

# **A Decade of Struggle (2015–2025)**

## **From Fiction to Rights: Spain's Path Toward Platform Labour Regulation**

The Future of Work is here  
14th of Nov. 2025, Vienna

**Daniel Cruz Fuentes**

**Head of Digital, Ecological, and Demographic Transition  
Secretaria d'Acció Sindical i Transició Justa  
CCOO de Catalunya**



# What is CCOO?

- **Founded on November 20th, 1964, during the Franco dictatorship**
- **First union in Catalonia and Spain**
- **The General Secretary for Catalonia is Belén López, and for Spain, it is Unai Sordo**



- **Affiliated to:**



# Impact of technology on history: phases and processes

**Carlota Pérez,**

**Venezuelan-British economist known for her influential theory on technological revolutions and socio-institutional change.**

- 1. Installation period**
- 2. Deployment period**

**Deregulation**

**REGULATION**

GRAN OLEADA	REVOLUCIÓN TECNOLÓGICA	Período	INSTALACIÓN		Intervalo de reconstrucción	DESPLIEGUE	
			IRUPCIÓN	FRENESÍ		ENERGÍA	MAJUREZ
1ª	La revolución industrial	1771	Los 70 y comienzos de los 80	Fines de los 80 y comienzos de los 90	1790-1797	1798-1812	1813-1829
2ª	Era de la máquina de vapor y las ferrocarriles	1829	Década de los 30	Década de los 40	1840-1850	1850-1857	1857-1873
3ª	Era del acero y la ingeniería pesada	1875	1875-1884	1884-1893	1893-1905	1905-1907	1908-1919*
4ª	Era del petróleo, el automóvil y la producción en masa	1908	1908-1920*	1920-1929	1929-1933 Europa 1929-1940 EUA	1943-1959	1960-1974*
5ª	Era de la informática y las telecomunicaciones	1971	1971-1987*	1987-2001	2001-??	20??	

\* Observar el solapamiento de las fases entre oleadas sucesivas.

↑ big-bang ↓ Colapso ↑ Reconstrucción institucional

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# A Decade of Struggle (2015–2025)

Legal uncertainty  
and self-  
organization of  
riders.

**2015-  
2018**

**2018**

**CCOO  
understand the  
importance of  
the sector**

**First major  
strike in  
Glovo**

**2021**

**Spanish  
rider's law**

**2021**

**Platform  
directive**

**2024**

**2026**

**Our moment  
to influence!!!**

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# Understand the needs



**1** Approach to the workers

**2** Specialized workshops: language, topic and interest

**3** Interest in organizing and first protests

**4** Laboralisation, first achievements and union elections

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# Research on the needs



**2020**  
**ONLY FOOD DELIVERY RIDERS**



**2022**  
**CARE AND CLEANING PLATFORMS**



**2025**  
**ALL SECTORS PLATFORMS,  
INCLUDING HEALTH**

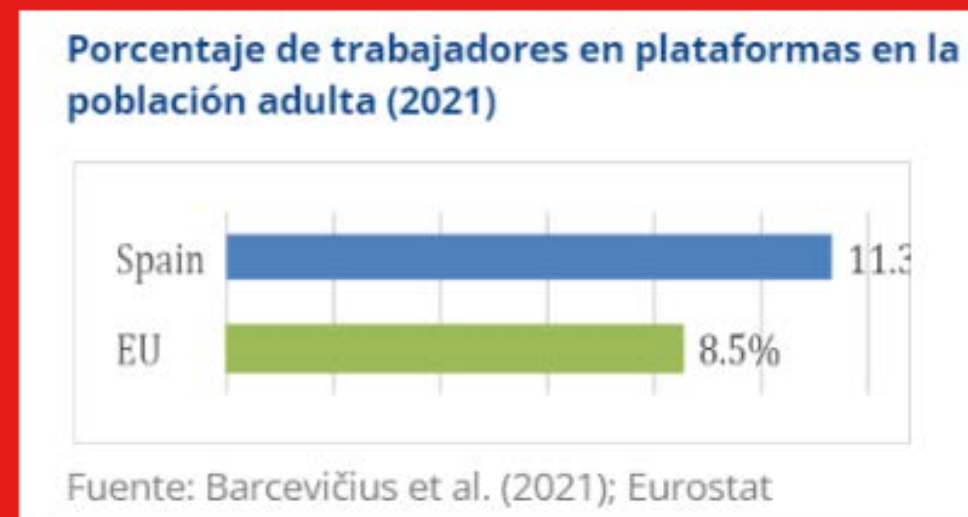
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# Some data to put in context

