see point "At the sector level")</li> </ul> |

- in terms of training, the NLC and the Central Economic Council (CEC) have given their opinion on a draft law for a Federal Learning Account to record and manage, at the federal level, information on training entitlements and courses taken;
- as for e-commerce, the CEC has issued a report on the issues facing the retail sector as a first contribution to a government strategy. In the course of their work, the social partners identified employment as the main area for reflection
- the social partners and the National Social Security Office are developing projects aimed at achieving sustainable digital social security. In this context, the NLC has updated its guiding principles for the simplification and (digital) modernisation of social administration;
- the NLC has repeatedly expressed its opinion on the development and/or implementation of digital tools linked to the exercise of social rights (eBox, Mult-eMediatt, TRIO database, etc.), including the general principles to be respected. It has also recalled its concerns regarding digital inclusion, including the fight against poverty;
- the electronic archiving and sending of social documents as well as (remote) electronic voting during social elections remain points of attention for the NLC.

At the sector level: 29 (sub)sectors have submitted a CLA on the subject of disconnection. These CLAs determine their scope, the definition of the right to disconnect, the exceptions to this right to disconnect, the practical arrangements and instructions to be followed for the application of the right to disconnect, analysis and prevention as well as training and awareness-raising actions. Many of these CLAs cover all employers and workers, regardless of the size of the company.

In addition, 340 company Collective Labour Agreements on the right to disconnect have been submitted. The available data on work regulations does not allow precise analysis, although there has been a significant increase in the number of work regulation changes over a short period of time.

Furthermore, a number of sectors have adopted training provisions in the area of digitalisation and several sectors are encouraging the use of teleworking.

At the regional level:

- In the Brussels-Capital Region, the social partners in Brupartners have issued an opinion on the Digital Appropriation Plan put in place by the government of the Brussels-Capital Region. This Plan, based around four areas (Raising awareness - Uniting - Equipping



- Supporting), proposes concrete measures to improve the accessibility of digital tools, training from a young age and support for all Brussels residents for the period 2021-2024;

In addition, an administrative simplification plan is being led by Easy.Brussels, the agency in charge of the digital transition and administrative simplification of administrations.

- In Flanders, the social partners and the Government of Flanders concluded, on 14 December 2020, the 'Alle Hens aan Dek' ('All Hands on Deck') agreement in which several initiatives involving digitisation were taken, such as competence checks; a personalised digital career platform; digital job fairs and events; the digitisation of Flemish Public Employment Service (VDAB)'s partner work; the strengthening of the digital skills of job seekers and a digital language offer; a digital training platform; a renewed employer approach by VDAB, WSE digitisation initiatives for employers, citizens and partners; a learning and career account; and the roll-out of the vision document 'Naar een leer- en loopbaanrekening in Vlaanderen' ('Towards a learning and career account in Flanders').

In response to the coronavirus crisis, VDAB continued its efforts to renew and produce existing and new modules in its digital training offerings.

Finally, VDAB adopts a service delivery model using the 'digital first' principle where the contact strategy consists of 3 layers. In the digital layer, VDAB offers an online account and digital tools to get started yourself. In the human-digital layer, VDAB offers clients telephone or online support in using the online tools. For those who need more support, VDAB provides face-to-face service offerings to guide job seekers to appropriate jobs.

- In the Walloon Region, the social partners in the Social, Economic and Environmental Council of Wallonia (CESE) have highlighted the digital divide in their opinion A. 1490 of 23 May 2022. They also have contributed to the implementation of the "Digital Wallonia" digital strategy, which was updated in 2022 to integrate the digital priorities of the European Union and the resources made available under the Recovery and Resilience Plan.

- Various projects are being developed in the German-speaking Community, including the introduction of a new job portal open to job seekers and employers, and the realisation of a survey by the Economic and Social Council of the German-speaking Community

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|                        | <p>(WSR), in close collaboration with the Digital Agency of Wallonia, on the digital maturity of the citizens of the German-speaking Community.</p> <p><b>Accord-cadre européen sur la numérisation, juin 2020</b><br/> <a href="#">Rapport 131 du 30.05.2023 - Summary (EN)</a></p> <p>Troisième rapport annuel de mise en œuvre de l'accord-cadre européen sur la numérisation<br/> <b>Europese kaderovereenkomst inzake digitalisering, juni 2020</b><br/> <a href="#">Rapport 131 van 30.05.2023 - Summary (EN)</a></p>   |
| <p><b>Bulgaria</b></p> | <p><b>The translation of the agreement:</b> The agreement had been translated soon after its official signature and the translation has been agreed between the social partners</p> <ul style="list-style-type: none"> <li>• <b>The dissemination of the agreement:</b> The translated version of the agreement is/will be at a later stage published on the respective websites of the social partners:<br/> CITUB:<br/> <a href="https://knsb-bg.org/index.php/2021/03/26/startira-evropejski-proekt-na-knsb-za-digitalnata-transformacziya-na-truda/">https://knsb-bg.org/index.php/2021/03/26/startira-evropejski-proekt-na-knsb-za-digitalnata-transformacziya-na-truda/</a><br/> BIA: <a href="https://eu.bia-bg.com/businessseurope/esd/european-autonomous-agreements">https://eu.bia-bg.com/businessseurope/esd/european-autonomous-agreements</a></li> </ul> <ul style="list-style-type: none"> <li>• <b>The actual implementation of the agreement:</b></li> </ul> <ol style="list-style-type: none"> <li>1. CITUB and BIA carried out a joint project <b>“Social partners together for digital transformation of the world of work. New dimensions of social dialogue deriving from the Autonomous Framework Agreement on Digitalisation – <i>TransFormWork</i>”</b> to support the implementation of the Framework Agreement. <b>(Project duration 01/03/202 – 01/03/2023, with the financial support of the EC).</b> The website of the project contains valuable information on the national situation (national reports and a comparative report) in the 6 participating countries – Bulgaria, Estonia, Malta, Cyprus and Ireland (Sweden was an associated partner): <a href="https://transformwork.eu/">https://transformwork.eu/</a></li> <li>2. Social partners in Bulgaria implemented a joint action in partnership of Ministry of labour in Bulgaria: <b>“Development of digital skills”</b> The scheme aims to develop, test and validate unified profiles of digital skills of the workforce in Bulgaria for key professions. The projects focus on identifying the specific levels of digital skills of the workforce on a sectoral level, the concrete deficits and supporting the acquisition of digital skills, required for the implementation of daily work tasks. <b>(Project duration is 2 years, with the financial support of the ESF.)</b></li> </ol> |

**3. BICA:** Since October 2021 Bulgarian Industrial Capital Association implementing **Project BG05M9OP001-1.128-0004 "Development of Digital Skills"**, which aims to transpose the current policies of the EC for the improvement and development of digital skills in the context of the European Digital Strategy. Within a total of 20 months, 9 core activities were completed successfully aiming at developing, testing and validating unified profiles for digital skills in key occupations/positions, sectoral qualification frameworks and curricula for the development of digital skills in 13 pilot sectors of key importance for the Bulgarian economy. The main goal of the project is to overcome imbalances in the field of digital skills and knowledge, aligning them with business needs and thus accelerating digitalization. **As a result of the project partnership with CITUB, KT Podkrepa, MLSP and NAVET, 13 analyzes of the trends in the use of digital skills in the pilot sectors were developed, 65 unified profiles for digital skills were developed, a total of 13 packages with test curricula for the development of digital skills and introduced 4 models for social cooperation.** Within the project, were developed 4 tools for the self-assessment of the digital skills of the employed, one of which is an online tool. All achieved results can be tracked on BICA's website, where the online tool itself is also available:  
<https://bica-bg.org/bg/57/razvitie-na-digitalnite-umeniq.htm>

We did not encounter any substantive difficulties. One issue is that the agreement is a bit complex for understanding at the level of conclusion of the collective agreement, but also low level of coverage with collective agreements.

Digital Skills Framework has, in addition to a number of strengths, some elements that need further improvement: during the conducted analysis it became clear that companies need more clarity of the wording of the Framework as it is overly technical in many occasions and difficult to be understood, especially for non-expert users. In its implementation, the social partners find that it is not always easy for users to understand which skills they should prioritize and how to measure their progress.

In the framework of the **TransFormWork project** BIA and CITUB have analysed the national context in the partner countries and held a number of events in the partner countries in order to disseminate the content of the agreement, but also the nature of EU social dialogue. We have also prepared Good practices dialogue available in English (<https://transformwork.eu/wp-content/uploads/2023/02/gp-en-vs01.pdf>)

In the framework of **"Development of digital skills" joint scheme:**

BIA analysed the needs of digital skills in 16 economic activities by Statistical classification of economic activities<sup>2</sup>. Key results are:

<sup>2</sup> 10.3 Processing and preserving of fruit and vegetables, 10.4 Manufacture of vegetable and animal oils and fats, 10.5 Manufacture of dairy products, 10.8 Manufacture of other food products, 16 Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials, 17 Manufacture of paper and paper products, 20.1 Manufacture

- **analysis of the needs for digital skills in 16 sectors**
- tested and validated **80 unified profiles for digital skills by key positions** and / or professions
- 2 developed **tools for testing the current digital skills of the workforce** by economic activities, which will be tested by over 500 employees from 16 economic activities
- **16 sectoral programs for non-formal learning** for the development of specific digital skills in economic sectors
- **16 learning contents for e-trainings** for the development of specific digital skills

CITUB: Project BG05M9OP001-1.128-0001 "Partnership in a digital environment", financed by the Operational Program "Development of Human Resources", co-financed by the European Union through the European Social Fund. The project is implemented by KNSB in partnership with KRIB, BIA, BICA and MLSP. Within the framework of the project, sectoral analyzes were prepared in 165 enterprises and organizations from 17 economic activities, the developed profiles of digital skills, self-assessment of the level through the developed online tool and the training programs with the aim of acquiring specific digital skills needed by the employed persons for the implementation of their daily tasks and sectoral qualification frameworks for developing digital skills. Within the framework of the project, the first mapping of the required and available general and specific digital skills of employees in over 500 professions and positions was carried out. 70 experts with proven experience in each of the studied industries took direct part. Sectoral analyzes indicate that 66% of enterprises envisage new training for acquiring digital skills and competences. According to specific data from the survey, in the range up to 2023, the largest share of enterprises indicate as the most needed specialists in automation and cyber-physical systems. By 2025, specialists in automation and digital business models and services will be needed, and by 2027 – in Big Data Analysis and computer simulations.

BICA analyzed the needs of digital skills in 13 economic activities and the level of current knowledge and skills of the employees. The main results are:

- elaborate ed 13 in-depth analysis about digital transformation and required digital skills;
- identified 65 key vocations/positions that require substantial digital skills for the future development of the economic sectors;
- elaborated, tested and validated 65 unified profiles for digital skills for key positions/ professions;
- 4 developed assessment tools including one online for testing the current digital skills of the workforce;
- 531 employed people was tested and trained within the project;

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of basic chemicals, fertilisers and nitrogen compounds, plastics and synthetic rubber in primary forms, 20.3 Manufacture of paints, varnishes and similar coatings, printing ink and mastics, 27 Manufacture of electrical equipment, 30 Manufacture of other transport equipment, 31 Manufacture of furniture, 46 Wholesale trade, except of motor vehicles and motorcycles, 47 Retail trade, except of motor vehicles and motorcycles, 55 Accommodation, 56 Food and beverage service activities, 93 Sports activities and amusement and recreation activities

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|         | <ul style="list-style-type: none"> <li>- 13 sectoral programs for non-formal learning for the development of specific digital skills in economic sectors was elaborated with the relevant learning content;</li> <li>- 4 social models for digital skills development were introduced and signed between employer’s organizations and trade unions.</li> </ul> <p>Beside other activities, we decided to apply for project funding as this proved to be an efficient instrument to finance further research, exchange of views with social partners also from other countries, to reach different sectors and companies, but also deliver concrete results.</p>  |
| Croatia | <p>Although the first year of the implementation of the autonomous agreement was focused mainly on the awareness raising among the employers and trade unions’ organisations themselves both partners simultaneously defined further steps for mainstreaming individual aspects of the agreement into their operational activities.</p> <p>At the same time, further education and dissemination of information about the agreement took place. The tripartite working team for the EU and the Permanent Representation of the Czech Republic to the EU were informed of the agreement.</p> <p><b>General context:</b></p> <p>The year 2021 was generally influenced by the effects of the ongoing COVID 19 pandemic and the escalation of the conflict in Ukraine, the refugee crisis and, finally the energy crisis and the adoption of extraordinary economic and social measures.</p> <p>Another European semester cyclus was started, National reform programs were drawn up and National recovery and reconciliation plans were re-evaluated.</p> <p>The implementation of the Digitalization Agreement and its principles has become even more important for stabilizing labour markets, overcoming labour force and skills shortages and skills mismatches, and restoring the ability of businesses to create quality jobs.</p> <p><b>Bipartite activities:</b></p> <ul style="list-style-type: none"> <li>• <b>Continuation of the Project Social dialogue and society 4:0 (2019-2021):</b> “A guide “Education 4:0 and Social Partners in the Czech Republic”. The aim is to show the changes in the world of work (automation, AI) and the importance of the adult learning.</li> <li>• <b>Continuation of the long standing project NORD</b> - the platform for the national bipartite sectoral dialogue. A short introductory presentation was followed by the debate and written comments of the experts. Regular update of all actions linked to the Digital agreement’ pillars.</li> </ul> |

### Employers' (SP ČR)

- SP ČR representative in **the tripartite group for digital education under the Government's office**
- **The survey conducted by SP ČR** (December 2021/January 2022) among 100 companies shows that understanding and using technology will be a skill that companies will increasingly demand from their employees, across all professions. 84% of companies expect its importance to grow.
- **Catalogue of state-guaranteed courses.** SP ČR is initiating a cooperation with the MoELSA on such catalogue that would enable even SMEs to use quality education resources for their employees.

