



Ensure effectiveness of labour-related regulations and institutions for all workers

Technological advancements are transforming the nature of work and the labour markets by, for example, creating new types of jobs (e.g., platform work).¹ These transformations imply changes in working and employment conditions, organisation of work, industrial relations and social dialogue. This calls for a review and adjustments of the current labour-related regulations, as well as, of the institutions that ensure compliance with them. Specifically, they should reflect and address the ever-changing needs of the stakeholders, protect, ensure decent work and employment conditions, occupational health and safety.

Ensure appropriateness of labour-related regulations on working and employment conditions

The adoption of automation technologies calls for the assessment and regulation of work-related processes. For example, due to automation technology adoption there is a greater technology-enabled monitoring of work/tasks. As a result, employees question appropriateness and compliance with the current data protection and privacy regulations. Similarly, it is important to review regulations on employment conditions and their impact on quality of work and welfare (e.g., number of hours worked to determine an employee status, minimum wages, social protection guaranteed). Policymakers should collect data on how automation technologies have affected different aspects of work and analyse to what extent existing regulations are appropriate. It is recommended to discuss regulations and potential changes in them with the stakeholder organisations representing employers and employees and with the institutions involved in monitoring compliance with these regulations.

Ensure compliance with the labour-related regulations

Once appropriate labour-related regulations on working and employment conditions are in place, their compliance by organisations should be ensured. This means the introduction of monitoring and verification measures to assess effectiveness of regulations and of their implementation by the employers and employees. To ensure this, labour institutions in charge of, for example, occupational health and safety visits in organisations should be given

¹ Deganis, I., Tagashira, M., & Yang, W. (2021, September 20). Digitally enabled new forms of work and Policy Implications for Labour Regulation Frameworks and Social Protection Systems. United Nations: Department of Economic and Social Affairs. Retrieved December 20, 2022, from <https://www.un.org/development/desa/dspd/2021/09/digitally-enabled-new-forms-of-work-and-policy-implications-for-labour-regulation-frameworks-and-social-protection-systems/>



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tools to perform assessments.² In case of poor performance, organisations might be sanctioned/fined to stimulate a change in a behaviour/performance. A more passive way of ensuring compliance may imply information campaigns on organisations' responsibilities and obligations for employers and employees.

Evaluate the quality of labour institutions, their activities and services

The public institutions that focus on labour/employment aspects should adhere to certain quality standards to be able to ensure compliance of labour regulations. This will determine how well employees are protected, including the time spent to settle the disputes between employers and employees.³ The effectiveness and efficiency of these institutions should be carefully evaluated. For example, disposition time, meaning the time civil or commercial trials take to be settled. Once the level of effectiveness/efficiency of these institutions is understood, the governments should introduce changes, provide tools that will lead to improved performance. For example, labour institutions can be given more capacity by being allowed to hire more employees. Courts of law in charge of settling civil and commercial trials can be given more court clerks to increase speed, or mediators who prevent cases from reaching courts.

Stimulate stronger industrial relations and social dialogue

A lack of collective bargaining is associated with low job quality, as individuals struggle to introduce a change or even to voice a concern.⁴ Collective bargaining is a type of social dialogue that aims to achieve bipartite agreements that are beneficial to both employees and employers. Stimulating stronger industrial relations and social dialogue on working and employment conditions can provide insights to employers in charge for setting adequate conditions. Moreover, an effective social dialogue supports policymakers in designing, implementing and monitoring labour regulations, and improves an understanding/awareness of the stakeholders of existing regulations. To stimulate stronger industrial relations and

² European Agency for Safety and Health at Work. (2021). Improving compliance with Occupational Safety and Health Regulations: An overarching review. OSHA. Retrieved December 20, 2022, from <https://osha.europa.eu/en/publications/improving-occupational-safety-and-health-changing-world-work-what-works-and-how>

³ *Law enforcement: A forgotten determinant of labour law impact*. European Commission . (2016). Retrieved December 20, 2022, from <https://ec.europa.eu/social/main.jsp?langId=en&catId=1196&newsId=2481&furtherNews=yes>

⁴ Berg, J., Green, F., Nurski, L., & Spencer, D. (2022, September 22). Risks to job quality from digital technologies: Are Industrial Relations in Europe ready for the Challenge? Bruegel. Retrieved December 20, 2022, from <https://www.bruegel.org/working-paper/risks-job-quality-digital-technologies-are-industrial-relations-europe-ready>



social dialogue it is suggested to cultivate a collaborative culture, to increase involvement of the employee and employers' organisations in policy discussions, and to highlight benefits of effective social dialogue.