*Around 4 million people work on the platform in Spain, being for 30% of their main income*



*Spain, 3 points above the European average*



**In 2022, 28.3 million platform workers in Europe, with 29 million working in the industrial sector**

## 158 million EUR

In 2019, study estimated that the improper use of self-employment contracts allowed delivery platforms to save up to 158 million EUR annually, including up to **92 million EUR in annual wages** and up to **76 million EUR in annual social security contributions.**

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# Legal framework

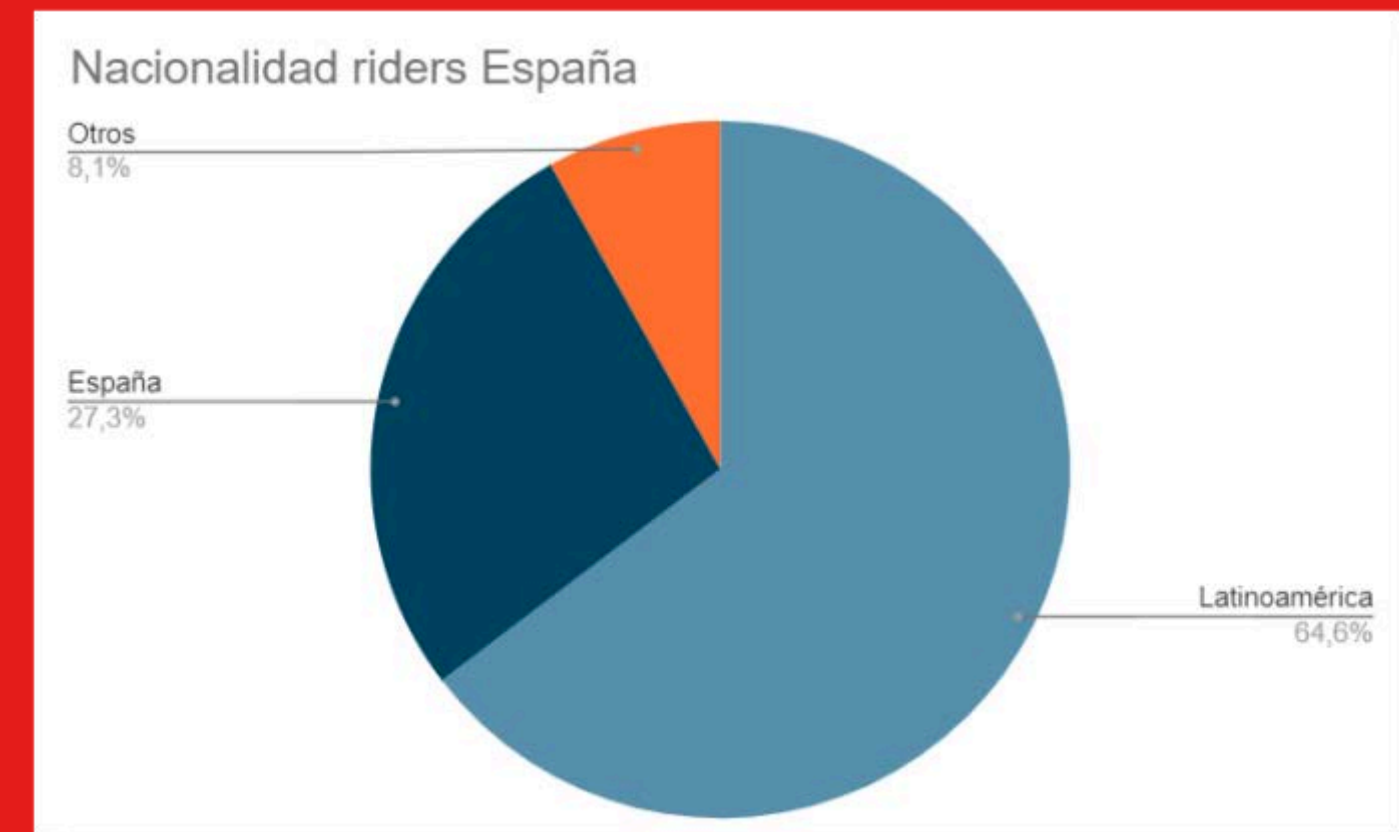
"The union and the agreement are not 'for the people', IT IS FOR THE PEOPLE"

## *Immigration law*

***Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social***

***Labor roots are a requirement under Spanish legislation to grant a level of legality to foreigners in an irregular situation.***

***This entails a temporary residence permit for individuals who have worked for a minimum of 6 months and maintained continuous residence in Spain for the past 2 years.***



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# 'Plataformisation' of the economy: 3 main types

**False self-employed**

Clintu

Uber

Livo

Glovo?

