



## **PREPARATORY MEETING OF WORKERS' REPRESENTATIVES**

Friday 10 May 2019

The Stanley Hotel, Athens

### **"NEW CHALLENGES PUT BY TECHNOLOGY AND LEGISLATION THAT WORKERS' REPRESENTATIVES HAVE TO FACE IN INFORMATION AND CONSULTATION"**

#### **Minutes**

**9.30** Opening of the workshop by the President of OBES Mr Konstantinos Margaritis and introduction to the subject of New challenges to information and consultation.

Presentation of participants. Participants took the floor and presented themselves and their organization as well as main problems they face as far as information and consultation is concerned.

Summary presentation of the subject of the workshop concerning information and consultation by Mr Aris Chronopoulos. He made a synopsis of the previous project Strengthening Involvement on which the present project *New Challenges* is based.

Mr Chronopoulos has presented the site information and consultation.eu, which was created in the framework of the Strengthening Involvement project, its contents, e.g. EU legislation, glossary, tips for workers' representatives, interviews, case studies and trade unionists' guide and he emphasized on the self-assessment tool.

Mr Chronopoulos presented the New Challenges project, which will last for 12 months and aims at empowering trade unionists and labour movements in order that they are able to respond to new demands as far as information and consultation are concerned. He said that the project aims at facing the needs and challenges in information and consultation that derive from changes in the business context and the technology.

Mrs Sofia Spiliotopoulou, scientific collaborator of OBES, has spoken about what is information and consultation, where it is based, what are the main points trade unionists have to pay attention to and when it has to take place. She also presented the European and national legislation concerning information and consultation.

Mrs Spiliotopoulou referred to topics covered by information and consultation, she gave analytical information on the nature and mode of undertaking consultation and emphasized on the obligations of the company management.

Mrs Spiliotopoulou referred to the roots of new challenges, deriving from economic crisis, changes in technology, sustainability, environment protection and saving energy demands, changes in the public



opinion and the growing trend of companies to be certified against international standards. These changes already constitute subjects of consultation

Mrs Spiliotopoulou asked participants to split into small groups and discuss challenges employees face today and they are expected to face in the next 5 years.

The 1<sup>st</sup> group referred to flexible forms of employment, sectoral collective agreements, the extension of 8 hours of work without additional payment, the violation of personal data and the degradation of trade unionism as the main new challenges.

Mr Papatheoharis, president of the trade union of FAMAR has spoken about the difficulty to sign new collective agreements, due to a reduction of the dynamism of the labour movement. He also referred to the challenge of electronic control of employees through cards and the extension of the 8n hours work.

Mr Katsampanis has clarified some aspects about the tools trade unionists have (collective agreements, information and consultation, collective action) and asked from participants to take the floor about collective agreements.

The 2nd group referred to the decrease of the number of employees required to perform a job due to the advance of technology, following up employees by using diverse ways, including implants of chips, which threatens the liberty of thinking, trade unionist action, 8 hours work and will reduce social benefits.

The 3rd group referred to industrial relations, impact of crisis and financial management. They also referred to digitalization, mainly following up employees and flexible work schedules.

Mr Bouboulis has referred to the unfavorable change of position employees, who do not comply with the requirements of the management, frequently encounter.

Participants discussed whether the case mr Bouboulis referred to constitutes a harmful change for the employee.

Mr Papatheoharis said that there may occur an unfavourable change of position without this constituting a harmful change and has stressed the impact of this sort of changes on employees' psychology. He also referred to the legislation concerning changes of position.

Mr Thomas said that a change of position does not necessarily imply psychological problems.

The 4rth group has spoken about collective agreements and said that fur workers are not yet recognized as belonging to the heavy and unhealthy professions and that they are paid and have social insurance as if they worked for 4 hours a day, when they in fact they work for 8 hours.

The 4rth group has also mentioned that new technologies have not to be blamed for everything, still changes in the forms of employment are alarming. As new challenges the group referred to the need to develop new skills and critical thought as far as the understanding of technology is concerned and new competences that will differentiate humans from machines. Another important challenge is the change of policy, role and operation of trade unionism.

Mr Papatheoharis said that what we require is that technology helps employees and is not used against them. He also insisted that employees should resist that companies have their biometric characteristics.



Mrs Spiliotopoulou has presented the 10 major challenges as employees in the USA consider them.

Mrs Spiliotopoulou spoke about sectors that are changing and will change in the future as legislation, standards, technology etc. and has further detailed the Industry 4.0.

Mr Ninos has given additional information concerning Industry 4.0.

Mrs Spiliotopoulou has presented main features of the 4th industrial revolution, the new requirements of production systems, its impacts up to now as well as European policies concerning the 4th industrial revolution. She also referred to the changes in technology the development of automation and the relation between humans and the machines. Furthermore she put some questions in order to trigger discussion between participants.

Mrs Ioanna Anastasopoulou, General Secretary of SAE\_EPE took the floor and referred to points of interest of trade unionists having to do with GDPR.

Mrs Anastasopoulou spoke about the definition of GDPR and supplementary legislation related to the protection of personal data. She said that trade unions manage sensitive data and that GDPR deals with the way these data are processed.

Mrs Anastasopoulou has explained the legislation that defines the reason and way of collecting and processing personal data and cases that are exempted from the rule to have consent in order to process data.

Mrs Anastasopoulou has referred to the right of protection of the lawful liberty and how it may be combined with the right of protection of personal data. She has also referred to the basic principles of processing of personal data.

