The impact of Covid-19 in Information and Consultation – the need for organisational and technological adaptations

Themes to be discussed during the transnational workshop in Rome

Note: In the reflection it is important to take into account the possibilities of technology today and how they can be exploited.

Q1: Information and consultation, in relation to Covid-19, needs for reorganisation and digitalisation of processes (organisation of meetings, elections, representativeness, confidentiality etc).

[EN]

Regarding changes in information and consultation due to measures against Covid-19:

(1) How do you stay informed of changes in legislation and state guidelines?

The employees/employers were mainly informed by the employer/management. The trade union Verdi set up a crisis team which consulted in weekly meetings and informed the workers/employers.

Other sources of information were/are:

- Internal works council - GF/ employer

-Legislative regulations, such as the SARS-CoV-2 occupational health and safety regulation from the Federal Ministry of Labour and Social Affairs

- Infection Protection Act

- Public health department

- Robert Koch Institute

- German Social Accident Insurance

- Federal Foreign Office

- Senate Department for Education, Youth and Family

(2) Are you satisfied with the level of information communicated to you by the company management?

The sharing of information has worked well.

Is there a change in the frequency of information?

zbb: Additional meetings and briefings were held to implement adjustments to internal work processes.

Verdi: The crisis team of the flight area was named the crisis team for the pandemic. The crisis team met once a week to exchange information and decide on further steps.

How does consultation take place in your company during the pandemic?

zbb: The consultation took place online. First of all, the technical infrastructure had to be set up. The resulting later exchange between partners and companies led to a drop in turnover and loss of information.

Verdi: The counselling centres remained closed.

Gaps in labour law (keyword: digital works council meeting) became apparent.

Short-time work was an obstacle to effective works council work.

(3) Do you think the online information and consultation activated during the pandemic by the state proved adequate?

In general, the state disseminated essential information (online) quickly and effectively. Individual queries could only be answered with great delay by designated agencies (e.g. health authorities).

What way(s) of information and communication have you adopted? How do you assess it?

All direct information was via digital media: mainly via email, meetings/conferences via Skype / Webex/ Zoom.

Information was also provided via the website (newsletters, social media, etc.).

In sectors considered to be a priority, such as retail, workers were also informed in person at the workplace.

The zbb as an employer initially had many unplanned costs to become and be operational. The purchase and installation of new hardware and software as well as training for employees were implemented promptly. After that, communication worked well. Networking was difficult during this time.

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At Verdi, there was a new focus on digital organising as an important tool for the future "mobile trade union". Rapid but extremely important digitalisation processes developed within the union.

(EN)

What ways of communicating between trade union representatives have you adopted? Do you find them efficient? What problems, if any, have you encountered?

Workers were surprised by the situation. Many works councils were confronted with this situation for the first time. A "quantum leap" in digitalisation had to be made without involving workers (many cancellations of WC meetings). There were gaps in labour law (keyword: digital works council meeting). Short-time work was an obstacle to effective works council work. There was little or no training for employees. However, co-determination still had to be guaranteed. The shift of workers' social interaction to social media was a challenge.

Many union members could no longer afford union membership. Many full-time workers and volunteers had to train in the Digital World of Work and faced challenges. The implementation of strikes had to be rethought due to the ban on assembly.

(4) Is there a specific digital way of trade union or employees' representation process (e.g. organising meetings, elections, communicating with trade union officials, informing employees about the output of information and consultation process etc. that you have applied during the covid 19 crisis?) Do you think it currently works? Were there any problems related to confidentiality, assurance of the integrity of the vote, participation of employees in the process related to their respective participation before the covid crisis etc.?

General Assembly and elections:

zbb: The general meeting had to be realised online. This required an adaptation of the zbb statutes, in paragraph 10. After that, the convening and passing of resolutions of the zbb general meeting could then be realised through electronic communication. The Zoom platform was used here.

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Verdi: Establishment of the "digitalisation lab" NPO 4.0 (example: digital volunteering, digital organising, digital membership administration - or also digital meetings, etc.). This has been successful in digitally savvy sectors. Legislative changes had to be made in the Works Constitution Act.

(5) When using these digital ways did you encounter any problems with the existing national legislation?

There are gaps in labour law (keyword: digital works council meeting). A solution is currently being sought. More offers for works councils in the areas of digitalisation and agilisation of work, mobile working. More external expertise to ensure employee data protection, co-determination, consequences of misconduct and co-determination (adaptation of data use regulation).

Q2: Response of employees and trade unions to the new landscape of information and consultation

[EN]

About the information you received and the possibilities for consultation during the pandemic:

(1) From your two years of experience during the pandemic, what were the biggest difficulties you faced and your biggest take-aways, as workers and as unions?

Unplanned costs to be operational. (Purchase/installation of new hardware and software; training for staff).

A change in communication had become necessary. (Communication not possible in presence, internally and externally).

As a result, networking became more difficult and a too late exchange between partners, with companies via online platforms led to a drop in turnover; loss of information.

High time expenditure to follow up on legal requirements. (Pandemic and hygiene regulations)

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Recruitment / induction of new staff using the home office options was made difficult at the beginning.

Compatibility of family and work. (Problematic for staff with children).

Verdi perspective: There was little or no training for staff. Co-determination was undermined. There were problems with hardware and software. Shift of workers' social interaction to social media. This goes hand in hand with the elimination of co-determination. Human resource management on Facebook & Co.

Positive: There was a new focus on digital organising as an important tool for the future. Acceleration of the digital transformation in the company.

(2) In your opinion, did the pandemic period and the measures taken in relation to it have a positive, negative or no difference in terms of workers?

The use of new media had a positive effect on the development and acquisition of digital skills by employees. Another positive effect was the introduction of home office. A flexible working time model for employees was partially implemented. Work processes have become more effective in some cases, as there is no longer a time saving for travelling to and from the event location.

At zbb and Verdi, the use of new media had a positive effect on the development and acquisition of digital competences by staff. Similarly, rapid but extremely important digitalisation processes developed within the Verdi trade union.

There was a new focus on digital organising as an important tool for the future.

From Verdi's point of view, it was problematic that there was little or no training for employees. Co-determination was partly undermined.

Other points mentioned by zbb were the training of new employees in the home office, as the social exchange among the employees was more difficult. They needed a longer induction period and had to get information on online platforms, also in conversations on Zoom. The challenge was not to lose information.

Work-life balance for staff with children was also a challenge.

Given that the pandemic has not ended, what in particular can help towards improving the situation you mentioned in the previous question?

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From Verdi's point of view: more offers for works councils in the areas of digitalisation and agilisation of work, mobile working. More external expertise to ensure employee data protection, co-determination, consequences of misconduct and co-determination.

Comprehensive further training offers for older workers who cannot adapt so quickly to digitalised processes. Works agreements or collective agreements must be concluded in all companies. This requires financial resources from the European Union and the national state. A European funding system was proposed.

What of these in your opinion should be permanently incorporated - irrespective of the pandemic - into information and consultation and even to be previewed by legislation?

Area-wide further training offers for all employees so that they can quickly adapt to digitalised processes. Legal regulations to protect employees from performance and behavioural control seem to make sense.

More offers for works councils in the areas of digitalisation and agilisation of work (mobile working) should be provided. More external expertise to ensure employee data protection, co-determination, consequences of misconduct and co-determination was suggested.