STUDY

Aníbal Peluffo
June 2026

Negotiating Digitalised Workplaces

Rights and Obligations, Uruguay

Friedrich Ebert Stiftung

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Foreword

Across the world, management in both the public and private sectors is deploying digital technologies with the aim of improving productivity and efficiency. Such technologies have a direct impact on working conditions and workers' rights. Jobs are being (semi-)automated, new competencies are required and work and workers are becoming quantified as their actions and non-actions are turned into data points and analysed through algorithmic systems. The negative impact of these systems on workers is well documented.

Yet anecdotal evidence from multiple countries suggests that shop stewards and Occupational Health and Safety representatives to a large degree are not discussing the use of digital technologies with management. The representatives mention that they feel they lack knowledge about the particularities of digital technologies and why they should pay careful attention to them. Many report that management never raises the issues of digitalisation with them, nor do they feel they have a sound overview of how to apply existing laws and agreements to spur these discussions.

Although some unions are successfully negotiating contract language about the digitalisation of work as evidenced by PSI's Digital Bargaining Hub, the vast majority are still not. To support unions in their negotiations with management, this series of reports brings to light what rights workers have when digital systems are deployed at work and what obligations management have in relation to the workers. The reports provide ready-to-use checklists of questions, and collective bargaining suggestions to bridge legal gaps.

The Friedrich-Ebert-Stiftung realises that technology deployment without workers involvement not only subjects workers to control but also changes the balance of power at the workplace in favour of employers. Workers may feel increasingly alienated and objectified. We have understood that an unprotected and disempowered workforce is not only less productive but tends to lose trust in the promises and institutions that are supposed to guarantee decent work and a decent live. Therefore, contributing to workers' capacity to claim their rights and negotiate working conditions in a digitalised workplace is a service to democracy and justice. This is what this project aims to achieve – by making transparent what institutional power, i.e. rights, laws and labour market agreements workers have at their disposal. We hope that the case studies presented will lead to a more thorough and strategic response by workers and organised labour in the countries studied and to more countries embarking on the path towards negotiated introduction and use of digital technologies.

We owe Christina J. Colclough, Director of The Why Not Lab, Denmark, our gratitude for providing the initial spark for this project and for being an enthusiastic and competent mentor to the case study authors. Her relentless dedication to challenge, motivate and capacity build the labour movement to build power in the digital economy is unparalleled and has been the inspiration behind many collaborative undertakings of the FES Global and national Trade Union Projects.

We thank the authors of the country studies for their professionalism and enthusiasm to explore uncharted territory, for the discoveries of potential leverage points and for their "thinking forward" to take the next steps in building workers' power.

Finally, Blanka Balfer, FES, deserves praise for being the silent backbone of this project (and so many others) that allow FES to use its global network for the benefit of the global labour movement.

May this series of reports serve as a stepping stone for deeper engagement, collective bargaining and policy-making and policy-enforcing success in the digital economy of today and tomorrow!

Mirko Herberg
Director, Global Trade Union Project
Friedrich-Ebert-Stiftung

1.
Introduction – Technology at Work Is a Labour Issue

You may already be working with digital technologies without having been asked about them. An app to clock in. Software that scores your calls. Dashboards measuring performance. GPS tracking in vehicles. AI screening job applications. Cameras in new places.

These technologies are often presented as technical tools to improve efficiency or service quality. But for workers, they change how work is organised, monitored, evaluated, and controlled. This report is designed to help workers and unions understand which laws already apply, which questions they have a right to ask based on those laws, and how to use those rights when digital technologies are introduced or used at work. It also shows how collective bargaining can be used to address gaps that existing law does not fully regulate.

Digital technologies are no longer peripheral tools in the workplace. Across the world, they increasingly sit at the centre of managerial power, shaping how work is organised, paced, evaluated and controlled. Biometric attendance systems, GPS tracking, algorithmic task allocation, AI-based recruitment tools, performance dashboards and automated decision-making systems are being rolled out across sectors with little warning and, too often, without meaningful consultation with workers or their trade unions.

For workers and union officials, this transformation raises a fundamental question: who controls technology at work, and in whose interests is it deployed? While employers routinely present digitalisation as neutral, inevitable or purely technical, workers experience it as a restructuring of power relations. Digital systems extend managerial oversight into new areas of workers' lives, intensify work, fragment tasks, obscure decision-making and deepen information asymmetries between employers and workers.

Digitalisation is also frequently used to bypass established industrial-relations practices. New technologies are introduced as matters of managerial prerogative; data are collected without transparency; and algorithmic decisions are presented as objective or unchallengeable.

This report starts from a different premise. Digitalisation does not suspend labour law, weaken fundamental rights or displace collective bargaining. On the contrary, it makes union organisation, legal knowledge and collective action more necessary than ever. Existing labour law, data protection law, equality law and occupational safety and health frameworks continue to apply in digitalised workplaces, even if they must now be asserted and enforced under new conditions.

For unions, legal clarity is therefore not an abstract concern. It is a source of bargaining power. Knowing which rights already exist—and where they fall short—enables unions to challenge unilateral technological change, demand information and consultation, and negotiate binding protections that keep workers in control of how technology reshapes their jobs.

How to use this country report

This report is written for Uruguayan workers and trade unions, operating within a strong tradition of collective bargaining and tripartite labour regulation. Digital technologies such as working-time control systems, geolocation tools, and AI-based recruitment are increasingly reshaping work across sectors.