<https://www.spcr.cz/pro-media/tiskove-zpravy/15239-pruzkum-digitalni-dovednosti-vyzaduje-stale-vice-firem>

- SP ČR focused on **increasing awareness of the Agreement in the regions.** It organized a seminar for its representatives in the regions and gave them guidelines on how to work with the Agreement, so that in their events for businesses they would focus on all 4 pillars of the Agreement in a balanced manner.
- From the National Recovery Plan, for which the Czechia will receive 180 billion crowns from the EU over the next four years, the SP is advocating for creating **regional training centers in individual regions** by the public employment services connecting local schools and educational institutions with companies, creating educational programs according to **labour market trends.**
- The round table "**Digital education - the path to a competitive future**". The representatives of ministries, regions and schools discussed how the education system should be transformed at all levels with **presentations of good examples from corporate schools** and training programs (**IBM SkillsBuild, Grow with Google**).

<https://www.spcr.cz/pro-media/tiskove-zpravy/14888-vzdelavaci-system-neodpovida-potrebam-zamestnavatelu>

- **Conference digital transformation 2022:** Ostrava and the Moravian-Silesian region, Examples of good practice to share, the best in the Czechia: smart logistics works, AI agents plan production and robots with artificial intelligence monitor the security of networks and devices.

<https://www.businessinfo.cz/akce/digitalni-transformace-2022/>

### ➤ Trade Unions' activities (ČMKOS)

- ČMKOS participates in regional and national social dialogue and promotes appropriate working conditions in connection with digitalisation.
- In particular, the COVID 19 pandemic is leading to an intensified focus on digital and online work. When negotiating with employers, ČMKOS emphasizes the need for training and deepening the qualifications of employees. At the same time,

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|                              | <p>CMKOS participates in amending the Labor Code and setting the conditions for electronic delivery, right to disconnect, platform workers etc..</p> <ul style="list-style-type: none"> <li>• ČMKOS is currently working on a project co-financed by Norwegian funds with the topic of digitalising trade union associations (Digital Trade Unionism).</li> </ul>   |
| <p><b>Cyprus</b></p>         | <p>The Social Partners in Cyprus that are members and actively participate to the respective Employer and Workers organizations at the European level, i.e., the Cyprus Employers &amp; Industrialists Federation (OEB), the Cyprus Workers Confederation (SEK) and the Democratic Labour Federation of Cyprus (DEOK), have agreed to translate the Framework Agreement and enter into negotiations for the adoption of a ‘Policy Statement’, intended to complement the Framework Agreement.</p> <p>It is noted that the Cyprus Employers &amp; Industrialists Federation (OEB) and the Cyprus Workers Confederation (SEK) have actively participated in the implementation of the European TransFormWork Program, the aim of which was to support the implementation of the European Framework Agreement of the Social Partners for Digitization as a condition for the expected change that will be brought about by the digital transformation.</p> <p>The text of the Framework Agreement has been translated in Greek and the Policy Statement has been drafted.</p> <p>Currently, the two documents are under review by the Social Partner Organizations. The text will be edited accordingly and the aim is to reach consensus regarding its contents.</p> <p>Once finalised, the documents will also be forwarded to non-members of the European Organisations – signatories of the Agreement.</p> <p>It is noted that this has been the way Cypriot Social Partners have implemented other European Framework Agreements in the past.</p> <p>It is expected that the Agreement and the Policy Statement will be signed in an official signatory ceremony to be held in the presence of the Minister of Labour and Social Insurance, as was the case with previous Framework Agreements.</p> |
| <p><b>Czech Republic</b></p> | <p>The third year of implementation of the Autonomous Agreement on Digitization was focused on content and specific actions. Awareness-raising activities continued in some regions.</p>  |

#### General context:

As in 2021, the social and economic situation in 2022 was also strongly influenced by Russia's aggression in Ukraine and the energy crisis and high inflation.

A number of businesses struggle with a loss of competitiveness and ability to retain qualified workers. The citizens are confronted with high inflation, rising prices and decreasing household purchasing power. Shortages in the labor market are a growing phenomenon. This led to the intensification of internal company digitization processes. **At the same time, pressure is also being exerted on the government and state administration to advance the implementation of the Digital Czech Republic program and the digitization of public administration, so as to simplify and reduce the administrative burden for both businesses and citizens.** The NRRP includes components focused both on digitization in general and on the development of digital skills.

#### Employers' (SP ČR)

- SP ČR representative continues to work in **the tripartite group for digital education under the Government office** which meets once a month.
- Three events were organized at the company level within CZ PRES:
  - **University of Mining and Technology – Technical University of Ostrava:**

IT4 Innovations ("Salomon" and "Barbara" supercomputers): an introduction to supercomputing infrastructure and its use, both for scientific purposes and for commercial cooperation.

A tour of the CPIT TL 3 building, the tour included a demonstration of the digitized educational production line, the so-called Smart Factory, as well as biomedical engineering spaces for Home Care, where the use of modern technologies, including digital ones, to improve the quality of life of senior citizens and fellow citizens with disabilities was presented.

- **Tatra Trucks**

Presentation of the car company's development, including digitization projects and their use in development.

- **Třinec Ironworks**



Primarily a green transition of metallurgy, but also a change in the company's professional structure and processes - the company is today the 2nd largest IT employer in the region and programs all production operations entirely by itself. **Presentation of the project of electric furnaces** (approx. 2030), which will create even more demands for employees oriented in this way.

- **Digital transformation, Ostrava and Moravian Silesian region:**

Overview of public and subsidized resources, digitalization services, **Bonmedix Holding presentation with a practical view of the use of artificial intelligence** in medical diagnostics [www.digielntransformace2022.cz](http://www.digielntransformace2022.cz)

- **The SMART Region conference in Olomouc**, which looked at the topic more through the lens of good practice and smart solutions (<https://www.smartregionkonference.cz/>)

- **Smart City Forum Czechia & Ukraine (Prague):** [www.smartukraine.eu](http://www.smartukraine.eu)

- **Round table: support for women and girls in the field of IT and digitization** organized by the Representation of the EU in the Czech Republic, SPČR, IBM. A higher proportion of women in the IT field and a greater gender balance in this field would contribute to solving the shortage of qualified IT workforce and have long-term social and economic

- **Participation in LEWIATAN** project, co-funded by the European Union Impact of digitalisation process on individuals age 50+, women, persons with disabilities and located far away from urban centres – presentation of national solutions,

#### **Trade Unions' activities (ČMKOS)**

- ČMKOS participates in regional and national social dialogue and **promotes appropriate working conditions in connection with digitalisation. intensified**

- In particular, the COVID 19 pandemic is leading to an focus on digital and online work. When negotiating with employers, CMKOS emphasizes the need for training and deepening the qualifications of employees. At the same time, **CMKOS participates in amending the Labor Code and setting the conditions for electronic delivery**, right to disconnect, platform workers etc.. In connection with the amendment of Labour Code, CMKOS significantly participated in the adjustment of electronic delivery and the use of Data boxes. Currently, CMKOS has prepared a **"Data Box Guide"**.

- ČMKOS is currently working on a **project co-financed by Norwegian funds** with the topic of digitalising trade union associations (**Digital Trade Unionism**), preparation of model provisions of collective agreement for the possibility of digital meetings and negotiations (<https://www.cmkos.cz/obsah/838/projekt-cmkos-lo-norsko-odbory-digitalni-svet-moznosti-prile>).

#### **Digital Czechia and social partners**

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|         | <p>The <b><i>Digital Czechia</i></b> programme represents a set of concepts ensuring the long-term prosperity of the Czech Republic in the environment of the ongoing digital transformation. It has three pillars: Czech Republic in Digital Europe, Information Concept and Digital Enterprises and Society. The Czech Republic places The <b>Platform for the Digitization of the Economy</b> has been operating since 2022 and will become one of the groups of the <b>Digital Transformation Committee from 2025</b>.</p> <p><b>The activities of both social partners result from the implementation of the Autonomous Agreement on Digitization has become natural part of this process at the national level.</b></p>  |
| Denmark | <p>Referring to the joint request for the 3rd national report on the implementation of the European Framework Agreement on Digitalisation, please find the report from the Danish national social partners below.</p> <p>In Denmark, the public and private sector have worked with digitalisation for many years. The Danish labour market has a long tradition for close cooperation between management and employees. The cooperation is characterised by a low power distance and deep involvement of the employees in the joint efforts to reach the goals for ensuring and enhancing the companies' competitiveness and a framework for well-being and job satisfaction. These goals can be realised through collaboration on e.g., the use and exploitation of new technologies, education, competence development and employee well-being. Both in the private and the public sector this cooperation has been formalised and regulated by Cooperation Agreements establishing Cooperation Committees at the workplace. The duties of the committees are very similar to the processes described in the European Framework Agreement on Digitalisation.</p> <p>The Disruption Council was established by the former Danish government to discuss and analyse the effects, challenges and opportunities of new technological developments and globalisation on the labour market. The council was a partnership between businesses, governmental institutions, academics, entrepreneurs, civil society organisations and social partners. In 2019 the council concluded its work and provided suggestions and recommendations about e.g., future skills and labour demand.</p> <p>The Danish model for upskilling and reskilling through adult education is built on a close cooperation between social partners and the government. In October 2017, a tripartite agreement to strengthen the access to upskilling and to improve the quality and flexibility in adult education and training was concluded. The agreement contains 81 initiatives with a budget of 330 mil. EUR. One aim is to keep up the skills of the labour force with the rapid changes of the labour market due to transitions. The agreement expanded the adult education programmes to include courses in the use of digital technologies and created a financial fund of more than 50 mil EUR. The fund is targeted labour market transition by strengthening the possibilities for employees to participate in job-oriented training and education, either during or outside their working hours. In October 2021, it was agreed to prolong this tripartite</p> |

agreement for one year. In the tripartite agreement, preparatory adult education was extended with a digital course. The course is a labour market-oriented course for adults who need to develop their digital skills. The new course deals with practical use of digital solutions in job functions with a transfer value for education, private and community life. The demand for this new course has increased significantly each year it has been offered. The tripartite agreement will be re-negotiated later in the spring 2022 after preliminary discussions between the partners. These discussions are expected to have a focus on digitalization.

A benchmark in the upcoming tripartite negotiations is a more digital system for adult and continuing education. There is agreement that the adult and continuing education system can be geared to a greater extent to use digitalization for planning and execution to ensure more numerous and more flexible upskilling opportunities. There is agreement to discuss the framework for digital forms of learning, including the opportunity to look at identified barriers and development opportunities for digital learning, simulation, and digital equipment.

There are many good examples of successful digital learning at all levels in the adult and continuing education system. Many Danish institutions and providers of adult and continuing education use e.g., e-learning, or blended learning strategically. This means that investments have been made in the development of good digital learning environments, digital learning platforms, materials, and activities and that a good framework for both technical and IT didactic support for the teachers has been created. In addition, the teachers' skills have been updated for the new teaching role that comes with the digital learning processes.

The social partners wish to prioritize digital adult and continuing education financially. The result is that Danish companies and training participants in labour market education can receive compensation for distance training (digital/virtual) in the Danish Labour Market Training system, AMU.

