IN-DEPTH ANALYSIS

EMPL Workshop Proceedings

European Parliament

Mental health and well-being in the digital world of work post COVID

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Mental health and well-being in the digital world of work post COVID

Abstract

These proceedings summarise the presentations and discussions that took place during the EMPL workshop held on 2 December 2021 on Mental health and well-being in the digital world of work post COVID. The workshop had four presentations, each followed by a Q&A session. The presentations touched upon the cost of poor mental health and the cost of inaction, digitalisation in the world of work, innovative and practical ways to create a resilient workplace and the role of legislation at national and EU level.

This document was provided by the Policy Department for Economic, Scientific and Quality of Life Policies for the committee on Employment and Social Affairs (EMPL).

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LIST OF ABBREVIATIONS

AI	Artificial Intelligence
CEO	Chief Executive Officer
CNRS	French National Centre for Scientific Research
COVID	Coronavirus Disease
ECR	European Conservatives and Reformists
EMPL	Employment and Social Affairs Committee
EP	European Parliament
EPP	Group of the European People's Party (Christian Democrats)
EU	European Union
GDP	Gross Domestic Product
Greens/EFA	The Greens/European Free Alliance
GUE/NGL	European United Left - Nordic Green Left
ICT	Information and Communication Technology
INI	Own-initiative procedure
LGBTQ+	Lesbian, Gay, Bisexual, Transgender, Queer or Questioning
MEP	Member of European Parliament
OECD	The Organisation for Economic Co-operation and Development
OSH	Occupational Health and Safety
S&D	Group of the Progressive Alliance of Socialists and Democrats
SMEs	Small and Medium-sized Enterprises
UK	United Kingdom

EXECUTIVE SUMMARY

Background

These proceedings summarise the presentations and discussions that took place during the Employment and Social Affairs (EMPL) workshop on "Mental health and well-being in the Digital work of work post COVID". The event was held on 2 December 2021, from 09.00-11.00 and was chaired by Ms Lucia ĎURIŠ NICHOLSONOVÁ, Member of the European Parliament (MEP). The workshop was divided into four topics of discussion, for which each expert gave a presentation, followed by a round of questions and answers. A background paper was also prepared in advance of the workshop[1].

Aim

The overall aim of the workshop was to take stock of the current situation in terms of mental well-being in the workplace and look at the direction the EU should take post COVID. The workshop identified best practices in terms of managing psychosocial risks in the increasingly digitalised world of work and made recommendations for further EU level action, both in terms of supporting the Member States in this area and possible EU-level legislative initiatives. The discussions of the workshop will feed into the EMPL committee own-initiative report on 'Mental Health in the Digital World of Work' and will be relevant to the Parliament's response to the new EU strategic framework on health and safety at work 2021-2027, as well as work to follow-up on Parliament's own-initiative legislative report on the right to disconnect.

The workshop addressed the following topics:

- The cost of poor mental health and the cost of inaction;

- Key impacts of digitalisation in the world of work;

- Innovative and practical ways to create a resilient workplace: best practice examples;

- Role of legislation at EU and national level.

Main discussions

Regarding **the cost of poor mental health and the cost of inaction**, Professor Lode GODDERIS provided quantitative and qualitative data on the evolution of mental well-being over the course of the pandemic. For example, a negative impact was visible during stricter confinement regulations in Belgium. He also showed data from a 2021 OECD study[2], reporting an increasing trend of teleworkers who suffer from mental health and behavioural issues since the start of the pandemic. Already known risk factors for poor mental health, such as financial insecurity, unemployment and fear have increased during the pandemic as well, while other protective factors such as social connection, employment, education, access to physical exercise have decreased. The pandemic seems to have accelerated these issues.

Data on anxiety disorders, depression disorders, alcohol and drug use disorders, bipolar disorders indicate that more than one in six Europeans have mental health problems. This is more than 84 million

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[1]   Workshop background paper, available at:
       https://www.europarl.europa.eu/committees/en/mental-health-and-well-being-in-the-digi/product-details/20211111WKS03921.

[2]   OECD, 2021, *Tackling the mental health impact of the COVID-19 crisis: An integrated, whole-of-society response*. Available at:
       https://read.oecd-ilibrary.org/view/?ref=1094_1094455-bukuf1f0cm&title=Tackling-the-mental-health-impact-of-the-COVID-19-crisis-An-integrated-whole-of-society-response.

people[3]. Professor Godderis explained that the discrepancies between northern European countries and eastern European countries in prevalence of mental health problems might be explained by the differences in the openness of populations to discussing their mental states: disparity in disclosure of data could be correlated to mental health stigma in certain countries.

The presentation showed data on the cost of mental ill health, which was estimated at over EUR 600 billion in 2015[4]. This represents more than 4 % of GDP across the (then) 28 EU countries. By country, a similar trend is visible as in the data on mental health problems. A lower estimated cost was observed in Romania, Bulgaria and Czech Republic, while the highest costs are in Denmark, Finland, the Netherlands and Belgium. Again, the share of people reporting mental health issues could explain these differences.

Professor Godderis then argued that mental health is not an individual problem but should be seen within the context of work. He concluded with research showing that an increased risk of psychosocial issues is found among vulnerable groups such as women, people with disabilities, LGBTQ+ persons and workers in the gig economy. Income and education were also reported as relevant factors that impact the mental health of workers.

Key impacts of digitalisation in the world of work were addressed by Ms. Andrea BROUGHTON. She provided a quick overview of the risks and benefits of remote working and explained the "autonomy paradox" phenomenon, which illustrates the double-edged sword of digitalisation. On the one hand, workers have greater levels of temporal flexibility and independence. On the other hand, negative effects such as "technostress" also emerge. The term 'technostress' relates to the cognitive overload and mental and emotional distress that can be caused by intensive working with IT tools. This phenomenon may also jeopardise the boundaries between work and private life - leading to further stress, conflict, anxiety and tiredness.

Ms. Broughton also made a link between the autonomy paradox and the increased use of digitalisation and robotisation. With the increased use of online surveillance systems and the integration of AI, this can lead to reduced autonomy for employees, as well as an increase in work anxiety. The uncertainty surrounding the negative and positive implications of digitalisation has led to a debate on the "right to disconnect". Some Member States and firms at a company level have implemented this fundamental right that allows workers to refrain from participating in work-related tasks outside their working hours.