**click-work**

fiverr.

upwork

malt

**Professionals self-employed**

TOPDOCTORS

abogadea

TaskRabbit

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# 'Plataformisation' of the economy: 3 main types

**False self-employed**

The logo for Clintu, featuring the word "Clintu" in a white, sans-serif font with a small house icon above the 'u', set against a solid orange rectangular background.

- Founded in 2014 in Barcelona, is a digital platform connecting clients with home cleaners, operating mainly in Barcelona, Madrid, and Valencia.
- **Court ruling:** In June 2023, after a lawsuit filed by CCOO, a Barcelona court ordered Clintu to pay €1.29 million in Social Security dues for 505 cleaners, ruling they were employees, not freelancers — since the company conducted interviews, set prices, managed schedules, and handled incidents.
- The case, linked to precedents like Cuideo and Glovo, confirms labour dependency in platform work but also exposes ongoing job insecurity, as platforms adapt to avoid full employment obligations despite the rulings.

The logo for Livo, featuring the word "Livo" in a white, stylized, handwritten-style font, set against a solid dark teal rectangular background.

- Founded in 2023 in Barcelona with Glovo-linked funding, Livo Health connects nurses and auxiliary staff with hospitals needing short or long shifts.
- Spain's main platform, with 55,000 health professionals and 115 centres.
- Three main services: (1) shift-management software for hospitals, (2) job postings for longer contracts, and (3) a core marketplace for one-day shifts, matched by an algorithm that filters by nurses' profiles and validated credentials.
- **IMPACT:** increasing job instability, excessive rotation, and weaker collective rights, and creating risks for patient safety due to frequent changes of workplace and staff unfamiliarity.

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# Legal framework

"The union and the agreement are not 'for the people', IT IS FOR THE PEOPLE"

## Ley Rider

*Real Decreto-ley 9/2021, de 11 de mayo*

*The law focuses on delivery platforms and confirms the status of workers on these platforms (and all the labor rights that this entails).*

*It also guarantees that the representation of workers can access the algorithms that organize their activity. Not only in platform companies, it affects all companies in the labor market in Spain.*



***RULES + PARAMETERS + INSTRUCTIONS***

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# Impact of the Riders' law in the delivery sector



**First agreement between a delivery platform (Just Eat) and main unions (CCOO and UGT), desember 2021**

**Glovo?**

**Changed its formula to avoid the law**

**Uber Eats**

**Subcontract their workforce through third-party intermediary companies to avoid hiring them directly and to prevent disclosing algorithm details.**

**getir**

**deliveroo**

**Closed their business in Spain**

**GORILLAS**

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# Impact of the Riders' law in the delivery sector

acces here to  
read the full  
agreement  
(in Spanish)



**First agreement between a delivery platform (Just Eat) and main unions (CCOO and UGT), desember 2021**

## Article 68.e:

- The company must inform workers' legal representatives about the use of algorithms or artificial intelligence systems that affect working conditions, access to, or continuity of employment.
- This information must include the parameters, data, rules, and instructions that feed the algorithms, especially those used to organize the work of delivery personnel.
- Algorithms must have human supervision and must not use data that could violate fundamental rights (such as sex or nationality).
- A "Algorithm Commission" will be created, made up of representatives from both the company and the workers' side, to channel this right to information.
- The company must inform the Algorithm Commission of any substantial changes made to the algorithms or AI systems used.
- The information provided may only be used for the specific purposes for which it was shared.

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# Impact of the Riders' law in the delivery sector

**But finally, almost four years after its entry into force, the law only began to be fully applied in July 2025**

- **Glovo, the largest platform, accumulated around €265 million in unpaid social security contributions, faced labour inspections, and even criminal charges under the reformed Penal Code (Article 311).**
- **Glovo's shift to direct employment in 2025 (around 14,000 riders), most of Spain's delivery work now follows labour contracts.**
- **Persistent issues:**
  - **Subcontracting risks:** "Fleets" tend to show weaker collective bargaining, more turnover, and worse conditions than direct employment.
  - **Low pay & fragmented hours:** Wages hover near the minimum, with demand clustered in peaks, pushing part-time, variable schedules, and income instability.

