

Report of the National Labour Council on Digitalisation – Executive summary

In this report, the National Labour Council gives an overview of the different actions that were taken since its previous report (No. 122) with regard to digitalisation by the Belgian social partners at cross-sectoral, sectoral and regional or Community level, based on the contributions it has received.

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

- the continuation of previous projects and actions, which were described in report No. 122 of the National Labour Council;
- the implementation of projects stemming from the RRP;
- the emphasis on training and bridging the digital divide;
- the rollout of infrastructure and technologies, and a focus on artificial intelligence.

At federal level:

- Collective agreement No. 85 of 9 November 2005 on telework establishes rules regarding structural telework. The National Labour Council currently evaluates the existing regulation regarding structural and occasional telework and the right to disconnect.

The cross-sectoral social partners adopted, on 26 January 2021, Collective agreement No. 149 in order to provide a framework in the specific context of the Covid health crisis. They extended it until the end of March 2022 via Collective agreement No. 149/2. Collective agreement No. 149 refers explicitly to the European Social Partners Framework Agreement on Digitalisation of 23 June 2020, more particularly in its article 10, regarding the right of workers to communicate with their representatives and vice versa.

- The National Labour Council has been consulted on a draft law regarding labour law measures, which forms the first step of the Transition and Recovery Plan that the federal government adopted within the framework of the 2022 budgetary agreement. This Plan aims at accelerating and facilitating the digital transition. The draft law contains a range of measures aimed at reforming the labour market, particularly in the fields of training (including a digital individual training account), e-commerce and people's right to disconnect.

The Group of 10 (the Belgian high-level dialogue group between social partners) currently considers the issue of labour market tightness, i.e. the mismatch between supply and demand of labour, taking account in particular of digitalisation and its impact on the labour market.

- The National Labour Council also adopted an opinion on a database for the exchange of information between physicians (attending physicians, occupational physicians, and mutual insurance physicians) and on the electronic sending and archiving of social documents. It continues working on these themes.

At sectoral level, the sectoral negotiations for the period 2021-2022 addressed the issue of digitalisation in various ways:

- *Regarding connectivity*: a draft law on labour law measures, over which the National Labour Council has been consulted, specifies that the conditions for exercising the right to disconnect for workers in companies employing at least 20 workers, and the regulation measures taken by the company for the use of digital tools, should be the subject of a collective agreement concluded at company level and, failing that, they should be included in the company's labour regulations. An evaluation by the National Labour Council is planned by 30 June 2024. The National Labour Council is currently working on this issue.

Regarding the adoption of sectoral collective agreements, seven sectors included a recommendation concerning the right to disconnect in their social agreement.

- *Regarding digitalisation*, a dozen sectors have set up a working group to examine its impact on the sector. Sectors also pay special attention to the training of at-risk groups regarding the effects of digitalisation, or of workers confronted with new technologies.
- *Regarding telework*, some fifteen sectors addressed this theme in the context of their sectoral negotiations. They mainly recommend conducting social dialogue on this theme at company level.
- *Regarding innovation*, some 50 sectors concluded collective agreements (for a fixed or indefinite period). They take account of the following aspects in connection with digitalisation: the digitalisation of (social) documents, the adaptation to new technologies (skills upgrading), the technological research efforts in the sector, the training needs of workers, and the availability of modern equipment and machinery.

At regional level:

- *In the Brussels-Capital Region*, Brupartners (the economic and social council of the Brussels-Capital Region) has set up a working group on the consequences of a permanent generalisation of telework.

Brupartners adopted an opinion on the Regional Innovation Plan for 2021-2027, which proposes concrete measures to improve digital accessibility, training from a very early age, and accompanying measures for the broadest possible public in Brussels for the period 2021-2024. They note that digitalisation is the source of ecological and social issues (digital divide, employment and privacy) that one should take into account in the decision-making process, before implementing the decision.

- *Flanders* adopted or extended different projects within the framework of the RRP, as a consequence of the Covid health crisis and/or pre-existing projects. The “FIT” project aims at supporting Flemish entrepreneurs on the international stage, thanks to an acceleration of their digitalisation. The “E-leren” (e-learning) project aims at promoting e-learning and digital learning. Specific measures aim at social economy companies. The focus also lies on digital talents and skills, on the basis of digital transformation initiatives.

Flanders also took measures regarding artificial intelligence. It allocated a grant to a research programme on artificial intelligence for the year 2022 and established the “Vlaamse AI Academie” (VAIA).

The “Digibanken” project supports equal access to digital technologies by distributing hardware, reinforcing personal and technical digital skills (for example, repairing IT material), learning and skills sharing and, via guidance, ensuring a better digital access to essential services through physical contact points.

Regarding learning, Flanders created a definitive legal framework for joint learning, which combines a “face to face” offer and an online component; it subsidises online learning within the framework of entrepreneurship pathways; it is setting up a database gathering all evidence of learning and experience; and it allocates grants, via the “Digisprong” project, to action plans aimed at reinforcing and internationalising the EdTech ecosystem.

The “werkbaarheidscheques” allow companies to map the present capacities, to set up an action plan and/or changes. A simplified digital request and application procedure facilitates the pursuit of self-employed occupation by foreign entrepreneurs.

The “Proeftuin Industrie 4.0 – Technologie voor Werkbaar Werk” project aims at determining how the 4.0 industry can play a larger role in increasing the employment rate.

Flanders moreover updated and adapted the role of the VDAB (the Flemish employment agency), with a focus on artificial intelligence, in order to optimise its services.

- *In Wallonia*, the Economic, Social and Environmental Council of Wallonia (CESE Wallonie) recalls the important expectations of the Walloon social partners regarding digitalisation and administrative simplification, and asks for a specific focus, within that framework, on the possible biases in algorithms, and on the digital divide.

Wallonia’s Recovery Plan contains 13 projects for an intensification of its digitalisation (out of 319 projects), with a budget corresponding to 3.3% of all allocated funds. These projects aim at matching supply and demand of digital services, supporting the digital transition, investing in infrastructure and technology...

The “Digital Wallonia” strategy continues. It is still divided into 5 axes, i.e.: numeracy from a young age and all life long, digital economy (digital transformation of companies), digital sector (growth of the size and worth of companies in the digital sector), digital territory (infrastructure, broadband), and digital administration.

- *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. It also conducts training courses on a digital work world.