Guide for good practices
for professionals and managers

SHAPING DIGITALISATION AND ENSURING EMPLOYEES' RIGHTS

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EUROCADRES

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PREFACE

Eurocadres, as a European social partner, participated in the negotiation of the framework agreement on digitalisation, signed in June 2020 between the European Trade Union Confederation (ETUC), BusinessEurope, SGI Europe and SMEunited.

This agreement defines a European framework considering digital transformation from a human perspective. It states that digital change should not be imposed, but rather should be approached through negotiation with workers and trade union representatives. It calls for the conclusion of a digital strategy that ensures that both companies and workers benefit from the introduction of digital technology, for example in terms of working conditions, innovation, access to vocational training and qualifications etc.

The absence of a real European and/or sectoral framework on the deployment of technologies was a handicap in many sectors and companies in acting effectively to defend existing rights and to use the new technologies for social and environmental well-being. Thus, the adoption of this agreement constitutes an important support point to orientate developments in the right direction, in particular when social relations are difficult, within branches or companies.

More broadly, it will help to rehabilitate the role of trade unionism, especially in countries where collective bargaining and trade unions are not recognised in building social law.

Eurocadres ran a two-years EU funded project entitled "Social partners' framework agreement on digitalisation: Better implementation and improved capacity for trade unions of professionals and managers". Four workshops were organised to develop the different chapters of the agreement and this final practical guide aims to help trade unions and professionals and managers to take ownership of the agreement so that digital technologies are used to provide an emancipating work environment and framework.

Nayla Glaise, President of Eurocadres, *September 2022*

EXECUTIVE SUMMARY

Society at large is going through a digital transformation impacting all aspects of life, including work. Professionals and managers (P&MS) need to know the core challenges and opportunities of this transformation and how to address them, have the room for manoeuvre to reflect on their leadership and train their leadership skills.

Employers need to ensure that digital data rights, employees' rights, and health and safety are respected throughout the digital transformation of companies and sectors. Trade union representatives need to know the challenges and opportunities of digital transformation and how to support P&Ms in this transformation.

This guide is written for professionals and managers and union representatives. It contains important insights, current knowledge, good practices, and guidance on:

- Background: the impact of digitisation on worker' rights (chapter 1)
- Digital skills and securing employment (chapter 2)
- Modalities of disconnecting (chapter 3)
- Artificial intelligence and surveillance (chapter 4)
- Digitisation and leadership (chapter 5)

1. BACKGROUND: THE IMPACT OF DIGITALISATION TO WORKERS' RIGHTS

VUCA WORLD AND DIGITALISATION

We live a world today that can best be described as VUCA.[1] The world is volatile, constantly changing, unpredictable and developing rapidly. Unexpected and unstable events change the context in which companies do business. This adds to a high degree of uncertainty, making it hard to predict future events and their consequences.

Within this context, digitalisation takes place within societies and companies and entails the re-and upskilling of employees, restructuring and changing throughout work life. Digitalisation is defined as "the ongoing integration of digital technologies and digitised data across the economy and society" (Eurofound).[2] We can identify three vectors of change; automation, digitisation, and platforms that bring about specific challenges in organisations and sectors (see table 1).

Table 1: Key terms and challenges

TERMS	CHALLENGES
Automation: human tasks are replaced by machines	Challenges for work and employment due to automation: · Job polarisation · New work organisation · New skills demands

1 VUCA: Volatility, Uncertainty, Complexity, Ambiguity
2 urofound (2021) The digital age: Automation, digitisation and platforms, https://www.eurofound.europa.eu/data/digitalisation

Digitisation: digital production processes	Challenges for work and employment due to digitisation: · Fragmentation of jobs · Unstable contractual arrangements · Infringement of privacy
Platforms: coordination – matching of supply and demand	Challenges for work and employment due to platforms · New work organisation · Fragmentation of jobs · Ambiguous employment status

Source: Eurofound (2021)

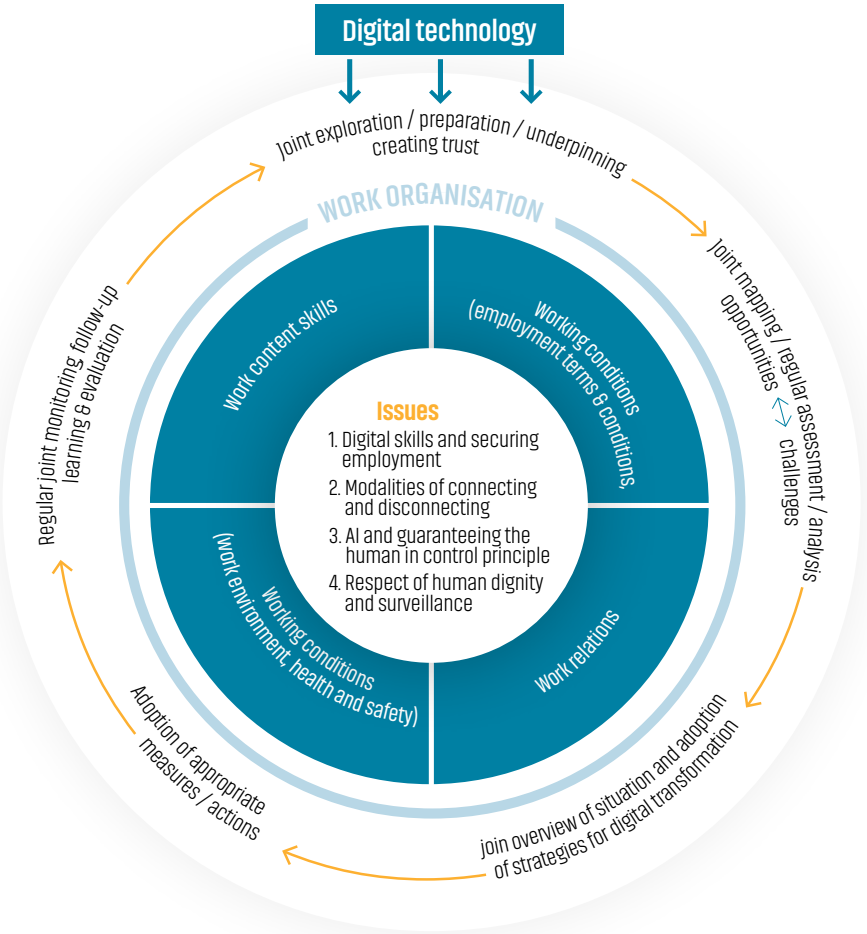
THE EU SOCIAL PARTNERS FRAMEWORK AGREEMENT

The digital transformation profoundly impacts the way professionals and managers work. Unions need to support professionals and managers in this transformation, which is not only a digitalisation of organisations but an inherent changing in jobs, leadership, work, and work organisation.

The European Social Partners Framework agreement on digitalisation can serve as an important framework for preparing and conducting negotiations between employers and union representatives on digitalisation and its impact on work and the workforce. It gives professionals and managers helpful insights on approaches, actions, and measures of the four main issue areas of the agreement, which can be found in the inner circle of the below figure (see figure 1).

The outer circle of figure 1 displays the five stages of the digitalisation partnership process as a joint dynamic circular process between employers and union representatives. The agreement provides step by step guidance on how to design each of the five stages of such a process. These stages within can help create trust, improve communication, and structure the exchange and negotiations between employers and employees. The blue boxes entail the four areas of work organisation impacted by digitalisation.

Figure 1: Digitalisation Partnership Process



Source. EU Framework agreement 2020[3]

3 ETUC, Business Europe, SME united, CEEPT (2020): The European Social Partners Framework agreement on digitalisation (in short EU Framework Agreement), https://tinyurl.com/4ayknstt.

2. DIGITAL SKILLS AND SECURING EMPLOYMENT

This is the first section of the European Social Partners Framework Agreement on digitalisation. Within the Eurocadres' project we facilitated a workshop on digital skills and securing employment, with workshop documentation available via Eurocadres. [4]

2.1. Background

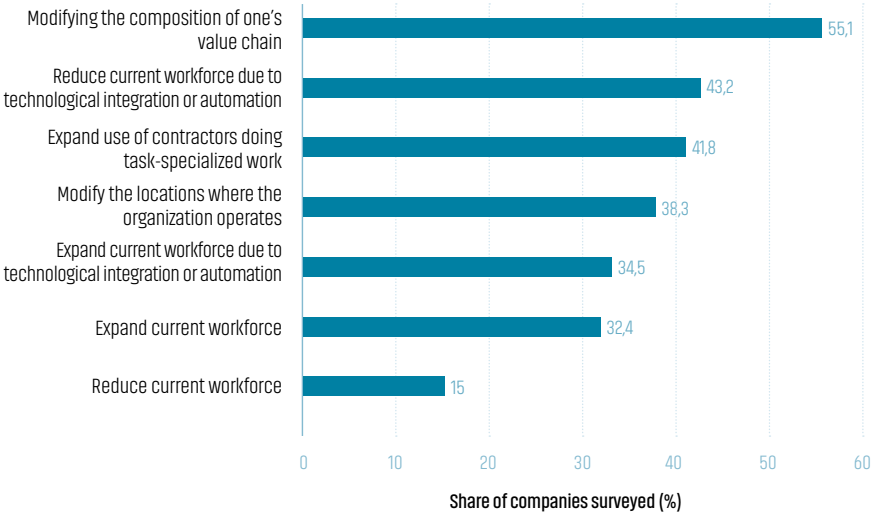
Securing employment through re/up-skilling

Digitalisation and climate change leads companies to undertake changes rapidly. There is no universal experience with the process of digitalisation. In some sectors and companies are seeing a reduction of the current workforce due to technological integration or automation, while others have seen an expansion of their workforce. Therefore, re/up-skilling is even more important to manage this transition during the next years.