In October 2021, the social partners together with business stakeholders and leading experts published recommendations for expanding Denmark's position as a digital pioneering country as part of the Danish government's Partnership for Digitalization. The partnership was established in March 2021. Among the recommendations is a proposition regarding strengthened training (continuing education) within digitalization.

Adapting the labour market to meet the digital transition is an ongoing process as part of the cooperation between the Danish social partners and the work will continue.

During the COVID-19 crisis, the Danish workforce and companies have adopted digital solutions to a large extent. Figures from Statistics Denmark show that digital learning, digital communication, and online courses boomed in 2020. The Danish population has to a large extent embraced digital learning through videos, e-books, and other learning software. During 2020, 35% of the population has used e-learning activities compared to only 22% in 2019. Mainly driven by schools and social partners in the local committees (not at national level), there has also been a development in the use of digital courses.

***Specific on the municipal sector:***

At the most recent collective agreement negotiations (2021), the parties (KL, 3F and FOA) agreed to make an outreach effort that supports the use of the parties' competence fund with a special focus on, among other things, IT skills. Employees on the 3F and FOA collective agreement are offered training in digital skills with support from the parties through the fund "Better at words, Numbers and IT". In the administrative area, support can be sought via the Municipal Competence Fund for IT certification, which provides proof of documented knowledge and skills related to a specific technology, method, or system.

On 3 October 2022, the parties to the collective agreement held a theme day (§3 discussion) on digitalization and technology. The theme day focused on the opportunities and challenges associated with digitization and new technology in municipal workplaces. The discussions also included experiences from a specific municipality regarding development perspectives in relation to the use of welfare technology, including employee involvement, competence development and working environment.

Under the auspices of "Fremfærd" (Fremfærd is a collaboration between the parties in the municipal labour market to develop the core tasks of the welfare society), the publication (May 2022) "Together on new technology" has been prepared, which focuses on how technology can contribute positively to the solution of core tasks and how it affects the task solutions in the municipalities. The publication includes a special focus on the need for skills development and employee involvement to ensure that occupational health and safety considerations are also observed. The parties have agreed that further material with specific cases will be prepared so that experience can be shared across the municipalities. Material and cases will be disseminated via a newsletter.

Similarly, the project "Welfare technology in day care and residential facilities (adult social services) - Research and Dissemination" has been launched in "Fremfærd". The purpose of the project is to create a synergy between the dissemination of welfare technology in the adult social area and further research-based knowledge on how welfare technology can be used in a more targeted manner in municipal work in the residential and day care area.

***Specific on the regional sector:***

In the regional sector the social partners of the regions have agreed on initiating a project on “The Digital Working Life” focusing on the influence of digitalization on carrying out tasks, and thus the consequences for the users and employees in the regions. The project will, through collection and dissemination of cases and good practices, inspire and support managers and employees in the regions. The subjects in focus are 1) interdisciplinary work, 2) the local collaboration process between management and staff, 3) the transformation of the tasks due to new technology 4) upskilling and development in general of competences, as well as 5) focus on the working environment

***Specific on the state sector:***

An important player in relation to the agenda of digitalization is The Agency for Digital Government. The agency develops and runs the Government Digital Academy, focusing on digital training for top managers and employees in ministries and government agencies. The academy offers a variety of courses, all of which are tailored to the needs of employees in the public sector with little or no formal education in IT or digital administration.

In similarity with the agreement by KL, 3F and FOA the parties in the state sector also established a fund called “Better at words, Numbers and IT” as part of the collective agreement in 2021. The purpose of the effort is to remove any financial barriers for workplaces that may be when employees participate in screenings or education in basic, general skills. The fund launched in September 2022. The parties are working to spread awareness of the opportunity. It is a part of the communication strategy to have a specific focus on IT skills.

The agreement is being translated to Danish.

DA – Confederation of Danish Employers

FH – Danish Trade Union Confederation

KL – Local Government Denmark

Danske Regioner - Danish Region

Medarbejder- og Kompetencestyrelsen – Danish Employee and Competence Agency  
employee and the competence board

## Estonia

### 1. The different initiatives undertaken:

- Summer 2020 Ordering translations from the European social partners.
- Joint approval of the translation on 02.09.2020.
- The social partners disseminated the translated agreement and introduced it to their members.
- EAKL introduced the agreement at the annual autumn collective bargaining conference.
- January 2021 Discussion of a possible action plan at a bilateral meeting of the social partners.
- January-March preparation of the air action plan.
- March - EAKL and the governing bodies of the Employers' Confederation approved the action plan agreement.
- On March 30, 2021, a joint action plan was signed.
- Implementation of the Action Plan and especially right to disconnect was discussed in the negotiations between Estonian Trade Union Confederation and Estonian Employers' Confederation in Autumn 2022.
- In their activities, EAKL member organizations have informed their members about the negotiable conditions of remote work (meetings, newsletters, provisions in company-level collective agreements).
- According to the member organizations of the EAKL, several employers have organized IT-related training (including cyber security) in which employees have participated.

### **Implementation of the action plan in 2022:**

#### **- Estonian Trade Union Confederation:**

With the help of the „Covid recovery” project running in partnership with ETUC, we have started to improve our own information system.

EAKL has an information system (is.eakl.ee), launched more than five years ago and is getting outdated.

Critical points of developing EAKL's information system are automation of functions, better data analysis, integration of additional services and user-friendliness as the need for a wider range of workers to be able to use the system as a part of telework. In order to make these changes happen we have planned to conduct an external IT audit to get a better grasp of shortcomings and possibilities for further development.

In phase two we are executing the necessary developments of IT. By this moment audit is done and now we are going through IT developments which we are planning to finish by the end of 2023.

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|  | <ul style="list-style-type: none"> <li>- <b>Estonian Employers' Confederation</b> has many activities deriving from the project of "Social partners together for digital transformation of the world of work. New dimensions of social dialogue deriving from the Autonomous Framework Agreement on Digitalization – <i>TransFormWork VS/2021/0014</i>":</li> <li>- regular meetings and round tables with international partners about the actions concerning Framework Agreement on Digitalization.</li> <li>- 03.December 2022 Estonian Employers` Confederation organized international round table about digitalisation. <i>Eesti Energia</i>, <i>Cybernetica</i> and <i>Enterprise Estonia</i> shared their digitalisation best practices.</li> <li>- 09.December 2021 and 12. January 2022 Estonian Employers' Confederation organized seminars for its members about digital channels and trends.</li> <li>- <b>Social partners</b> continued to promote digital training at the Unemployment Insurance Fund, mainly due to the continuing COVID crisis.</li> <li>- continued to participate in public policy development working groups and permanent tripartite institutions, such as: <ul style="list-style-type: none"> <li>• Adult Education Council</li> <li>• Supervisory Board of the Unemployment Insurance Fund</li> <li>• OSKA Coordination Council</li> </ul> </li> <li>- The implementation of the Action Plan was discussed in in the bilateral meeting but was not supplemented.</li> <li>- Social partners also negotiated on the topic of right to disconnect in the light of special agreement. The decision was made that we wait for the result of European level negotiations.</li> </ul> <p>2. Information on any difficulties encountered during the different processes (<i>i.e.</i> translation, dissemination and actual implementation), as well as explanations on how they were overcome, or why they currently still remain;</p> <p>There is still a problem in our case, that According to the Article 155 TFEU "<i>agreements concluded at Community level shall be implemented either in accordance with the procedures and practices specific to management and labour and the Member States</i>". In Estonia implementation should be mostly via legislation. Agreements between employers and TU organisations on</p> |
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|                       | <p>other matters than wage and working and rest time, cannot be extended to all employees. But agreement is valid to the members of signed parties. So, in the case, where the membership of social partners' organisations does not cover vast majority of companies, the agreements on other topics than wage and working time are mandatory only for the members of those partners.</p> <p>Still, we must confirm that the dialogue between national level social partners as become regular and effective.</p> <p>3. Action plan of the Estonian social partners for implementation Framework Agreement on the Digitalisation of the European Social Partners was attached to the first report.</p>   |
| <p><b>Finland</b></p> | <p><b>Summary:</b> We want to highlight the importance of wellbeing and the possibilities of productivity digitalisation can offer at the workplace.</p> <p>In all industries and in all professions in Finland digitalisation has significantly changed the contents of work, practices of working together and even ways of organising work. The pace of change is accelerating.</p> <p>There is a great need to discuss about the changes and development and to understand and learn from them together.</p> <p><b>Four focus areas:</b></p> <ol style="list-style-type: none"> <li>1. Digital transformation starts with people. Digitalisation is for people; we decide how to manage and use it.</li> <li>2. Skills and Competencies. Agile up-skilling and re-skilling as part of digital way of working.</li> <li>3. Building your organisational culture to be more agile. Remote and hybrid work, well-being and innovativeness as part of digital way of working.</li> <li>4. The possibilities of AI in wellbeing and productivity at the workplaces.</li> </ol> <p><b>Implementation actions during May 2021 – April 2023</b></p> <ol style="list-style-type: none"> <li>1. Implementation group published 2022 a joint paper “Dialogue on the use of digitalisation at workplaces and industries” (<a href="#">attached in EN, FIN and SV</a>), which has been used as a discussion input and to encourage dialogue on digitalisation both at workplaces and industries.</li> <li>2. Finalized a joint statement for the political decision makers and ministries (distributed in March 2022).</li> <li>3. Co-operated with the national working-life program WORK2030 (<a href="https://hyvatyo.ttl.fi/tyo2030/work2030">https://hyvatyo.ttl.fi/tyo2030/work2030</a> in explaining, disseminating and implementing of the joint paper.</li> </ol> |



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|         | <ul style="list-style-type: none"> <li>• A total of 39 industry-level development projects based on the special needs of work communities and organisations in the field. The social partners were actively planning and implementing those projects. Typically, future work, dialogue, competencies, productivity, learning and wellbeing of employees were developed together in those projects.</li> <li>• Due to the corona pandemic, several projects focused on the development of new methods of operation, remote services and hybrid work. Some of the projects focused specifically on utilizing digitization: For example In SMEs, digital agent support was tried. Hermes app was developed for rural industry, horticulture, forest sector and plant nursery employees who come from abroad to inform about working life rules.</li> <li>• Several studies on the state and development of working life and the utilization of digitalisation were published. Short summary of some of the results: Competence, co-operation and participation: factors of innovation-based productivity growth in Finnish workplaces (<a href="https://www.julkari.fi/handle/10024/146439">https://www.julkari.fi/handle/10024/146439</a>)</li> <li>• The labour market organizations jointly propose the continuation of the WORK2030 program.</li> </ul> <p>It is important to note that it is necessary to continue the implementation work in the coming years. In Finland we intend to continue the work of the implementation group and the digitalisation cooperation of the labour market partners.</p> <ul style="list-style-type: none"> <li>• The Central Organisation of Finnish Trade Unions SAK</li> <li>• The Church Employers KiT</li> <li>• The Confederation of Finnish Industries EK</li> <li>• The Confederation of Unions for Professional and Managerial Staff in Finland Akava</li> <li>• The Federation of Finnish Enterprises SY</li> <li>• The Finnish Confederation of Professionals STTK</li> <li>• The Local Government and County Employers KT</li> <li>• The Ministry of Finance/Office for the Government as Employer VTML</li> </ul> |
| France  |   |
| Germany | With reference to your request of 5 April 2023, BDA, ZDH, bvöD and DGB would like to jointly submit the German contribution to the third joint table on the implementation of the European Social Partners Framework Agreement on Digitalisation.   |

The following actions have been taken by the German social partners:

**1. Joint translation of the Framework Agreement**

BDA, DGB, ZDH and bvöD are committed to the implementation of the European Social Partners Framework Agreement on Digitalisation. To inform and to raise awareness among our members we jointly commissioned a translation of the Framework Agreement. The translation has been widely distributed among our members.

**2. Collective agreements addressing the issues covered by the Framework Agreement**

The issue of digitalisation and its transformative consequences in the work environment have been addressed by German social partners already years before the conclusion of Framework Agreement. In the following, a selection of collective agreements will be given that deal with the issues of mobile work and the right to disconnect, skills development and the challenge of securing employment in the transformation processes caused by digitalisation.

*a. Mobile work and the right to disconnect/availability obligations*

In Germany it is important to distinguish between the different types of remote work – meaning work carried out away from the workplace at the employer’s premises through the means of digital and/or ICT tools in general. In the case of mobile working, the work can be performed from changing locations. Mobile working can take place partly or completely from home, but also from a café or during a train ride. This must not be confused with contractually agreed “home office” work, where it is exactly regulated that and to what extent the employee performs the work at home (and nowhere else), using devices of his own or provided by the employer. Telework, on the other hand, exists when the workplace is fixed and set up in the employee's own household, with the design and set-up of the workplace directly attributable to the employer. This case is rather rare in practice.