The final point raised by Ms. Broughton focused on the impact of digitalisation on vulnerable groups. The outbreak of the pandemic increased the demand for gig economy workers - who often work under new forms of employment such as zero hour contracts or as self-employed. For some workers this means a lack of protection, which can lead to increased exposure to psychosocial risks, income precariousness, insecurity and musculoskeletal disorders. Moreover, digitalisation particularly affected gig economy workers and low-skilled workers who are not able to keep up with or access new technology and risk being left behind. However, if a certain threshold of protection is provided, one positive aspect is the facilitation of labour market access for those with disabilities, mental health issues, and those with caring responsibilities. Ms. Broughton argued that digitalisation offers many opportunities and should be embraced, as it cannot be stopped. However, care must be taken to mitigate the potential effects on mental health, resulting from stress, burnout and isolation. Additionally, vulnerable groups, such as gig workers and the low skilled need to be supported.

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[3]   OECD, 2018, *Health at a Glance: Europe*. Available at: https://doi.org/10.1787/health_glance_eur-2018-en.

[4]   OECD, 2018, *Health at a Glance: Europe*. Available at: https://doi.org/10.1787/health_glance_eur-2018-en.

Mr. Kees PEEREBOOM started his presentation on **innovative and practical ways to create a resilient workplace: best practice examples** by first explaining the job demand-control model and sense of coherence[5], and the difference between low and high job control. To make the job demand control model work, three generic mechanisms must be understood. Firstly, *comprehensibility* entails that if workers perceive their work challenges as clear, structured, and ordered, this helps them gain job control. Secondly, *meaningfulness* of the job implies that workers gain positive experiences from their jobs and want to invest emotionally and see the results of their work, also giving them more job control. Thirdly, *manageability* involves the degree of control over resources and its availability, in order for workers to cope successfully. These three mechanisms and the job demand control model are key in understanding occupational stress.

Mr. Peereboom then presented evidence from the Netherlands during the COVID-19 pandemic showing that the share of homeworkers working more than 6 hours a day on a computer increased, overtime increased and sitting during work increased. He explained that sitting is unhealthy, especially if workers are sitting more than 7 hours a day at work, and when taking into account sitting at home as well, this easily adds up to at least 10-12 hours a day[6]. This increases issues such as depression, diabetes and even mortality. He then touched upon work life balance and how this is being blurred because of workers working from home, in conjunction with other significant issues such as "techno stress" (always looking at screens), poor ergonomics (no proper office chairs to be conducting work etc.) and poor contact with colleagues, to name a few. He then mentioned some successful, immediate interventions to address the problems mentioned. These can be found in the background paper. Mr. Peereboom ended the presentation by giving examples of best practices from several companies. These are described in detail in the background paper.

Professor Loïc LEROUGE addressed the **role of legislation at EU and national level**. He explained that the EU does not yet have legislation addressing mental health in the digital world. However, the issue is partially addressed by pre-existing sets of EU legislation, including directives on health and safety at work, improvement of working conditions, organisation of working time, screen work, work-life balance and more. He argued that the guiding principle of these legal instruments is to prevent damage to health in all work-related aspects, and therefore, the improvement of the safety and mental health of workers is an objective that is to be achieved through adapting to new technologies and the improvement of the quality of the work environment.

Building on the pre-existing legislation, the ongoing changes in the EU are mainly driven by the Occupational Health and Safety Strategy 2021-2027[7]. The aim of the Strategy is to mitigate any emerging challenges post COVID, but also to be ready for any other health crises that may arise.

Professor Lerouge then focused on several Member States that have regulated the issue of limiting surveillance in certain occupational contexts, such as Bulgaria, France, Estonia, Germany, Greece, Latvia, the Netherlands, Romania, Slovenia and Slovakia. In essence, the main goal of the Member States' provisions is to obtain agreements between workers and their representatives. Other countries went further via the implementation of the "right to disconnect", providing a minimum threshold of protection for workers dealing with the growing trend of remote work. This legal protection means that employees are not sanctioned if they refuse to respond to employers solicitations outside working

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[5]   Karasek, 1979, and Van der Doef & Maas, 2010, *The Job Demand-Control (-Support) Model and psychological well-being: A review of 20 years of empirical research*. Available at: https://www.tandfonline.com/doi/abs/10.1080/026783799296084.

[6]   TNO, 2021, *TNO Onderzoek tijdens de Coronacrisis*. Available at: https://www.monitorarbeid.tno.nl/nl-nl/coronacrisis/.

[7]   OSHA, 2021, *EU Strategic Framework on Health and Safety at Work 2021-2027*. Available at: https://osha.europa.eu/en/safety-and-health-legislation/eu-strategic-framework-health-and-safety-work-2021-2027.

hours. Ultimately, this will facilitate a better balance between professional and private life.

After providing an overview of the legal background, Professor Lerouge made an analysis of potential gaps, needs and developments that regulations should cover. Among others, he suggested that terms such as psychosocial risks and work-related stress should be defined at legislative level. This would give the opportunity to legally recognise "physical and mental health at work" at the EU level. The aim is to oblige companies not to ignore mental health, even if it is more challenging to diagnose and recognise it than physical health. He also argued that it is fundamental to create binding rules rather than mere incentives. For example, the starting point could be to recognise the right to disconnect at EU level - also leading to the reinforcement of work-life balance. Professor Lerouge concluded his presentation by proposing nine possible actions to foster mental health and safety at work. These propositions can be found in the background paper and in his presentation.

1. INTRODUCTORY WORDS

Ms. Lucia ĎURIŠ NICHOLSONOVÁ, Member of the European Parliament (MEP), chair of the Committee on Employment and Social Affairs (EMPL), opened the event by introducing the topic of the workshop. She emphasised the relevance of the topic in today's world of work, where more people work remotely and make more use of ICT tools. This can have benefits, such as greater freedom in organising one's work and sometimes better work-life balance, but it can also result in longer working hours, greater stress, isolation and feelings of loneliness and increased surveillance.

Ms. ĎURIŠ NICHOLSONOVÁ welcomed and introduced all experts, thanking them for their participation.

She then gave the floor to Ms. WALSH (MEP), rapporteur for the EP own-initiative (INI) report 'Mental health in the digital world of work', who also stressed the importance of the topic and invited all interested colleagues to feed into the report. She also recalled the call for an EU year of good mental health.

2. THE COST OF POOR MENTAL HEALTH AND THE COST OF INACTION

2.1. Presentation

The first topic of discussion was presented by Professor Lode GODDERIS (KU Leuven), and covered the topic of "the cost of poor mental health and cost of inaction".

Professor Godderis showed quantitative and qualitative data on the evolution of mental well-being over the course of the pandemic[8]. As an example, negative impacts were visible during stricter periods of lockdown in Belgium. He also showed data from a 2021 OECD study, reporting an increasing trend of teleworkers suffering from mental health and behavioural issues since the start of the pandemic[9]. Already known risk factors for poor mental health, such as financial insecurity, unemployment and fear have increased during the pandemic as well, while other protective factors such as social connection, employment, education, and access to physical exercise have decreased. The pandemic seems to have accelerated these issues.