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# European Platform Directive: current proposal and interpretation guide

- General presumption: it is triggered when the facts show control and direction of the work, according to national law, collective agreements, or established practice.
- Each Member State may define what constitutes "control and direction."
- Contrary to the **Rider law**, it applies to all jobs, not just to delivery

- Aproved 8th March 2024

- No criteria
- Defines a worker
- Defines a platform
- Gives to the workers the right to participate on the implementation

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# European Platform Directive: current proposal and interpretation guide

## Our proposal

- **Presumption of employment with retroactive effect and full link to Social Security.**
- **Platforms must disclose parameters, rules, and impacts with access and supervision rights guaranteed to worker's representative**
- **Avoid gaps between jurisdictions: coordinate the labour and social security systems so that the presumption also applies for contribution purposes.**
- **Prevent companies from evading the presumption by invoking administrative or tax arguments.**
- **Promote a specialized labour inspection for algorithms and platforms.**
- **Ensure the presumption is not neutralized through subcontracting or fake cooperatives.**
- **Create a public register of platforms to facilitate supervision and corporate accountability.**

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# European Platform Directive: current proposal and interpretation guide

## FINAL GOAL

***Recognize them not as platform workers, but as workers *in* platforms – equal to all others.***

ACCES TO THE  
ENGLISH VERSION  
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# Some data to put in context



**Observatorio Nacional de  
Tecnología y Sociedad, 2024**



**Increase of all types of companies  
that use algorithms:**

- **12.3% companies +10 workers**
- **41.2% companies +249 workers**

## **21st Century Unionism: Between Platforms and Artificial Intelligence**

**Based on article 64.4.d of the workers' statute in the Rider law that introduced the right to know the rules, parameters and instructions, we have to understand what it refers to!**

**RULES + PARAMETERS + INSTRUCTIONS**

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***When you ask yourself what information the company should give you about algorithms, think about the Coca-Cola formula.***





# Legal framework

"The union and the agreement are not 'for the people', IT IS FOR THE PEOPLE"

ACCES TO THE  
ENGLISH VERSION  
OF THIS ARTICLE



## From Coca-Cola to algorithms: what's behind the recipe for your job?

The formula for Coca-Cola is one of the best-kept secrets in the world: nobody knows exactly what the proportions are or what makes it so addictive. However, despite this deliberate opacity, consumers can be relatively calm because the law requires clear labelling of ingredients, ensuring that anyone allergic or intolerant to any of them can avoid consuming it. But what happens when our professional future depends on a "secret formula" that we cannot see, understand, or question? This is where business algorithms come into play, affecting our working lives without any label that allows us to protect ourselves from possible injustices or discrimination.

In many companies, these mysterious formulas —the algorithms that decide who works, how they work, and even when they work— are a real enigma for workers. Imagine that a company uses an algorithm to distribute tasks, hire staff, or measure productivity. What is the "secret formula" that determines these processes? According to the latest figures from Idescat's Business Climate Survey, 16.6% of the industry in Catalonia already makes some use of artificial intelligence technologies, and what is most concerning is that in many cases not even the company itself knows exactly how it works in practice. These algorithms are based on self-learning, therefore even those who program them cannot be sure what risks may exist. Now that we are still in the infancy of using this technology, it is the moment to regulate so as not to suffer the negative consequences later. In short, decisions that affect working conditions cannot be made based on an unknown recipe.

That is not asking too much. Since August 2021, through the application of Law 12/2021 —the so-called "rider law"— a new right of information and consultation was introduced into Article 64 of the Workers' Statute. This regulation, pioneering at a global level, guarantees that workers'

representatives have the right to know the "parameters, rules and instructions" of the algorithms that affect working conditions. In other words: when a works council requests this information, it is not trying to access any business secret, but (basically) to know what the company asked of the IT department (or the external provider) when creating this algorithm, and to verify whether risks are being taken into account. It is a matter of transparency and justice.



The next question is obvious: how is it done? Well, there is no need to invent anything. As proposed by the European Social Partners' Framework Agreement on Digitalisation, the best way to minimise the risks of bias and discrimination is to ensure the presence of workers' representatives throughout the entire process, starting before its implementation. Only in this way can potential errors be detected and corrected in time, before the consequences become irreversible.

