
WORK STREAM 2: WORKERS' REPRESENTATION ROUNDTABLE 1 | MINUTES

DATE & TIME: June 9, 2021 | 10.00 - 11.00 AM CET

PRESENT: *(alphabetically listed)*

Alessio Bertolini, Fairwork Foundation
David Espinosa, UNI Europa
Dimitris Theodorakis, UNI Europa
Roos Wouters, De Werkvereniging
Denisa Avram, Glovo
Hannes Hoollebecq, Cera Coop
Jelena Šapić, Reshaping Work
Jovana Karanović, Reshaping Work

Lukas Pilgram, Delivery Hero
Natalia Walczak, European Transport Workers
Federation
Niels Arntz, Temper
Magali Gurman, Glovo
Olivia Blanchard, Digital Future Society
Wiggert de Haan, Roamlr

ABSENT:

Benjamin Hay, Collective Benefits
Kurt Vandaele, ETUI
Florian Jager, FNV Zelfstandigen
Ignacio Doreste, ETUC

AGENDA:

➤ **Project Updates:**

- Project website updated to include new work streams and partner logos:
<https://dialogue.reshapingwork.net/>
- The first edition of tailor-made [monthly policy briefing](#) sent on May 17, whereas [the latest policy briefing](#) was sent on June 14
- SAVE THE DATE: Future of Work Conference: September 10, 2021
- Work Stream 3, Roundtable 3 rescheduled: September 22, 2021
- Register to the Member Library (on the project website) to access work-stream related resources & share relevant documents
- Contacts of all the participants that gave consent are shared in the Member Library

➤ **DISCUSSION TOPIC 1: FREEDOM OF ASSOCIATION**

Freedom of association, as a fundamental right for all workers, represents a prerequisite towards the improvement of working conditions. However, many diverse (non-standard) workers find it difficult to express their collective voice (e.g., they may not work in a specific workplace, not for the same employer, or may not speak the language of the country where they work). Thus, the first discussion aimed to explore how freedom of association can be guaranteed to this group of workers and once established, how the collective voice can be fostered and strengthened.

- ▶ There is an overall agreement that freedom of association is a guaranteed right to workers but differences arise around why this right cannot be fully exercised. Two main causes include (1) national legislation that is more restrictive in some countries than other (e.g., self-employed in are not allowed to join trade unions); and (2) unions adaptation to emerging forms of work.
 - Related to this topic is short-term engagement of some diverse (non-standard) workers with a platform. These work for a short amount of time for a platform, which is insufficient to develop joint interests and join respective unions/workers' associations. At the same time, it is difficult for unions/associations to reach them in such short period.
- ▶ Open questions remain whether national legislators will treat all the companies equally. The case of Uber in the UK provides a good illustrative example to follow and see whether the regulators will apply the same rule across different industry sectors.
- ▶ The ETUC emphasized that they see positively the European Commission's decision to launch "a process to ensure that the EU competition rules do not stand in the way of collective bargaining".
- ▶ De Werkvereniging from the Netherlands started that in 2017 being against platforms or being against flexibility is not the same as being against modern ways of working and social security. Therefore, it is needed to find a modus operandi which will provide both flexibility and security.
- ▶ Memorandum of understanding between platforms and trade unions provided a framework for collective voice coordination in some cases.
- ▶ In Greece, there is currently a negotiation under way with a purpose to expand collective bargaining to all workers, regardless of their status.
- ▶ In Germany, self-employed have a right to collectively bargain with companies they work through.
- ▶ In Belgium, there are Collective des coursier-e-s and United Freelancers (organized by the Christian Federation) as ad hoc bottom-up organizations representing workers.
- ▶ While platform work is in the spotlight of many discussions, there are workers who are considered as employees but not standard employees, and thus, find it difficult to be represented by unions and have their voice heard.
- ▶ Capacity of self-employed to unionize depends on their purchasing power/salary level, points UNI Europa.

▶ **DISCUSSION TOPIC 2: LISTENING TO WORKERS' VOICE**

Many companies do not have established channels of communication with workers' representatives and/or refuse to engage with workers' associations and unions. Some non-standard workers are classified as independent contractors, making it more difficult for unions and workers' associations to negotiate and bargain with companies. Moreover, some unions have been slow at catering to these categories of workers, especially the most 'invisible' ones. This discussion opened the following questions: how collective voice of diverse workers can be heard and taken into account by companies, how dialogue between companies and workers' association can be implemented, and what unions and workers' association can do to better represent diverse workers, their interest and needs.

- ▶ The alleged absence of the right to organise has not prevented local trade union initiatives from trying to enter into negotiations with platform companies, which the latter have often refused, but accepted in a few cases. Therefore, what is needed is a trust-building process, as pointed by

Uber. Direct engagement between two parties and constructive dialogue is a way forward that may evolve into collective bargaining in the future. Direct talks start at a low bar, which raises as conditions mature and both leaderships understand that there is a mutual interest and common ground.

- ▶ Companies can play bigger role in hearing workers' voice, especially in case of short-term engagement. For instance, delivery workers directly address companies to inquire about their payrolls, backpacks, etc. While there are some forms of dialogue established, there is room to do more. Platforms are hesitant to engage more due to the issue of reclassification; modernising the existing categories would enable companies to do more argues Delivery Hero.
- ▶ Self-employed workers who organize within cooperatives tend to overcome the pitfalls of short-term working arrangements and collective bargaining issues. Nevertheless, it was underlined that the coops are not and should not be mistaken for trade unions. Unlike unions, cooperative is an enterprise, so with labor and capital as production factors, with the goal of selling a product of a service.
- ▶ De Werkvereniging carries out occasional surveys with diverse workforce to establish their needs and preferences. By doing so, it also seeks to understand their motivation to work in non-standard forms of employment. The results are presented to the Dutch government in order to come up with new solutions. More independent organizations carrying out this sort of analyses could further shed light on the needs of workers, which could be incorporated by companies.
- ▶ **POSSIBLE SOLUTIONS**
 - Trust building processes between platforms and trade union, not necessarily open to the public.
 - Modernization of existing categories.

NEXT STEPS & ROUNDTABLE:

- The second roundtable on access to social protection is on July 7. The agenda and related information about the lecture will be shared by July 2 the latest.

ADJOURNMENT:

- ▶ Minutes submitted by: Jelena Šapić
- ▶ Minutes approved on: TBA