Data on anxiety disorders, depression disorders, alcohol and drug use disorders, bipolar disorders indicate that more than one in six Europeans have mental health problems[10]. This is almost 84 million people. The most common disorder is anxiety disorder, closely followed by depressive disorders. He pointed out that anxiety and population samples differ between countries. Therefore, they are not directly comparable and are not nationally representative samples. Professor Godderis explained that the discrepancies between northern European countries and eastern European countries in prevalence of mental health problems might be explained by differences in rates of diagnosis and in the openness of populations to discussing their mental states: disparity in disclosure of data could be correlated to mental health stigma in certain countries.

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[8]   University of Antwerp, Hasselt University, KU Leuven, 2021, *The Big Corona Study*. Available at: https://corona-studie.shinyapps.io/corona-studie/?full=1.

[9]   OECD, 2021, *Tackling the mental health impact of the COVID-19 crisis: An integrated, whole-of-society response*. Available at: https://read.oecd-ilibrary.org/view/?ref=1094_1094455-bukuf1f0cm&title=Tackling-the-mental-health-impact-of-the-COVID-19-crisis-An-integrated-whole-of-society-response.

[10]   OECD, 2018, *Health at a Glance: Europe*. Available at: https://doi.org/10.1787/health_glance_eur-2018-en.

Figure 1: Cost of inaction
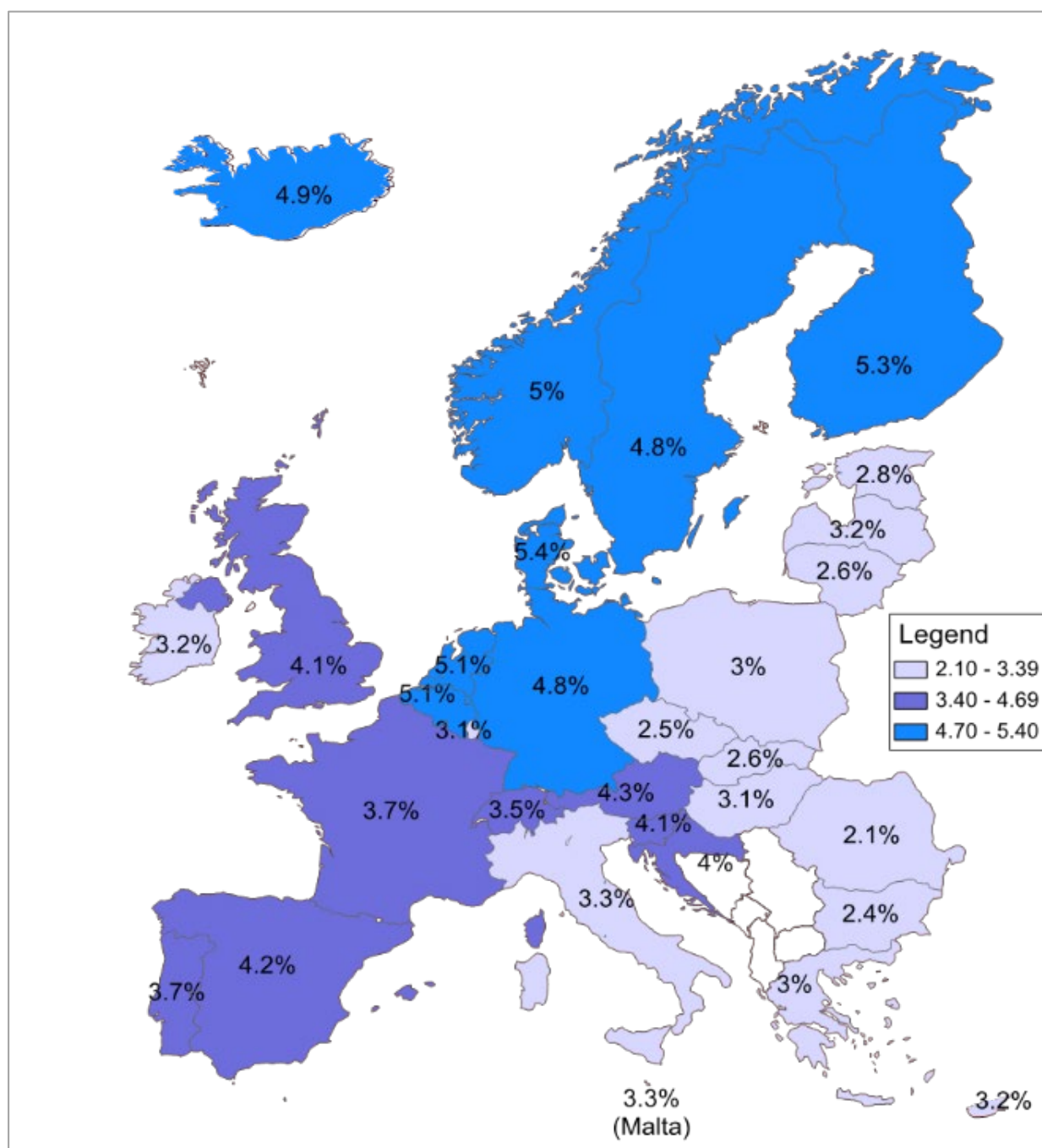
Source: OECD, 2018, Health at a Glance: Europe. Available at: https://doi.org/10.1787/health_glance_eur-2018-en.

The presentation then moved on to the cost of mental ill health, estimated at over EUR 600 billion in 2015 which represented more than 4 % of GDP across the (then) 28 EU countries. By country, a similar trend is visible as in the data on mental health problems. A lower estimated cost was observed in Romania, Bulgaria and Czech Republic, while highest costs were evident in Denmark, Finland, the Netherlands and Belgium. Again, these differences can be explained by the share of people reporting mental health issues.

Professor Godderis then moves on to the job demands-resources model and argued for the importance of taking into account contextual factors when considering psychosocial risks. In particular, for today's workshop, the he argued that the characteristics of the job are very important and need to be included

in the assessment of mental health disorders, in order to make a better diagnosis and provide better treatment and prevention. Work can also contribute positively to mental health (generally when goals are achieved and growth and development are realised). In short, mental health is not an individual problem but should be seen within the context of the interaction between work and the individual.

Prof. Godderis then moved on to research showing that a higher risk of psychosocial issues are found among vulnerable groups such as women, people with disabilities, LGBTQ+ persons, workers in the gig economy, etc. Income and education were also reported as relevant factors that have an impact on the mental health of workers. Data from the OECD "Health at a Glance" report shows that people with at most lower secondary educational attainment are more likely to report chronic depression compared to those with a higher educational level. This is also the case for women and men living in the lowest income group.

