

Report No. 122 of the National Labour Council on the European Social Partners Framework Agreement on Digitalisation – Executive summary

In this report (<http://www.cnt-nar.be/RAPPORT/rapport-122-FR.pdf>/<http://www.cnt-nar.be/RAPPORT/rapport-122-NL.pdf>), the National Labour Council gives an overview of the different digitalisation actions taken by the Belgian social partners at cross-sectoral, regional and sectoral level, based on the contributions it has received.

Different areas of convergence can be identified on the basis of these contributions, including:

- the consideration given to the digital divide and to digitally vulnerable or disadvantaged groups (support, access to digital means and/or specifically equipped places, and to (public) services and administrations), as well as to the labour market;
- the adaptation of initial education and training, focusing on future-oriented skills and needs, professional (re)orientation on the basis of digital skills, and lifelong learning;
- the emphasis on identifying and increasing digital literacy (proficiency tests, (basic) training offer, certification...);
- the focus directed towards cooperation and coordination between stakeholders, and towards strengthening partnerships;
- increased attention being paid to the effects of digitalisation and providing a framework for telework.

At federal level:

- In order to bolster strategies for digital transformation supporting employment, the National Labour Council concluded, as soon as 1983, a collective agreement (No. 39) concerning the information and consultation on the social consequences of the introduction of new technologies.

In its “COVID and Recovery” declaration of September 7th, 2020 (<http://www.cnt-nar.be/DOSSIERS/Covid-19/G10-2020-09-07-verklaring-declaration-FR.pdf>), the Group of 10 (the Belgian high-level dialogue group between the representative employers’ and workers’ organisations from the private sector) considers that digital transformation and transition should be steered, facilitated and accompanied, with particular consideration for the digital divide.

In their opinions Nos. 2,158, 2,205 and 2,212, the Belgian cross-sectoral social partners insist that attention should be paid to schooling, training and digital inclusion, including access to public services with regard to their increasing digitalisation, as well as to digital skills. They also consider the digitalisation of public services, education and the labour market to be crucial to recovery.

- Collective agreement No. 149, on recommended or mandatory telework as a consequence of the coronavirus health crisis, was concluded on January 26th, 2021 for a specified period, and establishes rules for connection and disconnection. Concomitant opinion No. 2,195 focuses on the issue of work-related accidents. Collective agreement No. 85 of November 9th, 2005, on (structural and voluntary) telework, specifies that a written agreement should define the moments or periods during which the teleworker is contactable.
- Collective agreements Nos. 68 and 81 establish rules concerning, respectively, the protection of workers' privacy regarding CCTV and the control of network electronic communication data. Collective agreement No. 85 and more specifically Collective agreement No. 149 stipulate that monitoring the results and/or the execution of work should be carried out while respecting the teleworker's privacy and in compliance with the applicable legislation.

At regional level:

- *The Brussels-Capital Region* has taken two initiatives concerning digitalisation within the framework of the Recovery and Resilience Plan: one aimed at accompanying schools in their digital transition (digital and connectivity equipment) and the other concerning a (re)qualification strategy (digitally focussed skills assessment for unemployed job seekers and career counselling).

The Region also has adopted a Digital Ownership Plan (2021-2024) in order to grant all its inhabitants access to digital technologies. It is designed along four axes (raising awareness, building support, equipping and accompanying people), that include 17 projects and 66 actions. The regional social partners point in particular to the actions aimed at labelling the public digital spaces that give the public free access to digital tools and develop assistance and/or training projects, at taking into account users with weak digital skills when developing digitalised public services, and at accompanying job seekers in order to increase their IT skills.

- *Flanders* has adopted a Telework Action Plan. It includes the creation of an informative website, the extension of the “feasibility voucher” to enterprises that wish to implement a teleworking policy, and, within the framework of the DRIVE project, the granting of subventions for digital skills training, remote working skills training and the mental wellbeing of teleworkers.

The Flemish educational leave, that allows workers to be absent from work in order to follow a training, is extended to joint learning, that combines a “face to face” offer and an online component.

The “Digibancken” project, adopted within the framework of the Recovery and Resilience Plan, is aimed at granting an equal access to digital technologies by the distribution of hardware, at reinforcing digital skills and at ensuring a better digital access to essential services through physical contact points.

The “Alle Hens aan Dek” agreement concluded by the Flemish social partners and the Flemish government includes different initiatives: a “competentiecheck” that allows workers to assess their skills through a digital offer, an e-learning action plan aimed at encouraging that form of learning by offering support to trainers, a training and career account that will be part of a future digital career platform, virtual job fairs, a strengthening of the partnerships of the VDAB (the Flemish employment agency) via a digital platform and the development of a digital language offer within the framework of the integration pathway.

Different actions of the VDAB are also noteworthy, such as the reinforcement of its role as data administrator and the application of the “digital first principle” model. Arrangements will be made for persons with limited digital skills.

- *In Wallonia*, the social partners are in favour of the further development and acceleration of the “Digital Wallonia” strategy, which is aimed at bolstering the Walloon digital economy by developing the digital sector and increasing the use of digital technologies in enterprises.

Regarding AI, the Walloon social partners deem it urgent to give a clear legal framework in order to enable enterprises to invest securely, and to pay special attention to initial and continuing training and to the public training offer in that domain.

They also consider that the further development of digitalisation should take place in dialogue with the different stakeholders, in order to identify their needs, and with consideration for digitally disadvantaged groups.

They stress the importance of informing and increasing the awareness of enterprises on good practices, recommend verifying the match between training offers and tools on the one hand and skill needs on the other, and providing training to trainers.

- *The German-speaking Community* implements different projects, including the fibre network rollout, the creation of a coordination point for the networking of potential actors regarding digitalisation, and an in-depth research of good practice examples.

At sectoral level, one should note that sectoral negotiations for the 2021-2022 period have not started yet and that a more complete overview will therefore be given in the second report:

- *Regarding connectivity*: the law of March 26th, 2018 on strengthening economic growth and social cohesion specifies that discussions should take place between the employers from the private sector and the prevention and protection committee on disconnection and on the use of digital communication means. The ensuing agreements can be included in the enterprise's labour regulations, or be the subject of a company collective agreement.

As to the adoption of sectoral collective agreements, four sectors, including two financial ones, set out rules for concertation, one of them in detail by focusing on individual agreements. Three of these collective agreements require a discussion or a follow-up in a work group. One collective agreement specifies that training will be given and that enterprises should provide clear and transparent guidelines and raise the awareness of the hierarchical line and workers as to the risks linked to excessive connectivity.

- *Regarding digitalisation*: seven collective agreements or sectoral protocols include an assessment of its effects on work and/or a reflection in a work group; two also concern AI.

- *Regarding structural and occasional telework:* three collective agreements include recommendations or commitments either to conclude a framework agreement in the enterprises on the non-exhaustive list of points referred to in Collective agreement No. 85, or to inform and consult the workers' representatives on the introduction of telework and have a dialogue on the evolution of telework.
- *Regarding innovation:* some fifty collective agreements (for a specified or unspecified period) were concluded at sectoral level. The elements they take into account around digitalisation include the digitalisation of (social) documents, the adaptation to new technologies (upgrade), the need for training, and supplying modern equipment and machinery.