Having this in mind, collective agreements dealing with the issue of mobile work are of relevance in this context.

The *Deutsche Telekom AG* and the *Deutsche Bahn AG*, both among the largest employers in Germany, have concluded collective agreements on mobile work in 2016 and 2018/2020 respectively. Among other things, the agreement of *Deutsche Telekom AG* regulates how, in the case of mobile work, working time shall be distributed between the work carried out at the employer’s premises

and the “home office” of the employee. The agreement of *Deutsche Bahn AG* addresses *inter alia* the issue that the introduction of mobile work also requires a new approach to the system used to record working time. Additionally, the agreement also clarifies that in cases of mobile work the conditions set by law and/or collective bargaining regarding working time continue to apply, especially mentioning the question of availability.

In the state of North Rhine-Westphalia, the social partners in the metal and electrical industry concluded an agreement on mobile work in 2018 that laid out the rights and responsibilities of the employer and the employees with regard to working overtime or working during periods where remuneration would be subject to special surcharges (weekends, holidays). Provisions on the availability obligations are included.

In addition to these examples of collective agreements it should be mentioned that social partners in many other branches concluded collective agreements and a large number of company-based collective agreements were put in place. These agreements deal with several issues of mobile work or telework. The municipal employers (public administrations, saving banks, companies etc. at municipal level) prefer to find targeted regulations in the area of digitalisation via company-based collective agreements.

*b. Skills development*

The social partners in the metal and electrical industry in North Rhine-Westphalia concluded in 2015 a collective agreement with the title “education”. The agreement set detailed rules on how employees are entitled to qualification measures that are either necessary/appropriate regarding the operational circumstances of their job or that fall under the category of personal vocational training.

Additionally, the aforementioned collective agreement of the metal and electrical industry in North Rhine-Westphalia from 2018 contains provisions to give access to employees to skills trainings for technical applications to conduct mobile work.

At federal level, the services trade union *ver.di* and the federal government in 2021 concluded a collective agreement on digitalisation that covers *inter alia* appropriate skills training for employees of the federal public administration in the process of the digitalisation of administrative services.

Aside from collective agreements, the social partners in the chemical sector have undertaken a joint analysis of future skills needs. The joint “Future Skills Report Chemistry” is based on Big Data analysis and pro-vides the most important stakeholders in the chemical-pharmaceutical industry with a preview of possible changes in the skills landscape ([www.future-skills-chemie.de/en/](http://www.future-skills-chemie.de/en/)).

*c. Securing employment in times of transformative processes caused by digitalisation*

In 2021, the social partners in the metal and electrical industry reached a collective agreement in the pilot district of North Rhine-Westphalia which includes provisions *inter alia* on digital transformation. The agreement foresees a framework in which the parties can discuss areas of ac-tion arising in connection with the transformation processes and, if necessary, derive from them issues that may require regulation in company-based collective agreements (future collective agreements). The framework relies on joint analysis, evaluation and implementation by the em-ployer and the works council. Measures may include reducing or redistributing working time or remuneration. The entire process is open-ended, i. e. there is no obligation to conclude a future collective agree-ment.

The aforementioned agreement between the services trade union *ver.di* and the federal government from 2021 deserves to be mentioned in this sector as well, because while addressing the issue of qualification with regard to digital skills, a specific reference is made to the circumstance that such qualification might have been become necessary due to the transformative effects of digitalisation. Additionally, the agreement pro-vides detailed steps which shall be followed in order to secure adequate employment when transformative forces caused by digitalisation pose a threat to any given job that is subject to the agreement or expose an employee to the risk of reduced remuneration.

Against this backdrop, the digitalisation agreement of the EU social partners was and continues to be an important source of guidance and orientation for all German social partners when drawing up collective activities and agree-ments in this field.

**3. Adaptation to the digitalisation of education and work environments in-duced by the COVID-19 pandemic**

In addition to what has been accomplished already before the conclusion of Framework Agreement, the COVID-19 pandemic has forced many education and work environments into remote work. This has induced a further push in digitalisation of a variety of education and work elements, for instance com-munication tools and formats or modalities of joint working when editing documents.

Students, participants in vocational training, employees and employers alike had no other choice but to quickly adapt to these new digital ways of working and have thereby significantly improved their digital skills and capacities. Over the course of the pandemic, learning patterns of best practices have evolved, for instance in organising video conferences.

With regard to learning environments, a large number of service agreements on the use of digital education platforms have been concluded in the *Länder*.

Many sectors and companies have also swiftly adapted their organisational frameworks in order to enable remote work via digital tools. An already exist-ing collective agreement in the chemical industry which initially provided for “double-sided voluntariness” – meaning both the employer and the employee cannot be forced to (introduce) mobile work – has been adapted in reaction to the pandemic: in order to reduce the risk of infections at the workplace, the social partners agreed to replace the “double-sided voluntariness” with “uni-lateral voluntariness” which made it possible – for a limited period of time until the end of 2021 – for the employer to order mobile working if there is a vol-untary company agreement.

Another example is the company agreement on mobile work between the *Goethe-Institut* and the central works council.

#### **4. Joint appeal for greater use of “home office” during the COVID-19 pan-demic**

Reacting to the high infection rates during the second wave of the COVID-19 pandemic, the President of the Federal Republic of Germany together with the Confederation of German Employers’ Associations BDA and the German Trade Union Confederation DGB called for a greater use of “home office”. In this context, the appeal referred to the broader definition of the term “home office”: employers were asked to allow – where possible – work from home (in order for employees to be able to isolate and, if necessary, have an eye on children which could not attend nursing schools and kindergartens), whereas employees were similarly encouraged to use this opportunity as far as the tasks that have to be fulfilled leave room for it.

The joint appeal contributed further to a common understanding among the social partners about the role that “home office” (i. e. mobile work) should play in the digitalisation of forms of work and work environments. It also sent a signal regarding the position of the social partners on how to deal with digi-talisation processes that are undoubtedly accelerated by the COVID-19 pandemic.

#### **5. Preparatory work for a kick-off workshop to establish a comprehensive implementation of the framework agreement**

To comprehensively implement the framework agreement, BDA, ZDH, bvöd and DGB intended to conduct a joint kick-off workshop to identify further steps to be taken, in particular mapping accomplishments already made in the field of digitalisation and gaps where action is still needed. With the launch of the policy workshop "Mobile Work" (see 6.) by the Federal Ministry of Labour and Social Affairs, these efforts have been incorporated into the participation in the policy workshop.

#### **6. Active participation in the policy workshop "Mobile Work" of the Federal Ministry of Labour and Social Affairs**

In the policy workshop that has been launched in the second half of 2022, 120 experts from science, industry, practice and the social partners are work-ing on giving clear orientation to companies in the design of safe and healthy mobile work. Solutions are developed on questions of leadership and cooperation to office concepts and ergonomics.

The involved sectors include:

- Workplace designers
- Scientists
- Social partners
- HR and managers
- Employees in mobile work
- Tax and law
- Office fitters
- Real estate

Over the course of a year, the experts will work on topics related to mobile work and answer specific questions on each topic and then discuss them in a virtual workshop. Four specific topics are covered: space and area; organisation; employers' perspective; and leadership and corporate culture. Each topic is discussed over approximately three months. Starting from a paper drafted by the Federal Ministry of Labour and Social Affairs which contains several questions and/or hypotheses, the workshop participants can answer and/or confirm or reject these and have the possibility to further elaborate. Subsequently, the Ministry merges the given answers into a report that summarises the discussions and gives clear recommendation for a future regulatory framework.

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| <p>Greece</p>  | <p><b>Emp only.</b></p> <p>The autonomous European Framework Agreement on Digitalisation has been translated and was put forward for public debate by SEV in February 2021.</p> <p>The translated text has been placed among other bargaining issues of the National General Collective Labor Agreement of the year 2021. All social partners agreed to adopt the Agreement in article 4 - Autonomous European Framework Agreement on Digitalisation, is annexed to the NGCLA and is an integral part thereof. Furthermore, all social partners agreed in article 5 -Digital Skills of the NGCLA, to draw up an action plan for the implementation of the Agreement with priority on establishment of a joint working group on Digital Skills and Employment, with the aim to prepare human resources and enterprises to seize the opportunities and meet the challenges of digital transformation in the world of work.</p> <p>In this context – especially article 5 – Digital Skills, SEV took the initiative to invite all signatory parties in a meeting to proceed with the implementation. Unfortunately, for various reasons, this first meeting could not be held in 2021.</p> <p>SEV has also invited all other social partners in Greece to prepare jointly the second report on the implementation of the autonomous European Framework Agreement on Digitalisation but, with the exception of one, all others didn't respond on time.</p> <p>In the next bargaining round in the coming weeks, we will try to revive the commitment of the other national social partners to undertake joint activities and draft a road mapping of joint actions.</p> |
| <p>Hungary</p> | <p><b>Emp only.</b></p> <ol style="list-style-type: none"> <li>1. There is a strong commitment among social partners to the importance of <b>digital skills and securing employment</b>. Furthermore, employers' participation in vocational education and retraining is also increasingly present. This is especially true for large businesses, but not for small businesses. In the case of the large number of micro-enterprises, for them it is especially difficult to employ trainees. The development of training equipments is only available in vocational training centers.</li> </ol>   |

Due to their good-heartedness, it is theoretically possible to export modern equipments to the entrepreneurs, but seeing the decreasing numbers of the budget, there is little chance of that. The reasons for this tendency include the state's involvement and support related to active participation in vocational training, the conditions defined in the Act LXXX of 2019 on Vocational Education and the Government Decree 12/2020 (II.7.) on the implementation of it. Regardless of digitisation, the labour market situation forecasts a continuous shortage of professionals, which employers can effectively help to solve through training programmes that fulfil their own needs in professionals.

A company has the opportunity to apply for support for the training of its own employees if it employs at least 19 people. Micro-enterprises operating with less employees do not have the chance to apply for state support for the training of their own employees. This problem has been continuously reported by the small business association, but so far this proposal has not been accepted.

Both access to and organisation of the training are in line with the various national industrial relationships through both vocational education and training (VET) centres and those training opportunities provided by the Act on Vocational Education; labour market needs are becoming dynamically integrated into the planning and implementation processes of the training. However, there is still a continuous need to activate this, as, despite the coordinated training plans, the labour shortage in the vocational training field has not yet disappeared.

The Act on Vocational Education clearly defines the training provisions, including conditions for participation, training periods, financial aspects and employee obligations.

In accordance with the provisions of the Act on Vocational Education, especially in the case of dual training, students do not bear the burden of paying the training costs. In accordance with the provisions of Act I of 2012 on the Labour Code, the employees' information booklets contain the plan for their training and the time spent on that. It helps to achieve the rule according to which employers are obliged to bear the costs of the training prescribed by the employers themselves, as it is fixed within the scope of the rights and obligations of the employees. For the planned stipulation of the Digital Framework Directives according to which the training should take place at an appropriate time agreed with the employees and, if possible, during working hours, or adequate compensation should be provided if the training takes place outside the working hours, sufficient guarantees are not provided under the Hungarian legislation.



2. Awareness-raising measures were first taken on **modalities of connecting and disconnecting**. Under the Labour Code, applying the rules of working time, teleworking, and mobile work is basically adequate; furthermore, the rules of fixed labour protection and labour inspection can also be interpreted as measures to ensure compliance.

Informing employers and employees and providing them with guidelines on how to respect the rules of working time, teleworking and mobile working (including how to use digital tools such as emails, the risk of excessive constraints, especially in terms of health and safety) largely depends on the employers' preparedness and CSR. These actions are voluntary for companies with a developed organisational culture, and the involvement of the social partners is low; moreover, state involvement is not decisive in this context. Similarly to the lack of explicit provisions on policies and agreed rules on the use of digital tools for private purposes during working hours, the way it is done also depends on the organisational culture.

To set up labour legislation in which solutions are put in place to protect employees from being disadvantaged by not being available outside their working hours should be promoted. It is up to the social partners to develop the management's commitments to create a culture that avoids contacts outside working hours and where an exchange is allowed on the regular views of workload and work processes between managers, workers and/or their representatives.

It would be important to create harmony. Again, the statement is true only in the case of a large enterprise, but in the case of a micro, small and family enterprise, such a regulation is unenforceable. It is also impractical, but it has already developed a good practice that differs from place to place. It should be left to the two parties. If a company lets its employees go back and forth during the day, so that they can attend to their official affairs and use the Internet, then it is also expected that they do their work flexibly. Tolerance is required. And the smaller a business is, the more they can find solutions close to life.