When old jobs disappear, new jobs emerge, and existing jobs change significantly in content. Skill training forms an important part of the larger endeavour of re/up-skilling employees given this change in landscape. The re/up-skilling of professionals and managers and all other employees thus becomes an integral part of organisational transformation (see also Eurocadres' project on "skilling leader. Re-and upskilling of professionals and managers, 2020-2022). Unions need to support professionals and managers in negotiating and implementing agreements on re/up-skilling across companies and sectors.

4 Receive the documentation of the workshop on "Artificial intelligence and surveillance" here info@nicole-helmerich.com Receive the documentation of the workshop on "Artificial intelligence a

FIGURE 2: Companies' expected changes to the workforce by 2025 (by share of companies surveyed)



World Economic Forum (2020) [5]:

Transformation and lifelong learning

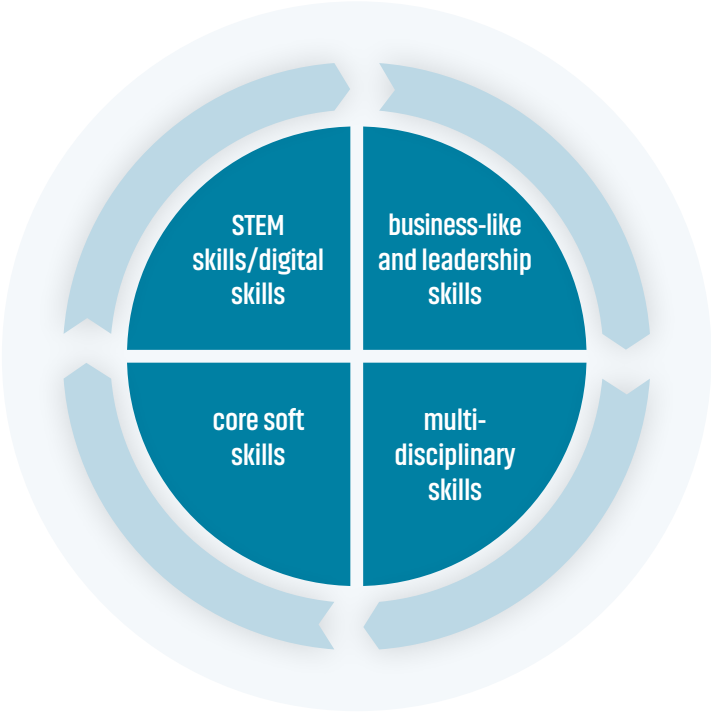
Due to the digital transformation, in many instances the skills that have been important when professionals and managers left university are vastly different from the ones needed today, tomorrow and in the future. P&Ms need the ability to adapt to new circumstances, learn how to use new digital tools, how to work alongside automated systems and systems using artificial intelligence, and how to lead their employees within these new ways of working. They not only need to learn about new technologies, but also to develop a mindset of transformation and a strong ethical posture of leading employees through constantly changing circumstances.

This demands professionals and managers and all other employees to embark on lifelong learning[6] and acquire a diverse set of skills. This entails **STEM skills and digital literacy** to understand and work with new technologies, **business like and**

5 WEF (2020): The Future of Jobs Report 2020, Figure 20, page 29, data from Future of Jobs survey 2020
6 OECD skills outlook 2021: Learning for life, https://tinyurl.com/5bycwd5e

leadership skills such as project management skills, commerce skills, marketing skills, **multi-disciplinary skills** to solve complex problems as well as core soft skills such as teamwork, initiative, creativity, critical thinking, communication, and resilience (see figure 3).[7]

FIGURE 3: Future skills



7 Source: Olga Strietska-Ilina, ILO Senior Skills and Employability Specialist,(ILO 2018): Global challenges impacting the future world of work: What skills will the jobs of tomorrow require?, https://www.youtube.com/watch?v=rBzr_mRPzFI&t=186s. STEM skills/digital skills are technology, engineering and mathematics and the ability to use digital technology at work. Business-like and leadership skills are project management skills, commerce skills, marketing skills, skills of vocational training type. Multi-disciplinary skills are abilities that can facilitate the process to find solutions to complex problems from several perspectives. Core soft skills are employability skills, applicable across different occupations and sectors, teamwork, initiative, creativity, critical thinking, problem solving, communication, and resilience.

2.2 Good practices and guidance

The role of unions and employers

Identifying skills gaps and needs for professionals and managers, as well as offering skills training, form an integral part of skills needs anticipation, preparation, and meeting future skills needs by addressing gaps between skills demand and supply at sectoral and company level.

In general, unions need to play an active role here to support professionals and managers. The type of support and the degree of involvement of unions depends on their national institutional role, their respective skills strategy and digitalisation strategy, and skills agreements between employers and unions. Since this differs in each European country, specific case studies exemplify how and to which degree unions may support professionals and managers in identifying, managing, and acquiring digital skills and the mix of skills needed.

The European Framework Agreement provides a list of measures to be considered in how to best organise this digital transformation in terms of skills and securing employment. For example, there should be a commitment of both parties to re/up-skill, access to training related to the digital transformation should be paid by the employer, and there should be a focus on the quality and effectiveness of the training (See Framework Agreement 2020, 8-9).

Good practice: skills compass

How can professionals and managers identify what kind of (digital) skills they themselves and their colleagues possess? How can this taking stock and mapping exercise of skills be part of a resource-oriented leadership approach towards development within a lifelong learning journey?

Digital tools can be beneficial to the mapping and identification of skills. For example, the AIKomPass[8] is an instrument for visualising and documenting formal and informal skills of employees including digital skills. The result of the skills mapping is a personal skills-profile the employee can use to identify their skill set. Professionals and managers can use this personal skills profile to sit together and appreciate the skills, discuss the results, identify which skills to prioritise in skills training.

8 AIKomPass, AgenturQ, https://www.aikompass.de/. Tool available in various languages.

The tool allows for a resource-centred and human centred approach to leadership within the digital transformation. This instrument has been developed by an agency which is financed by the employers and the union in the metal and electronic sector in Southern Germany.

TABLE 2: good practice box: (digital) skills mapping of employees AIKomPass

AIKOMPASS

- a tool to map professional, (digital) skills, soft skills, and hidden skills
- possible to adapt this tool to different sectors
- you generate a personal profile as a map of all your competences
- you get a personal profile, and your data is protected and deleted afterwards
- this can be used in a personal development meeting or for job applications
- learn what skills you master is empowering
- you also learn how to make a CV from your skills
- the tool is available in German, English, French, Swedish and Italian

Source: Matthias Binder, Agentur Q[9]

Good practice: sectoral training funds

Formal professional training for STEM and digital skills, business-like and leadership skills, core soft skills, and multi- disciplinary skills must be organised within sectors. How this is organised and provided highly differs across sectors and countries. In the insurance sector in Belgium, employers together with the union have created a sectoral training fund called FOPAS[10] to offer employees the necessary training to acquire and strengthen their skills to be fit for the profound digital transformation taking place in the insurance sector.

TABLE 3: good practice box; sectoral training fund FOPAS, Belgium

- provides a new culture for the digital transformation
- provides a platform for lifelong learning, not only digital skills

9 Matthias Binder, Agentur Q, AIKomPass, Eurocadres' webinar: digital skills and securing employment, June 21-22, 2021, Power point presentation, slide 4, 16.
10 See FOPAS https://www.fopas.be/

- employers and managers take courses to upskill
- currently courses are only organised during working time
- courses are financed through a joint fund
- you pass a test for a skills training, and you receive a certificate
- the employers do not have to pay for the courses individually
- is the fund is financed in the form of "solidarity in practice": a small extra contribution on the wages of each employee: 0.15 % and solidarity in the sector
- it is important to negotiate, how to design digital learning/courses

Source: Sophie Lijnen, former director FOPAS [11]

2.3 Questions for self-evaluation and strategy development

Table 4 provides guiding questions for trade union representatives to evaluate what the needs of their members concerning digital skills and securing employment are. This evaluation can be used as basis to recognise the union action, that can support the members on the digital transformation to answer to their challenges.

