

**To:
Council of the EU
EFTA Secretariat
German Presidency
Permanent Representations of
EU Member States**

Brussels, 6 November 2020

Ref: Passau Declaration

Dear Madam, Sir,

I am writing to you with regard to the Passau Declaration on 'Smart Deal for Mobility' adopted by the EU and EFTA Ministers of Transport on 29 October. The Declaration promotes the benefits that automation and digitalisation can bring to the European transport. Regrettably, the text dedicates very little attention to millions of workers that currently move Europe forward and who will be directly impacted by the implementation of the new technologies.

Transport workers are not against technology. However, we do not think that automation and artificial intelligence solutions should be 'fostered wherever possible', as it is mentioned in section 3. of the Declaration. They should be limited to situations where there is a clear societal - including workers - benefit in doing so, as the potential societal damage of ill-thought investments can be serious.

Therefore we regret to see that although section 1. 'Place people at centre stage' highlights the need for public engagement, it lacks any explicit reference to workers or the role of trade unions and (tripartite) social dialogue. EU and EFTA governments should foster robust social dialogue, with workers and workers' representatives involved from a very early stage in discussions on automation and digitalisation policies or investments. Just transition is possible only through involving workers that know the workplace reality. Similarly, the need for training, qualification and requalification, as well as job market support, although rightly mentioned in the Declaration, lacks any reference to the social partners' involvement.

Additionally, there is no consideration in the Declaration of the larger impact of new technologies on transport workers. Increased workers' surveillance, information asymmetries, algorithmic management, AI biases- these are some of the issues that

already affect the workers. And although they obviously concern also workforce in other sectors, the impact seem to be particularly acute in transport, the sector where the search for efficiencies is especially intensive. A clear regulatory framework and liability regime should address not only traffic accidents caused by AI errors, but also the issues mentioned above.

In this respect, the situation of workers engaged by ride-hailing, delivery and micro-mobility platforms is particularly telling. Multiple reports have been made regarding the 'circumvention' of labour, social and taxation regulations by such platforms. And although they constitute a small part of EU transport, they are certainly presented as poster children of the mobility of the future. What we therefore wish that the signatories noticed is the necessity to link e.g. public financing, access to data and MaaS solutions with fiscal, labour and social law compliance.

The Declaration starts with the sentence '*Enjoying mobility is part of our personal freedom and a basic need*'. On behalf of the millions of the European transport workers I would like to add that the right to decent work is also a basic need and should not be treated as a side topic. It is the workers, not robots and automated process, that pay taxes, vote in elections and build communities. Their omission in the Passau Declaration is therefore very concerning. Consequently, as ETF we are calling on the EU and EFTA governments to include the workers' dimension in the discussions on digitalisation and automation in transport.

Yours faithfully,



Livia Spera

ETF Acting General Secretary