The report helps unions move from reactive enforcement to preventive engagement. It explains how Uruguay laws apply to workplace surveillance, algorithmic management, and AI systems, and how these rules can be used strategically in discussions with management.

The report includes a checklist of key questions based on legal rights that workers and unions can use *before* a new technology is introduced and periodically while it is being used. These questions are intended to structure negotiations, demand information, and prevent technologies from being imposed unilaterally or expanded without consent.

The purpose of the report is practical and strategic: it aims to support workers and unions in understanding what digitalisation means for their rights, to strengthen their position in discussions with management, and to help turn abstract legal protections into concrete, enforceable workplace standards.

No legal ecosystem fully addresses the risks to workers' rights, dignity and decent work. To bridge the gaps, the report also includes a list of potential collective bargaining topics and issues for inspiration in the negotiations with management.

Digital technologies are often introduced by management as technical upgrades, efficiency tools, or unavoidable innovations. In practice, however, they frequently reshape working conditions, intensify monitoring, redistribute power, and create new risks for workers' dignity, autonomy, health, and job security. Digitalisation is not just a technical matter, though. It is a labour issue and therefore a legitimate subject for negotiation, consultation, and collective bargaining.

What this report can do for you

This report is designed to help you:

- → **Identify digital technologies** being used or proposed in your workplace, even when they are presented in vague or technical language;
- → **Understand your existing rights** under labour law, data-protection rules, occupational safety and health frameworks, anti-discrimination law, and collective agreements;
- → **Hold management accountable** to its legal obligations when introducing, using, or expanding digital systems;
- → **Prepare for negotiations** by showing how other unions and workers have addressed similar challenges;
- → **Bridge gaps in the law** through collective bargaining where legal protections are weak, unclear, or poorly enforced.

Rather than assuming that digitalisation is inevitable or incontestable, the report treats it as a process that can—and must—be shaped through collective action.

How to use this report in practice

Each section of this report serves a specific purpose and can be used independently, depending on your immediate needs.

Section 2: Examples of digital technologies used in workplaces

This section provides examples of digital technologies used in Uruguay. Maybe your workplace uses a similar technology, although it might be called something different? If you are in doubt about what digital technologies are used, do a virtual walk-through of a typical working day. From the moment you enter the workplace – how do you get in? Do you use an electronic keycard? Or does a technology register your fingerprint or face? Do you then need to log on to a computer technology, use a handheld device, a mobile phone, a GPS tracker, or anything else? All of these technologies are digital, and all of them create data.

If your walk-through reveals the use of digital technologies at work, this report will be highly useful for you.

Section 3: What are your rights – and what are management's obligations?

This section begins with a graphical depiction of the legal and collective frameworks that already apply to digitalised workplaces. You can use this section to quickly identify which laws, regulations, or agreements are relevant to your situation. Find the links to the laws and agreements in the Annex.

It then moves on to describe the legal and collective frameworks that already apply to digitalised workplaces. It explains what employers are required to do—such as consult workers, assess risks, limit surveillance, or ensure fairness—and how unions can invoke these obligations in discussions, negotiations, or disputes.

Section 4: The checklists of questions you have a right to ask!

Cut out this section and carry it with you when you prepare for discussions with management around the implementation and use of digital technologies in your workplace.

The questions help ensure that your rights are respected and that employers meet their obligations.

Section 5: Filling the Gaps – Bargaining Topic Suggestions

Even when management follows the law, the law is often not enough to address how digital systems affect every day working conditions. Many of the issues raised by AI, monitoring tools, performance dashboards, and data-driven management are only partially regulated or not regulated at all by existing legislation. This is where collective bargaining becomes important. This section provides examples of bargaining themes that unions may consider when seeking to address the gaps that current law leaves open.

For further inspiration on concrete contract language unions have successfully negotiated, see Public Service International's open database that includes almost 600 clauses related to the digitalisation of work. Find it here: https://publicservices.international/digital-bargaining-hub

When can you use the report?

You can use this report at different moments:

- → **Before a technology is introduced**, to demand information, consultation, and justification;
- → **After a system is in place**, to assess whether management is complying with its obligations;
- → **During collective bargaining**, to propose concrete clauses that regulate digitalisation;

→ **For education and organising**, to build shared understanding and collective confidence among workers.

Digital technologies do not manage themselves. Employers make choices about how they are deployed, and those choices can be questioned, negotiated, and reshaped. This report is intended to support you in doing exactly that.

2.
Examples of Digital Technologies Used in Workplaces

a. Technologies for working-time control and performance monitoring

There are various technological tools used for supervising workers by monitoring working hours, time spent on tasks, and overall performance. These technologies record and analyse information on how much and in what way people work, with the aim of establishing parameters regarding their productivity. In general, they automate the measurement of attendance control, as well as late arrivals and breaks. In this way, they grant employers the ability to exercise exhaustive oversight over the time actually devoted to work and simplify the measurement of staff performance.

Although numerous systems of this type exist, they vary in complexity: some operate merely as digital registers of clock-ins and clock-outs, while others incorporate more sophisticated measurements that involve monitoring movements and interactions with task-related devices as a way of controlling "actual" work performed. ClockId[1] and Cloudtimes[2] are two examples of such tools used in Uruguay, in sectors such as the forestry industry, logistics, gastronomy, and construction.

