



## Resolution 2467 (2022)<sup>1</sup>

# The future of work is here: revisiting labour rights

Parliamentary Assembly

1. Across Europe and worldwide, work has been and is likely to remain central to human life. It ensures subsistence, access to an independent life and enjoyment of various benefits and rights. Work can also give meaning to one's life and underpin one's sense of dignity by providing a role in society and enabling one to contribute towards shared prosperity: work binds us all together. In recent years, new technologies and the Covid-19 pandemic have radically transformed the world of work, affecting the organisation of work, workers and workplaces. As we see a massive shift towards atypical forms of employment and increased teleworking, some fundamental aspects of labour rights and policies require an open societal debate to correct imbalances so that no one is left behind and economic security is guaranteed for all.

2. The Parliamentary Assembly notes that this new reality has led to substantive changes in working conditions and relations between employers and employees, with direct and indirect effects on the health, well-being and socio-economic rights of people at work. While it acknowledges the possibility of positive effects on productivity, the Assembly views with concern many situations of precarious employment and discriminatory practices at work, in particular regarding women with caregiving responsibilities. The changing nature of jobs also has an impact on workers' rights to organise and to bargain collectively, as well as on the functioning of trade unions, and increases the risk of an abusive recourse to surveillance or worker control technologies. Furthermore, given that globalisation of work weakens the reach of national social protection systems and individual protections across borders, the Assembly sees an urgent need to mainstream higher minimum labour standards worldwide, including basic occupational health and safety norms, under the guidance of the International Labour Organization (ILO).

3. Moreover, the societal emphasis on paid work fails to mirror the complexity of human nature and life. It ignores the huge amount of unpaid work that billions of women around the globe provide to society by caring for children and other household members (usually the elderly): in most countries women still do two thirds of all unpaid care work, a trend that worsened further during the pandemic. Such an approach also devalues paid care work, as well as volunteer work. The Assembly therefore advocates an overhaul of labour policies to ensure better recognition of unpaid work and build a more socially just society.

4. Teleworking swept into the world of work like a tidal wave during the Covid-19 pandemic. The Assembly is convinced that teleworking will remain a permanent feature of the organisation of work for knowledge workers, mostly in the form of hybrid arrangements which combine online and physical presence at the workplace. Governments and their social partners (employers, employees and professional associations/trade unions) are therefore called upon to facilitate and better accommodate increased recourse to teleworking on a permanent basis by providing a level playing field and maximum flexibility for both workers and their employers through legislative measures, while guaranteeing that socio-economic rights are well protected. In this context, the Assembly insists on teleworking policy approaches that maintain and enhance the protection of socio-economic rights as set out in the European Social Charter (ETS No. 35) and the revised European Social Charter (ETS No. 163).

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1. *Assembly debate* on 14 October 2022 (34th sitting) (see [Doc. 15620](#), report of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Ms Selin Sayek Böke). *Text adopted by the Assembly* on 14 October 2022 (34th sitting).

See also [Recommendation 2239 \(2022\)](#).



5. The Assembly notes that there is research and data evidence that points to the changing work culture, with a new generation of workers who value flexibility of working hours and location and a reduction in working time much more than their predecessors. The Assembly further notes a need to better define the “right to disconnect” in national legislation as well as at European and international levels. Greater autonomy for workers and more regard for workers’ own preferences have been shown to result in higher productivity, which is beneficial to all social partners – workers, employers and society at large.

6. The Assembly is concerned that stress levels have been escalating in many workplaces, with dramatic consequences for both individuals and society at large. Recognising stress at work as our collective challenge, it reiterates the recommendations formulated in its [Resolution 2267 \(2019\)](#) “Stress at work”, in particular as regards “a stress-reducing organisation of work with shorter, four-day weeks (with 28 to 32 work hours per week), flexible work time options, greater autonomy, teleworking possibilities and job-sharing schemes, notably for working parents and carers”.

7. As automation, artificial intelligence applications and digital labour platforms progress further, they could present new forms of inclusion by providing additional job opportunities for persons who are marginalised in traditional labour markets. In order to embrace this trend with confidence and avoid any precariousness that could result for the workers concerned, the Assembly believes that member States should introduce essential legal safeguards regarding irregular working hours and income, remedy a lack of access to basic social protection and collective bargaining rights and to the judicial system where relevant, and put an end to discrimination caused by the use of opaque algorithms. The Assembly also notes that the growing cross-border mobility of labour, including teleworking where the employer and employee are based in different countries, has implications for labour and tax laws across jurisdictions that need to be addressed.

8. Drawing lessons from the pandemic, major trends in the world of work and selected examples of good practice in member States, the Assembly emphasises the importance of increasing flexibility (in terms of workplace location and working hours) in the organisation of work in order to serve the new needs of workers, employers and labour markets in a balanced manner. With a view to adjusting their existing regulatory frameworks and labour policies, better protecting socio-economic rights, enhancing public health and ensuring personal well-being at work, the Assembly recommends that member States:

8.1. with a view to improving minimum labour standards and defending essential socio-economic rights, in particular basic occupational health and safety norms, worldwide:

8.1.1. ensure full implementation of the ILO’s core conventions and guidelines;

8.1.2. pursue implementation of the United Nations Sustainable Development Agenda 2030, in particular its Goal 8, in seeking to achieve inclusive and sustainable economic growth, full and productive employment and decent work for all;