2.2. Q&A session

The first question was asked by Mr. Stelios KYMPOUROPOULOS (EPP). He thanked the speaker for the thoughtful presentation and valuable data. He noted that mental health is a factor that weighs heavily on our society and economy and on our well-being and health in general. It affects our ability to be productive in the workplace and to realise our potential. It is a health issue that people tend to hide and which society prefers to ignore, despite the long-term consequences. It is very reassuring that more and more international organisations are calling for this issue to be integrated into health systems and for access to services to be provided. However, these statements need to be accompanied by significant resources. Mr. Kympouropoulos then expressed his concern that while the level of spending overall has increased, the share of total health spending that goes to mental health has not increased. He argued that this is where MEPs as law-makers come in, and that it is their duty to argue that investment in mental health has a high return socially and economically, as Professor Godderis showed. He asked the speaker how MEPs can effectively make this case to enterprises and if studies and facts are enough or further incentives are needed.

Next up was Ms. Agnes JONGERIUS (S&D), who thanked Professor Godderis for his clear presentation. She noticed that due to the pandemic, more people are aware of the problem of mental health in the workplace. She asked two questions: (1) Related to data about costs: how can we address these work-related problems, do you have suggestions for quick wins? (2) We have all kinds of protocols for physical complaints. People are much less comfortable with dealing with mental complaints in the workplace. Do you think it is high time to develop protocols dealing with this and who should take the lead in developing these protocols?

Ms. Veronique TRILLET-RENOIR (Renew) noted that the 21st century should be the century of combatting the consequences of digitalisation, and that mental health should be included in this. She lists several consequences of digitalisation and then moved on to her question: could specific mental health-related legislation be drafted, similar to the strong legislation we have on physical risks?

Ms. Kim VAN SPARRENTAK (Greens/EFA) asked a question about young people in particular. She mentioned the specific negative effects of the pandemic on young people and asked what Professor Godderis' main recommendations would be to make sure that the effects of the pandemic would not be visible in the workplace in a few years time. Secondly, she noted the gender discrepancy in terms of reporting mental health issues, and asks how this situation could be improved. Finally, she asked the Professor's opinion as to why the LGBTQ+ community seems to have more problems on the work floor, and whether this is specifically due to discrimination or more related to the world in general.

Mr. Konstantinos ARVANITIS (The Left, GUE/NGL) mentioned his long-time experience of working in a clinic for alcoholics and drug addicts and the impact of the economic crisis which led to an increase in the numbers affected. He then asked who is most affected by these problems and asks how a country can support SMEs with 10-15 workers.

Professor Godderis started by agreeing with the notion that we should invest more in mental health and that we should develop one strategy to look at both prevention and better diagnosis, follow-up and treatment, in which we include the workplace as a place where we can prevent mental health disorders and where we can help people to recover from mental health problems. He then stated that for the first time that employees and employers are enduring the same restrictions. This and the fact that in many EU countries there are labour shortages and a shortage of well-trained workers, means that both stakeholders share a common interest in having an updated system of health support.

When we talk about mental health, it is always a negative message. However, Professor Godderis stressed, we should focus on positive messages and normalise mental health problems. The chances of suffering emotional and mental distress at some point in one's life are quite high, so the starting point to create a more resilient workplace lies in normalising any type of mental disorder.

Once stigmatisation is reduced, the best quick win practices that should be enforced are preventive measures rather than restorative, according to the presenter. It is fundamental to invest in preventive occupational health and safety (OSH) assistance as a fundamental contribution to work productivity, stress management and overall well-being. It should be seen as an investment and in fact an investment with a very big return. OSH is an investment, not a cost.

Whether the current crisis will lead to long-term effects for young people, we do not know yet. However, what we can learn from previous crises is that we need to invest in those social services that help young people to participate in society and the labour market, argued Professor Godderis. In terms of the LGBTQ+ related question, the professor refers to a European study called PREVENT[11]. Different factors can play a role, such as discrimination or the higher risk of being bullied or attacked at the workplace.

Professor Godderis made the point that uncertainty has a negative impact on our health. We cannot take away the uncertainty of the pandemic, he stated, but we can create predictability in how we respond to it. He gave an example from Belgium, as he is also a member of the expert committee advising the government. What they try to do is predict, depending on the numbers, which measures the government will be taking and for how long. If people know what measures are to come, for how long, and what their basis is, this creates predictability and you can reduce uncertainty. Clear communication and simple rules are also important.

To conclude, a question was raised on the best approaches that SMEs should implement as they have to endure a greater amount of uncertainty than big companies. The advantage of smaller companies is that the idea of a family that could be created, Professor Godderis stated. He added that regardless of the size of the firm, clear communication and simple guidelines should be implemented. However, OSH protocols and future directives should make a distinction between SMEs and larger companies because the context is different, and many measures are more difficult to implement in SMEs.

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[11]   Forthcoming, LGBTI+ and discrimination in the workplace, see: https://www.idewe.be/prevent.

3. KEY IMPACTS OF DIGITALISATION IN THE WORLD OF WORK

3.1. Presentation

The second topic of the workshop was presented by Ms. Andrea BROUGHTON (Ecorys). She tackled the advantages and disadvantages of digitalisation in the world of work. Considering that the pandemic generated a higher use of information and communication technologies (ICT) and updated management systems, policy makers must be aware of the different implications directly affecting the well-being of workers. In October 2020, Eurofound conducted a survey, which clearly indicated that in the future there may be greater demand among workers for hybrid or remote work post-pandemic[12].

In the first part of the presentation, the expert provided a quick overview of the risks and benefits of remote working. Research sheds light on the so-called "autonomy paradox" phenomenon, which illustrates the double-edged sword of digitalisation. On the one hand, workers are allowed greater levels of temporal flexibility and independence. On the other hand, negative effects such as working longer hours and "technostress" also emerged. The term 'technostress' relates to the cognitive overload and mental and emotional distress that can be caused by intensive working with IT tools. This phenomenon may also jeopardise the boundaries between work and private life - leading to further stress, conflict, anxiety and tiredness.