Among the positive characteristics is the assurance for workers that their working hours in principle are properly recorded, which can help prevent abuses by the employer, such as excessive schedules or non-payment of overtime.

However, these systems process sensitive metadata, such as identities, biometric features, and activity logs. Thus, although they improve organization and reduce administrative errors, they also pose risks to workers' privacy, autonomy, and psychological well-being. Additionally, by reinforcing the employer's capacity for real-time monitoring, they heighten the information asymmetry already present between employers and employees.

b. Geolocation mechanisms for individuals and vehicles

These technologies aim to provide continuous surveillance of the routes taken by drivers and to record their activities. Their functionality makes it possible to monitor location and movements and influences the assessment used to determine service costs and remuneration.

They are used mainly in the private transportation sector. One example is the use of HERE,[3] in cases such as Uber, where the indicators generated by the application are directly employed to evaluate performance, establish rankings, and determine bonuses.

Another example is the company Seglico Software[4], which is more closely related to production activities, such as industrial or agroforestry processes in Uruguay. By analysing positioning data, the application can track vehicle location before, during, and after trips; assign itineraries; calculate fares; quantify speeds; and document idle intervals.

While this type of technology improves service organization and enhances the safety of drivers and passengers, it introduces opaque forms of digital monitoring. Additionally, biases inherent in these systems exacerbate existing inequalities, generating differences in pay and schedules that benefit worker groups already historically privileged.

c. Recruitment and hiring through artificial intelligence

These tools are responsible for selecting personnel and automating interview and testing stages for the incorporation of individuals into companies. Essentially, they perform the tasks traditionally carried out by Human Resources departments when selecting staff—but without the human factor.

The software Pia[5] is a recent example in Uruguay, where the selection process includes AI-avatar interviews as part of its methodology. Another tool available in Uruguay is

1 https://clockid.uy/
2 https://www.cloudtimes.uy/
3 https://www.here.com/
4 https://www.seglico.com/
5 https://meetpia.ai/es

Bizneo[6], which in addition to automating recruitment processes, includes applications dedicated to “talent management”. This type of software can be used in various sectors. In Uruguay, it is found in the commercial sector, clothing stores, the fishing industry, etc.

While these recruitment methods may be associated with notions of “objectivity” or fairness in the process, there is significant risk in excluding human factors and interpersonal interaction when selecting candidates. They also disregard the input of work teams in the selection process and, most importantly, these technologies have been shown to reproduce—and even amplify—biases related to gender, race, age, and other characteristics. At the same time, some of these systems are not developed in Uruguay, which means they are not adapted to the country’s culture, values, and regulations.

6 https://www.bizneo.com/

3.
What Are Your Rights – And What Are Management's Obligations?

In Uruguay, the relevant agreements and legal instruments are:

- → Constitution of the Oriental Republic of Uruguay (C.R.O.U.) – 1967
- → Wage Councils Act No. 10,449 (W.C.A.) – 1943
- → Collective Bargaining Act No. 18,566 (C.B.A.) – 2009
- → Collective Bargaining in the Public Sector Act No. 18,508 (C.B.P.S.A.) – 2009
- → Personal Data Protection Act No. 18,331 (P.D.P.A.) – 2008
- → Telework Act No. 19,978 and Regulatory Decree No. 86/022 (T.A. and R.D.) – 2021/2022
- → Digital Platform Work Act No. 20,396 (D.P.W.A.) – 2025
- → Occupational Accidents and Occupational Diseases Act No. 16,074 (O.A.O.D.A.) – 1990

Below, we set out the key rights you already have when management decides to introduce or use digital technology at work. We do this law by law, pointing you directly to the specific provisions you need to know. Alongside your rights, we also highlight management's legal obligations to you, including duties to consult, ensure system transparency, conduct risk assessments, and more.

Then, in the next section, we bring this together into two practical sets of questions you can use to hold management to account. The first set covers questions to ask *before* a new digital technology is introduced. The second set covers your *ongoing rights* once the technology is in use. Every question is grounded in existing laws and/or collective agreements. Where management is reluctant to engage or provide answers, we reference the exact legal provisions you can rely on.

a. Constitution of the Republic (C.R.O.U.) – 1967

The Constitution of the Republic is the foundational pillar upon which all labour laws are built, guaranteeing basic protections that no subordinate regulation may disregard. Its provisions on rights and duties apply to all inhabitants of the Republic and, by extension, to the entire labour market (both public and private). Although the Constitution dates from 1967, it contains universal principles and protections that remain relevant for addressing the challenges of digitalisation and modern work.

It establishes that all inhabitants have the right to be protected in the enjoyment of their work (Article 7), whereby the Constitution places the protection of work at the same level as the enjoyment of life, honour, freedom, security, and property—rights of which no one may be deprived.

It also affirms that labour is under the special protection of the law (Article 53). This means that any new form of work (including digital work) must be regulated to ensure such protection.

The law must recognize that all workers (including gig workers, self-employed, temporary workers, etc.) hold fundamental rights within the digital context, such as fair remuneration; limitations on working hours; weekly rest; and physical and moral well-being (Article 54). These constitute

the basis for negotiating working time and effective disconnection in telework arrangements.