3. Within the framework of **artificial intelligence (AI) and guaranteeing the human control principle**, it can be stated that several information and educational programs on the role of artificial intelligence and its use in the labour market or even in HR have been implemented this year.

It is crucial to set up a principle according to which the deployment of AI systems should follow human control principle: for this, guarantees must be surrounded by legal requirements, but besides this, improving awareness is also justified and necessary through further information and guidelines. All circumstances leading to an increase in the application level of AI should be assessed to determine whether it is sufficiently safe or not, so a risk assessment should be carried out.

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|         | <p>In Hungary, the level of supervision and transparency in this area is not yet sufficiently high; an increase in the level of regulation is justified, for which a much more mature practice is necessary for the use of artificial intelligence. In this area, ILO regulatory practice can guide the improvement of Hungarian legislation.</p> <p>4. Regarding the <b>respect of human dignity and surveillance</b>, the Constitutional Court in Hungary has already established an authoritative practice for setting the framework for human dignity. The Labour Code specifies the conditions for processing personal data in accordance with this. Regarding artificial intelligence, work-life balance, privacy protection and supervision can be interpreted as new elements for which exact rules must be laid down.</p> <p>Providing workers' representatives with facilities and (digital) tools such as digital billboards has not yet been implemented at the level of legal regulations. Still, it should be pointed out again that alternatives are present in the labour market depending on the organisational culture.</p> <p>By strengthening the roles of social partners, with adequate control and training, it may become possible to define the framework for using artificial intelligence for smaller, less developed employers. Setting up regulation directly can be more effective by implementing practical solutions.</p> |
| Iceland |   |
| Ireland | <p>Ibec and ICTU and its affiliated trade unions continued to work together and bilaterally on implementation of the Framework Agreement over the past year.</p> <p>Ibec, ICTU and its affiliated Services Industrial Professional and Technical Union (SIPTU) are working on a number of projects, in some cases on a partnership basis, that address issues raised in the Framework Agreement. Ibec and SIPTU for example continue to be involved in the EU-funded TransFormWork project. This aims to support the implementation of the Framework Agreement and involves social partner organisations in Ireland and six other member states - Bulgaria, Cyprus, Estonia, Malta, Romania and Sweden. SIPTU is a co-participant in this project and Ibec is participating as an associate organisation. The objective was to explore the impact of digitalisation on social dialogue at national level and to explore several good practice examples in the partner countries related to existing initiatives, practices and collective agreements in the context of the digital transformation of the world of work.</p>   |

The project sought to raise awareness of how with the implementation of right strategies the digital transformation could bring clear benefits and added value for employers and workers by providing new labour market opportunities, new ways of organising work and improvement in working conditions. It aimed to support the implementation of the European Social Partners' Framework Agreement as a prerequisite to the anticipated change that comes with digital transformation; the delivery of skills needed for workers and enterprises to succeed; to support the creation of new approaches at national level to adapt labour markets; provide essential education and training; to enhance the role of the social partners by ensuring that the framework conditions allow and support employers and workers to benefit from the opportunities; and to assist them in finding appropriate solutions to deal with the challenges.

The project included various research activities, study visits, round tables and information days, including a number of Roundtable Conferences which took place in the participating member state countries, Malta in June 2022, Ireland in October 2022, Cyprus in January 2023 and the final conference was carried out on 20 February 2023 in Sofia, Bulgaria.

The Irish event in October 2022 was hosted by SIPTU and supported by Ibec, with presentations by Ibec [directly](#) and by its member company, Idir Analytics, ICTU, SIPTU, the ETUC, Business Europe, Eurofound, Skillnet Ireland, the University of Limerick, Ireland, and Ireland's Department of Enterprise, Trade and Employment, amongst others. The final event was hosted and organized by CITUB in collaboration with the Bulgarian Industrial Association (BIA); Cyprus Workers' Confederation (SEK); Cyprus Employers and Industrialists Federation (OEB); Estonian Employers' Confederation (ETKL); Malta Chamber of Commerce, Enterprise and Industry; Malta Business Bureau (MBB); General Workers' Union (GWU), Malta; SIPTU, Ireland; and Concordia Employers' Confederation, Romania. The project achieved its main objective to contribute to the proper implementation of the Framework Agreement and to disseminate and promote awareness of the results of the autonomous dialogue of the European social partners. This was supported by the national reports prepared for the project by the partner organisations and summarised in a [comparative report](#). The project also produced Catalogue of Good Practices, a copy of which can be found [here](#).

The agreement encourages social partners at the appropriate levels and enterprises to introduce digital transformation strategies in a partnership approach and considers that an agreed and jointly managed dynamic circular process is a suitable way for implementation of the agreement, whilst respecting the roles/responsibilities of different actors including workers' representatives. While work is being done around digital skills and the right to disconnect, there is a view amongst trade union participants in the project that there is potential to utilise more widely the partnership approach envisaged in the agreement, particularly in the five stage process. The agreement also provides that workers' representatives will be provided with such facilities and information as

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|       | <p>necessary to effectively engage in the different stages of the process. The trade union participants in the project believe that progress on this needs to be monitored.</p> <p>In November 2022, the Government agreed that the right to request remote working should be integrated with the provisions giving a right to flexible working limited to parents and carers in the Work Life Balance and Miscellaneous Provisions (WLB) Bill. The WLB Bill transposes EU Directive 2019/1158 on work-life balance for parents and carers, which had a transposition deadline of August 2022. Under this approach, all employees will have a right to request remote working. The right to request the other elements of a flexible working arrangement, such as adjusted working pattern or reduced hours, will remain limited to parents and carers as defined in the WLB Bill, though this will be reviewed no later than two years following enactment. The Work Life Balance and Miscellaneous Provisions Bill 2022 passed all stages in the Irish Parliament in March 2023 and was signed into law in April 2023. IBEC and ICTU are taking part in a working group to develop a Workplace Relations Commission (WRC) code of practice on the implementation of the new provisions.</p> <p>ICTU’s pre-budget submission for Budget 2023 (August 2022) recommended increased investment in the digital transition while ICTU’s submission on Ireland’s National Reform Programme (NRP) 2023 (February 2023) identified advancing the digital transition as one of the major challenges to be addressed in Ireland’s NRP 2023.</p> <p>Ibec developed a <a href="#">Hybrid Working Toolkit</a>. This guidance document outlines best practice for organisations on the management of hybrid working including how best to ensure digitalisation is best managed to allow employers and employees alike reap the benefits that flexible and hybrid work practices can offer.</p> <p>Ireland’s National Reform Programme 2023 (April 2023) states that following on from the Government’s AI strategy, launched in July 2021, and the Digital Strategy, launched in February 2022, the Government established an Enterprise Digital Advisory Forum in May 2022 to bring together representatives of indigenous enterprise, multi-national enterprises, and experts in digital technologies and their adoption by enterprise, and that discussions to date have focused on digital skills, GovTech, and AI.</p> |
| Italy | <b>Emp only.</b>  |

## **SGI EU - Italy section**

### **National strategies in digitalisation**

In Italy, the digitalisation process was managed, at national level, by AGID, the Italian Agency that was set up in 2012 to implement the principles of the European Digital Agenda in Italy. In the last years, a process of profound innovation was started in the country, especially in the following areas:

- Infrastructure development - deployment and use of broadband, both fixed and mobile, among citizens, businesses and PAs;
- Public Administrations - updating of the traditional systems for delivery of services to citizens through digital eGovernment platforms;
- Citizens – increase in the use of digital/internet tools and digital skills;
- Enterprises - dissemination and use of digital technologies in production and sales of products and services.

### **Labour market changes**

In the labour market too, the spread of IT platforms and digital communication has led to a big change both in work processes and the ways of performing job activities. Digital tools management also requires highly specialised skills in each sector, involving some initiatives for upskilling or reskilling the workers. New organisational strategies aimed at increasing the productivity and competitiveness of companies, institutions and public administrations.

The use of new technologies has also favoured a greater flexibility in how subordinate work is carried out and, especially, in the development of new methods of working remotely out of workplace premises. These innovations have required the adoption of more advanced organisational models, the affirmation of new rights and responsibilities for workers and employers and more possibilities to achieve a better work-life balance.

### **Summary of the last regulations on telework.**

- **2015:** Law 124/2015 for the public sector allowed for the promotion of telework to a greater degree, in the broader context of the modernisation of the public administrations.
- **2017:** The Government drew up some specific guidelines to promote telework in the public administration, to involve at least 10% of the workers in this.

- **2017:** A very important law (n. 81/2017) intervened on the telework regulation, changing the context completely on how telework was to be carried out. This law covers both private and public sectors.
- **2021:** Law n. 61 of 2021, for the first time, expressly provides for the right to disconnect for teleworkers, to guarantee rest time and a work-life balance
- **2018:** The national collective agreement for the school sector with the regulation on the right to disconnect.
- **2022:** The first collective agreement for the public sector on the new regulation of telework and of the right to disconnect.

#### **COVID experience**

During the COVID 19 experience, the general adoption of remote working to tackle the pandemic situation, has had some very important effects on the labour market, leading to a big change and favouring a strong acceleration in the digital transformation, from which it will be very difficult to return to the past.

#### **Framework agreement on Digitalisation.**

In 2020, the European Social Partners drew up the Autonomous Agreement on Digitalisation. This was very important, as it was the first agreed on document that analysed all aspects of the digitalisation in the labour market and the future challenges of how the work was to be performed.

In Italy, the Social Partner representatives and the most important institutions considered this agreement to be very positive and effective. However, and unfortunately, due to the very severe COVID restrictions in Italy, the opportunities to carry out official initiatives at institutional level for its implementation were very limited.

On the Trade Union side, the big confederations (CGIL, CISL and UIL) planned some initiatives to disseminate the content of the agreement and to facilitate its implementation at national or local level.

This agreement also played an important role in increasing the awareness of the stakeholders on the digitalisation issues and the need to manage the digital transition in the labour market.

The Social Partners tackled these issues in many National Collective Agreements (Telecommunications (2020), Chemist-Pharmaceutical (2020), Metalworker sector (2021)).

Moreover, in many sectors, single company or public entities or institutions, (i.e. Poste Italiane), adopted their own initiatives to be implemented with the Trade Unions on some aspects of the agreement provisions to find appropriate solutions for their needs.

**Social Partners' role**

The opportunities and the benefits of the digitalisation process were recognised by both the employers and trade unions, that understood in advance the great transformation occurring in the labour market and pushed to update the regulation of the working conditions of those workers involved in telework. Here, it's very important to underline that in Italy, in the labour market field, there is a very developed industrial relations system in the public and private sectors, with a very high coverage of the collective bargaining (85%). Social Dialogue is very strong in the governance of the employment relations and in the regulation of working conditions, and it is structured on two levels of collective agreements, national and local (each single company, entity and public administration). This system also includes other means of information or consultation between employers and trade unions at workplace level. There is also a long tradition of cooperation of the Social Partners with the public institutions in managing, also at political level, all the main aspects of labour market and socio-economic policy.

**Post-COVID period - National Collective Agreements on remote work**

Since 2021, the Social Partners and the government have started a process to manage the digitalisation transition from the point of view of working conditions. In the COVID period, a special kind of remote work, called "smart working", spread throughout in Italy. This form of work, set up under Law 81/2017, is based on a great flexibility in carrying out work activities and duties off employer premises at "anytime" and "anywhere". This involves a new management philosophy, based on the new concepts of working time and workplaces, that implies, for the worker, more autonomy but also, at the same time, more responsibility, related to the "objectives" set by the employers.

For the private sector, in December 2021, the Social Partners and the Ministry of Labour and Social Affairs signed a National Protocol, dealing with the national guidelines for the collective agreement at company level to carry out "smart working". This is aimed at guaranteeing a common and uniform regulation of this peculiar form of work in all enterprises.