Figure 2: Per cent of workers working from home in 2020, distinguishing between 2019 and the increase during 2020, Member States
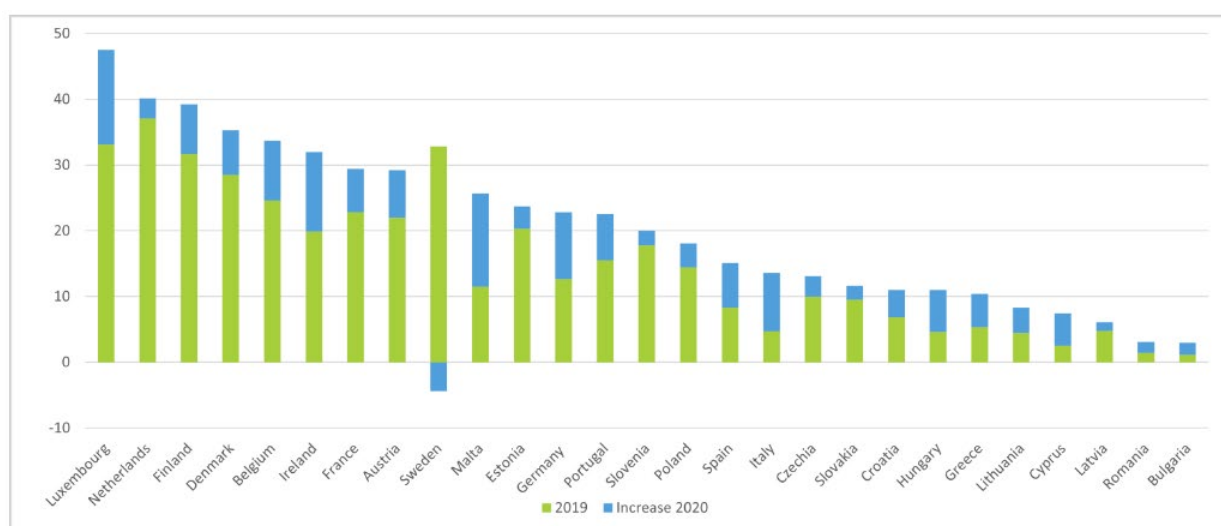
Source: Eurofound, 2021, Workers want to telework but long working hours, isolation and inadequate equipment must be tackled. Available at: https://www.eurofound.europa.eu/publications/article/2021/workers-want-to-telework-but-long-working-hours-isolatio.

Further on in the presentation, Ms. Broughton made a link between the autonomy paradox and the increased use of digitalisation and robotisation. With the greater use of online surveillance systems and further integration of AI, the autonomy of employees may be compromised and work anxiety may escalate.

Moreover, privacy concerns will become more prevalent as workers' rights may be disregarded in the AI algorithm. A UK study on improving working conditions using AI showed that such monitoring may

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[12] Eurofound, 2021, *Workers want to telework but long working hours, isolation and inadequate equipment must be tackled.* Available at: https://www.eurofound.europa.eu/publications/article/2021/workers-want-to-telework-but-long-working-hours-isolation-and-inadequate-equipment-must-be-tackled.

create pressure on employees to stay long hours in front of the screen or to work harder from home than in the office, which leads to people staying logged onto work devices longer than necessary[13]. Therefore, instead of using these systems simply to monitor the performance of workers, such tools should serve as a measurement to manage individuals' wellbeing and prevent them from overworking.

The uncertainty surrounding the negative and positive implications of digitalisation has led to the debate on the 'right to disconnect'. As explained later in the workshop, some Member States and firms at a company level have implemented this right, which allows workers to refrain from participating in work-related tasks outside their working hours.

The last point of the discussion raised by Ms. Broughton focused on the impact of digitalisation on vulnerable groups. The pandemic has increased the demand for gig workers - many of whom work under new forms of employment such as zero hour contracts or as self-employed. This may equal a lack of protection for some workers, thus raising psychosocial risks, income precariousness, insecurity and musculoskeletal disorders. Moreover, digitalisation has worsened the situation for low-skilled workers who are not able to keep up with or access new technology and risk being left behind. However, if a certain threshold of protection is provided, positive aspects may emerge as digitalisation can facilitate labour market access for those with physical disabilities, with mental health issues, and those with caring responsibilities.

In her final remarks, Ms. Broughton argued that digitalisation offers many opportunities and should be embraced as it cannot be stopped. However, care needs to be taken to ensure mitigation of any potential effects on mental health, resulting from stress, burnout and isolation. Additionally, vulnerable groups, such as platform workers and the low skilled need to be supported.

3.2. Q&A Session

In the round of questions and answers, Mr. Stelios KYMPOUROPOULOS (EPP) commented on the issue of the 'always-on' culture, which takes a big toll on the fundamental rights and working conditions of workers. He pointed out concerns related to inclusion of disabled workers, whereby working from home can restrict them to their homes with no opportunity for socialising, while the built environment and transportation remain inaccessible to them. With this in mind, he stated that the benefits of digitalisation should be widely shared and there must be more discussions about the arrangements needed for hybrid working and significant investments in in connectivity, digital skills and appropriate health infrastructure.

Ms. Dura FERRANDIS (S&D) mentioned that while there are many advantages to digitalisation, there are nevertheless several disadvantages. She said that during the presentation, Ms. Broughton set out the benefits of artificial intelligence for repetitive work and she asked about other benefits. Additionally, she expressed the view that the challenges of digitalisation in the world of work are extensive, and thus asks whether the drawbacks will overweigh the benefits, unless good legislation is introduced quickly. On vulnerable groups, people with low levels of qualifications or disabilities are not intrinsically vulnerable. Rather it is the working conditions they have that make them vulnerable. Therefore, we need to improve their working conditions in order to improve their well-being.

Ms. Sylvie BRUNET (Renew), Rapporteur on working conditions for platform workers, pointed out that digitalisation is increasing this specific form of work with the attendant problems of algorithmic management and workers' rights in this context. Ms Brunet asked whether the rules and regulations

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[13] PricewaterhouseCoopers, 2020, *The Potential Impact of Artificial Intelligence on UK Employment and the Demand for Skills*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1023590/impact-of-ai-on-jobs.pdf.

on OSH aspects at European level, and particularly on accidents in the workplace, need to be adjusted and updated given that these workers often lack protection and are sometimes incorrectly categorised as self-employed workers.

Ms. Kim VAN SPARRENTAK (Greens/EFA) asked a question relating to AI monitoring and surveillance: whether there is more evidence on to what extent this is increasing and what the effects are. Furthermore, she asked about work-life balance when working from home specifically for women, as research has shown that work-life balance for women working at home had decreased, and asked what the main recommendations could be to solve this issue.

Ms. Elżbieta RAFALSKA (ECR) also asked a question regarding work life balance and how one can deal with this problem. She pointed out that we don't yet have enough information about the long-term effects and risks - the risk of working longer hours when working at home if there are no provisions to prevent this, the worsening conditions for women who have the additional workload of housework and taking care of children. Clearly, there is a need to adapt.

Ms. Leila CHAIBI (The Left, GUE/NGL) inquired about recommendations to ensure that labour legislation and social dialogue are enforced in the context of AI and algorithmic management. Looking at the case of platform workers, algorithmic management is the new lever that is used in the subordinate relationship between the worker and the employer and it is one that enables closer surveillance than in a traditional workplace. Platform workers may be subject to increased stress and anxiety because of this constant surveillance and the incomprehension and sometimes sense of injustice they feel regarding the algorithm's decisions on, for example, tariffs or sanctions.