Participants asked if the IT department has the right to read emails of employees in order to protect the information system. The subject was discussed in the framework of proportionality.

Mrs Anastasopoulou has referred to the confidentiality of communication and discussed the issue of personal emails during work time. She also talked about video-recording of the cashier, the prohibition to install and run biometrical systems and potential exceptions.

Participants discussed about the entrance cards, the respect of working time, who is responsible in case of leak of personal data and the period a company has to keep personal data

#### **12.10 -12.30** Coffee break

After the break Mr Vassilis Ninos took the floor. He first presented the Heineken group, in the EWC he participates as a member and the way employees are represented.

Mr Ninos referred to the role of information and consultation as implemented in the EWC, the way meetings of EWCs take place, the problems of understanding that derive from the multicultural context of EWCs and the role of trade unions.

Mr Ninos spoke about confidential information, exceptions and levels of confidentiality that have to be signaled in order to define the persons to which this information may be communicated.

Mr Ninos has presented the case of the global supply chain used in his organization and changes in the production. Indicative changes are the arrangement of working time, flexible working hours, and the assignment of part of the work to subcontractors. Further change is hiring new employees and the



planned layoffs of workers. In this context of, Mr Ninos mentioned ways to face these changes by making proposals how to maintain the existing workforce, to support them, to offer them training and to use corporate responsibility in order to mitigate impact of changes on employees.

Mr Ninos referred to HR Empower, that is the recording of employees and their characteristics in a global data base in order to promote the best of them. He said that employees must face this trend through the protection of personal data.

Another alarming change discussed, was Telematics-GPS, that companies install in fleets of trucks and their drivers, which takes as input their personal data and restrains their liberties. Mr Ninos proposed solutions facing the protection of personal data and liberties. He considers that these telematic applications put into question the trust between employees and the company.

Mr Ninos has added that digitalization is a major subject of information and consultation also at a national level and it appears that it comes in conflict with the principle of protecting personal data. He proposed this subject to be further detailed in a next workshop.

Mr Ninos said that his trade union has asked the support of a lawyer as far as the distinction between personal and company data is concerned and he has stressed the importance of trade unions asking the assistance of experts in such subjects.

Then Was displayed the presentation of Mr Ignatio Litsas on health and safety matters, following the standard ISO 45000. In the beginning, the presentation showed statistics of accidents and illnesses due to work and to depression and stress that are not generally included in them. Mrs Chronopoulou spoke about the good position of Greece as far as accidents at work are concerned. She spoke about the overall situation in Europe and stressed that the lowest accident ratio is in the Netherlands, followed by Germany and Sweden. Romania is on the opposite situation.

Statistics of accidents at work by sector of activity and why they happened were also displayed. New sources of accidents are physical/mental fatigue as well as processing hazardous substances. Mrs Chronopoulou said where one can find material regarding health and safety and presented a case study on this topic.

She then presented the standard OHSAS 18001 and the new standard on health and safety at work, ISO 45000 and she analysed the changes the new standard requires.

Mrs Chronopoulou explained the definitions used by ISO 45000 and spoke about the requirement of the standard concerning information and consultation with workers' representatives.

She then analysed how risks and opportunities in the framework of planning a health and safety system with the active participation of employees should be managed.

Mrs Chronopoulou presented the time-schedule of transition to the new standard and spoke about its benefits for employees.

Participants referred to accidents that happened in their companies and how the management dealt with them. Additionally, participants discussed about sectors and occupations that pose health and safety risks and alternative causes of accidents, such as stress or habit.

Mrs Spiliotopoulou opened the discussion session.



Participants spoke about difficulties the labour movement faces today, due to the closure of companies, decrease of unionized workers because of the crisis, inactivity and administrative problems of GSEE. Many considered that there is a stagnation, but the majority sustained that there are still tools and ways that might be used and are good to this end.

Mr Katsampanis spoke about the Health and safety Councils and the rights of employees.

The legal expert of OBES, Mr Kioulos, took the floor and spoke about new technologies and health and safety at work. He presented the case of the company emails, which companies often ask employees to answer even after work hours. Mr Kioulos said that this practice causes stress and illnesses may derive from it, which will not be considered as occupational illnesses. He said that this practice may be the cause of contemporary accidents at work. He asked for the attention of the trade unionists to include measures for anticipating and facing these occupational illnesses in the collective agreement they sign with the company, insofar the institutional clauses of the collective agreement are concerned.

Mr Ninos said that in France the risk of using emails outside the working hours has been recognized. On the contrary, in Romania employees are required to send and reply emails after working time. He also asked where this obligation is grounded in Greece.

Mr Kioulos said that the right to refuse to read emails should be guaranteed.

Participants said that often the management assigns tasks within the working time, which because they are very difficult and complex require additional time to be accomplished, so there is no respect of the working time.

Mr Kioulos mentioned teleworking as an additional risk, which should be restrained through collective agreements.

Participants wondered how safety precautions could be put in place.

Mr Kioulos replied that collective agreements could be used as a good tool, but trade unions should exert pressure to employers.

Participants said that there are very few new collective agreements, which do not respond well to the needs of employees as far as the benefits they preview are concerned.

Mr Kioulos considered that collective agreements require much elaboration and trade union action from the part of trade unions.

Participants have discussed about which collective agreements prevail the sectoral or the professional ones and concluded that always the sectoral ones prevail.

**14.10 – 16.30** The workshop closed in another room with a light lunch, where participants discussed further in small groups.