For the public sector, the innovation led the Social Partners signing, in 2022, all the National Collective Agreements for the different sectors (Central government, Education, Health, Regional and Local Entities), applicable to public workers (2,700,000 units). They were signed by ARAN (The Government Negotiation Agency representing all Public Administrations) and most trade union

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|                      | <p>representatives (CGIL, CISL, UIL, CGS, CONFSAL, CISAL, CSE, USB). All these agreements have a specific section on the regulation of remote working, (not only on “smart working” - more flexible -, but also on “telework”-, - involving a fixed work station). These agreements establish a clear legal framework on the norms and rules regarding the working conditions and relations, being more fitting to meet the modern needs of the different forms of remote working.</p>  |
| <p><b>Latvia</b></p> | <p>During the period of October 2022 and August 2023 the national level social partners in Latvia - the Free Trade Union Confederation of Latvia (LBAS) and the Latvian Employers' Confederation (LDDK) have implemented the following activities aimed to reach the objectives of the Autonomous Framework Agreement on Digitalisation (Agreement):</p> <p><b>LBAS activities:</b></p> <ol style="list-style-type: none"> <li>(1) On November 3, 2022, LBAS organized the annual Labor Law Forum in cooperation with the Friedrich Ebert Foundation Latvia. The Forum gathered trade unions, employers, public sector experts, academics, judges and was focused on recording of working time, especially in case of telework, ensuring equal pay in practice, enforcement of trade union rights, the protection of trade union representatives at the work place.</li> <li>(2) On November 15, 2022, LBAS sent its recommendations to the Government, which included proposals regarding employer support for organizing remote work. The proposal envisages, taking into account the rapid increase in inflation in 2022, to exempt from income tax the employer's benefits paid to employee to cover expenses related to teleworking, increasing the expenses limit from 30 euros to 50 euros. The proposal has not been accepted so far.</li> <li>(3) On November 24, 2022, LBAS organized a webinar on the rights and obligations of trade unions. The webinar covered issues such as the role of trade union at workplace, organizational and representation rights of trade unions, what rights the trade union has in its daily work and how they can be enforced. Special attention will be devoted to information and consultation rights of trade unions, including their exercise through digital tools.</li> <li>(4) In autumn 2022 and spring 2023 LBAS organised annual traditional labour law and OSH training and competition for students of vocational school “PROFS”. The training and competition gathered 1000 young people to educate them on various aspects of labour rights. Teams of students from professional educational institutions competed with each other on issues of labour rights, trade unions and labour protection, including the legal framework of telework.</li> <li>(5) On January 20, 2023, LBAS organized Gender Equality Forum. The forum included various aspects of work life balance with the participation of representatives from the European Foundation for the Improvement of Living and Working Conditions and the</li> </ol> |



European Institute for Gender Equality, Central Statistical Office. In the final section of the forum, best case practice of employers was presented.

- (6) On April 26 2023 LBAS organised annual OSH conference "Labor protection = a fundamental right of every human being". The conference was attended by representatives of LBAS, the Ministry of Welfare and the State Labor Inspectorate, as well as representatives of the Institute of Occupational Safety and Environmental Health, Riga Stradins University, the LDDK, and company representatives. It focused on psycho-emotional risks, including techno-stress risks, and their prevalence in Latvia, burnout syndrome as an occupational disease, correct choice of work methods, as well as labour protection case law.
- (7) On June 9, 2023, at the national discussions' festival "LAMPA" LBAS organized a discussion- competition fair and decent working environment "Is your workplace a hell on earth or a garden of paradise?" The aim of the competition was to draw attention to the issues of the safe and pleasant working environment and social dialogue. In the competition the teams of employers and politicians competed on the stage and the correct answers commented on by the LBAS experts' team.
- (8) From August 25 to 27 2023, LBAS organised the Baltic Youth Trade Union for young trade unionists under the age of 35 from Latvia, Lithuania and Estonia. The forum was dedicated to the topic "Quality of professional life of young people". It included lectures, activities and discussions on topics of telework, right to disconnect, work-life balance, mental health and self-confidence strengthening skills, as well as trade union communication with young people and trade union capacity building.

**LDDK activities:**

- (9) On 16 June 2023 LDDK organized online Sectoral Expert Council (SEC) conference "[Skills – a success factor for economic transformation](#)". The focus of conference was dedicated to skills and their role in economic transformation, which is a topical topic both at the international level in the context of the European Year of Skills, and in Latvia in the context of the availability of human capital. SEC members, representatives of industries, professional and higher education institutions, state institutions and other interested parties were invited to the conference.
- (10) In 2022 – 2023 LDDK organized a series of webinars for entrepreneurs "Changing work environment" for various industry sector representatives at different Latvian regions within the framework of the European Social Fund project "Improvement of practical implementation and supervision of labour safety regulations". During the webinars employers are consulted on various aspect of inclusive labour market and social security, such as flexible employment relationships, legal regulation of new forms of work in companies, safe and inclusive work environment. Around 890 employer representatives participated in the webinars.

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|           | <p>(11) In 2022 – 2023 LDDK continued to co-ordinate the work of the Sectoral Expert Council (SEC) in the field of electronics and ICT which involve 19 voting and 10 non-voting voluntary experts representing employer organisations, state institutions and trade unions. The Sectoral expert councils are mandated by the Vocational Education Law to decide on vocational education issues that affect the development of human resources in the sector, including the sectoral qualifications framework, occupational standards and the provision of vocational education that meets the labour market needs. SEC in the field of electronics and ICT continued to strengthen cooperation with vocational education institutions by participating in planning of the vocational education programs. SEC in the filed provided proposals on the number of educates in vocational education institutions for years 2024/2025, made proposals on professions for sectoral qualifications framework, delegated experts for the development of occupational standards and also assessed and provided an opinion on 8 occupational standards – 4 EQF level 4, 1 EQF level 6, 3 EQF level 7, as well provided 3 reasoned opinions on sector enterprise involvement in provision of work--based learning.</p> <p><b>LBAS and LDDK joint activities:</b></p> <p>(12) In 2022 – 2023 LDDK and LBAS representatives participated in the European Social Partners’ negotiations on telework and the right to disconnect. Both LDDK and LBAS in order to raise awareness, participated in numerous national level public debates on work-life balance, including, topics of teleworking and flexible work organisation in digital era, to raise public awareness on the new forms of work and role of social dialogue in tackling both challenges and opportunities in the world of work during the processes of digital transformation.</p> <p>(13) As part of the series of webinars for entrepreneurs “Changing work environment” within the framework of the European Social Fund project “Improvement of practical implementation and supervision of labour safety regulations” on 28 December 2023 LDDK and LBAS experts devoted the webinar specifically to the ICT sector. LDDK and LBAS experts focused on topics relevant in the ICT sector, e.g. novelties in in labor law and flexible work, the role of internal regulations for the creation of an inclusive work environment, a safe work environment, social dialogue in the field of labor protection, support for a safe and inclusive work environment.</p> |
| Lithuania |   |
| Luxemburg | <p>On April 8<sup>th</sup>, 2021, the trade unions OGBL and LCGB sent a letter to the <i>Union des entreprises luxembourgeoises</i> (UEL) in order to begin discussions about the implementation of the European agreement on Digitalisation of June 26<sup>th</sup>, 2020 in Luxembourg, with the objective of concluding an inter-professional agreement. As discussions have not yet taken place, the present report does not contain</p>  |

specifications about the implementation of this European agreement in Luxembourg nor information on any difficulties encountered during negotiations between the social partners.

However, it is important to note that the Luxembourgish social partners OGBL and LCGB, on the one hand, and the UEL, on the other hand, signed an inter-professional agreement on telework on October 20<sup>th</sup>, 2020, which is applicable since February 2<sup>nd</sup>, 2021. This agreement has been declared a general obligation by the means of a Grand-Ducal regulation, meaning that it is binding for all employers in Luxembourg. This step was undertaken by the Minister of Labour, Employment and Social and Solidarity Economy, upon request by the social partners. Due to the COVID crisis, telework has become the rule for many workers over the last years and has significantly contributed to stabilizing the Luxembourgish economy during these difficult times.

In this context, there was an urgent need to modernise the legal framework currently in place, which was signed in 2006. Though it has been renewed several times, it has remained unchanged - despite the rapid advance of digitalisation within companies.

While innovating several aspects of the old agreement, the new agreement maintains the voluntary nature of telework for the employee and the employer, a fundamental point for both trade unions and employers.

The definition of telework is shortened and the scope of application is clarified through clearly defined exclusions. The new agreement regulates both regular telework and occasional telework and clarifies these notions by setting a threshold to counter the previous legal uncertainty at this level.

The agreement also modernises the ways in which telework can be introduced in companies and clarifies the role of employee representatives in this context, which have been attributed a right of co-decision for companies with over 150 employees. It also sets out the rights and obligations of the parties in relation to data protection, work equipment, health and safety, work organisation and training. The principle of non-discrimination between teleworkers and other workers has been highlighted by the introduction of a specific provision on equal treatment.

This new agreement is designed to regulate telework on a long-term basis. Telework has become more popular and is now more widely used by employees than before the Covid-19 crisis.

The Luxembourgish social partners have also negotiated with the Economic and Social Council a provision on the right to disconnect, which is foreseen to be integrated into the Luxembourgish Labour code. The respective bill of law has been tabled in the Chamber of

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|                     | <p>deputies on 28<sup>th</sup> of September 2021 and it repeats what was negotiated between the social partners. The issue of professional disconnection is closely linked to the social phenomenon of digitalisation and the generalisation of IT tools and solutions allowing constant contact. Due to the rapid development of smartphones, tablets, high-speed Internet access and Internet coverage in public spaces, the population is now interconnected from an early age. This has become an essential feature of our society to such an extent that non-participation in this interconnected world, whether for financial reasons, through ignorance or choice, has become a new form of social exclusion. For the digital individual, the risk of information overload and the inability to disconnect from the digital world are the dangers of this almost constant connection.</p> <p>This societal phenomenon has raised the question whether there is or should be a right for everyone to cut this constant link to their work. Several countries have chosen to clarify the right to disconnect through legislative initiatives, while others have found it unnecessary.</p>   |
| <p><b>Malta</b></p> | <p>During the past year, The Malta Chamber (TMC), member of BusinessEurope and the General Workers Union (GWU), member of ETUC, have conducted several initiatives implementing the EU social partners Autonomous Framework Agreement (AFA) on digitalisation. The activities have been conducted within the context of the TransFormWork project funded by the European Social Dialogue Programme.</p> <p>As reported in last year's report, TMC and GWU reached out to their members with a survey to understand the application of topics from the AFA on digitalization in collective bargaining agreements or management practices. As the initiative was still under review, the main outcomes are being reported in this year's joint-report. The survey aimed to gather data on the awareness and priority attributed to the topics covered by the AFA on digitalisation, in collective bargaining and company policies.</p> <p>On <i>Digital Skills</i>, a common priority identified was on the need for adequate training and for seamless communication required between employers and employees in making sure that there is a common understanding on the skills required by the company and employees' expectations on how they will benefit from the training provided both in pecuniary and non-pecuniary ways. Policies need to be adaptive in terms of supporting productivity and economic performance as well as employees' expectations.</p> |

On *Modalities of Connecting and Disconnecting*, a conclusion derived was on the importance of good management practices with increased awareness on the delineation between work and private life to ensure the wellbeing of employees. Addressing the excessive use of digital tools by individuals outside working hours and its impact on mental wellness as well as on productivity should also be prioritised.

On *Artificial Intelligence and the Human in Control Principle*, more awareness and transparency on the use or application of AI systems at the workplace is needed. AI contributes to higher economic performance of enterprises and over time this will be increasingly incorporated to improve operational efficiency. Nonetheless, the human in control principle needs to be taken more into consideration to ensure the physical as well as the digital wellbeing of workers.

On *Respect of Human Dignity and Monitoring*, data privacy and protection need to be prioritised. Proposed company policies should be drafted in consultation with employees in order to limit the bias against perceived excessive monitoring or suspected misuse of personal data.

TMC and GWU cooperate to create further awareness among their membership on the relevant topics addressed by the autonomous framework agreement and engaged in discussion during two public events.

During the first seminar held in June 2022 and entitled: '*Future Skills and the Impact of Artificial Intelligence at the Work Place*', it was acknowledged that there is a strong need to keep up with the fast pace with which the world is changing and constant change that comes from fluctuating consumer behaviour and trends in technology. Skills are a key component to business competitiveness and quality employment but given the way economies are evolving it is most worrying that companies are struggling with a lack of skills across the board, but especially digital skills. To keep up with such challenges, social partners must address the disjointedness between industry demands and the education system.