TABLE 4: Guiding questions for trade union representatives

AS A TRADE UNION REPRESENTATIVE:

- What kind of digital skills, leadership skills, core soft skills, multidisciplinary skills and other relevant skills for digitalisation and employment are needed by your members?
- How are these needs reflected by the employer, national legislation, and collective agreements? Do you have a negotiation agreement in place concerning digital skills, lifelong learning, and re- and upskilling?
- What risks relate to the area of digital skills of your members?
- Is there uncertainty on employment due to the digital transformation that can be foreseen?
- Has there been conflicts in relation to the digital way of working between the sector employees and employers previously? If so, what are the topics, and are they covered properly by collective agreements of national legislation?

11 Sophie Lijnen, former director FOPAS: FOPAS sectoral training fund and its role for digital skills training, Eurocadres' webinar: digital skills and securing employment, June 21-22, 2021.

Table 5 provides guiding questions for professional and managers concerning digital skills and securing employment. These questions can be used by individual workers to identify the potential challenges and needs for mitigating measures.

TABLE 5: Guiding questions for professionals and managers

AS A PROFESSIONAL AND MANAGER:

- Do you know which digital skills, business-like and leadership skills, core soft skills, and multi-disciplinary skills you and your co-workers have or need to thrive during the digital transformation?
- What does lifelong learning, re/up-skilling play in your organisation and sector, do you organise or participate in a skills forecast and do you have a strategy in place for this policy area?
- Do you regularly consult, exchange, and follow up with your employer on the skills needed in digital transformation and their provision?
- Do you have a negotiation agreement in place concerning digital skills, lifelong learning, and re/up-skilling? What is the awareness of these agreement? Does it cover all the areas relevant?
- How does your union support you as a professional and manager concerning these issues?

3. MODALITIES OF DISCONNECTING

This is the second section of the European Social Partners Framework Agreement on digitalisation. Within the Eurocadres' project we facilitated a workshop on modalities of disconnecting. Workshop documentation can be obtained via Eurocadres.[12]

3.1 Background

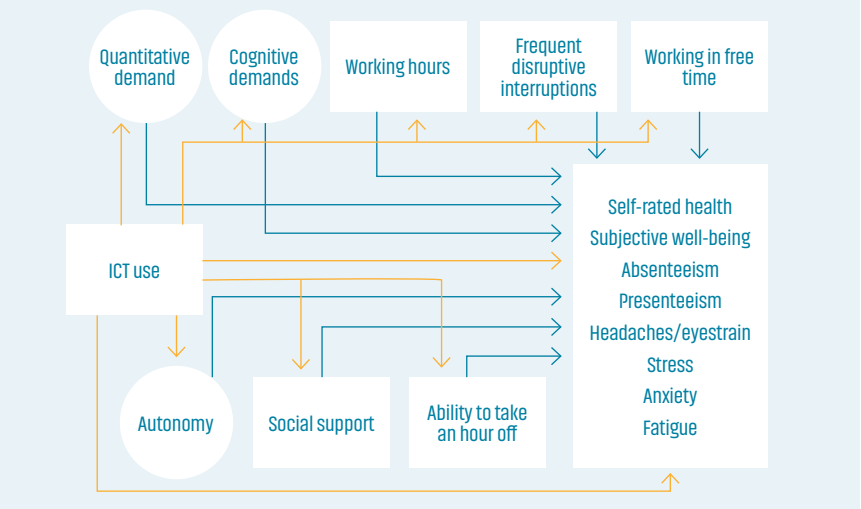
Hybrid work: opportunities and risks

During the COVID-19 pandemic, remote work and mobile work has increased dramatically. This resulted in a profound change in how we work, with hybrid work, a mix of working from home, mobile work and working at the office and at productions sites of companies, becoming the dominant working method. This hybrid work form is here to stay post-pandemic.

For professionals and managers, leadership tasks and managerial duties have changed. Many have seen an increase in tasks with remote/hybrid work. Depending on how organisations design hybrid or remote work, this new form of work can create opportunities such as improved work-live balance, flexibility and autonomy, improved communication, and collaboration. However, with poor work organisation it can also create risks such as advanced monitoring and control, increased work intensity and stress, "limitless work", blurred boundaries between professional and private life, potential expectation on 24/7 availability, long working hours, limited rest time, and information overload. Figure 4 illustrates these possible opportunities and risks. For more results see Eurofound 2020.

12 Receive the documentation of the workshop on "Modalities of disconnecting" here info@nicole-helm-erich.com

FIGURE 4 opportunities and risks of ICT-based mobile work for work and employment



Source: Eurofound 2020, 28, figure 16 [13]

The right to disconnect

These developments have led to a public and political discussion on a "right to disconnect". The following table (table 6) describes what a right to disconnect may entail.

TABLE 6: core elements of the right to disconnect

THE RIGHT TO DISCONNECT IS THE RIGHT OF THE EMPLOYEE:

- Not to be connected to professional digital tools outside of working hours,
- Not to be contacted at times when not expected to be available during working time,
- Not to be contacted, including on personal communication tools, for a professional reason outside usual working hours.
- Rest periods, holidays and suspension of the employment contract must also be respected by all actors of the company.

Source: Nayla Glaise, Eurocadres president [14]

13 Eurofound (2020), Telework and ICT-based mobile work: Flexible working in the digital age, new forms of employment series, Publications Office of the European Union, Luxembourg.
14 Nayla Glaise, Eurocadres' president, Right to Disconnect, Eurocadres' webinar: Right to disconnect, 1-2 December 2021, Power point presentation, slide 17.

3.2 Good practices and guidance

In this section you find good practices and guidance on developing a strategy for a right to disconnect such as: monitoring work time, psychosocial risks and burnout prevention, and an overview on current agreements and legislation.

Strategy building on the right to disconnect

The following table presents key considerations for union representatives to develop a strategy on the right to disconnect (see table 7).

TABLE 7: Key considerations for unions and professionals and managers

- Increasing digitalisation and the impact of COVID-19 makes need for action more evident
- Enforcement issue or existing acquis, are they no longer fit for purpose?
- Importance of social partner involvement and adaptation to changes while ensuring good levels of protection
- Resolving tensions between the desired need for flexibility and overcoming R2D challenges
- Clear recording of working time without infringing privacy
- More evidence is needed of the impact of the implementation of the R2D on working time and worker wellbeing

Source: Eurofound, Tina Weber (2021) [15]

Psychosocial risks, resilience and monitoring of working time

A strategy concerning the right to disconnect should always integrate up-to-date knowledge on psychosocial risks, resilience and working time. Uncertainty, insecurity of employees regarding the digital transformation, excessive workload, a high degree of connectedness (instead of disconnecting regularly), a poorly managed organisational change, ineffective communication, conflicting demands, and lack of role clarity may cause stress for employees. Depending on the intensity and duration of stress this may lead to burnout. (Nicole Helmerich (2021)[16]

15 Tina Weber, Research Manager, Eurofound, Teleworking and the right to disconnect, Eurocadres webinar: Right to disconnect, 1-2 December 2021, Power Point Presentation Slide 13

16 Nicole Helmerich, external consultant to the Eurocadres' project, Presentation during the Eurocadres webinar: Right to disconnect, 1-2 December 2021. See also Eurocadres' project results on psychosocial risks on the Eurocadres website.

Agreements and legislation

After formulating a strategy, union representatives might want to negotiate an agreement on the right to disconnect. The following table proposes some key recommendations to consider (table 8).

TABLE 8: good practices box: Eurocadres' recommendation concerning the right to disconnect

- The R2D must provide appropriate responses to existing workload.
- New protections are needed with the transformation of work to preserve privacy and health.
- Need to reduce time and workload and to control the use of digital tools.
- Working anywhere at any time to relieve pressure at work and doing tasks in peace.
- Balancing efficiency provided by ICT, while ensuring workload does not increase and become overly intensive. Challenging unrecognized and unaccounted for work that very often exceeds the hourly limits imposed by law.
- Permanent and unlimited availability and a much-blurred boundary between professional and private life.
- Identifying indicators to measure the effects foreseen in the agreement.

Source: Nayla Glaise, Eurocadres' president [17]

It is also important to consider which agreements and legislation are in place concerning the right to disconnect. In Europe there is an insufficient patchwork of rules, regulations, and agreements on the right to disconnect from work. The following info box gives an overview on EU legislation and agreements (see table 9). European directives set the minimum standards. The national legislation guides the work of P&MS and unions. Eurofound is publishing an update on the regulatory framework in September 2022[18] .

17 Nayla Glaise, Eurocadres president, Right to Disconnect, Eurocadres webinar: Right to disconnect, 1-2 December 2021, Power point presentation, slide 16.
18 Eurofound (2022, forthcoming), Regulations on telework in the EU, Publications Office of the European Union, Luxembourg.