Just as there may be people allergic to sugar or caffeine, workers are "allergic" to discrimination, to decisions taken without foundation, or to technological errors disguised as

neutrality. For now, companies are not doing their part and are not sharing this information with works councils, thus increasing workers' distrust of new technologies. That is why it is essential that trade unions have access to and the capacity to influence the implementation of the technologies that affect them.

And while we worry about the direct impact of these algorithms at work, there is another equally alarming but more subtle effect: the environmental impact. Every time we use advanced technology, such as the artificial intelligence (AI) that makes these algorithms work, there is a huge environmental cost. Processing data consumes large amounts of energy and water to cool data centres. Everything is connected. We cannot talk about social and labour justice without also taking sustainability into account. If algorithms are meant to improve productivity, they must do so without sacrificing the planet along the way.

It is important to understand that this is not a position against technology. On the contrary, technology has incredible potential to improve productivity, make our work easier, and allow us to work fewer hours. However, this potential can only be harnessed if technology is negotiated and designed taking into account both labour rights and ecological impacts. Technology must be a tool at the service of people and the planet, not a disguised mechanism of control.

The story of Coca-Cola teaches us that a secret formula can work very well in marketing terms, but when we talk about labour rights, wages, promotions and schedules, the lack of transparency is a direct path to injustice. Otherwise, instead of being more efficient and enjoying shorter working days, we might end up working more hours, more stressed, and contributing to the depletion of the environment without even realising it.

Workers have every right —and the duty— to demand to know what is inside this formula. The future of our work, and of our planet, depends on it.

**Daniel Cruz Fuentes** Trade unionist at CCOO of Catalonia. Head of Digital Analysis and Transformation, Secretariat for Trade Union Action and Just Transition.

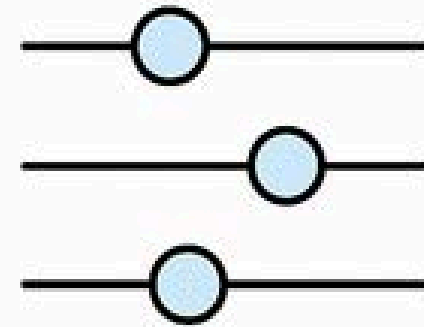
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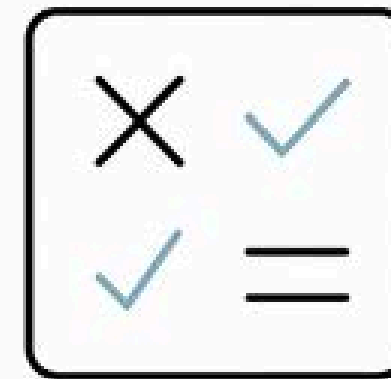
## Key definitions:

### Parameters



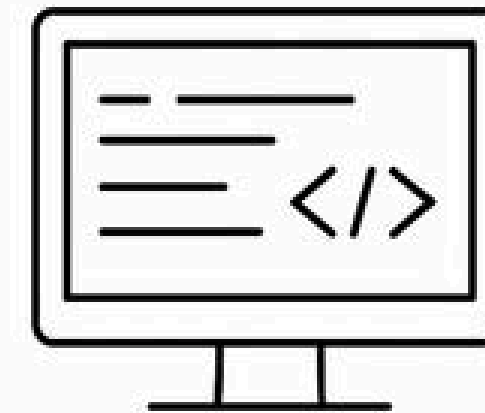
Variables that the tool includes in learning decisions and their relative importance or weighting

### Rules



Predefined logical conditions that determine whether an entry can be processed or must be excluded from the system