A second seminar held in February 2023 and entitled: '*Ripple Effect of AI*', addressed how Artificial Intelligence is increasingly becoming an integral part of businesses' operations and that there must be continuous awareness of the opportunities that AI brings

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|                           | <p>to improve productivity but also about the risks if new technology is left unchecked. Social partners strongly agreed that any digitalisation and AI should still be human focused and led.</p>   |
| <p><b>Netherlands</b></p> | <p>This is the third and final report on implementation of the European Framework Agreement on Digitalisation (EFAD) from the Dutch social partners affiliated to the Dutch Labour Foundation (the central employer organisations VNO-NCW, MKB-Nederland and LTO-Nederland, and the central employee organisations FNV, CNV and VCP). Representatives of the social partners are available at any time to provide further explanation.</p> <p><b>1. Translation, dissemination, and implementation of the Framework Agreement</b><br/> The previous report already noted that the European Trade Union Conference (ETUC) made a Dutch translation of the EFAD available in May 2021; this was posted on the <i>Labour Foundation's website</i> and distributed to the affiliated organisations.<br/> In the past year, the social partners – following the Covid-19 crisis – have devoted a great deal of time and energy to the consequences of the energy crisis, the issue of increasing labour shortages, and the major challenges regarding the climate. Nevertheless, many new activities have also been set up to further increase awareness of digitalisation – partly based on the EFAD – and to implement it in a responsible manner. The use of artificial intelligence is an important issue in this regard, and one that can lead to a great deal of discussion.</p> <p>In general, most activities continue for an extended period. The Labour Foundation therefore also explicitly refers to the initiatives included in the previous two reports.</p> <p><b>2. Potential difficulties during this process</b><br/> As already noted, a Dutch-language translation of the EFAD has been published by the ETUC and the EFAD has thus been brought to the further attention of the social partners. The Labour Foundation notes that the affiliated organisations have raised awareness of the EFAD among their own members and have actively engaged with them about it.</p> <p><b>3. What has happened since the previous report was published?</b></p> <p>■ Preliminary remarks<br/> As in the previous reports, the social partners wish to emphasise that the main concern is to successfully integrate digital technologies in the workplace, exploit the opportunities they offer, and prevent or minimise the risks for both employees and employers.</p> |

Digitalisation is largely a matter of customisation because implementing it depends very much on the specific sector, company, or organisation concerned. The social partners can, in particular, encourage consultation on digitalisation between employers and employees by drawing attention to it and by rolling out good practices. Agreement can also be reached on certain facilities in collective labour agreements.

Digitalisation cannot, furthermore, be viewed in isolation from other policy areas such as lifelong development, sustainable employability, good working conditions, social innovation, privacy, and digital security. Moreover, digitalisation will never cease to be an issue because technological developments will not come to a standstill and industry will always be looking to exploit the opportunities these developments present in an efficient and responsible manner so as to create value for customers and businesses.

Even after 2023, digitalisation will therefore remain an important issue that warrants continuous attention in conjunction with the other themes and developments. This is also why the Social and Economic Council of the Netherlands (SER) has set up a separate Digital Transition Working Group to advise government and facilitate the business community regarding digitalisation-related issues in the coming years.

Developments are more advanced in some sectors than in others. There are companies, for example, where technological applications and the use of artificial intelligence form part of the production process (sometimes since well before the EFAD was drawn up), while other companies are still in the exploratory phase. In other words: digitalisation is very much determined by the particular situation, and its implementation and agreements on this will mainly need to take place at local level.

Some examples of relevant activities and initiatives are set out below. It is unfortunately impossible to provide an exhaustive list because there are countless highly diverse initiatives. The examples below relate to at least one of the four themes of the EFAD.

- *Digital skills and securing employment*

It remains important to train workers sufficiently and in good time, and to prepare them for the consequences of the ever-increasing digitalisation of work. A joint effort will remain necessary, with systematic scrutiny of training programmes and on-the-job training receiving constant attention. Lifelong development and the ability to operate in an increasingly digitalising world are not matter of course for everyone. It is important, however, for attention to be paid to digital skills at an early stage, for example in primary and secondary education. Besides constantly engaging in internal awareness-raising activities about digitalisation and the EFAD, the Labour Foundation's affiliates will therefore continue to urge government to include these skills in the curriculum. Government can

also play a role in creating support for new technologies among the workforce, for example by facilitating digital ecosystems or making digital facilities accessible to small businesses.

- *Modalities of connecting and disconnecting (i.e. availability and non-availability)*

The wide application of ICT has increased the accessibility and possibilities of work that is not location-specific, This offers more opportunities for performing work at different locations and at different times. However, this can also blur the distinction between one's work and one's private life. Issues regarding connecting and disconnecting (i.e. availability and non-availability) consequently have the full attention of the social partners and are increasingly being covered by collective labour agreements and at company level, for example in homeworking agreements. Such arrangements have gained momentum due to the Covid-19 crisis and concern not only connecting and disconnecting but also home office allowances and methods of monitoring in which privacy is an important aspect.

In this connection, the Social and Economic Council issued an advisory report on the future of hybrid working in 2022, and early this year produced a special toolbox for the successful and responsible eight-step implementation of hybrid working.

It is also worth mentioning in this context that the EU Social Dialogue on "Negotiation – Telework and Right to Disconnect" commenced in the course of 2022.

- *Artificial intelligence and guaranteeing the human-in-control principle, and*

- *Respect for human dignity and surveillance.*

In principle, artificial intelligence (AI) offers opportunities for more effectively coordinating the integration of technological developments and the utilisation of people's talents. AI (machine learning) makes it possible to create a better match between work and skills, which can lead to greater job satisfaction. The same is true of interaction with clients. The increasing use of AI may also increase certain risks, such as workers blindly relying on artificial intelligence when performing their tasks, thus losing their autonomy. Companies may find themselves facing cyber risks.

The further development of AI within companies therefore demands close involvement on the part of the social partners. Government also plays an important role in facilitating the application of AI and setting proper preconditions.

■ ***Joint activities in the context of the Social and Economic Council (SER)***



In the Netherlands, the social partners have already been discussing digitalisation at central level for some considerable time. In that connection, an important point of departure was the analysis that the Social and Economic Council published in 2016 of the consequences of the transition to a digital economy for the labour market, the organisation of work, and labour relations. The Council's analysis also sets out principles and action points by and for the social partners. An English summary of that analysis has been published: *People and Technology: Working Together*.

As a follow-up, the Council established its Digital Transition Working Group, which has undertaken various activities, including the following:

- The Working Group has begun monitoring key developments in digital skills, e-government, and the data economy.
- The Working Group ensures internal consistency in ongoing Council activities with a digital component. It has, for example, made significant contributions to published advisory re-ports on hybrid working, working conditions, and public sector shortages. It has also col-laborated closely with Council initiatives to promote lifelong development and digital awareness.
- The Working Group has organised various meetings, for instance, expert meetings on the European Data Act with the European Commission and an event on digital skills with the Digital Society Alliance [*Alliantie Digitaal Samenleven*].
- There have been working visits by the Working Group to Ayden (a Dutch tech start-up), and to the Dutch digital rights organisation Bits of Freedom.

The findings are reflected in various products published on the Council's website and in its news-letter, including an interactive map based on the *Digital Economy and Society Index*.

■ Examples of the (local) social partners' activities and initiatives

In addition to joint initiatives and activities within the context of the Social and Economic Council, the employer and employee organisations regularly discuss digitalisation-related issues with their own members by organising meetings and providing information and outreach. Awareness- raising activities are an important part of this. Programmes are also being set up – whether or not jointly with other organisations – to advance digitalisation in a responsible manner. This is not only at national level but also explicitly at the initiative of sub-national trade unions and industry associations. The following are a few of the many initiatives by the social partners.

- The social partners are regular contributors to various studies regarding digitalisation issues, including those by Eurofound.
- Employer and employee organisations, together with knowledge institutions, continue to work on TNO's *European project on Industry 5.0*. Knowledge institutions and employer and employee organisations are working together on the *European Industry*

5.0 project. TNO's *Smart Industry* programme focuses on optimising use of digitalisation by linking up products, machines, and people in a smart manner.

- A host of regional and sectoral projects have been initiated to enhance employees' (basic) digital skills. The social partners' training funds play an important role in this. For example, the training fund for the *Cardboard and Flexible Packaging Sector* provides training sessions at employers' premises for mastering basic digital skills.

The social partners also focus specifically on people with a low literacy level. For this target group, for example, the *Digitaler naar werk* [More Digitally to Work] project was started, aimed at reducing the disparity between people who can develop in their career and those who are less able to do so.

- Employer organisations are participating actively in the *Digital Accessibility* project. In that context, the Royal Dutch Association of Small and Medium-Sized Enterprises co-initiated development of a *self scan for businesses* that enables the owner of a business to easily determine the extent to which its services are digitally accessible for target groups with a disability and what can be improved in that regard.
- Work is continuing on the *Strategic Agenda* in the metal sector. The Agenda is an extension of the 2021 collective labour agreement, through which the collective bargaining parties (FME, FNV, CNV, and De Unie) are cooperating to further shape the digital and energy transition. The parties are doing so by working together on the themes of labour relations, the labour market, and industrial policy. This includes a focus on increased agility, well-trained staff, and attractive work with development and growth opportunities.
- The *Wij Techniek* [We Technology] development fund assists employees in the technical installation sector to develop their talents and know-how to the maximum extent and to use them for the digitalisation and energy transition. *Wij Techniek* is an alliance of the FNV metaal, CNV Vakmensen, and De Unie trade unions and the NVKL and Techniek Nederland employer organisations.
- In November 2022, five engineering sectors – in cooperation with VNO-NCW and MKB-Nederland – drew up the *Technology Attack Plan* to restructure the labour market for engineers. Among other things, the shortage of engineers threatens to paralyse implementation of the energy transition and the urgent additional housing construction. The new “Golden Gate” system is intended to become a central hub for starters, lateral entrants, newcomers, and experienced professionals who are considering switching to a technical sector (or a different technical sector). In collaboration with the trade unions and government, among others, the Attack Plan is intended to release additional investment over the next ten years with the aim of structurally filling about 60,000 vacancies.

- FNV, CNV, and VCP regularly exchange ideas, examples, and experience regarding digitalisation developments with the German, Belgian, and Austrian trade unions, among others.
- FNV, CNV, and VCP regularly organise meetings focusing on working with algorithms. These deal not only with the opportunities but explicitly also with the risks.
- VNO-NCW and MKB-Nederland have expanded the *ondernemen.nl* portal. This provides practical tools for businesses relating, for example, to online business at home and abroad and the use of social media.
- VNO-NCW and MKB-Nederland have also published a special brochure on *Investing in our digital future*. They also explain how companies can boost their resilience through cyber-security.
- The previous report noted that LTO-Nederland is also working through the LTO Academy to increase the digital skills of entrepreneurs in the sector. That work continued last year.
- The Dutch Artificial Intelligence Coalition (NL-AIC) – established in 2019, partly at the initiative of VNO-NCW – helped launch the “MIT regulation” last year. This enables SMEs to develop or innovate products, production processes, or services in the field of artificial intelligence. NL-AIC also expanded the *ELSA labs*. The aim of these is to ensure that companies, public authorities, knowledge institutions, civil-society organisations, and individuals jointly develop responsible applications of human-centred AI. A network of more than twenty ELSA labs is now active. VNO-NCW and MKB-Nederland are actively contributing to NL-AIC through human resources for “human-centred artificial intelligence”.
- The previous report noted that LTO-Nederland was one of the co-founders of the *Join Data Platform*. Last year, the new “My JoinData” platform was set up. This gives businesses in the agriculture and horticulture sector access to a dashboard where they can easily manage authorisations relating to data flows with customers, purchasers, and public authorities.
- The *ALLAI* platform was set up with support from VCP. ALLAI is an independent organisation devoted to encouraging and promoting responsible artificial intelligence, whereby humans remain in control.
- The SPDI (Social Partners Together for Sustainable Employability) is a partnership of AWWN, FNV, and CNV that assists sectors and companies to implement practical sustainable employability initiatives. It also organises information meetings.
- Together with the Ministry of Economic Affairs and Climate (EZK), the Chamber of Commerce (KvK) and the Netherlands Enterprise Agency (RVO), VNO-NCW, MKB-Nederland and the INretail trade association started a *pilot* for developing digital roadmaps. The project comprises a digitalisation scan (to determine the baseline situation), advice on a digitalisation route (such as the process involved and the application of e-commerce), a voucher (some of the costs are borne by the Ministry of EZK), and help in finding a provider.
- The *Bouwend Nederland* [Construction Netherlands] sector association has developed a *digiscan* that SMEs and self-employed parties in the construction sector can use to check where their business stands as regards digitalising processes. In general, a lot