Table 9: relevant EU legislation and agreements

- Framework Directive on Occupational Safety and Health (1989/391/EEC)
- Working Time Directive (2003/88/EC)
  - Weekly working time limit 48 hours
  - Minimum period of 11 consecutive hours of daily rest and an additional 24 hours of weekly rest
  - Case law requires employers to record and monitor working hours
- Directive on Work-life balance for Parents and Carers (2019/1158 EU)
- Directive on Transparent and Predictable Working Conditions (2019/1152 EU)
  - States that the place of work and work patterns must be included in the information the employer provides to each worker
- Social partner agreements on telework (2002)[19] and digitalisation (2020
- Only 9 EU countries have specific legislation regarding the monitoring of working hours of remote workers (AT, BG, DK, ES, HR, LT, MT, RO, SI)
- Currently Belgium, France, Italy, Spain, Greece, Luxembourg, Portugal, and Slovakia have a legislation in place on the R2D. (Eurofound 2022)

Source: Eurofound. Tina Weber (2021) and Eurofound. Oscar Vargas Llave (2022) [20]

3.3 Questions for self-evaluation and strategy development

The following table (table 10) raises guiding questions concerning modalities of disconnecting for union representatives for self-evaluation. This helps unions to identify their current position on the topic, develop a strategy and to decide how to exchange with the employer and negotiate issues concerning modalities of disconnecting.

19 https://tinyurl.com/58c6nyvx See also Eurofound' s interpretation of the framework agreement https://tinyurl.com/bdf79wcu

20 Tina Weber, Research Manager, Eurofound, Teleworking and the right to disconnect, Eurocadres webinar: Right to disconnect, 1-2 December 2021, Power Point Presentation Slide 11 and Eurofound: Working conditions and sustainable work Do we really have the right to disconnect? By Vargas Llave, Oscar, 13 July 2022, https://www.eurofound.europa.eu/publications/blog/do-we-really-have-the-right-to-disconnect.

Table 10: Guiding questions for trade union representatives

AS A UNION REPRESENTATIVE:

- How important is remote work, hybrid work or mobile work in the sector of your members?
- What kind of agreements concerning remote work, hybrid work or mobile work are in place in the sector of your members?
- Do you have a strategy in place concerning remote work, hybrid work or mobile work, monitoring working hours and the right to disconnect?
- Is there any regulation in your country, in a sector or at a company concerning the right to disconnect? Is there a need for regulation?
- Do you include issues of resilience, burnout-prevention, and psychosocial risk into your strategy and in agreements?
- How do you support professionals and managers concerning the right to disconnect, hybrid work, and working hours?

The following table (table 11) raises guiding questions concerning modalities of disconnecting for professionals and managers for self-evaluation.

TABLE 11: Guiding questions for professionals and managers

AS A PROFESSIONAL OR MANAGER:

- Do you know why disconnecting from work is important for the health and wellbeing of employees, reducing health and safety risks and psychosocial risks?
- Are you regularly consulting, exchanging, and following up with your employer on the modalities of disconnecting, workload, work organisation, work intensity and over time?
- Do you have a digital tool in place that supports prevention concerning excessive connectedness to work, workload, work organisation, work intensity and overtime in teams?
- Do you have an agreement in place concerning the right to disconnect?
- How does your union support you as a professional and manager concerning these issues?

4. ARTIFICIAL INTELLIGENCE AND SURVEILLANCE

This is the third and fourth section of the European Social Partners Framework Agreement on digitalisation. Within the Eurocadres' project we facilitated a workshop on artificial intelligence and surveillance (workshop documentation can be obtained via Eurocadres). [21]

4.1 Background

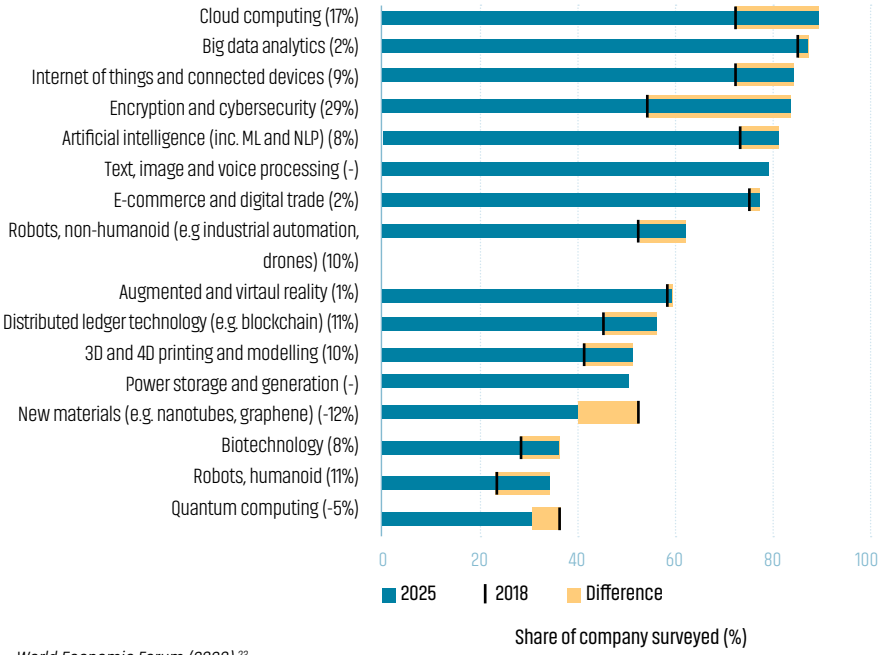
Due to the digital transformation, companies have and will continue to significantly increase the implementation of technologies such as cloud computing, big data analytics, internet of things, artificial intelligence, and automation. Figure 6 shows the technology likely to be adopted by companies in 2025 and the technology already adopted in 2018.

Automation and**d artificial intelligence** are two forms of digital transformation where the **changes for employees, including professionals and managers, are profound**. As two examples, nurses are using apps and tablets to manage patients and document their work and technical staff collaborate with robots in a production line. In many companies, software measures performance data, calculates who should be promoted, predicts outcomes and tasks, and allow managers to monitor their employers directly (for detailed examples see Ponce 2020 and the ETUI game).[22] Here you can find an overview on the difference between automation and artificial intelligence (Table 12).

21 Receive the documentation of the workshop on "Artificial intelligence and surveillance" here info@nicole-helmerich.com.

22 Ponce Del Castillo, Aida (2020): Labour in the age of AI: why regulation is needed to protect workers, ETUI Foresight Brief, #08 – February 2020. ETUI offers trainings on artificial intelligence and uses an AI game developed for this training. For more information see for contact here: https://tinyurl.com/2p83tsct and for current dates here https://www.etui.org/listing/training.

FIGURE 5: Technologies likely to be adopted by 2025 (by share of companies surveyed)



World Economic Forum (2020) [23]:

TABLE 12: Core differences between automation and artificial Intelligence

AUTOMATION	ARTIFICIAL INTELLIGENCE
• Designed for simple, repetitive tasks • Cannot evolve or learn • Rule-based operation • Generates data but cannot analyse it	• Designed for more complex, non-repetitive tasks • Designed to analyse and react to its environmental data • Evolves or learns based on previous and current data • Helps organisations analyse data • Can identify pattern

Source: McMahon (2022) [24]

23 WEF (2020): The Future of Jobs Report 2020, Figure 18, page 27, data from Future of Jobs survey 2020.
24 McMahon (2022): The role of artificial Intelligence in Digital Transformation, March 23, 2022, blog article, https://www.ptc.com/en/blogs/corporate/artificial-intelligence-digital-transformation

Opportunities and challenges

AI systems, automation and digital technology are present in a variety of sectors and businesses to manage human resources, to analyse the market, to produce goods and products, to provide services, and to gauge the efficiency and efficacy of work processes. This may help to improve issues of health and safety and enterprise efficiency. Working in a flexible way and from home may allow employees to integrate private life with work. Digital technology made to supervise workload, overtime and work intensity may reduce stress, serve as burnout prevention, and help allocate work within a team better while automation may reduce dangerous or repetitive work tasks and protect employees from accidents and fatigue.

On the contrary, technology may be used to control, and monitor every step of work. Technology designed for control and work efficiency increases stress and work intensity. This may have a negative impact on mental and physical health. It may also compromise human dignity, deteriorate working conditions and the well-being of employees. Therefore, it is key to know how AI systems, automation, and digital tools work and what positive or negative effect they have on employees. Professionals and managers and well as unions need to be at the forefront to analyse, and evaluate, take actions, and negotiate solutions with the employers to profit from the opportunities, minimise the negative effects and protect employees from surveillance.

The human in control principle

The professionals, managers, or union representatives can proactively contribute to shaping digital transformation in a human centred way, so it serves employees to improve their working conditions and their work life balance. The following concepts and principles can support professionals and managers as well as unions to make sense of digital systems, to assess their risks and decide on a respective strategy and actions such as negotiations with the employer.