### Instructions

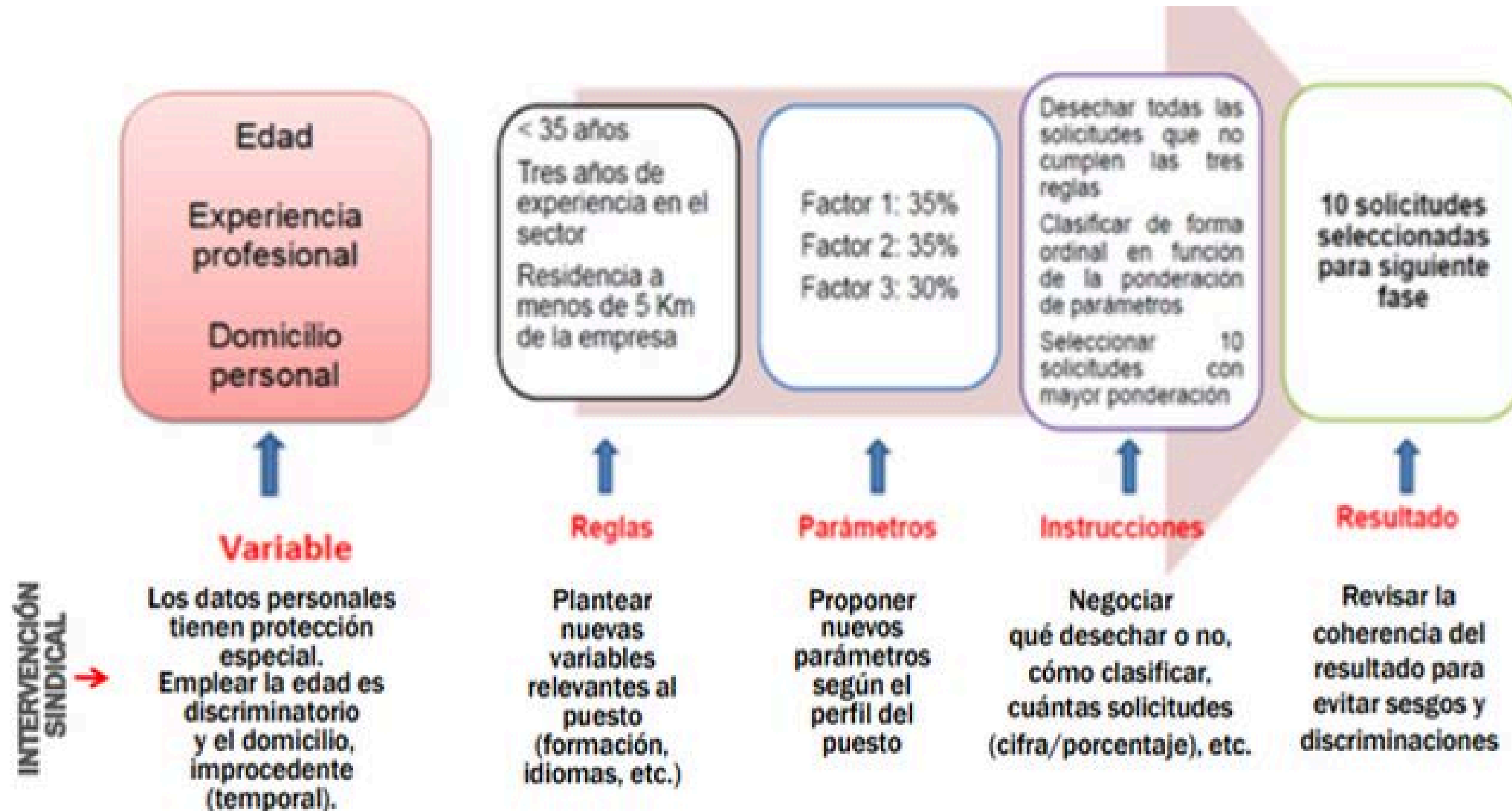


Structured and ordered sequences according to a programming language that tell the tool what steps to follow to solve a specific decision or achieve a result

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july 2025

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## Consequences of failing to comply with the obligation to provide accurate information about the algorithm



### Multa pionera de Cataluña a Amazon por ocultar los algoritmos que controlan a los trabajadores

La multinacional se ha negado a revelar cómo funcionan los sistemas de inteligencia artificial que miden la productividad y distribuyen el trabajo en el centro logístico de El Prat

La obligación de información algorítmica llega a los Tribunales

Audiencia Nacional, en su Sentencia núm. 101/2025, de 4 de julio de 2025



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# From training to the action

## Petition



**SOL·LICITUD INFORMACIÓ EXISTÈNCIA ALGORITMES O SISTEMES D'INTEL·LIGÈNCIA ARTIFICIAL EN L'EMPRESA**

**A L'ATENCIÓ DE L'EMPRESA**

DADES EMPRESA:  
NOM O RAÓ SOCIAL:  
NIF/CIF:  
DOMICILI SOCIAL:  
CENTRE DE TREBALL:

[ \_\_\_\_\_ ] amb DNI [ \_\_\_\_\_ ] en qualitat de Delegat/a personal/President/a del comitè d'empresa del centre de treball/de l'empresa indicada en l'encapçalat del present document, sol·licito, de conformitat amb la normativa aplicable, el següent:

