

**Congreso Internacional
“Platform Work Directive, Digitalisation and AI: Evaluation and
national challenges”**

Information and consultation in the digital era: achievements and challenges?

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TURANDOT.
 MUSICA DI **G. PUCCINI** LIBRETTO DI G. ADAMI e R. SIMONI
 = EDIZIONI RICORDI =

Turandot

Glie -

- nig - mi so - no tre, la mor - te è u - na!

Il Principe (con impeto)

240

Turandot

Il Principe *cresc. ten.*

- nig - mi so - no tre, una è la vi - ta!

1. The personal scope of I&C rights
2. Digital tools for workers' representatives
3. Digital contents and I&C rights



WHO – Expanding Rights

Alignment with Legislative Trends

This approach aligns with recent EU directives like Directive (EU) 2024/2831, or the Guidelines on collective bargaining, ensuring wider representation and consultation access.

Expanding I&C Rights

DIGILARE aims to extend information and consultation rights to individuals facing similar vulnerabilities as employees, such as economically dependent self-employed or other non-standard workers.

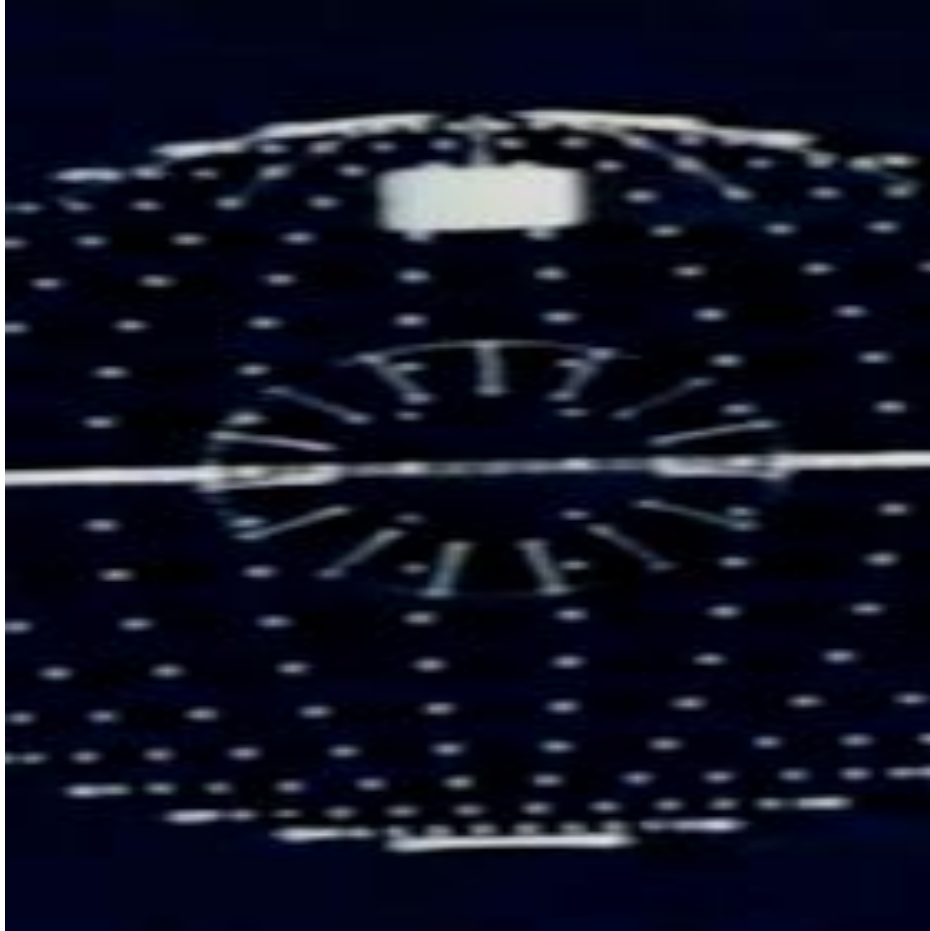
ECJ *Uber France* C-320/16: “decisive influence”

Legal Basis for Expansion

115 TFEU provides the legal framework for expanding rights beyond traditional employment definitions in the EU.

Implementation Strategies

Proposed methods include redefining 'worker' in existing directives or adding a new article 2.bis to Directive 2002/14/EC for broader coverage, “at the sole effects of this Directive”.