Firstly, the European Social Partners Framework Agreement on Digitalisation demands that "[t]he **control of humans over machines** and artificial intelligence should be guaranteed in the workplace" (Framework Agreement 2020, 11)

The **Human agency** concerning AI systems means:

a. Preserving human autonomy through the AI decision making process
b. Preserving "human oversight in ensuring that AI systems do not threaten human autonomy or cause undesired consequences (Finn 2022, 5)[25]

25 Fanni, R., Steinkogler, V.E., Zampedri, G. et al. Enhancing human agency through redress in Artificial Intelligence Systems. AI & Soc (2022). https://doi.org/10.1007/s00146-022-01454-7

It is the first of seven principles to use when assessing whether artificial intelligence systems are trustworthy and legally adhering to European and national regulation, as elaborated by the Independent High-Level Expert Group on Artificial Intelligence set up by the European Commission (See European Commission 2020)[26]

GDPR to claim digital rights and data rights

As a next step it is important to distinguish between personal and non-personal data to identify whether the digital system and surveillance technologies violate personal and data rights of employees. The European Framework Agreement refers to "article 88 of the General Data Protection Regulation (GDPR) which refers to possibilities to lay down by means of collective agreements, more specific rules to ensure the protection of the rights and freedom with regards to the processing of personal data of employees in the context of employment relationships" (EU Framework Agreement, 12).

Furthermore, the GDPR has a strong basis for the digital rights:

- If a digital system uses the personal data of employees, the GDPR[27] of the European Union comes into play. It is a strong regulation, aimed at ensuring that AI systems comply with your digital rights and labour rights. GDPR regulates the processing of personal data of workers in the employment context and plays a key role in European countries to claim digital rights, including the provisions below: You have the right to be informed
- The burden of prove to be compliant with GDPR lies with the employer
- The employer must conduct a data protection impact assessment (see section 4.2.) (Prospect 2021)[28]

The following figure (figure 6) shows technology using the private data of employees. There has been an increase in the use of GPS tracking/wearable devices, task allocation software, and performance management software which need to be assessed to decide whether or not they conform with the data rights of employees. Professionals, managers, and unions play an important role in defending digital rights and privacy rights. Know and find out how digital and AI systems at your workplace use private data.

26 European Commission (2020) Independent High-Level Expert Group on Artificial Intelligence Set up by the European Commission. The Assessment List for Trustworthy Artificial Intelligence (ALTA) for self-assessment

27 Access the regulation here https://gdpr-info.eu/.

28 Prospect (2021): Digital technology. Guide for union representatives, https://tinyurl.com/3n55t9vh.

Figure 6: Technology using private data of employees

Source: Andrew Pakes 2022,[29]

4.2 Good practices and guidance

This section offers a step-by-step process how to check digital systems at your work-place and their compliance with digital data rights and labour rights.

Checking data privacy in digital systems

(1) Do you have access to that system/technology/robot?

- If yes, ask for the technology, the documentation and how it works.
- If no, ask about the data

(2) Ask and find out whether the digital system uses personal data

This means any information about you, your colleagues, or your clients including:

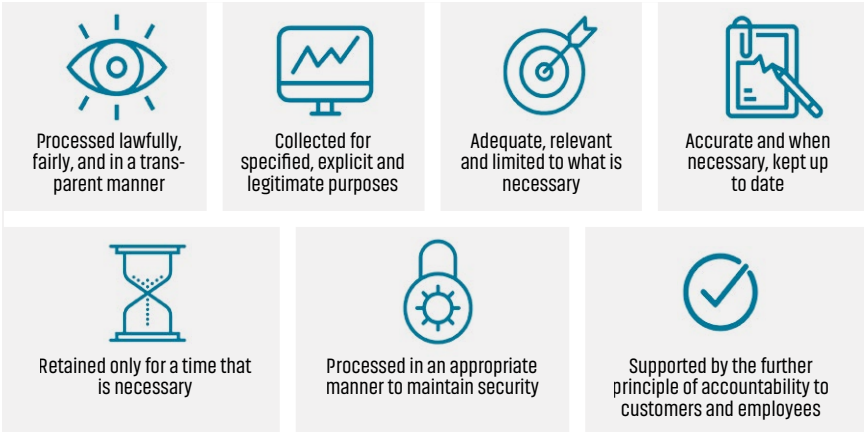
- Name
- Address
- Phone Number
- Nationality
- Trade union membership
- Religion
- Geo-localisation
- Marital status
- Gender
- Sexual preference
- Health data
- Contacts in your apps such as Whatsapp

29 Presentation of Andrew Pakes, Deputy General Secretary, Prospect within Eurocadres' workshop on "Artificial intelligence and surveillance", May 5-6, 2021, Brussels, Belgium.

(3) Know your digital rights

This overview of your digital rights is regulated in the GDPR which went into effect on May 25, 2018, and forms part of national law in all countries of the European Union (see figure 7).

Figure 7: your digital rights regulated in GDPR



(4) Analyse the digital system according to digital rights conformance

Analyse whether the digital system violates your digital rights stemming from GDPR. Conduct a data protection impact assessment for this (for details, see section 7.2.2.)

(5) Decide on demands and actions to take

Checklist for trustworthy digital systems

In 2020 the Independent High-Level Expert Group on Artificial Intelligence set up by the European Commission developed seven key requirements for a trustworthy AI:

1. human agency and oversight
2. technical robustness and safety
3. privacy and data governance
4. transparency
5. diversity, non-discrimination, and fairness
6. environmental and societal well-being and
7. accountability

Source: European Commission (2020, 3)[30]

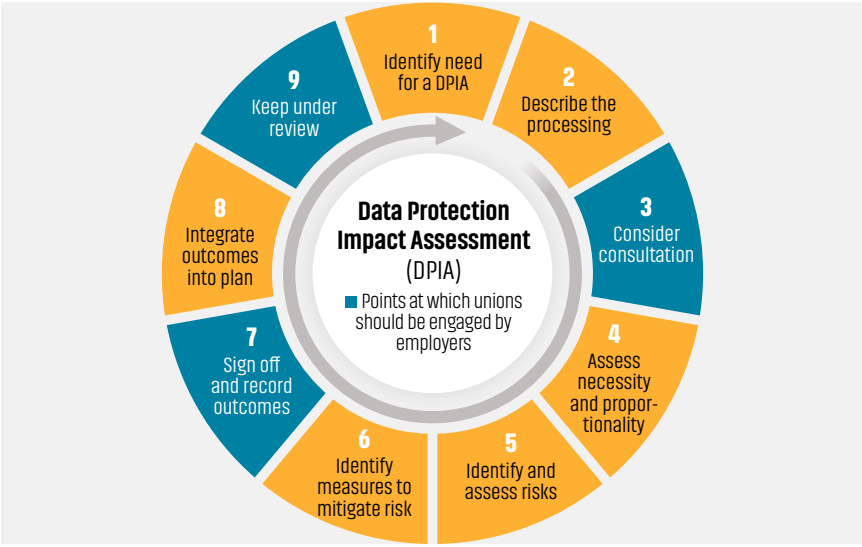
30 European Commission (2020) Independent High-Level Expert Group on Artificial Intelligence Set up by the European Commission. The Assessment List for Trustworthy Artificial Intelligence (ALTA) for self-assessment. doi:10.2759/002360

You can find a **helpful checklist supporting professionals and managers as well as unions** in the phase of understanding and evaluating AI systems in organisations developed by Eurocadres in the annex of this publication (Annex I).

Data protection impact assessment

The data protection impact assessment (article 35 of the GDPR) allows you to analyse a digital system or any other technological tool whether it violates privacy and digital data rights of employees or clients. For this assessment, a data officer in the IT department of your organisation and an external expert might be able to support you. Figure 8 illustrates the nine steps in a data protection impact assessment. Prospect provides a checklist on what kind of questions to ask during the DPIA (Prospect 2021, 19)[31].

Figure 8: Data Protection Impact Assessment (DPIA)l



The role of unions and employers

The European Framework Agreement states that "social partners at the level of enterprise and at other appropriate levels should pro-actively explore the potential of digital technology and AI to increase the productivity of the enterprise and the well-being of the workforce, including a better allocation of tasks, augmented competence develop-

31 Prospect (2021): Digital technology. Guide for union representatives.

ment and work capacities, and the reduction of exposure to harmful working conditions. The potential tensions between respect for human autonomy, prevention of harm, fairness and explicability of decision making should be acknowledged and addressed." (Framework Agreement 2020, 11). The framework sets out characteristics of a trustworthy AI and detailed measures on how to deploy digital systems, how to respect the human in control principle, and outlines that digital systems should comply with existing law and the GDPR. It also sets our measure to respect human dignity and measures to limit surveillance (Framework Agreement 2020, 11-12). Unions and employers can use the agreement to structure their exchange and negotiations.