In answering these questions, Ms. BROUGHTON first stated that there is no way to stop the growth of AI and algorithms, and that we must work with it. Even though AI and algorithms can increase productivity and have other benefits, it is up to key stakeholders (including workers and workers' representatives) to communicate and talk about how AI can be designed so that workers are not put under undue stress. Humans design algorithms so the key stakeholders need to ensure that any negative effects are mitigated.

In relation to the question on whether the rules and regulations on the European level need to be adjusted to ensure good health and safety, she said that can be discussed at EU level but also on national level depending on the culture of different Member States. She stressed the issue of platform workers being self-employed and pointed to court cases that have ruled in favour of them having some types of protection. Whether or not this would eventually lead to a change in legislation remains to be seen. However, the current focus on this issue is bringing about change.

Ms. Broughton then continued on the subject of the data available on AI surveillance and stated that studies are just starting to be done, as it is still a recent phenomenon, some of which indicate that there has been an increase in monitoring. A lack of trust on the part of employers in in workers working from home is not new. What is needed is a culture of trust.

On the questions of work-life balance and working at home, she explained that there is the working time directive which limits the working hours in a week and companies may also have their own policies on working hours. This could then be discussed between the company and employee representatives to work out how to discourage working outside working hours. Top managers should lead by example by not doing it themselves. Finally, Ms. Broughton stressed that algorithms and AI are designed by humans and can be used to the benefit of workers, and that at the end of the day it is a matter of communication in each workplace to see what works best for them.

4. INNOVATIVE AND PRACTICAL WAYS TO CREATE A RESILIENT WORKPLACE INCLUDING BEST PRACTICE EXAMPLES

4.1. Presentation

Mr. Kees PEEREBOOM (vhp human performance) started his presentation by first explaining the job demand-control model and sense of coherence, in which he explained the difference between low and high job control. The former indicates that when there is low job control and high job demands, this leads to high strain jobs, which should be avoided. The latter indicates that when there is high job control and high job demands, this leads to active jobs, which is what should be aimed for.

To make the job demand-control model work, three generic mechanisms must be understood. Firstly, comprehensibility means that if workers perceive their work challenges as clear, structured, and ordered, this helps them gain job control. Secondly, meaningfulness of the job implies that workers gain positive experiences from their jobs and want to invest emotionally and see the results of their work, also giving them more job control. Thirdly, manageability involves the degree of control over resources and their availability, in order for workers to cope successfully. These three mechanisms and the job demand-control model are key in understanding occupational stress.

Mr. Peereboom then presented evidence on COVID-induced mental health issues of teleworkers from research in the Netherlands [14]. It was shown that during COVID in 2021, the percentage of homeworkers working more than 6 hours a day on a computer and/or laptop had increased from 69 % (before COVID in 2019) to 87 % (2021). Weekly overtime had also increased drastically from 3.3 hours before COVID in 2019 to 7.1 hours during COVID in 2021. The pandemic also contributed to more sitting during work, as well as people not always taking short breaks (around 30-60 seconds) during work. Mr Peereboom stressed that sitting is unhealthy, especially if workers are sitting more than 7 hours a day at work, and especially when on top of that we take into account sitting at home which adds up to at least 10-12 hours a day. This increases issues such as depression, diabetes and even mortality. He then touched upon work-life balance and how this is being blurred because of workers working from home, creating other significant issues such as "techno stress" (always looking at screens), poor ergonomics (no proper office chairs) and poor contact with colleagues, to name a few. Some successful, immediate interventions in combating these problems mentioned include:

- Meet with colleagues online: It is very important, as research suggests that workers working from home do not have contact with their direct managers. To offset this there should be at least once a week personal contact, and daily contact with colleagues.

- Have workers send in a workstation snapshot and provide training/instructions: Most employers and managers are not aware of workers' workstations. By getting a picture of what a worker's workstation looks like, employers and managers can provide them with training or instructions in case of poor ergonomics.

- Sit (50 %), Stand (25 %) and walk (25 %): Mr Peereboom stresses the issue of sitting and mentions that it must not be underestimated. What we could do to prevent such issues is to actually stand more and walk more, for example conducting meetings while standing or speaking with colleagues while taking a walk.

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14   TNO, 2021, *TNO Onderzoek tijdens de Coronacrisis*. Available at: https://www.monitorarbeid.tno.nl/nl-nl/coronacrisis/.

- Plan a daily routine: People tend to mix private time and work time, which also facilitates the feeling of always being online and working. Sticking to a routine helps combat this blurring of private and work time.

- Hybrid working: It does help to go to the office weekly, for one or two days, or even work together at colleagues' homes, or in a safe workspace employers rent nearby for workers.

- Provide confidential (external) helpline/counselling: It is important for a hotline to be on while workers are online, which can be helpful for workers who are facing considerable issues due to the pandemic.

Mr. Peereboom ended the presentation by highlighting some examples of best practices by several companies. These examples are described in detail in the background paper. He focused on a good practice by an international bank in the Netherlands, which works together with health insurance companies, providing an extensive programme consisting of many platforms. For example, one of their programs, 'Hello Fysio', consists of physical therapists from health insurance companies, which not only guarantees privacy for workers but also enables them to stay healthy. Other programmes within the company include those similar to what was mentioned in the immediate interventions, only on a larger scale. The key drivers of this company model focus on three main things: early burnout signals, level of energy of workers, and monitoring behavioural outcomes. This also connects to the job demand-control model and is a prime example of how the model works in practice.

4.2. Q&A Session

In the Q&A session, Ms. Maria WALSH (EPP) asked the first question. She asked for best practice examples and suggestions for smaller companies, rather than the bigger ones as in the examples given by Mr. Peereboom.

Mr. Alex AGIUS SALIBA (S&D) then asked a question on how one can evaluate the effects of the new digital working methods on workers mental health and psychological risks? Secondly, what measures should companies implement to protect worker's mental health in this new digital reality? He also asked if there is enough focus on prevention through the right to disconnect, committees of health and safety and psychological risk assessments.

Ms. Elżbieta RAFALSKA (ECR) talked about the physical risks, such as the risk of diabetes, obesity and musculoskeletal disorders, as well as psychosocial risks. She asked why workers working from home are working overtime. Is this because there is a higher workload or does working in this way actually take longer?

On the first question of smaller companies, Mr. Peereboom advised workers to start the day together, which in turn initiates the daily routine. Moreover, workers in smaller companies should strive to meet colleagues much more often, and workers should send their employers a snapshot of their workstations to facilitate discussions on how workers work at home. This is a simple way to approach risk assessment.