Privacy and protection against invasive surveillance are also enshrined in the Constitution. It guarantees the inviolability of private documents and personal correspondence—epistolary, telegraphic, or of any other kind. This sets a clear limit on any digital tracking or monitoring system employers may wish to implement, as no recording, examination, or interception may occur except in accordance with laws established for reasons of general interest (Article 28), which is related to ensuring public interest over private interest in certain situations, such as education policies or territorial planning, for example. This provides strong grounds against excessive surveillance through software or cameras.

The principle that all persons are equal before the law (Article 8) is fundamental for combating discrimination that may arise from the use of algorithms in personnel management (hiring, dismissal, task assignment).

The Constitution also recognizes and protects intellectual work, guaranteeing the rights of authors, inventors, and artists (Article 33). This is essential for defending the rights of workers who develop software, designs, or digital content for their employers. The text is not clear about the different activities included under the concept of "artist"; cases such as actors and actresses could lead to conflicting points of view.

It guarantees freedom of association (Article 39) and promotes the organization of trade unions (Article 57), further declaring that the strike is a trade union right (Article 57). These collective rights constitute the foremost tools for negotiating the conditions of digitalisation, regardless of the nature of the employment relationship (whether dependent or— as later regulated—self-employed platform work).

The Constitution also lays the groundwork for public regulation, for example by recognizing that the law shall establish the Civil Service Statute (Article 59) and by promoting the creation of conciliation and arbitration tribunals (Article 57).

Key Articles

Article	Topic
Article 7	*Right of inhabitants to be protected in the enjoyment of their work.*
Article 53	*Work is under the special protection of the law.*
Article 54	*Recognition of fundamental rights such as fair remuneration, limitation of working hours, weekly rest, and physical and moral well-being.*
Article 28	*Inviolability of papers and correspondence (privacy); establishes that interception may only occur in accordance with laws for reasons of general interest.*
Article 8	*Principle that all persons are equal before the law (basis against algorithmic discrimination).*
Article 33	*Recognition and protection of intellectual work; rights of authors, inventors, or artists.*
Article 39	*Guarantees the right of association.*
Article 57	*Promotes the organization of trade unions, declares the strike as a trade union right, and promotes the creation of conciliation and arbitration tribunals.*
Article 59	*The law shall establish the Civil Service Statute.*

b. Wage Councils Act No. 10,449 (W.C.A.) – 1943

This Act is the foundation of Uruguay's tripartite bargaining system: the Wage Councils (Article 5). It provides the legal instrument for establishing minimum wages and working conditions, which is crucial for ensuring a baseline level of protection for occupational categories that are rapidly changing due to digitalisation—especially in task-based or piece-rate work.

In this bargaining framework, even when the process involves the private sector, all three parties sit at the negotiating table, and the State assumes a negotiating role while also setting the initial bargaining 'parameters.' These parameters are drafted by the government prior to the start of negotiations and serve as a guiding framework applicable to all sectors alike.

Its primary scope of application is the private sector, and its main purpose is to set minimum wage levels by occupational category and to update remuneration (Article 5). However, it also constitutes a forum for tripartite negotiation of non-wage matters, creating an opportunity for trade unions to bargain—within a context of reduced information asymmetry—over issues that would otherwise be decided unilaterally by employers.

The most relevant provision for digitalisation and platform work paid by results is the article governing piece-rate work: the Act states that a piece-rate worker must receive a

remuneration that allows an average worker, under normal conditions, to attain the minimum wage within an eight-hour working day or a forty-eight-hour workweek (Article 3). This is a fundamental safeguard to prevent exploitation when payment is based solely on digital output.

The Wage Councils have the authority to establish working conditions when agreed upon by their delegates (Article 5), enabling the negotiation of specific rules for new types of employment. They also have the power to classify professions and categories (Article 9), a function essential for assigning digital workers to fair occupational classifications with defined minimum wages.

Key Articles

Article	Topic
Article 5	*Establishment of Wage Councils with the purpose of setting minimum wages by occupational category and determining agreed-upon working conditions.*
Article 3	*Regulation of piece-rate work: remuneration must reach the minimum wage for an eight-hour working day.*
Article 9	*Authority of the Councils to classify workers by profession and occupational category.*

c. Collective Bargaining Act No. 18,566 (C.B.A.) – 2009

This Act is an update of the collective bargaining framework established under Wage Councils Act No. 10,449, and it is therefore central to Uruguay's legal structure regarding labour and employment relations. It enables tripartite bargaining over employment and working conditions at various levels. For this reason, it is essential to ensuring that employers or employers' organizations and one or more workers' organizations in the private sector (Article 2) have the capacity to address the challenges posed by digitalisation.

It is important to note that this framework provides coverage for all formal workers across all sectors. This means that it tends to cover all types of work, not based on the specific work modality but rather on the sector. Platform workers are covered when they are formal, dependent employees (not self-employed), and their coverage is determined by the sector. For example, a food delivery worker is covered by the agreements negotiated in the restaurant sector.

The Act promotes and guarantees the free exercise of collective bargaining at all levels (Article 3). In the context of digitalisation, when negotiating the implementation of new technologies, the parties are required to bargain in good faith, which includes the exchange of the information necessary for the process to develop properly. When confidential information is involved, an implicit duty of confidentiality applies (Article 4).

The Act also establishes the importance of collaboration and consultation to improve working conditions, including participation in the creation and operation of bodies responsible for professional training and retraining, as well as occupational safety and hygiene (Article 5, subsection B, item ii). This provides room for negotiating the training required when digitalisation changes the nature of tasks. It is important to highlight that, due to a recent amendment (Act No. 20,145), when confidential information is exchanged, organizations must have legally recognized legal personality (Article 4, final paragraph).