Table 13: Good case example: finance sector, Finland

- The Finnish finance sector was one of the first sectors to face digital transformation
- Collective agreement including digitalization, automatisation, AI, the skills of workers, and wellbeing 2013 and 2020 now also including diversity and lifelong learning
- Establishment of a joint project "Wellbeing Finance" 2014-2015 with all parties being committed including a university partner for research, training and awareness raising

Source: Liisa Halme, Liaison Manager, Pro (Finnish trade union)[32]

Prospect suggests that "unions should aim to ensure provisions around digital technology and use of our data are included as part of ongoing consultation in collective bargaining arrangements, just like pay and conditions. This might mean agreeing a specific framework of principles and processes around the introduction of new technologies into the workplace or work processes, sometimes referred to as a "technology agreement" (Prospect 2021, 22)[33] The publication contains a checklist of elements to be considered during the negotiation process and issues to be included into the agreement.

32 Presentation of Liisa Halme, Liaison Manager, Finance Sector Finland, Industrial Policy in Insurance Sector of Pro (Finnish trade union) within Eurocadres' workshop on "Artificial intelligence and surveillance", May 5-6, 2021 Brussels, Belgium.
33 Prospect (2021): Digital technology. Guide for union representatives.

4.3 Questions for self-evaluation and strategy development

Table 14 raises guiding questions concerning artificial intelligence for union representatives for self-evaluation. This helps unions to identify their current position on the topic, develop a strategy and to decide how to exchange with the employer and negotiate issues concerning AI and surveillance.

Table 14: Guiding questions for union representatives

As a union representative:

- Do you know how digital systems may impact labour rights, privacy rights, health and safety of employees?
- Do you have a strategy in place concerning artificial intelligence and automation?
- Do you have a strategy concerning the data privacy and surveillance of employees?
- Do you know, how the General Data Protection Regulation (GDPR) of the European Union and a digital protection impact assessment (DPIA) may support your work and the protection of your data rights and labour rights?
- How do you as a union support managers and professionals in these tasks?

Table 15 raises guiding questions for professionals and managers concerning artificial intelligence and surveillance.

Table 15: guiding questions for professionals and managers

As a professionals and managers:

- Do you know your data rights?
- Do you know which digital systems are in place at your organisation and in your sector and how they may impact labour rights, privacy rights, health and safety of employees?
- Do you have access to expert services for better transparency of digital systems at your workplace?
- Do you know, how the General Data Protection Regulation (GDPR) of the European Union and a digital protection impact assessment (DPIA) may support your work and the protection of your data rights and labour rights?
- Do you have a strategy in place how to deal with digital systems and digital tools?
- Do you think digital and AI systems at your workplace are controlled by humans?

- Do you have an agreement in place concerning the data privacy and surveillance of employees?
- Do you know how you can protect yourself and your colleagues from illegal surveillance of digital systems and digital tools?
- How does your union support you as a professional and manager concerning these issues?

5. DIGITALISATION AND LEADERSHIP

This section is not included in the European Partners Framework Agreement, but it is key for the target group of Eurocadres - professionals and managers. Therefore, within the Eurocadres' project, we facilitated a workshop on digitalisation and leadership (ask Eurocadres for the workshop documentation)[34].

5.1. Background

Leadership in the digital transformation is challenging the traditional top-down approaches of management. The constant adaptation to new market demands, complex problems and problem-solving of these complex problems puts severe stress on managers and professionals in all departments of organisations. The digital disruption of work life has fundamentally changed management models, introducing new organisational structures. Digital transformation is here to stay, leading into organisational transformation, change and restructuring that is regular rather than exceptional. Consequently, professionals and managers' role and the demand for leadership from colleagues changes profoundly.

Profound change in the way of working changes leadership demands

Especially during COVID there was a massive change of ways of working and how professionals and managers lead. Mobile work, telework and hybrid teams have changed demands for leadership of professionals and managers profoundly. The importance of leading people grew over task management, and this change is likely become even more important in the future. Four developments for companies lead this trend: digital transformation, especially the increase in digital communication and collaboration tools, the increase of complex problems in comparison to complicated problems, which transforms work processes into testing and learning

34 Please note that at the time of writing this guide the workshop has not yet taken place. Therefore, we cannot include the results of the workshop here. Receive the documentation of the workshop on "Digitalization and Leadership" here info@nicole-helmerich.com.

environments, fast changing market demands which changes product innovation and product development cycles, and a new generation of employees demanding a people centred form of business organisation.

Digital Transformation in organisations changes ways of working and leading all areas of a company. Formerly communication, knowledge sharing, knowledge creation, training and learning for employees was entirely dependent on and organised through hierarchical management of a company and managed by a superior. Access to and participation of employees in company communication and knowledge exchange has changed due to the digital transformation and is not dependent on the hierarchical management and the superior anymore. Digital tools for social communication such as chat and forums within a company makes communication and exchange more informal. Companies' intranet and shared file solutions allow interactions, knowledge exchange and document exchange between employees not only within their teams but also across teams and across hierarchy levels.

This is also reflected by organisation of working teams. Temporarily formed interdisciplinary teams work together regularly in new formats of online and offline knowledge exchange and knowledge generation such as projects, hackathons, BarCamps and Open space conferences. In so called communities of practice employees contribute to a specific topic of their expertise irrespective of whether they form part of the department tackling the topic. In these new ways of working P&MS need to know how to use digital systems and how to check digital systems whether they respect digital rights (see section AI and surveillance). In addition, cultural norms and rules of communication, skills for collaboration, co-creation and cooperation become more and more important for professionals and managers as well as their teams.

New leadership skills need to be embedded in a cultural transformation

Leading employees irrespective of whether the organisation is hierarchically organised with the above-mentioned digital transformation, organised in flatter hierarchical structures or as an agile organisation, communication, teamwork, and cross-functional teams play in all organisational structures a very important role.

To support their teams to work this way, professionals and managers need coaching, facilitation, and knowledge management skills (see section on digital skills). For this end, companies and sector organisations need to provide P&MS with a good variety of training and learning possibilities. Professionals and managers need to be trained in and attain digital skills to judge whether and which technology is enabling and

empowering employees and which technology is controlling employees. P&MS need to know about their data rights and how to protect workers from surveillance (see section AI and surveillance). Leading people then also entails that companies need to ensure modalities of disconnecting and health and safety measures for psychological safety, and burnout prevention (see section modalities of disconnecting). P&MS need to know about modalities of disconnecting and act as a role model for their team concerning this practice. When focusing on leading people instead of task managing the role of professionals and managers in training and people development is very important. P&MS play an important role in shaping learning journeys, career development, giving and receiving feedback. Therefore, professionals and managers irrespective of the organisational structure of a company are important roles for organisations when focusing on leading people and should not be disappearing.

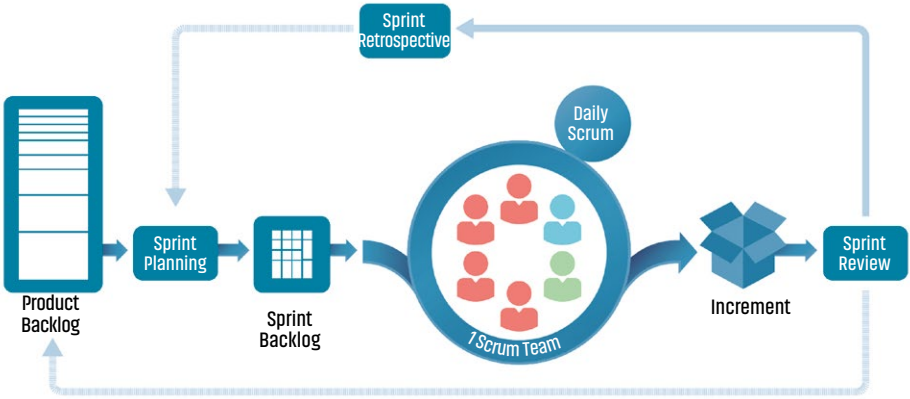
Training professionals and managers in skills is not sufficient to respond to new leadership demands. A transformation towards leading people instead of task management only works if senior management actively creates a company structure and company culture and commits to supporting professionals and mangers during this transformation. Only then P&MS can fill these new leadership roles. In many cases P&MS are asked to obtain and exercise new skills and management obligations without being able to deploy them because company culture and company structure were not transformed in a way to create the space to lead this new way.

Transformation of hierarchy and new leadership types

Modern leadership roles need to go hand in hand with modern organisational designs and a cultural change (Dignan 2019, Kegan et. al. 2016, Lipmanowicz et.al. 2014). Modern leadership does not come without risks. The approaches like adaptive leadership, distributed leadership, Cynefin and agile approaches (Snowden et. al. 2007; Rancati et. al. 2021) can only work if the new demands on leadership go hand in hand with an organisational structure and company culture that allows for modern leadership. Many transformations fail because senior management puts the responsibility of change on professionals and managers without creating the necessary changes in the organisational structure and organisational culture for leaders to have the room for manoeuvre, the means, the teams, and the processes to lead in a digital transformation (Dignan 2019).

Agile ways of working originated in the software development in IT departments with the introduction of SCRUM to development software for clients in an iterative way in the form of sprints to be able to adapt to the customer demands (see figure 9).