Regarding the question on the effects of digitalisation and how to protect workers mental health and avoid blurring of work and private life, Mr. Peereboom mentioned the importance of sticking to a daily routine. He mentioned software that encourages workers to take breaks during work after set periods of time, which is useful for workers who are working alone at home. He concluded that these types of solutions must be discussed in the new COVID world, and he made the point that even after COVID, hybrid working would remain.

On the last question on why workers are spending more time behind their computers and working overtime, Mr. Peereboom stated that this is a very interesting question - workers are not getting extra tasks per se, and they even have more time to work since they do not have to commute. One explanation could be that workers are more distracted at home. However, he mentioned that while some research on this topic exists, this indicated that it only related to 10-15 % of workers, so that would not be the full explanation. His view is that the distinction between private life and work life simply fades and people just stay at their computers but he concluded that more research should be conducted in this area, especially as the difference in overtime is quite big, an extra four hours per week.

5. ROLE OF LEGISLATION AT EU AND NATIONAL LEVEL

5.1. Presentation

Professor Loïc LEROUGE started by explaining that it is first necessary to review the relevant regulations governing work management at EU level. This implies understanding which are subject to ongoing changes and which are already in place in the Member States. He then proceeded with the analysis of needs, possible developments and proposals for future EU-wide regulations.

Professor Lerouge noted that the EU does not yet have legislation addressing mental health in the digital world and the digital world of work. However, this issue is addressed by pre-existing sets of EU legislation, including directives on health and safety at work, improvement of working conditions, organisation of working time, screen work, work-life balance, etc. Professor Lerouge listed the following relevant frameworks:

- EU legislation (Directive 2003/88/EC, Directive 89/391/EEC, Directive 90/270/EEC, Directive 2019/1152, Directive 2019/1158).

- Other EU policy instruments: the European Pillar of Social Right Action Plan (2021) and the new EU Strategic Framework on OSH (2021-2027).

- EU Framework Agreement on Telework (2002).

- EU Framework Agreement on Digitalisation (2020).

The guiding principle of these legal instruments is to prevent damage to health in all work-related aspects. Therefore, improving the safety and mental health of workers is an objective that should be achieved by adapting the work to the worker, by tackling the risks at their source, by taking a collective rather than an individual approach to prevention, by adapting to new technologies and focusing on work organisation and working conditions. It is important also to respect principle of not making workers' health and safety subordinate to purely financial concerns.

Building on pre-existing legislation, the ongoing changes in the EU are mainly driven by the Occupational Health and Safety Strategy 2021-2027 and the European framework agreements on telework and digitalisation. These demonstrate how essential it is to protect workers' mental health for the functioning of our society and the continuity of economic and social activities. The aim of the Strategy is, inter alia, to mitigate any emerging challenges post COVID, but also to be ready for any other health crises, which includes digitalisation and its effects on the mental health of workers.

Continuing with his presentation, Professor Lerouge drew attention to some Member States that have regulated the issue of limiting surveillance in certain occupational contexts. These include Bulgaria, France, Estonia, Germany, Greece, Latvia, the Netherlands, Romania, Slovenia and Slovakia. In essence, the main goal of the Member State provisions is to obtain agreements between workers and their representatives. Some countries went further by implementing a "right to disconnect", providing a minimum threshold of protection for workers who are dealing with the growing trend of remote work. This legal protection ensures that employees are not sanctioned if they refuse to respond to employers' requests outside working hours. Ultimately, this will enable employees to assert their right to rest time and to a balance between professional and private life. More details are given in the background paper.

After providing the overview of the legal background, Professor Lerouge made an analysis of potential gaps, needs and developments, which should be addressed by regulations.

First of all, terms such as psychosocial risks, work-related stress, work life quality and well-being at work must be defined in order to frame the context for regulation. Depending on the concept defined, the

approach taken may be different. The concept of 'well-being in the workplace', is one that can be open to criticism because of the inherent contrast being well-being and suffering and the fact that this concept refers to a subjective individual perception. The subjective dimension of this concept makes it difficult to address in legislation and so does not necessarily facilitate a collective approach to mental health, which would be preferable.

There is an opportunity to get legal recognition for "physical and mental health at work" at EU level with the aim of obliging companies not to ignore mental health, even if it is more challenging to diagnose and recognise in objective terms than physical health.

In developing prevention policies, the focus must be on evaluation (for example, the physical and mental burden of teleworking) and on binding rules accompanied by sanctions to guarantee enforcement, rather than mere incentives. Therefore, the starting point could be to recognise the right to disconnect at an EU level, which would also strengthen work-life balance.

This would go hand in hand with preventive measures aimed at avoiding bad practices with AI usage, which may impact the health and safety of workers. There could be a change of paradigm whereby the worker is no longer viewed as the subject of a workplace accident. Rather the approach would be that organisational processes are factors in causing mental health problems. Pain and suffering are not currently recognised as occupational accidents or occupational diseases, even though the digitalisation of work and the increasingly sedentary nature of work because of digital tools and the way work is organised is the cause of more and more suffering.

In addition, it is essential to redefine the "workplace" in terms of subordination, remote work and occupational health and safety obligations. Ultimately, these potential developments must respect and uphold the fundamental rights of workers to health and safety set out in international legal frameworks such as the Declaration of Philadelphia of 10 May 1944, the European Pillar of Social Rights, the Charter of fundamental rights of the EU and article 153 of the Treaty on the Functioning of the European Union (TFEU).

Professor Lerouge concluded his presentation by proposing the following nine possible actions aimed at promoting mental health and safety at work:

1. Link the right to disconnect to the right to health and safety at work. The Spanish example is interesting here.

2. Enforcement of prevention policies, which goes hand in hand with the application of sanctions.

3. Ensure that health and safety measures are also enforced in the remote workplace. Emphasis should be on risk assessments, and on listening to workers because they know their jobs and work tasks very well. Moreover, it is important to guarantee equal treatment between teleworkers and other workers who share the same right in terms of mental and physical integrity.

4. Continue efforts to better regulate remote work, by redefining the notion of workplace, preventing workers from becoming isolated, encouraging workers to talk freely about their working conditions, helping them achieve better balance, and by tackling gender discrimination.

5. Replace the monitoring of working time and rest periods by an assessment of workload. In order to guarantee rest periods, employers would no longer rely purely on quantifying working hours, an approach which is no longer very effective today. This would trigger a real discussion within workplaces about the use of digital tools and employers' health and safety obligations.

6. Regulate the use of AI by granting workers control and consent in relation to e-monitoring practices and personal data collection.