HOW – Digital Tools & Access

Mandate Digital Tools

Directive 2002/14/EC amendment should encourage Member States to establish that employers must provide hardware, software, and secure platforms for labour representation, according to their possibilities.
New article 4.1.second paragraph

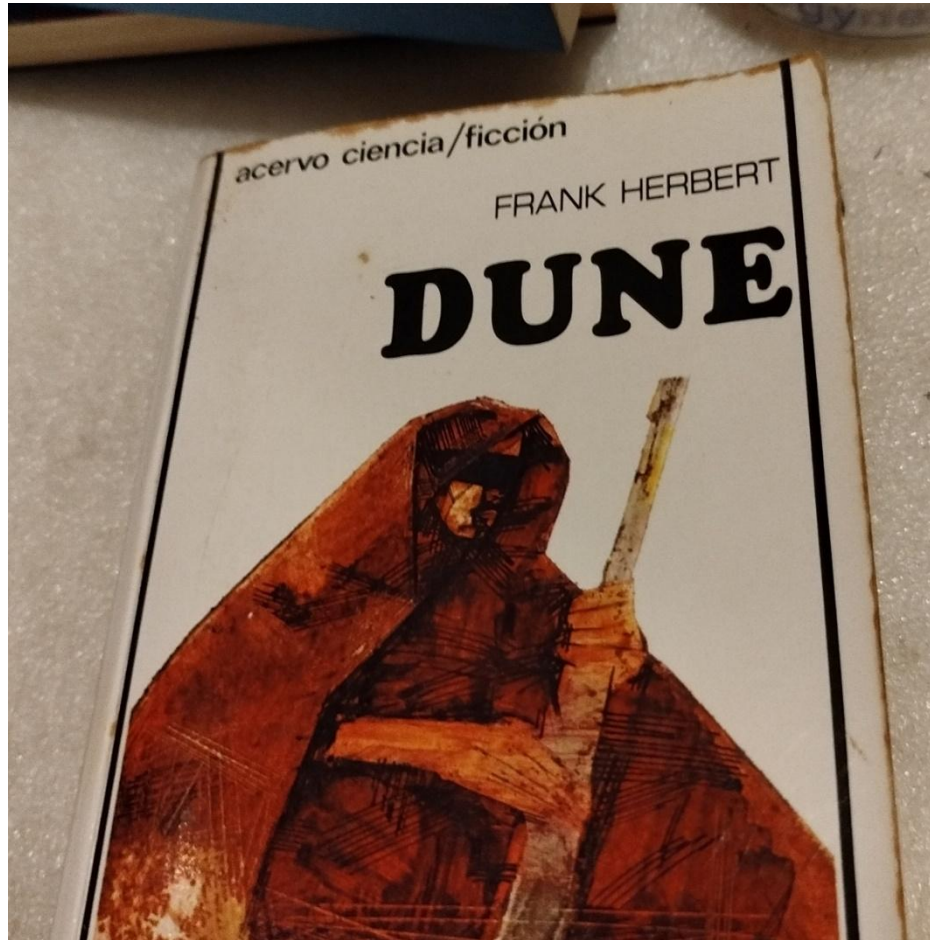
Equivalence of digital tools – Article 7

Financial Support Mechanisms

Proposed tax incentives and EU funding aid companies in adopting digital tools for labour representation.

Training and Resources

Ensuring representatives (and employers) should have adequate training and resources fosters inclusive and efficient digital labour governance.



***“Thou shalt not make a machine
in the likeness of a human mind”
(The Butlerian Jihad)***

WHAT – AI & Algorithmic Governance / digital surveillance

Risks in AI Decision-Making

AI integration in workplace decisions raises concerns about transparency, fairness, and potential biases affecting workers. Is it the time for a new Directive?