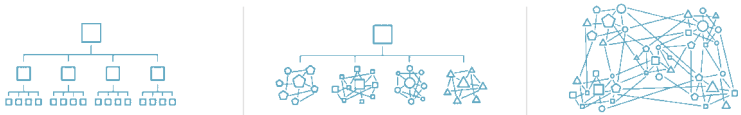
Figure 9: SCRUM Framework



Source: Scrum Org, https://www.scrum.org/resources/scrum-framework-poster

Today many organisations scale agile organisational forms to other product related departments such as Marketing, Research & Design, and Customer Service and keep non-product-related cross functional departments like Finance & Controlling, HR, Purchasing, and Legal organised in a non-agile way. Some organisations fully change their organisation to an organisation of distributed authority such as systems of Teal/ Holocracy, SAFe (Scaled Agile Framework) and LeSS (Large Scale Scrum) (Gerster et al. 2000) (see figure 10)[35].

Figure 10: From Command to Teams of Teams



Command
A traditional top-down structure. The connections that matter are between workers and their managers.

Command of Teams
Small teams operate independentely but still within a more rigid superstructure

Teams of Teams
The relationship among teams resembles the closeness among individuals on those teams.

Source: General Stanley McChrystal 2015 [36]

35 Gerster, Daniel & Dremel, Christian & Brenner, Walter & Kelker, Prashant. (2020). How Enterprises Adopt Agile Forms of Organizational Design: A Multiple-Case Study. ACM SIGMIS Database: the DATABASE for Advances in Information Systems. 51. 84-103. 10.1145/3380799.3380807.
36 General Stanley McChrystal, David Silverman, Tantum Collins, Chris Fussell (2015) Team of Teams. New Rules of Engagement for a Complex World.

This transformation of the organisational structure towards more agile ways of working impacts the role of professionals and managers tremendously. Therefore P&MS need to be included into the designing of the transformation as well as the implementation of transformation. In the following we formulate some good practices and guidance in the face of these changes.

5.2. Good practices and guidance

The digital transformation puts pressure on specific areas of leadership, where mitigating measures and oversight is needed to ensure that leadership models are well-equipped for new challenges. This requires us to address ad hoc issues, ensure the inclusion of professionals and managers in the transformation processes, guarantee the adaptation of necessary skills, ensure that managers and professionals are aware of the challenges related to the transformation process, and clarify the expected roles that managers will have in the process. All these issues must be tackled alongside other challenges that digitalisation can bring, such as digital skills, modalities of disconnecting, and AI and surveillance, as leadership issues overlap any other aspect of work life.

Table 16: Key leadership areas of involvement for unions and professionals and managers

- Ensuring involvement of Professionals and Managers in organisational transformation
  - Inclusion of P&Ms in any organisational transformation from early stages onwards.
  - Creating culture of ownership, co-creation and collaboration in the new teams.
- Leadership skills needs in the digital transformation
  - Ensure that P&Ms have all the skills they require through the transformation.
- Strategic problems-solving approach for leadership
  - Ensure that the leadership models are suited for the problematics they face.
  - Assess if the managers have tools to encounter complex challenges.
- Clear role, duties and scope of responsibilities for managers
  - The basic responsibilities of managers need to be kept in check to protect their rights and avoid organisational gaps (see table 17)

No organisational transformation without P&MS

The function of professional and managers changes tremendously in mixed or fully agile organisational structures. Changing from a hierarchical organisation to some mixed form or to an agile form of organisation therefore needs to include P&MS early in the process in the form of working groups composed by senior management and P&MS. This creates agency and ownership for P&MS who are usually also the ones responsible for implementing the transformation in their teams.

Organisational transformation to be successful needs a cultural transformation first. Values of purpose, trust, empathy, and putting the employee first are the basis for successful digital transformations of organisations and do not change from one day to another but need years to change. These values then allow for teams to thrive in co-creation, collaboration, and communication which are key tools for working in an agile way and semi or fully autonomous. Company values need to be lived at the top and transformation of values need to start with the commitment and actions in the spirit of the company values of the senior management and the alignment of strategies to these values. Only then these values can disseminate throughout the organisation. P&MS play a key role in shaping organisational culture daily by how and with which values they are leading their teams. Teams working in an agile way need P&MS to support them as coaches, facilitators, and knowledge managers. This entails leading people rather than task management. Task management is integrated in all team roles and mainly organised by the product owner and scrum master. Challenges and conflicts occur if the relationship between hierarchical structures and agile structures within an organisation is not well designed. For example, the formal hierarchical reporting structure invites the department manager who is mainly responsible for leading people and disciplinary actions to report on the development of the product of the agile team. The product owner who is responsible for the sprint planning of the product development is not invited. This creates tensions between the two roles.

New leadership skills needs the creation of a culture of learning and testing

Agile ways of working be it in mixed or fully agile organisation needs a culture of learning and testing. Therefore, lifelong learning for P&MS as well as their teams is key. In addition, homogenous teams are not able to develop complex products for all groups of societies. Diverse and inclusive teams make a much better job. Diverse and inclusive teams need more leadership from P&MS than homogenous teams because they need to develop effective ways of conflict resolution, communication, and work organisation. P&MS need to have the time to acquire and regularly hone these skills in

workshops and peer-coaching groups. They need to have the support from senior management and the time to lead the teams this way. This means that leading people should be the main role for P&MS and administrative or bureaucratic tasks should be reduced. Product task management should be delegated to the team as much as possible. In addition, the meeting culture of the entire organisation needs to be checked concerning whether the meetings fulfil their function of coordinating and collaboration, are held in an efficient way or are not necessary at all and could be changed into an asynchronous workflow. This usually leads to the reduction and more efficiency of meetings and creates additional time for P&MS to concentrate on their leadership functions.

Complex problems change leadership mode and problem-solving approach

Issues for organisations are more complex and diverse during digital transformation and climate change. P&MS need decision making power to solve complex problems within their team instead of exclusively with their superior. Currently we find many organisations and their leaders applying strategies drawn from clear situations or complicated situations and apply them to complex situations. This leads to fatal decisions within digital transformation. Leaders need to know which type of issue they face to make sound leadership decisions. The type of issue defines the leadership needs, the mode of problem-solving, the decision-making process and the actions taken within an organisation. Problems can be clear, complicated, complex, or chaotic. In some cases, it is not sure which type of problem there is at hand and in which context we find ourselves. This is a situation of disorder (see figure 11).

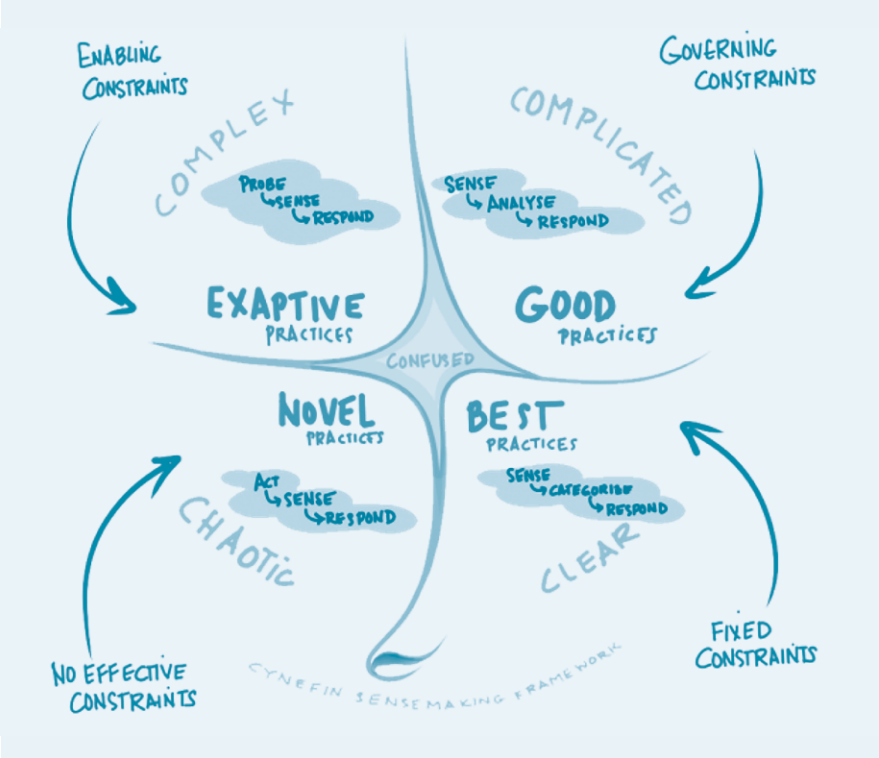
The leadership modes for known issues and situations is different than leadership modes for unknown issues and situations such as COVID, digital transformation and climate change. The CYNFIN model by Prof. Dave Snowden and Mary E. Boone[37] provides practical guidance for professionals and mangers how to cope with different kinds of issues, make better decisions and lead accordingly. In a situation where leaders have a clear and simple problem the relationship between cause and effect is linear. They can identify best practices from similar situations. The decision-making mode is sense – categorise – respond. This may concern a technical problem wherein professionals and mangers and their team have the knowledge to solve the problem. In complicated situations there are various factors that influence the effect. Additional

37 David J. Snowden & Mary E. Boone: A Leader's Framework for Decision Making. In: Harvard Business Review. November 2007, S. 69–76

expert knowledge is needed to decide which solution among various once is a good solution. Good practices and the decision-making mode, sense- analyse- respond support leaders to take good decisions.