Key Articles

Article	Topic
Article 2	*Applies to relations between employers or employers' organizations and trade unions in the private sector.*
Article 3	*The State shall promote and guarantee the free exercise of collective bargaining at all levels.*
Article 4	*Duty to bargain in good faith and to exchange necessary information. Also establishes the obligation of confidentiality for confidential information and the requirement of legally recognized status for organizations exchanging such information.*
Article 5	*Establishes the importance of collaboration and consultation to improve working conditions, including participation in professional training and retraining, as well as occupational health and safety.*

d. Collective Bargaining in the Public Sector Act No. 18,508 (C.B.P.S.A.) – 2009

This statute establishes clear rules for collective bargaining within the public administration. Like Act No. 18,566, it provides the mechanism that ensures public-sector workers can participate in and express their views on the major changes brought about by State modernization and the implementation of new technologies, thereby preventing unilateral decisions by the public administration.

The Collective Bargaining in the Public Sector Act applies to all employees of the branches of government, autonomous entities, decentralized services, and Departmental Governments (Article 8).

In the context of digitalisation, the Act allows bargaining to focus on crucial matters such as working conditions and occupational health and safety (Article 4, subsection A); the design and planning of professional training and capacity-building (Article 4, subsection B); and the State management reform system (Article 4, subsection D), including efficiency and professionalization criteria.

A key right for technological adaptation is the Right to Information (Article 6): The administration is obliged to provide trade unions, upon request, with all available information regarding technological changes and functional re-

structuring to be undertaken (Article 6, item C); training and capacity-building plans (Article 6, item D); and any potential changes in working conditions and safety (Article 6, item E). This right enables union representatives to intervene and negotiate conditions before digital changes become definitive.

Key Articles

Article	Topic
Article 8	*Scope of application: employees of the branches of government, autonomous entities, decentralized services, and Departmental Governments.*
Article 4, subsection A	*Negotiations may focus on working conditions, occupational health, and safety.*
Article 4, subsection B	*Negotiations may focus on the design and planning of professional training and development.*
Article 4, subsection D	*Negotiations may focus on the State management reform system, including criteria of efficiency and professionalization.*
Article 6, subsection C	*Right to Information: the administration must provide data on technological changes and planned functional restructuring.*
Article 6, subsection D	*Right to Information: the administration must provide data on training and professional development plans.*
Article 6, subsection E	*Right to Information: the administration must provide data on potential changes in working conditions and safety.*

e. Personal Data Protection Act No. 18,331 (P.D.P.A.) – 2008

This is one of the most important laws in the fight against surveillance and abusive control in the digital environment. It establishes that the right to the protection of personal data is inherent to the human person (Article 1) and is protected by the Constitution (Article 72).

The Act has broad scope: it covers all registered databases regardless of the medium used, and it applies to all subsequent forms of use by public or private entities (Article 3).

The law grants individuals the right to challenge personal evaluations (Article 16). This means that individuals have the right not to be subjected to decisions with legal effects, or that significantly affect them, when such decisions are based solely on automated data processing intended to evaluate aspects such as work performance, creditworthiness, or reliability. If a company uses an algorithm to assess a worker, and the worker considers the result unfair, they have the right to obtain information on the assessment criteria and the program used to make that decision (Article 16).

When companies collect data, they are required to inform the worker of the purpose of the data processing (Article 13, item A), the person responsible for the database (Article 13, item B), and—if automated processing is used—they must disclose the assessment criteria, the processes applied, and the technological solution or program used (Article 13, item G).

Regarding the handling of sensitive information, the law classifies as sensitive data information regarding trade union membership (Article 4, item E), religious beliefs, or health status. Companies cannot require workers to provide sensitive data and may only process such data with the worker's express, written consent (Article 18). This is essential for protecting trade union freedom for both leaders and members.

Concerning control over personal information, every individual has the right to access all personal data held in any database (Article 14). They may also request the rectification, updating, inclusion, or deletion of inaccurate data, and the company must respond within no more than five working days (Article 15).

Companies are obliged to adopt security and confidentiality measures to prevent the loss, unauthorized consultation, or improper processing of data (Article 10). Additionally, individuals who, by reason of their work, have access to non-public information are bound to strict professional secrecy, even after the employment relationship ends (Article 11).

This Act ensures that, in a world where work is increasingly monitored through digital systems, workers remain the owners of their personal data and retain the ability to protect themselves against decisions made by such systems.

PDPA also establishes the general obligation to carry out a Data Protection Impact Assessment (DPIA) as part of the proactive measures that the data controller and the data processor must adopt (Article 12). The adoption of "appropriate technical and organizational measures" is required as an exercise of "proactive accountability," which explicitly includes the "data protection impact assessment" (in addition to privacy by design and by default). Also (in Article 18-BIS), PDPA establishes that biometric data may only be processed after a "data protection impact assessment" has been carried out. However, the law does not require employers to consult workers for these assessments, nor does it oblige them to disclose the DPIA to workers or their organizations.