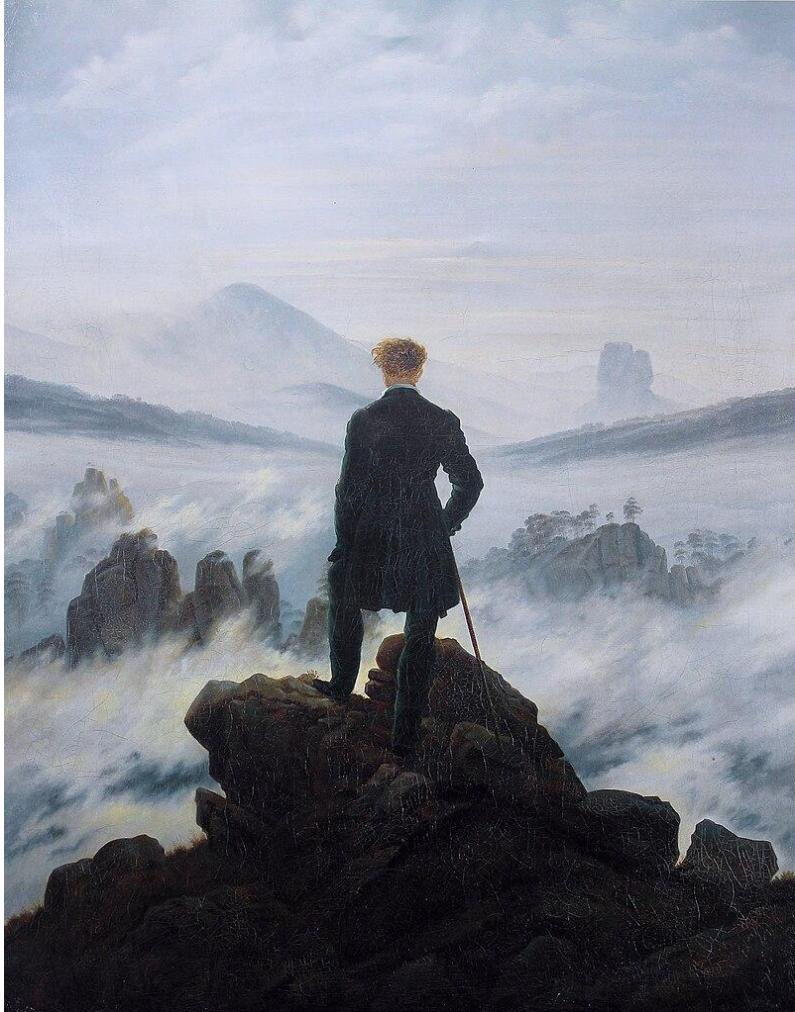
Collective Rights and Consultation

DIGILARE promotes embedding workers' rights to information and consultation across the AI lifecycle to ensure inclusion.

NEW Art. 4.2.d 2002/14/EC: ~~“Member States shall ensure that information and consultation, as defined in Article 2, points (f) and (g), of Directive 2002/14/EC, of workers’ representatives by digital labour platforms also covers decisions likely to lead to the introduction of or to substantial changes in the use of automated monitoring systems or automated decision-making systems”.~~

The role of Collective Bargaining

A national and transnational extension to include joint committees enables democratic scrutiny and oversight of algorithmic governance.



Strategic Importance of Digitalization and Social Dialogue

STAT ROSA PRISTINA NOMINE

Guiding Principles of Digitalisation

Digitalisation should be inclusive, transparent, and sustainable to create equitable opportunities for all stakeholders.

Role of Social Dialogue

Social dialogue is vital to protect labour rights during technological changes and to promote fair workplace innovation.

EU Leadership and Legislation

The EU can lead by crafting smart laws that balance innovation with social protection and foster a resilient labour market.

Strategic Policy Alignment

Aligning digital and social policies is essential for a competitive, fair, and forward-looking European economy.

Muchas gracias
por su atención