7. Create (i) a working group in the Senior Labour Inspectors' Committee (SLIC) on mental health and well-being in the digital world and (ii) a High labour courts network to develop better knowledge of national jurisprudence on occupational health. Jurisprudence is a response to gaps in legislation or a need to adapt to developments in society. It can produce creative solutions and can serve as a source of inspiration for new regulation.

8. Ensure that occupational physicians and occupational health services are involved in all aspects of mental health and well-being in digital work.

9. Promote education and training of workers in regard to (i) physical and mental health at work, (ii) the skills required to use digital tools, and (iii) ethical reflection in relation to the impact of monitoring and surveillance methods on workers' health.

5.2. Q&A Session

Ms. Estrella DURÁ FERRANDIS (S&D) raised a question about specific data on the member states that have limited workplace surveillance mentioned in Professor Lerouge's presentation. She enquired as to whether they have limited algorithms in the way Spain has done. She expressed the view that, in order to protect workers, certain mental diseases should be viewed as occupational diseases. This would require a qualitative impact assessment and an evaluation of the impact on social security costs. Is there data available in the Member States that would allow a comparison between Member States? Lastly, she asked whether a European directive on the use of AI in the workplace is what is needed to protect workers.

Mr. Jordi CAÑAS (Renew) raised the need for more ambitious legislation in this area of mental health at work, the Strategic Framework being insufficient given the data we are seeing. We need measures at European level that guarantee mental well-being in the workplace for all workers. There is a choice to be made between the right to disconnect and similar measures or leaving it to collective bargaining, which also has have certain advantages. He is of the view that we need European legislation so that the same mechanisms apply to all workers and we do not create further inequalities. Mr Cañas asked Professor Lerouge's opinion on a European directive on teleworking, specifically on how one could develop measures in respect to this area to guarantee the rights of European workers.

Professor Lerouge responded to the first question by saying that that there are indeed certain member states trying to reconcile the boundaries of professional and private life, but not through e-monitoring per se, rather by focusing more on agreements and consent with specific workers. He also stressed the fact that companies can use spyware to monitor their employees, which makes it difficult for the latter to consent to being monitored. Therefore, it may be appropriate to give workers the right to check whether spyware is being used on their devices without their consent and a corresponding right for labour inspectorates and trade unions to carry out checks as well.

Professor Lerouge then mentioned that in when it comes to recognition in social security systems and in the law, physical wellbeing is often viewed as more important than mental wellbeing. He thus stressed the importance of making specific mention of mental health in legislation because it then cannot be ignored in the practical application of the law and social security rights.

France has made a lot of progress on recognising mental illness and psychological problems as occupational diseases, by recognising suicides as workplace accidents and cases of depression as occupational disease, and recognising, not burnout as such, but the anxiety and depressive disorders

caused by burnout. This happens through a special procedure, however, where there is no presumption of accountability, but where the claimant must prove the link between, for example, depression and the work situation.

In relation to the questions on European directives on teleworking and AI in the workplace, Professor Lerouge stated that it would be difficult to have directives on all these different topics. The possible directive should focus on physical and mental wellbeing with a link to the progress and evolution in ways of working, in order to take into account digitalisation. This would also therefore take into account AI and other aspects. The legislation should not only state that physical and mental wellbeing in the digital world are protected, but must also ensure that there are legal tools to enforce this recognition. The choice between legislation and collective bargaining is a strategic choice. Legislation makes it possible to create a framework and to lay down a certain amount of detail. The advantage of collective bargaining and social dialogue is that they can be tailored to specific national or cultural contexts, but there is the risk of creating inequalities depending on whether agreements are reached in different branches of industry and uncertainty with regard to the course of action that should be taken of no agreement is reached. Professor Lerouge concluded by saying that he thought legislation was more appropriate in this case in order to have binding measures, to avoid inequalities, and to guarantee the same protection to all workers, whether in the public or private sector, and to try to open up the possibility of occupational health protection to the self-employed as well.

WORKSHOP PROGRAMME

POLICY DEPARTMENT FOR ECONOMIC, SCIENTIFIC AND QUALITY OF LIFE POLICIES

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EMPLOYMENT AND SOCIAL AFFAIRS (EMPL)

WORKSHOP AGENDA

Mental health and well-being in the digital world of work post COVID

Chair: Lucia Ďuriš Nicholsonová (MEP)

2 December 2021, 09.00 - 11.00

PHS building (Brussels) - Room: 1A2

09.00-09.05	Welcome and opening remarks – **Ms Lucia Ďuriš Nicholsonová (MEP)**
09.05-09.10	Introduction – **Ms Maria Walsh (MEP)**, Rapporteur for INI 'Mental health in the digital world of work'
09.10-09.20	Expert 1 The cost of poor mental health and the cost of inaction – **Professor Lode Godderis,** Centre for Environment and Health of the University of Leuven and CEO at IDEWE
09.20-09.35	Q&A
09.35-09.45	Expert 2: Key impacts of digitalisation in the world of work - **Ms Andrea Broughton**, Ecorys.
09.45-10.00	Q&A

10.00–10.10	Expert 3: Innovative and practical ways to create a resilient workplace: best practice examples – **Mr Kees Peereboom**, vhp human performance
10.10–10.25	Q&A
10.25-10.35	Expert 4: Role of legislation at EU and national level – **Professor Loïc Lerouge**, French National Centre for Scientific Research (CNRS).
10.35–10.50	Q&A
10.50-10.55	Conclusion – **Ms Maria Walsh (MEP)**, Rapporteur for INI 'Mental health in the digital world of work'
10.55-11.00	Closing remarks – **Ms Lucia Ďuriš Nicholsonová (MEP)**

WORKSHOP PRESENTATIONS

1. **The cost of poor mental health and the cost of inaction**, by Professor Lode Godderis, Centre for Environment and Health of the University of Leuven and CEO at IDEWE.

2. **Key impacts of digitalisation in the world of work**, by Ms. Andrea Broughton, Ecorys.

3. **Innovative and practical ways to create a resilient workplace: best practice examples**, by Mr. Kees Peereboom, vhp human performance.

4. **Role of legislation at EU and national level**, by Professor Loïc Lerouge, French National Centre for Scientific Research (CNRS).

ACCESS TO THE FULL CONTENT OF THE PRESENTATIONS HERE:

https://www.europarl.europa.eu/thinktank/en/events/details/mental-health-and-well-being-in-the-digi/20211111WKS03921.

These proceedings summarise the presentations and discussions that took place during the EMPL workshop held on 2 December 2021 on Mental health and well-being in the digital world of work post COVID. The workshop had four presentations, each followed by a Q&A session. The presentations touched upon the cost of poor mental health and the cost of inaction, digitalisation in the world of work, innovative and practical ways to create a resilient workplace and the role of legislation at national and EU level.