



NEWCHALLENGES

## TRANSNATIONAL WORKSHOP IN PARIS

Friday 13 September 2019

Hotel Holiday Inn [Canal de la Villette, Paris]

### Minutes of the transnational workshop on the subject:

«NEW CHALLENGES PUT BY TECHNOLOGY AND LEGISLATION THAT WORKERS' REPRESENTATIVES HAVE TO FACE IN INFORMATION AND CONSULTATION»

**9.00** Opening of the workshop and Greetings from the General Secretary of CFE-CGC Mr. François Serpaud and from the President of OBES, Mr. Konstantinos Margaritis.

Presentation of participants. Participants spoke successively and mentioned their name, their background, their position and their role in their trade union, as well as their experiences concerning new challenges they face in terms of information and consultation.

Sofia Spiliotopoulou presented the project "Information and Consultation-New Challenges" and referred in detail to the results and products of the project so far.

CFE-CGC Secretary-General François Serpaud, Confederation's Legal Adviser Luis Bervick and negotiator Frederic Guerrier raised the issue of the challenge they face due that they need data concerning members of the Agricultural Chambers. This is due to the confidentiality demanded by the GDPR Regulation. This difficulty in accessing the data of members who have the right to vote, makes it difficult to identify candidates and to inform them in general. To overcome this obstacle, CFE-CGC collects information from the negotiators it has appointed at the business level. For this reason, as well as to circulate information on what is happening at the business level, it often organises coordination meetings with its negotiators.

CFE-CGC's communications manager, introduced the challenges deriving from technology development, e-voting and issues of deriving from the provisions of the new labour legislation on gender equality.

Mr Kovtchev from PODKREPA spoke about the problem the self-employed face, especially those working in theatres and the arts, where day-to-day employment contracts are the norm.

Ms. Liliana Laskova informed that PODKREPA is working on new challenges related to GDPR, changes in technology and new forms of work and for these reasons she organises various meetings with trade unionists.

Mr. Vassilis Ninos, OBES, spoke about the challenges that they are called upon to face as trade unionists regarding confidentiality not only regarding personal data, but also regarding business issues



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and about the effects of confidentiality. He also mentioned the issue of problems arising from the tele-monitoring of the company's vehicles.

French colleagues François Serpaud and Elodie Kan spoke about the impact of digitalisation on employment in the agricultural sector. In particular, they said that in the dairy sector, some selling points are closing and workers are losing their jobs, as they are being replaced by orders placed by customers through the internet. Also, the workers have been replaced by machines in the production lines as well as in the super markets, where automatic machines are starting to be used. On the other hand, jobs are being created with different job specifications and qualifications requirements. In the previous example, the production lines need machine operators and the super markets require people to process data and extract results.

Mr. Ninos raised the issue of extended working hours through the companies obliging their employees to reply to e-mails 24h/7.

Mr François Serpaud said that in France, in big businesses, unions raised the issue and signed regulations that provided for disconnection of emails during non-working days and hours. In particular, they asked the competent national authority (Commission Nationale Informatique et Liberté - CNIL) to impose that employees stop being connected to the central server after a certain hour.

Ms. Kan said that CNIL may also ask businesses to provide information on what personal data is collected about the family members of employees, e.g. concerning children or spouses and if they are kept in electronic files. Companies use these data to give allowances, permits, etc.

Mr. Tsimekas asked why employers need all the information they collect from their employees and if it this information is relevant to their work. He expressed the suspicion that employers use this information to categorise and label people with the view to create models for controlling the way of behaving and thinking.

The French participants clarified that in France data are needed in order to declare the social status of individuals and to pay social benefits. In this way, 50% of GDP is redistributed in France. Recently, a change has been made and the income tax will be levied on the source. It is estimated that there are 87 million beneficiaries of social benefits out of France's 66 million people. This paradox is due to the fact that there is no interconnection between information systems for various social benefits.

Greek participants reported that totally irrelevant data may be collected, such as how often the workers' spouses get sick.

Ms. Kan presented the changes in French labour Law (through a Presidential Decree and not a law) and mentioned the problems arising from the representation of men and women in all workers' representation bodies (even in candidates' lists) at a rate equal to the one they actually have in the electing body (including the Economic and Social Committee per factory, per company, per group of companies). The changes also preview the reduction in the number of representatives. As a result, representatives do not have time to deal with all issues, while the legislation provides that bodies





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convene less times. A Health and Safety Committee is also previewed in companies with more than 300 employees. In France, the employer has the presidency of these committees.

The employer fully covers the expert's expenses.

Another change is the merger of representation of different branches, with the result that branches with different characteristics and problems are represented together. For example, in the food and beverage industry, there were 100 sub-branches, which merged into 40 (eg. the fishing sub-branch merged with that of butchers).

The Social Security Agency informs the employer about the index number of absences / number of employees, i.e. the average number of absences due to illness and accidents per employee.

Ms. Liliana Laskova presented the changes in the Bulgarian legislation as well as the expected changes.

Ms. Ioanna Anastassopoulou (Association of SA and Ltd Companies) mentioned the problems arising from the release of personal data, which raised the need for the GDPR Regulation. Organisations hire psychologists to investigate and process data to suggest profiles of persons for recruitment. The profile of middle-aged people who will be able to handle robots and be more obedient may be one of the features they explore. In China, a point system for citizens has already begun to be implemented.

The penalties provided for in the GDPR are truly devastating. The companies have not yet figured out what that means for them. In order to reduce the risks of penalties being imposed to them, they are considering to get insured against this risk.

The rights provided by the GDPR are everyone's right to request:

- Access to the data that concerns him/her
- Correcting them
- Oblivion
- That the company does not proceed them

The GDPR Regulation provides for the mapping of procedures related to personal data. The golden rule is that we collect only the data we need.

It is requested that public bodies and large corporations appoint a person responsible for the protection of personal data (DPO), who is also responsible for handling large-scale data.

The French participants said that part of the GDPR's provisions, especially concerning data leakage, is included in the National Collective Bargaining Agreement.

A discussion in small groups followed.

**17.00** Closure of the workshop.