Derivat de l'entrada en vigor del Reial decret llei 9/2021 d'11 de maig que va modificar l'article 64 apartat 4 de l'Estatut dels Treballadors, el Ministeri del Treball va emetre una Guia d'informació algorítmica en l'àmbit laboral amb l'objectiu reunir en un únic document les obligacions i drets existents en matèria d'informació algorítmica en l'ordenament jurídic-laboral. Tant l'article abans esmentats, com la Guia, estableixen **l'obligació de les empreses d'informar el comitè d'empresa sobre els paràmetres, regles i instruccions en les quals es basen els algorismes o sistemes intel·ligència artificial que afecten la presa de decisions que poden incidir en les condicions de treball, l'accés i manteniment de l'ocupació, inclosa l'elaboració de perfils.**

D'acord amb la Guia, davant la utilització d'un algorisme o sistemes d'intel·ligència artificial que pugui **prendre decisions de manera automatitzada i que com a conseqüència pugui afectar les persones treballadores l'empresa haurà d'aportar sobre els mateixos la següent informació, de manera clara, simple i comprensible per a persones sense coneixements tècnics:**

- Informació sobre l'ús d'algorismes o sistemes d'intel·ligència artificial per a prendre decisions automatitzades, incloent-hi l'elaboració de perfils, identificant la tecnologia utilitzada i les decisions de gestió de persones respecte de les quals s'utilitza tal tecnologia. És a dir, l'empresa ha d'informar les persones treballadores individuals i a la representació legal de la plantilla dels extrems que es detallen en la guia per a cada algorisme concret utilitzat com per exemple, el grau d'intervenció humana qualificada en les decisions adoptades mitjançant l'ús d'algorismes i sistemes de decisió automatitzada, inclosa l'elaboració de perfils.
- Informació significativa, clara i simple sobre la lògica i funcionament de l'algorisme, incloent-hi les variables i paràmetres utilitzats, com per exemple, en cas d'elaboració de perfils, la tipologia de perfils que elabora l'algorisme o les variables utilitzades per part de l'algorisme (les variables d'un algorisme utilitzat per a un procés de selecció, podrien ser la formació de la persona o l'experiència professional prèvia).

**ANNEX II**

**EMPRESSES ALIENES A L'EMPRESA PRINCIPAL QUE TINGUIN DADES DEL TREBALLADOR**

Derivat de la possibilitat que l'empresa transmeti les dades del treballador a empreses alienes o filials de la mateixa amb l'objectiu de dur a terme o informar sobre qualsevol decisió que s'hagi dut a terme de manera automatitzada, sol·licitem que es marqui amb una "X" qualsevol de les següents empreses que puguin cabre dins d'aquest supòsit:

☐ Empreses Filials

- Indicar les empreses filials:

☐ Empreses a l'estranger i ubicació de la companyia

- Indicar les empreses a l'estranger:

• Ubicació:

☐ Empreses de subcontractació d'obres

- Indicar les empreses de subcontractació:

☐ Empreses de subcontractació de serveis

- Indicar les empreses de subcontractació de serveis:

☐ Empreses de subcontractació de persones

- Indicar les empreses de subcontractació de persones:

☐ Empresa de subcontractació de qualsevol tipus

- Indicar les empreses subcontractades:

☐ Altres empreses

- Indicar qualsevol altra empresa:

**ANNEX I:**

**PROCESSOS O ACTIVITATS EN ELS QUALS S'APLIQUEN TÈCNiques D'INTEL·LIGÈNCIA ARTIFICIAL**

☐ Processos de selecció de candidats, recruiting o contractació d'emprats

☐ Programes d'aprenentatge o formació d'empleats.

☐ Experiència d'empleats (satisfacció dels empleats, grau de motivació d'aquests, ambient laboral)

☐ Gestió del rendiment d'empleats: Avaluació de l'acompliment, promoció i/o sortida de treballadors.

☐ Predicció d'esdeveniment (anàlisi de dades per a predir situacions com a desmotivació, baixes o rotació de la plantilla)

☐ Elaboració de perfils

☐ Control i monitoratge dels empleats durant la jornada de treball, amb tècniques de reconeixement facial, geolocalització o cerca d'informació en les xarxes socials.

☐ Gestió dels equips de treball, automatització de l'assignació de tasques, torns, horaris de treball i vacances.

☐ Controls d'accés dels treballadors.

☐ Prevenció de riscos laborals.