Key Articles

Article	Topic
Article 1	*The right to the protection of personal data is inherent to the human person.*
Article 12	*The obligation to carry out a Data Protection Impact Assessment*
Article 13, subsection A	*Obligation to inform about the purpose for which the data will be processed.*
Article 13, subsection B	*Obligation to inform about the person responsible for the database.*
Article 13, subsection G	*Obligation to inform about assessment criteria, applied processes, and the technological solution or program used in automated processing.*
Article 4, subsection E	*Classifies as sensitive data information regarding trade union membership, religious beliefs, or health.*
Article 18	*Prohibits requiring the provision of sensitive data and establishes that such data may only be processed with express, written consent.*
Article 14	*Right to access all information about oneself contained in any database.*
Article 15	*Right to request rectification, updating, inclusion, or deletion of inaccurate data within a maximum period of five working days.*
Article 10	*Obligation to adopt security and confidentiality measures to prevent loss, unauthorized access, or improper processing of data.*
Article 11	*Obligation to maintain strict professional secrecy over non-public data, even after the termination of the employment relationship.*

f. Telework Act (Act No. 19,978) and Regulatory Decree No. 86/022 (T.A. and R.D.) – 2021/2022

This Act and Decree focus on establishing and detailing the rights of workers who use technology to work outside the office, particularly regarding health, disconnection, and costs. The regulations stipulate that the Act applies to employment relationships under a subordinate and dependent regime, where the employer may be a private individual or a non-state public legal entity (Article 2; Decree 86/022).

"Telework" is understood as the performance of work, in whole or in part, outside the physical premises provided by the employer, predominantly using information and communication technologies, either interactively (online) or non-interactively (offline) (Article 1; Decree 86/022, Article 1).

The law is based on voluntariness (Article 3, item A), meaning that telework must obtain the worker's consent and be documented in writing (Article 5). Additionally, reversibility is enshrined (Article 3, item B), allowing the parties to switch between telework and in-person work, subject to written agreement. Either party has the right to return to in-person work within ninety days, provided they give at least seven days' notice (Article 7).

Teleworkers enjoy the same rights and access to the same working conditions as on-site employees, except for those inherent to in-person work. This includes respect for their right to rest, privacy, occupational health and safety, and trade union freedom (Article 3, item C).

The total effective working time must not exceed the legal or contractual maximum weekly hours (Article 8). The Act guarantees the right to disconnection, understood as the full exercise of not being contacted by the employer outside of working hours, which means the teleworker is not obliged to respond to communications, orders, or other requests (Article 14). A minimum of 8 continuous hours of disconnection must be ensured between one working day and the next (Article 8; Decree 86/022, Article 9). Although the worker may freely distribute their working hours, daily overtime that is compensated within the same week is not considered extra work.

However, if the weekly maximum is exceeded, payment must include a 100% surcharge on the hourly rate (Article 8).

The parties must agree on how the necessary information technologies will be provided (Article 12). In case of disagreement, it is the employer's responsibility to supply the equipment, materials, and services required, including operational, functional, replacement, and maintenance costs (Article 12; Decree 86/022, Article 8). Although the law does not explicitly state who must pay for internet access, and this should therefore be part of an agreement, the law does establish that the costs associated with working from home must be borne by the company.

The employer must ensure proper application of occupational health and safety conditions (Article 11). Employers are required to integrate telework risks—including psychosocial and ergonomic risks—into their safety management system (Decree 86/022, Article 7).

If an attendance recording system is implemented, it must be appropriate and cannot be invasive with respect to the teleworker's private life and personal household members (Decree 86/022, Article 6).

Key Articles

Regulation	Article	Topic
Law 19.978	**Article 2**	*Scope of application: employment relationships under subordination and dependency in the private sector or non-state public legal entities.*
Law 19.978	**Article 1**	*Concept of Telework: work performed outside the physical premises using predominantly information and communication technologies (ICT).*
Law 19.978	**Article 3, subsection B**	*Principle of reversibility of the work modality (in-person/telework).*
Law 19.978	**Article 7**	*Right to return to in-person work within ninety days from the start of telework (if originally in-person).*
Law 19.978	**Article 3, subsection C**	*Principle of equality of rights and conditions with respect to on-site workers.*
Law 19.978	**Article 8**	*Limit on working hours; any excess over the weekly maximum shall be paid with a 100% surcharge on the hourly rate.*
Law 19.978	**Article 14**	*Right to disconnection: the worker is not obliged to respond to communications, orders, or other requests outside working hours.*
Decreto 86/022	**Article 9**	*Establishes a minimum of 8 continuous hours of disconnection between one workday and the next.*
Law 19.978	**Article 12**	*Cost of Tools: the employer must provide equipment and assume operational, functional, replacement, and maintenance costs.*
Law 19.978	**Article 11**	*Employer obligation to ensure occupational health and safety conditions and judicial inspection of the home if consent is not given.*
Decreto 86/022	**Article 7**	*Obligation to integrate psychosocial and ergonomic risks into the safety management system.*
Decreto 86/022	**Article 6**	*Attendance recording systems must not be invasive with respect to the teleworker's private life and household members.*

g. Digital Platform Work Act No. 20,396 (D.P.W.A.) – 2025

The purpose of this law is to establish minimum levels of protection for workers performing tasks via digital platforms (Article 1), specifically services involving goods delivery or urban passenger transport. It applies to all platform workers, whether dependent or self-employed (Article 3).