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|        | <p>of research and information work (whether or not in collaboration with trade unions) is also taking place to optimise digitalisation in the sector.</p> <ul style="list-style-type: none"> <li>• ECP is an independent Platform for the Information Society, in which participants from government, science, education, business, and civil-society organisations participate with the aim of exchanging knowledge and working together to responsibly shape a digitalising society. It is working on various issues including the responsible deployment of artificial intelligence, cybersecurity, and privacy regulations.</li> <li>• Collective labour agreements have been available digitally for quite some time now. An increasing number of collective agreement parties are also developing collective agreement applications in Google Play and Apple Store, where employees can easily access the provisions of a collective agreement digitally. Examples include <i>the General Employers' Association (AWVN)</i>, <i>FNV care sector</i>, and <i>the temporary employment sector</i>. Employee consultation for the purpose of concluding a collective labour agreement is also increasingly taking place digitally rather than by holding physical meetings (see, for example, the <i>Digi</i> system used by <i>De Unie</i> trade union).</li> </ul> <p><b>4. In conclusion</b></p> <p>The social partners within the Labour Foundation consider it an important policy challenge to both capitalise on the opportunities offered by digitalisation for entrepreneurs, employees and jobseekers, and to increase their confidence in a digital future in which everyone can keep up. For a successful approach to this, the social partners have committed to continuing to work towards those objectives in the coming years.</p> |
| Norway |  |
| Poland | <p>The issue of preparation for the substantive implementation of the European Agreement is dealt with by the permanent bilateral social partners' Working Group on European social dialogue established in 2016, operating within the Social Dialogue Council (RDS) - the main institution of tripartite discussions between representative organizations of employers, trade unions and the government. Currently, RDS consists of 3 cross-sectoral trade union organizations (FZZ, OPZZ, NSZZ Solidarność - all affiliated to the ETUC) and 6 cross-sectoral employers' organizations (including 3 affiliated to European social partners: Konfederacja Lewiatan -BusinessEurope, ZRP – SMEunited, Pracodawcy RP –SGI Europe).</p> <p>In 2022 and in the beginning of 2023, not much progress has been made in the process of implementation of the Agreement. This was to some extent influenced by unexpected external occurrences (e.g. the influx of refugees from Ukraine and other effects of</p>   |

Russia's aggression on this country), a huge inflationary impulse that started at the end of the year and has still not been overcome as well as ongoing legislative initiatives, e.g. two major amendments to the Labour Code (some changes in labour law covered slightly the areas specified in the agreement).

All of the above attracted the attention of the social partners, at the expense of other initiatives.

Unfortunately, the RDS did not address effectively the topics previously indicated by social partners' experts as important for the implementation of the provisions of the European agreement.

State of progress on points agreed by national social partners for the implementation of the European agreement (see 2nd joint table):

1. Digitalisation of some documentation in labour law procedures. Considering introducing appropriate changes to the Labour Code. The topic is included in Chapter 1 of the European Agreement - Digital Skills and Securing Employment.  
*Amendments to the Labour Code (remote working, work-life balance) have taken into account market demands for increasing digitalisation of processes in Polish labour law. Remote working arrangements can be agreed online. Employers can provide information on employment conditions in digital form. The digital form applies to the submission and processing of requests for predictable working conditions, parental entitlements, work-life balance.*
2. Strengthening digital competences of economically active people (working and unemployed) - a necessary debate covering the following issues. The topic is included in Chapter 1 of the European Agreement - Digital Skills and Securing Employment.  
*There has been no-progress. However, individual organisations are strengthening their expertise in this area. The Lewiatan Confederation has launched the project „Capacity building and internal expertise of the Lewiatan Confederation on workplace skills and competences after the COVID-19 pandemic”, with a particular focus on digital competences.  
It is important to emphasize the specific situation existing in Poland where the funds for raising digital competencies included in the Recovery and Resilience Plan (National Recovery Plan, KPO) have not been fully mobilized, due to a general dispute between the Polish government and the European Commission over the issue of Rule of Law.  
The parties will endeavour to initiate a serious discussion on this issue within the RDS.*
3. Joint analysis of whether the current legal situation sufficiently protects the right of a Polish employee to disconnect (to be off-line) in the light of the following provision of the European agreement - "the employee is not obliged to be contactable".  
The topic is included in Chapter 2 of the European Agreement – Modalities of Connecting and Disconnecting.

*Trade unions have put forward proposals to amend the legislation and to introduce an explicit right for workers to be disconnected. However, the positions of the parties are clearly divergent in relation to this proposal, which is illustrated by the following comparison of views.*

*a) Employers believe that proper protection for employees is provided by present working time regulations, the principles of employee protection (right to disconnect) derive from the interpretation of labor law institutions. In particular employers' organisations stress that:*

- maximum working time hours/overtime - restrictions in application of overtime hours/ on-call time. Overtime is associated with certain consequences for the employer. Moreover overtime work may occur with the knowledge, tacit consent of the employer, when the employee acts in the interest of the employer. The order to work overtime does not require a specific form and the implied (tacit) consent of the employer is sufficient.*
- rest periods, annual leave - the employee is to remain outside the sphere of labor subordination, working environment. It is clear from the case law that the employer's obligation of the employee to be on standby (verbal, non-verbal - by mental pressure) is a violation of the essence of annual leave intended as a time of undisturbed rest for the employee.*

*b) Whereas trade unions pointed out that the current regulations in the Labour Code regarding on-call time are contrary to the EU Working Time Directive. Also, the principle of granting time off in exchange for overtime work in the amount of 1 overtime hour - 1 free hour to be taken at a later time is questionable in the light of the European Social Charter ratified by Poland (this issue was the subject of the Ombudsman's application to the Constitutional Court - the Constitutional Court discontinued the proceedings in 2022 indicating the non-binding nature of the Charter).*

*The trade union side indicated that a broader discussion on the guarantee of the right to rest is necessary in the context of the right to disconnect. The broader debate on this topic in the RDS has still not taken place.*

*The government side indicated - what seems important - that work on the issue of the right to disconnect should be suspended due to the ongoing negotiations among the European social partners.*

*The discussion will be continued.*

4. Analysis of the current situation in the use of algorithms in the work environment:

- discussion of legislative work carried out at the EU level,
- presenting the practices and experiences of using algorithms in Polish enterprises.

The topic is included in Chapter 3 of the European Agreement - Artificial Intelligence and Guaranteeing the Human in Control Principle.

*On the employers' side, discussions have begun on the use of algorithms in the work environment. The topic is very complex. Social partners are following the progress of work at the EU level on the AI regulation or the draft directive on digital platforms. The trade unions' side in the context of the work underway in the EU (AI Act, directive on employment through online platforms) indicates that the government informs the social partners in a perfunctory and unsatisfactory manner about its attitude to individual drafts of EU law. The discussion will be continued.*

*It should be noted here that since March 20022 a draft amendment to the Trade Unions Act has been in the parliament, containing the obligation of employers to provide the company trade union organization with information about the parameters, rules and instructions on which algorithms or artificial intelligence systems are based, which may affect, among others, working conditions, access to and retention of employment. The project was prepared by the opposition Left coalition, but was formally supported by all trade unions. The employers' side is definitely sceptical towards it, which suggests that reaching consensus on this topic, as part of the implementation of the European agreement, will be difficult.*

5. Discussion on the possibilities of access of employee representation to facilities and digital tools in order to conduct trade union activities at the workplace.

The topic is included in Chapter 4 of the European Agreement - Respect for Human Dignity and Surveillance.

*Trade unions have presented a proposal to ensure access by employee representatives, including trade unions to employees' business e-mail addresses.*

*According to the trade unions, access to employees' business emails will allow the general workforce to be informed about trade union activities (in the Polish legal system, trade unions in collective issues represent the general workforce and not only their members). The trade unions' refusal to access employees online is motivated in practice primarily by rules under the GDPR.*

*On the employers' side, there were objections. Alternative channels of communication between unions and employees should be considered. Workplace tools, such as business mail, are intended to be used for the effective performance of work.*

*The discussion will be continued.*

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|                        | <p><u>Other initiatives</u><br/> NSZZ Solidarność has launched the project "Initiating Activities to Implement the European Social Partners Framework Agreement on Digitalisation", which received support from the budget line of the European Commission SOCPL-2021-SOC-DIALOG, sub-measure "Support for Social Dialogue". The two-year project started in September 2022 and will be implemented together with social partners from Lithuania, North Macedonia, Romania, Italy and Poland (Polish Confederation Lewiatan).<br/> The project includes a case study and training activities. Social partners in each participating country will develop action plans (Autumn 2023).</p> <p><u>Additional remark</u><br/> The experience gained so far with the implementation of this agreement (as was the case with the agreement on active ageing) shows that there is still a great need for improving the effectiveness of autonomous activities of social partners.</p> <p>May 2023</p> <p><u>Information accepted by:</u><br/> <i>Trade unions:</i><br/> FZZ, OPZZ, NSZZ Solidarność - ETUC<br/> <i>Employers:</i><br/> Konfederacja Lewiatan – BusinessEurope, ZRP – SMEUnited, Pracodawcy RP - SGI Europe</p> |
| <p><b>Portugal</b></p> | <p>Employers only report: <b>CIP</b> (Confederation of Portuguese Business), member of BUSINESSEUROPE; <b>CCP</b> (Portuguese Commerce and Services Confederation), member of SMEUnited and <b>SGI Portugal</b>, member of SGI Europe</p> <p><b>- Initiatives from CIP</b></p> <ol style="list-style-type: none"> <li>1. CIP sent again the framework agreement to all its member associations and companies and a note describing the agreement and highlighting the most important aspects of it.</li> <li>2. No new and different activities have been developed in relation to those already reported in previous reports.</li> </ol>   |



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|                       | <p><b>- Initiatives from CCP</b></p> <ol style="list-style-type: none"> <li>1. CCP sent again the framework agreement to all its member associations and companies and a note describing the agreement and highlighting the most important aspects of it.</li> <li>2. No new and different activities have been developed in relation to those already reported in previous reports.</li> </ol> <p><b>- Initiatives from SGI Portugal</b></p> <p>No relevant initiatives were identified.</p>   |
| <p><b>Romania</b></p> | <p>Please find below a short report on the implementation of the European Autonomous Framework Agreement on Digitalization (EAFAD) in Romania on behalf of Concordia (employers) and BNS (trade unions).</p> <p>To pave the way for a future implementation of the EAFAD in Romania, we partnered for an EU funded projects and we have started to implement “Renewed social dialogue for the new world of work. Job transitions &amp; digitalisation in two industrial sectors in CEE countries – Romania, Hungary, Slovakia – WorkTransitionCEE” - <b>VS/2021/0094</b> project, together with colleagues from employers and trade unions in Hungary and Slovakia.</p> <p>WorkTransitionCEE aimed to bringing a fresh perspective on social dialogue, proposing innovative tools and methodologies, such as job scaping, co-creation and trends insights, with a view to increase the capacity of social partners to respond to the challenges raised by the job transition that is a consequence of digitalisation and automation. In preparation for larger transformations, through these projects, we guide employers, workers and their representatives on how to approach job transition in the future, building their capacity to further deal with the implementation of the EAFAD. The project implementation was 2021-2023 and it is now closed.</p> <p>Please find below the main activities in the project in Romania:</p> <ul style="list-style-type: none"> <li>- We have launched a report on Trends Shaping the Future of Work in CEE to explore available pathways to progress and how the CEE countries can become the frontrunners of the digital transformation for the benefit of employers and employees alike. An online seminar to discuss the outcomes was also organized.</li> </ul> |

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|                | <ul style="list-style-type: none"> <li>- With the support of a contractor, we have run a jobscape research to deep dive on the impact of digital transformation and transition in the automotive and oil&amp;gas sectors in Romania (some of the largest employers and contributors to the national economy). They revealed what types of skills are in decline and consequently what are the jobs that will be most affected in each sector, how companies are preparing the transitions and how the workers impacted are perceiving the risks and the technology. The outcomes were also discussed in a seminar with relevant stakeholders.</li> <li>- Drawing from the findings of the two reports, we have organized a two-day co-creation workshop with social partners, representatives of companies, non-governmental organizations, experts, and politicians with labour market related experience to explore the areas of lifelong learning, reskilling, intergenerational integration and digital skills in Romania and co-create concept solutions for some of the challenges in the field.</li> <li>- The consortium launched the Navigating the transition to a digital world of work guidebook for employers and employees with the aim of providing in one single document a guide for cooperation and steps to follow when adopting new technologies so it can lead to employment growth and job retention. The guidebook was presented, and main challenges discussed during a seminar organized in person in Bucharest.</li> <li>- With all the insights gathered, we have drafted policy recommendations to address the national challenges faced in relation to the topical areas of the EAFAD.</li> </ul> |
| Slovakia       |  |
| Slovenia       |  |
| Spain          |  |
| Sweden         |  |
| United Kingdom |  |

|                     |  |
|---------------------|--|
| Candidate countries |  |
| Turkey              |  |