☐ Altres usos, procediments o protocols que emprin tècniques d'intel·ligència artificial

- Informació sobre la importància i les conseqüències que poden derivar-se de la decisió adoptada mitjançant l'ús d'algorismes o sistemes de decisió automatitzada (conseqüències de la decisió adoptada en termes d'accés a l'ocupació, manteniment de l'ocupació o determinació de condicions laborals com la determinació de salari, assignació de tasques, fixació d'horaris, promocions, acomiadaments, etc.).

Amb el propòsit de complir les obligacions que la norma exigeix a la Representació Legal del Treballador, adjuntem dos annexos, on s'ha de marcar amb una X aquells processos o activitats es fan servir els algorismes. El primer es centra en l'àmbit intern de l'empresa, i el segon en l'obligatorietat d'informar quines altres empreses tenen dades de les persones treballadores.

Per tot plegat, requerim a l'empresa que en termini de [ \_\_\_\_ ] dies procedeixi a informar-nos de la utilització d'algorismes o sistemes basats en intel·ligència artificial per a la presa d'alguna mena de decisió o com a instrument relacionat de manera directa o indirecta amb la distribució, gestió de persones, des de selecció i contractació de persones, fins a assignació de tasques, fixació d'horaris, determinació de salaris, control i monitoratge, control de productivitat, avaluació de resultats, promoció professional i, fins i tot, acomiadaments, **incloent i sense limitar a qualsevol tipus d'empresa que tingui una relació jurídica per la qual es comparteixin les dades dels treballadors.**

En el cas en el qual efectivament s'utilitzin aquests algorismes o sistemes d'intel·ligència artificial per als fins abans detallats, sol·licitem que, en el termini corresponent, aportí la informació de conformitat amb el que es disposa en l'article 64.4 lletra d) de l'ET.

Atentament,

NOM

CÀRREC

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# Legal framework

"The union and the agreement are not 'for the people', IT IS FOR THE PEOPLE"

**Most important question from Spanish experience...**

***What should we demand  
in agreements to avoid  
the abuse of algorithms  
in the workplace?***

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## Proposal for collective agreements



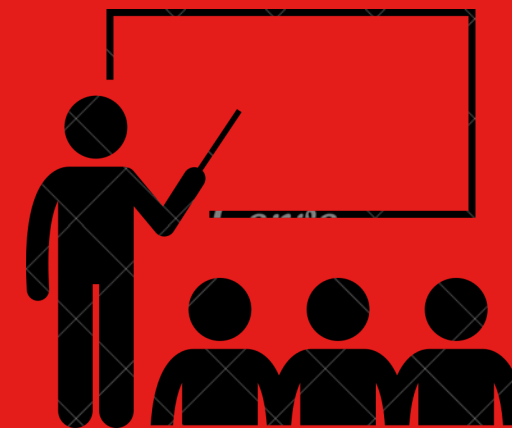
Participation and joint risk assessment with the employees' legal representatives



Before its implementation



Consent information with the legal representatives



Training during working hours and agreed with the workers' legal representatives



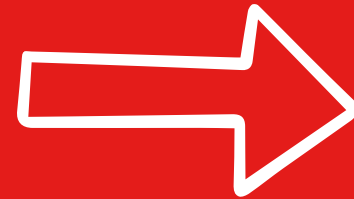
Ensure the principle of human control



Do not use unacceptable-risk or high-risk technologies

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# Agreements



Acces here, only  
catalan version!



with the necessary  
and special  
collaboration of the  
labor inspection

➤ ***Drets d'informació, consulta i participació de la RLPT en la implementació dels sistemes de IA.***

En aquest àmbit, cal remetre's a l'apartat 4.2 (en particular, pel que fa a la normativa aplicable i l'anàlisi del seu contingut i abast).

Es recomana promoure la participació de la RLPT en aquelles fases del procés d'implementació dels sistemes d'IA que tinguin una incidència directa en les condicions laborals, especialment, en la mesura que sigui possible, en la fase de disseny i desenvolupament. Aquesta participació podrà adaptar-se segons les característiques del sistema i l'impacte previst, amb l'objectiu de garantir una visió anticipada dels possibles efectes sobre les persones treballadores, i sempre des de la lògica de la millora contínua.

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# ***And very soon...***

***A research centre dedicated to understanding the impact of technology and digitalisation on society, work, and people's daily lives.***



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***"As Marx said, to change the world you must not only interpret it in various ways but also understand it well"***

***David Harvey***

**Moltes gràcies!**

**Daniel Cruz Fuentes**

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Secretaria d'Acció Sindical i Transició Justa  
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