"Most situations and decisions in organisations are complex because some major change introduces unpredictability and flux "(Snowden/Boone 2007). This means that the right answer cannot be ferreted out and we understand the why only in retrospective. This is the realm of "unknown unknowns" where the dominant mode for action is probe-sense-respond. To develop solutions professionals and managers together with their teams need to conduct experiments that are safe to fail. This will reveal instructive patterns of solutions.

Figure 11: CYNEFIN model for leaders



Source: Cynefin graph, https://thecynefin.co/about-us/about-cynefin-framework/

Managers role, duties and scope of maneuver

Digital transformation needs leaders who can support employees throughout the transformation process. For this end, professionals and managers need the support of the senior management, an organisational design that allows for fulfilling their role and gives them scope of manoeuvre, and a respect for digital data rights and employee rights mentioned in the previous chapters. Eurocadres' describes in the following table (16) the managers role, duties, and scope of manoeuvre.

Table 17: managers role, duties, and scope of manoeuvre

Professionals and Managers must:

- have room for manoeuvre and prescriptive power to intervene in the organisation of work and the individual and collective workload.
- have the right to express themselves and make alternative proposals for the implementation of the right to disconnect and the management of change in work organisations.
- be trained in the prevention of work-related hardship, in the prevention of organisational risks (PSR), and in the support of people in difficulty.
- be able to exercise its exemplary role in terms of disconnecting.
- be aware of and trained in the use of connected digital tools.
- The manager must have enough time to devote to his/her team(s). Her/his role must be oriented towards:
  - management and animation of the collective labour.
  - strengthening support for individuals and the work group.
  - collective resolution and experience sharing within the work group.

Source: Nayla Glaise, Eurocadres President[38]

38 Nayla Glaise, Eurocadres' president, Right to Disconnect, Eurocadres' webinar: Right to disconnect, 1-2 December 2021, Power point presentation, slide 16.

5.3 Questions for self-evaluation and strategy development

Table 18 provides guiding questions for trade union representatives to support their members concerning digitisation and leadership in the digital transformation.

Table 18: Guiding questions for trade union representatives

As a union representative:

- How do you support professionals and managers concerning their leadership role in the digital transformation? Do you provide workshops, spaces for joint reflection, a guide, peer coaching, cross-company, or cross-sectoral exchange of good and emergent practices?
- What impacts can be led back to leadership demands of the organisation? What impacts are caused by factors, such as excessive workload?
- Do you have a strategy for how leadership in digital transformation should look like and what is important to consider?

The following table (table 19) raises guiding questions for professionals and managers concerning digitalisation and leadership.

Table 19: guiding questions for professionals and managers

As a professional, manager or union representative:

- How do you lead within digital transformation and climate change? What is your current mindset and skillset? What means being a role model as a leader for your team?
- How do lead the constantly changing interactions between robots, technology, and your employees?
- What kind of structure does your organisation have in place? How does this organisational structure empower or limit your leadership capacities? How does this organisational structure empower or limit the team capacities?
- How do you create a culture of lifelong learning, knowledge sharing and skills development?
- How do you create work processes and allocate work in a way that your employees do not burn out? How to you support employees' resilience?
- How do you lead concerning modalities of disconnecting?
- How does digital transformation affect your leadership?
- How does your union support you as a professional and manager concerning these issues?

6. LITERATURE RECOMMENDATIONS

Literature recommendation: Chapter "Digital skills and securing employment"

- ILO: Skills, knowledge and employability, https://www.ilo.org/global/topics/skills-knowledge-and-employability/lang--en/index.htm.
- European skills agenda, https://ec.europa.eu/social/main.jsp?catId=1223&langId=en.
- EU Digital skills and jobs platform, https://digital-skills-jobs.europa.eu/en.
- OECD skills outlook 2021: Learning for life, https://www.oecd-ilibrary.org/sites/0ae365b4-en/index.html?itemId=/content/publication/0ae365b4-en.
- CEDEFOP EU Skills intelligence, https://www.cedefop.europa.eu/en/tools/skills-intelligence.

Literature recommendation: Chapter "Modalities of disconnecting"

- Eurofound (2021), Right to disconnect: Exploring company practices, Publications Office of the European Union, Luxembourg.
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Literature recommendation: Chapter "AI and surveillance"

- Ponce Del Castillo, Aida (2020): Labour in the age of AI: why regulation is needed to protect workers, ETUI Foresight Brief, #08 – February 2020.
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Literature recommendation: Chapter "digitalisation and leadership"

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- Kegan, Robert/Lahey Laskow, Lisa (2016) An Everyone Culture: Becoming a Deliberately Developmental Organization. Harvard Business Review Press.
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ETHICAL AI ASSESSMENT: CONCEPTS

Worker's oversight on AI systems at use in the workplace is essential to ensure only legitimate, fair, transparent and safe systems are used. A human-centric approach to the development, use and implementation of AI systems will ensure they act as designed, protecting workers and consumers. To address these issues, see the infographic below, which describes the key concepts, requirements and principles of ethical AI use. This is followed by a checklist, used to assess each step in how the AI systems that are used in your workplace can be assessed. Not everything is an AI system, they are more complex than traditional automated data processes. These differences can be seen when comparing the two methods:

Automation

- Designed for simple, repetitive tasks
- Cannot evolve or learn
- Rule-based operation
- Generates data but cannot analyze it

Artificial Intelligence

- Designed for more complex, non-repetitive tasks
- Designed to analyze and react to its environmental data
- Evolves or learns based on previous and current data
- Helps organizations analyze data
- Can identify pattern

PRINCIPLES

AI systems need to follow 4 key principles to make them.

- Respect for human autonomy
- Prevention of harm
- Fairness
- Explicability

Key Requirements

The principles set 7 key requirements for systems, that they must meet to be considered trustworthy.

- Human agency and oversight
- Technical robustness and safety
- Privacy and data governance
- Transparency
- Diversity, non-discriminatio and fairness
- Societal and environmental wellbeing
- Accountability

AI Lifecycle

These principles need to be assessed in different parts of the AI Lifecycle as these systems are constantly developed and subject to evaluation and oversight.

EUROCADRES

ETHICAL AI ASSESSMENT: CHECKLIST

How & what to assess regarding the AI being used in your workplace: How can you make sure that the 7 key requirements are met? This checklist can be used to assess if the AI in your workplace respects the principles set for ethical systems.

1. HUMAN AGENCY AND OVERSIGHT

- ☐ Humans can easily discern when they are interacting with the AI system vs. a human
- ☐ Humans can easily discern when and why AI system is taking action or making decisions.
- ☐ Improvements will be made regularly to meet human needs and technical standards
- ☐ AI system decisions
  - ○ Are explained clearly
  - ○ Are reversible
  - ○ Can be overridden by humans

2. TECHNICAL ROBUSTNESS AND SAFETY

- ☐ Providing understandable security methods
- ☐ Resilience to attacks
- ☐ Making AI system robust, valid and reliable

3. PRIVACY AND DATA GOVERNANCE

- ☐ Respecting privacy and data rights, GDPR compliance[1]
- ☐ Only necessary data is collected

4. TRANSPARENCY

- ☐ The purpose, limitations, and biases of the AI system are explained in plain language
- ☐ Data sources have unambiguous respected sources, and biases are known and explicitly stated
- ☐ Algorithms and models are proportionate to the aim and verifiable
- ☐ Confidence and context are presented for humans to base decisions on
- ☐ Transparent justification for recommendations and outcomes is provided
- ☐ Straightforward and interpretable monitoring systems are provided

5. DIVERSITY, NON-DISCRIMINATION AND FAIRNESS

- ☐ Identifiable and discriminatory biases are removed in the data collection phase
- ☐ System's purpose, constraints, requirements and decisions are analysed and addressed in a clear and transparent manner
- ☐ Applications using AI system is user-centric and accessible by design
- ☐ Stakeholders are consulted throughout system life cycle

6. SOCIETAL AND ENVIRONMENTAL WELL-BEING

- ☐ Impact of development, deployment, use process and entire supply chain, are assessed.
- ☐ Effects on social agency are carefully monitored and considered.
- ☐ System is assessed from a societal perspective: institutions, democracy and society at large.

7. ACCOUNTABILITY

- ☐ Auditability
- ☐ Minimising and reporting negative Impact
- ☐ Documenting trade-offs
- ☐ Ability to redress

1 To familiarise yourself on what data is protected by the GDPR, please see What is personal data? | European Commission (europa.eu)