The Act establishes a degree of algorithmic transparency, as platforms are required to inform about the existence of automated monitoring systems (which control or evaluate performance) (Article 4, item A) and automated decision-making systems that affect working conditions, income, or account suspension/cancellation (Article 4, item B). Platforms must also disclose the main parameters used by these systems to make decisions (Article 5, item B, subitem 3).

Workers have the right to receive an explanation of any significant decision made automatically (Article 7). In the event of account suspension or cancellation, the company must provide a written statement of the reasons within 48 hours (Article 7).

Companies are required to assess the risks that automated systems pose to safety and health, including psychosocial and ergonomic risks (Article 10, item A). Moreover, it is prohibited to use systems that exert undue pressure and endanger physical or mental health (Article 10). It is important to note that the law does not explicitly require consulting workers as part of this process, nor the direct disclosure of the risk assessment documents, so these are aspects that could be negotiated where possible.

Workers also have the right to access all data collected by the company relating to their person (Article 8).

Finally, the law explicitly guarantees the right of self-employed platform workers to exercise trade union freedom and to engage in collective bargaining over their working conditions and remuneration (Article 19).

Key Articles

Article	Topic
Article 1	*Purpose: to establish minimum levels of protection for platform workers.*
Article 3	*Scope of application: applies to all platform workers, whether dependent or self-employed.*
Article 4, subsection A	*Obligation to inform about the existence of automated monitoring systems (for performance control or evaluation).*
Article 4, subsection B	*Obligation to inform about the existence of automated decision-making systems that affect working conditions, income, or account suspension/cancellation.*
Article 5, subsection B, numeral 3	*Obligation to disclose the main parameters used by automated systems to make decisions.*
Article 7	*Right to receive an explanation, and for the company to provide a written statement of the reasons for significant automated decisions within 48 hours.*
Article 10, subsection A	*Obligation to assess risks to safety and health, including psychosocial and ergonomic risks.*
Article 10	*Prohibition of using systems that exert undue pressure and endanger physical or mental health.*
Article 8	*Right to access all data collected by the company regarding oneself (digital reputation is private and portable capital).*
Article 19	*Guarantee of the right of self-employed platform workers to exercise trade union freedom and collectively bargain their conditions.*
Article 7	*Obligation to integrate psychosocial and ergonomic risks into the safety management system.*
Article 6	*Attendance recording systems must not be invasive with respect to the teleworker's private life and household members.*

h. Occupational Accidents and Occupational Diseases Act No. 16,074 (O.A.O.D.A.) – 1990

This Act provides the legal framework to protect workers from occupational accidents and diseases through the imposition of a Mandatory Insurance for Occupational Accidents and Occupational Diseases (Article 1). This protection is compulsory and applies to all employers (whether public, private, or mixed) who make use of another person's labour (Article 3).

The most significant development in the context of digitalisation is the inclusion of self-employed workers performing tasks via digital platforms. With this inclusion, the companies operating digital platforms are considered employers for the purposes of this law (Article 4, item d). This ensures that, regardless of whether platform workers are dependent employees or self-employed, they are covered by the insurance in the event of an occupational accident or disease.

Key Articles

Article	Topic
Article 1	*Declaration of the mandatory nature of insurance for occupational accidents and occupational diseases.*
Article 3	*Definition of employer (any person who makes use of another's labour) and worker/employee.*
Article 4, subsection d	*Inclusion of self-employed platform workers, considering platform-operating companies as employers for the purposes of this law.*

4. The Checklists of Questions You Have a Right to Ask!

You are not expected to be a technology expert in order to protect your rights at work. What matters is knowing which questions you are entitled to ask **before** a digital system is introduced and **while** it is in use.
The following checklists translate existing legal rights into practical questions that workers and union representatives can use in discussions with management. Print these questions and keep them with you when preparing for, and meeting with, management about digital technologies. Their purpose is to help ensure that existing laws and rights are properly respected in the introduction and use of digital systems at work.

Checklist 1

Legal Framework Supporting PRIOR Negotiation Before Technology Implementation

Question	Legal Basis
Algorithm Transparency and Purpose: What is the specific purpose of this new technology? Which categories of personal data will be collected and processed?	→ **D.P.W.A.** N°20,396, Art. 4 and Art. 5
Impact on Working Hours and Disconnection: Is the right to a minimum of 8 continuous hours of disconnection guaranteed, and how is it ensured that the system does not send notifications or orders outside the agreed working hours?	→ **T.A.** N°19,978, Art. 8 and Art. 14
Health Risk Assessment: Has a risk assessment been conducted for these automated systems, including potential psychosocial and ergonomic risks? What preventive measures will be implemented?	→ **D.P.W.A.** N°20,396, Art. 10, Sub. A → **R.D.** N°86/022, Art. 7
Non-Invasiveness and Privacy: If the technology is used for attendance recording or monitoring, is it ensured that the mechanism will not be invasive regarding the teleworker's private life and household members? How will excessive software surveillance or access to private correspondence be limited?	→ **C.R.O.U.**, Art. 28. → **R.D.** N°86/022, Art. 6.
Automated Evaluation Criteria: What are the main parameters or criteria for evaluating work performance that the automated system will use?	→ **P.D.P.A.** N°18,331, Art. 16. → **D.P.W.A.** N°20,396, Art. 5, Item. 3.
Training and Professional Development: What training and retraining plans will be implemented to ensure that all workers can manage the new technology and that their tasks evolve with digitalisation?	→ **C.B.A.** N°18,566, Art. 5, Sub. B, Item. ii. → **C.B.P.S.A.** N°18,508, Art. 4, Sub. B and Sub. 6, Lit. D.
Cost of Tools: If the technology requires the use of new equipment or services, will the employer assume the operational, functional, replacement, and maintenance costs?	→ **T.A.** N°19,978, Art. 12
Protection of Sensitive Data: How is it ensured that the system will not collect or process sensitive worker data, such as trade union membership, without express written consent?	→ **P.D.P.A.** N°18,331, Art. 4, Sub. E. Art. 18.
Procedure for Contesting Decisions and Explanation: What is the exact procedure for a worker to contest a decision made by the automated system and obtain a written statement of the reasons for that decision?	→ **D.P.W.A.** N°20,396, Art. 7
Impact on Positions and Remuneration: How will the technological implementation affect the structure of categories and professions? Will fair remuneration be maintained, and in the case of piecework or platform work, will the legal minimum wage per workday be guaranteed?	→ **C.R.O.U.**, Art. 54. → **W.C.A.** N°10,449, Art. 3. Art. 9
Data Protection Impact Assessment: Is it planned to incorporate a documented process to identify, assess, and mitigate the privacy risks that the processing of personal data may pose to the rights and freedoms of workers?	→ **P.D.P.A.,** N°18,331, Art. 13, item G. → **D.P.W.A.,** N° 20,396, Art. 10.

