

Worker Data Rights in the Digital Economy

A one-day dialogue on the intersection between data rights and decent work in the digital workplace

Co-organised by Friedrich Ebert Stiftung and IT for Change

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The advent of the digital in all spheres of life has meant the slow but sure transformation of the institutional relations of work. With platforms re-engineering value chains in every sector of the global economy (from manufacturing to agriculture and services), we are witness to a new regime of algorithmic optimisation. The aggregation of worker data footprints allows for a new form of control over the labour process that is unprecedented. Data-based tracking, profiling, and workplace decision-making stemming from algorithmic control risk a major slide-back of foundational labour guarantees. They also intensify workplace discrimination and the entrenchment of socio-structural hierarchies of race, class, caste, gender and geography in global labour markets, including guarantees against workplace harassment and violence underscored by ILO resolution 190. As the deep shift effected by platformisation permeates the entire economy, it is vital that the agenda of ‘decent work’ includes concerns around data-based exploitation in the new algorithmic re-organisation of workplaces.

Decent work guarantees focus on fair wages, social protection, equal opportunities at work, and right to organise, and in the digital economy, overlap significantly with data and the value it generates. As such, without an emphasis on data rights, including how algorithms monitor workers through apps and other surveillance mechanisms, workers are left powerless in the rapidly digitalising workplace.

Against this backdrop, Friedrich Ebert Stiftung and IT for Change propose a one-day global policy dialogue to deliberate on how data rights have emerged as a critical new frontier for labour rights in the digital economy and develop strategies/ policy recommendations for the European and global context. Specifically, the dialogue seeks to meet the following objectives:

1. To identify the new challenges for foundational labour guarantees arising in the digital workplace due to new institutional regimes of datafication and algorithmic optimization
2. To explore new norms and principles in relation to data and algorithms necessary for expanding workers' rights – including contextual differences across sectors
3. To articulate a workers' data rights agenda that straddles concerns about privacy, dignity and autonomy of individual workers as well as collective rights in data (access to data for collective bargaining, access to data for setting up worker data trusts/worker owned enterprises and so on)
4. To reflect on how the EU as the leader of a human rights-based approach to the governance of the digital economy can respond to the workers' data rights agenda effectively, in its domestic and international policy measures (e.g. strengthening the proposed Directive on Improving Working Conditions in Platform Work and, the EU Corporate Supply Due Diligence Directive, as well as the Gender Action Plan III)

5. To explore possibilities of building a knowledge community for continued dialogue and potential for collaboration on research and policy engagement, with like-minded scholar-activists, unions, cooperatives and other worker-led organisations from the EU and other parts of the globe, towards fleshing out and popularising a Data Rights for Decent Work Agenda.

The meeting is structured as an expert dialogue with 30 participants from the policy community at the EU level, as well as trade unions, civil society organisations and researchers working on digital rights and labour from the EU and other parts of the globe. The day is organised into a series of discussion rounds, with opening remarks of about 4-5 minutes each from 2-3 lead discussants, followed by an open plenary round.

AGENDA

9.00AM - 9.15AM	Registration
9.15AM - 9.30AM	Introduction and outline of expectations from meeting Round robin with 30 participants Welcome by IT for Change and FES Future of Work
9.30AM - 11.00AM	Round 1: Labour rights in the algorithmic workplace - new challenges This round will take stock of the new challenges for labour rights in the algorithmic workplace, drawing from concrete experiences of algorithmic work control regimes and data exploitation in different sectors, from the EU and across the globe. A key area of focus will be the intersectional discrimination and violations of privacy, autonomy and dignity in the digital workplace.
11.00AM - 11.15AM	Tea/Coffee Break
11.15AM - 12.45PM	Round 2: Regulating the algorithmic workplace - where are we now? This round will take stock of developments in the EU and other parts of the globe (policy directions, legislation and court judgements) with respect to assessing where we stand in terms of articulating and protecting workers' data rights in the algorithmic workplace. Work contexts examined will span: algorithmic control on digital platforms, data-based surveillance on the shopfloor/ logistics / public service delivery/ corporate-controlled smart agriculture farms, algorithmic decision-making in HR processes in high-end services professions.

12.45PM - 1.45PM	Lunch
1.45PM - 3.15PM	<p>Round 3: Furthering a progressive vision of workers' data rights - how can the EU pave the way?</p> <p>This round will take stock of how in its domestic and global policy agenda, the EU can further a progressive vision of workers' data rights. Specifically, the focus will be on how the EU can address the issue of data exploitation of workers front and centre across relevant EU external policies, such as corporate due diligence regulation and the EU Gender Action Plan III.</p>
3.15PM - 3.30PM	Tea/Coffee Break
3.30PM - 4.45PM	<p>Round 4: Framing a decent work agenda for the digital economy - how do we collectively get there?</p> <p>This session will focus on identifying future directions for research and policy engagement with respect to furthering a concrete agenda on 'data rights for decent work'.</p>
4.45PM - 5.00PM	Conclusion