8.1.3. seek harmonisation of regulatory frameworks across different jurisdictions with regard to platform work, notably concerning employment status, social protection and access to basic social rights, as well as working time, pay, dispute resolution, personal data protection and privacy;

8.1.4. guarantee adequate corporate social responsibility by multinational enterprises operating on their territory and beyond;

8.1.5. update national strategies in this regard to cover new forms of work and the fragmentation of work;

8.1.6. increase institutional capacity to ensure that national labour inspectorates have sufficient powers, resources and training to better control occupational safety in the new era of work by prioritising prevention and risk-based approaches;

8.1.7. ensure that national laws and collective agreements clearly define the responsibility of the employer for the protection of the occupational health and safety of employees and, in the context of teleworking, take into account both the psychosocial and ergonomic risks;

8.2. screen, assess and adjust their labour legislation and policies in the light of the requirements laid down in the European Social Charter and the evolving needs of labour markets, in particular:

8.2.1. concerning work organisation, examine options for shortening working weeks and/or daily working hours while maintaining the same pay, so as to shift the focus from hours worked to results to achieve, cater more flexibly for those multitasking at work and using job-sharing

arrangements, enable high-intensity work, accommodate atypical forms of work while protecting socio-economic rights, support working parents and contribute to socially and environmentally sustainable development;

8.2.2. with regard to teleworking and hybrid working:

8.2.2.1. ensure that specific legislation is in place to balance the needs and priorities of workers, employers and society as a whole, while giving as much autonomy as possible to workers and their individual work preferences;

8.2.2.2. define and codify in law the right to disconnect from work and the obligation for employers to prevent occupational burnout;

8.2.2.3. study the environmental and public health benefits of teleworking and consider schemes for mandatory teleworking for knowledge workers on a few days per week aimed at alleviating local transport flows, reducing pollution and saving energy and other resources;

8.2.2.4. provide adequate equipment and compensate additional costs incurred by workers engaged in teleworking and achieve a fair sharing of the productivity and cost benefits accrued through remote or hybrid working;

8.2.2.5. ensure that workers who telework full-time or as part of a hybrid set-up are not penalised or discriminated against;

8.2.3. with a view to optimising the structure and dialogue of the national social partnership:

8.2.3.1. include self-employed workers, reach out to those involved in unpaid care work and to migrant workers and correct the (mis-)definition of the employment status of those involved in the platform economy;

8.2.3.2. improve the access of workers in atypical forms of employment and in platform work to collective bargaining and professional associations/trade unions, information and training, and protection from intrusive surveillance technologies;

8.2.3.3. negotiate all legal frameworks with all social partners and formally institutionalise these mechanisms for social dialogue;

8.2.3.4. study options for using digital instruments and public policies to improve freedom of association and support labour organisations;

8.2.4. as regards action fostering decent work and quality employment for decent and dignified living, while ensuring that the digital transformation of work benefits everyone and that no one is left behind:

8.2.4.1. launch a public debate on upgrading the social contract to a society centred on human needs, solidarity, public interest and rights;

8.2.4.2. invest public resources and engage private enterprises in strengthening people's employability through lifelong learning schemes, reskilling and upskilling programmes, and institutional efforts for the creation of decent and sustainable work, in line with the ILO's Centenary Declaration for the Future of Work;

8.2.4.3. increase public investment in digital infrastructure so that quality digital tools are accessible to all;

8.2.4.4. consider implementing personal training accounts for all workers, which would entail putting positive obligations on all employers to set up skills development plans or training for current and potential workers, including young NEETs ("not in education, employment or training"), persons in unpaid work or those unemployed and retired persons who wish to continue working but need to upgrade their skills;

8.2.4.5. give labour policies a more prominent role when managing the economy and mitigating socio-economic inequalities, based on better policy coherence and support for fundamental rights at national, European and international levels;

8.2.4.6. if they have not yet done so, ratify the European Social Charter and its Additional Protocol Providing for a System of Collective Complaints (ETS No. 158), lift any existing reservations to the Charter, scale up political support for the

implementation of the Charter and the European Convention on Human Rights (ETS No. 5) and promote the full application of these fundamental treaties across Europe, including to the Council of Europe's own staff;

8.2.4.7. root out abusive employment practices such as unpaid employment trials and zero-hours contracts, harmonise the protection of rights for different categories of workers by reducing differences in tax treatment for different types of contract and guarantee universal minimum social coverage for all;

8.2.4.8. seek better recognition of unpaid work by making it more visible, providing more family-friendly policies (such as the adaptation of working hours and provision of affordable and accessible childcare for working parents, with extra financial support for the vulnerable), clarifying the monetary value of such work (by measuring and estimating its monetary worth) and better supporting it through social benefits or a basic-income approach alongside public provision of quality healthcare services accessible by all;

8.2.4.9. update national legislation and strategies on occupational health and safety to better cover new forms of work, different categories of workers (including the self-employed) and the increased mobility of workers between workplaces and across borders;

8.2.4.10. ensure that workplaces are free from all kinds of harassment and online surveillance;

8.2.4.11. design new policies with a focus on multidimensional equality and revisit the age-related nature of work so as to guarantee the inclusiveness of the labour market and effective implementation of non-discrimination principles;

8.2.4.12. consider the need for new institutional structures and increase the capacity of public institutions in order to identify trends, emerging risks and regulatory needs, and to assess the impact of the structural transformation of work in terms of environmental and social sustainability (including gender, age, skills diversity, etc.) as well as professional evolution (the quality of work);

8.3. encourage local authorities to provide online market platforms for businesses in their region to sell online.