

Event: 'Labour rights & the digital transition'

28-29 October 2021, online and at the International Trade Union House, Brussels.

The event is organized by the [ETUI](#) in cooperation with the European Lawyers for Workers Network ([ELW Network](#))

We are planning a **hybrid event**: participation is possible both in person and online.

Interpretation will be available in English, French, Italian, and German.

The theme

The impact of digitalisation on society and the world of work is growing and will only become more pervasive. But the transformation is a multifaceted one. We are simultaneously witnessing the emergence of new business models, such as platform and gig work, and the expansion of digital marketplaces and service providers with extraordinary market power (such as Amazon). Both evolutions entail profound changes to certain industries and to labour relations. At the same time, the introduction of AI in the workplace presents new issues with regards to surveillance and health and safety. To top it all, digitalisation has allowed employers to claim that workers now enjoy greater autonomy and are thus less in need of strong employment protection.

In the context of these transformational changes, how can we ensure that the digital transition does not occur at the expense of workers' rights and conditions?

This conference proposes a multidimensional discussion on the role of labour law in this area and seeks to identify initiatives that have been taken, or could be taken, on various fronts:

- **EU policymaking:** The von der Leyen Commission has made its intention clear to ensure that the digital transition takes place in a fair and just manner. Policymakers and experts will discuss the initiatives proposed by the European Commission and will assess their potential impact on the world of work.
- **The normative aspect:** The transformative impact of technology calls for a theoretical reflection on how labour law can be adapted without losing its protective and emancipatory function with respect to workers' prerogatives. The panellists will present proposals on possible ways to ensure the relevance of labour law.
- **Case law:** A trend of rulings in favour of 'digital' workers is emerging in the European courts, especially in the area of the platform economy. Legal practitioners and expert observers will discuss what lessons policymakers can draw from the recent jurisprudence.
- **Collective bargaining and trade unions:** Digitalisation has accelerated changes in the distribution of bargaining power, leading to the emergence of companies with very strong market power as well as to the creation of many jobs that these companies consider to be in the sphere of 'autonomous' or 'independent' work. Representatives from the trade union world and experts in the field will explain the various challenges and opportunities for collective bargaining in this new world.

PROGRAMME

DAY 1

Thursday 28 October (from 13:30 till 17:30)

INTRODUCTORY OPENING

13:30 – 14:00 *Nicola Countouris* (Director of Research - ETUI)
Silvia Rainone (Researcher, ETUI and ELW)

THE EU DIGITAL TRANSITION: WHAT PLACE FOR WORKERS RIGHTS?

Moderated by Silvia Rainone (Researcher, ETUI and ELW)

- 14:00 – 15:30**
- Digital transition in the EU recovery strategy
Maria Teresa Fábregas Fernandez (Director, Recovery & Resilience Task Force, European Commission)
 - The EU proposal on AI regulation and its approach to workers' right
Aida Ponce Del Castillo (Senior researcher, Foresight Unit, ETUI)
 - Fairness and dignity in regulating EU platform workers
Leïla Chaïbi (MEP, GUE/NGL)
 - Taming the market power of digital businesses – The Amazon case
Nick Rudikoff (Campaigns director, UNI Global)
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15:30 – 16:00 *Break 30'*

NORMATIVE APPROACHES FOR FAIRER LABOUR RELATIONSHIPS

Moderated by Aude Cefaliello (Researcher, ETUI)

- 16:00 – 17:30**
- Unveiling the subordination in the platform economy
Anna Ginès Fabrellas (Professor, ESADE)
 - Lessons from an anarchist perspective to the platform economy
Andrea Iossa (Senior lecturer, Kristianstad University)
 - Preventing discrimination in algorithmic decision-making
Miriam Kullmann (Assistant Professor at Vrije Universiteit Amsterdam)
 - Expanding the scope of collective bargaining: a paradigm shift
Silvia Rainone (Researcher, ETUI and ELW Network)
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17:30 **End of Day 1**

PROGRAMME

DAY 2

Friday 29 October (from 10:00 till 13:30)

10:00

OPENING

Thomas Schmidt (Lawyer, ELW Network and ELDH)

BRINGING THE ALGORITHMS TO COURT

Moderated by Ruediger Helm (Lawyer, ELW)

10:10– 11:30

- The Yodel case and its implications for platform workers' rights
Lord John Hendy QC (Barrister, UK)
 - Defending collective rights of platform workers in courts
Carlo De Marchis (Lawyer, Italy)
 - The contribution of the GDPR to protect platform workers' rights
Anton Ekker (Lawyer, The Netherlands)
 - Socializing digital work via the courts?
Antonio Aloisi (Assistant Professor, IE Law School)
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11:30 – 12:00 Break 30'

COLLECTIVE RIGHTS IN THE DIGITAL ECONOMY

Moderated by Aline Hoffmann (Head of Unit, Europeanisation of Industrial relations, ETUI)

12:00 – 13:20

- Protecting platform workers' rights in the digital economy
Silvia Simoncini (National secretary NidiL Cgil)
 - Raising activism among platform workers
Martin Willems (United Freelancers, acv-csc)
 - Collective bargaining to address negative impact of labour market monopsony
Séverine Picard (Progressive Policies)
 - Unions' strategy to contrast the market power of digital platform
Annika Flaten (Director Commerce, UNI Europa)
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13:20

- CLOSING REMARKS

Ludovic Voet (ETUC, Confederal Secretary)