Support development of international regulations and collective bargaining mechanisms for workers engaged in non-standard forms of employment

Workers engaged in non-standard forms of employment often lack collective bargaining mechanisms, as they represent a very diverse group of workers whose nature of work is difficult to regulate.⁵ For instance, many platform works do not have dedicated trade unions/workers' councils that represents their interests. An additional complexity is related to the type of work that is performed internationally. In such cases it is difficult to define a jurisdiction and applicable regulations that protect these workers. Any work that is performed remotely poses challenges for the regulators/policymakers and calls for a set of international mechanisms of support and protection. So far, many attempts by non-standard workers, especially those working for digital platforms, to organize and develop collective bargaining mechanisms have fallen short. However, policymakers should support these efforts as best they can.

Consider the following PILLARS and external resources to ensure effectiveness of labour-related regulations and institutions for all workers:

Title and weblink	Authors and year	Description
<u>Toward understanding the impact of artificial intelligence on labour</u>	Morgan R. Frank, David Autor, James E. Bessen, and Iyad Rahwan, 2019	The paper identifies obstacles preventing scientists from assessing AI and automation's impact on work, such as insufficient data quality and empirical models, recommending enhanced data precision and interdisciplinary research to track the evolution of work alongside technological advancements. Additionally, it proposes a decision-making framework focusing on adaptability to unforeseen technological changes.
<u>Automation and a Changing Economy: Policies for Shared Prosperity</u>	Alastair Fitzpayne, Conor McKay & Ethan Pollac, 2019	The initial section of this report, "Automation and a Dynamic Economy: Reasons for Action," delves into the influence of automation on the economic stability and prospects of American workers, while proposing a policy framework to tackle these issues. This approach advocates for comprehensive strategies encompassing targeted, specific measures as well as broader systemic reforms, ranging from localized policies to nationwide adjustments in safety net programs. The subsequent segment, "Strategies for Inclusive Growth," presents a plan aimed at confronting

⁵ G20 Research Group. (2018). Informality and non-standard forms of employment. G20. Retrieved December 20, 2022, from http://www.g20.utoronto.ca/2018/g20_paper_on_nse_and_formalization_ilo.pdf



		both the challenges and prospects stemming from automation.
<u>Target Compliance: The Final Frontier of Policy Implementation</u>	R. Kent Weaver, 2019	This paper delves into an underexplored aspect of public policy implementation: understanding why the intended recipients often fail to comply with policy objectives. It scrutinizes the persistent discrepancy between program targets and desired behaviours, even when alignment seems beneficial. Offering insights into various theoretical frameworks and strategies, it aims to guide program designers and implementers in addressing challenges of policy non-compliance effectively.
<u>Effective public administration</u>	European Institute of Public Administration (EIPA)	Effective public administration is vital for economic prosperity and citizens' well-being and adapting to changing circumstances. Heightened citizen concerns and budget limitations emphasize the importance of human resource management (HRM) in optimising resources and fostering continuous learning within the public sector. Embracing lifelong learning and knowledge management is crucial for all of this. The link offers classes with this focus.
<u>Practical Guide for Strengthening Social Dialogue in Public Service Reform</u>	Venkata Ratnam and Shizue Tomoda, 2005	The ILO created educational resources for social dialogue in public service reform, leading to the "Practical Guide for Strengthening Social Dialogue in Public Service Reform." Through workshops in Ghana and India involving employers and workers engaged in reforms, this guide emphasizes inclusive decision-making and investing in human resources. Its aim is to support public service employers and workers in evaluating past reforms and preparing for future changes.
<u>Non-Standard Employment Around the World</u>	ILO, 2016	In February 2015, the International Labour Organization convened a Tripartite Meeting of Experts on Non-Standard Forms of Employment, discussing challenges concerning decent work. The resulting conclusions urged governments and social partners to create policies addressing inadequate conditions, supporting transitions, promoting equality, expanding social security, ensuring safety, upholding rights, enhancing labor inspection, and addressing highly insecure employment forms to ensure decent work for all.
<u>International legal regulation of non-standard forms of employment</u>	Savchuk Sergiy, 2020	The article investigates international regulations regarding non-standard employment, reviewing global instruments such as UN charters, human rights declarations, and ILO conventions. It underscores Ukraine's dedication to harmonizing with EU standards in employment and social policy through the Association Agreement. Examining ILO Conventions and EU Directives, it explores diverse non-standard work structures, emphasizing subcontractual relations within international labour law. However, it notes



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	that while these regulations touch on non-standard employment, they lack comprehensive focus in this area.
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