Checklist 2

Legal Framework Supporting Periodic Monitoring for Post-Implementation Follow-Up

Question	Legal Basis
Data Access Audit: Is the worker's request to access all data collected by the company regarding themselves being fulfilled (including "digital reputation" if applicable to platforms)?	→ **P.D.P.A.** N°18,331, Art. 14. → **D.P.W.A.** N°20,396, Art. 8.
Algorithm Transparency Review: Have there been changes in the evaluation or assessment criteria used by the automated system? If so, have we been notified of these changes, and has the obligation to inform the worker been fulfilled?	→ **P.D.P.A. N°18**,331, Art. 13, Sub. G.
Security Incidents and Data Loss: Has there been any incident of unauthorized loss, access, or processing of data? If so, what security measures have been reinforced to prevent recurrence?	→ **P.D.P.A.** N°18,331, Art. 10.
Verification of Effective Disconnection: Are there reports or complaints from workers who were contacted or penalized for not responding to communications during the minimum 8-hour disconnection period?	→ **T.A.** N°19,978, Art. 8. → **R.D.** N° 86/022, Art. 9.
Psychosocial Risks: Have psychosocial and ergonomic risks been reviewed since implementation, or has the use of systems that exert undue pressure on workers been detected?	→ **D.P.W.A.** N°20,396, Art. 10.
Justification of Automated Decisions: How many times has a written explanation been requested for significant automated decisions (suspensions, account cancellations, withholding of payments), and has the 48-hour response deadline been met?	→ **D.P.W.A.** N°20,396, Art. 7.
Personal Data Updates: Have requests for correction, updating, inclusion, or deletion of inaccurate data been addressed within the legal maximum period of five business days?	→ **P.D.P.A.** N°18,331, Art. 15.
Review of Wages and Tasks: Has the new digital system or algorithm generated new tasks requiring reclassification of categories or adjustment of fair remuneration to ensure the legal minimum wage is reached in the standard workday?	→ **W.C.A.** N°10,449, Art. 9. → **C.R.O.U.**, Art. 54.
Use of Sensitive Data: Is the strict prohibition on processing sensitive data (such as trade union membership) without the worker's express written consent being enforced?	→ **P.D.P.A.** N°18,331, Art. 18.
Monitoring and Autonomy: How is the impact of continuous digital monitoring on worker autonomy and morale being measured, as protected by the Constitution?	→ **C.R.O.U.**, Art. 54. Art. 28.

5.
Filling the Gaps – Bargaining Topic Suggestions

Existing law does not fully address many of the practical problems created by AI, monitoring technologies, and data-driven management at work. Collective bargaining is therefore an important way for unions to address these gaps. This section provides examples of negotiating themes that unions may draw on when developing their own demands to regulate how digital systems affect working conditions.

Uruguay's labour relations system, which fundamentally relies on negotiation through Wage Councils, enables the inclusion of these topics in tripartite and government-mandated forums.

a) Negotiating levels of participation in decisions regarding the introduction of new technologies or changes in work processes.

This point is inspired by some European labour models where co-determination gives employees varying degrees of decision-making power depending on the company size or workplace, sometimes including participation at the management level. The legal basis can be found in the right to information and consultation under the C.B.P.S.A. (No. 18,508), which obliges the administration to provide information on technological changes and functional restructurings before they occur. In the private sector, the obligation to negotiate in good faith under C.B.A. (No. 18,566), including the necessary exchange of information for the normal development of the process, serves as the foundation.

b) Mandatory negotiation with union representation regarding the indicators used for evaluations.

Performance indicators must not be a "black box" imposed by the employer. D.P.W.A. (No. 20,396) mandates disclosure of the main parameters used by automated decision-making systems. Additionally, the P.D.P.A. (No. 18,331) grants the right to challenge personal evaluations and obtain information on the evaluation criteria and program used to assess labour performance. It is essential to negotiate that these criteria are fair, transparent, and known to the union representation before implementation.

c) Negotiating minimum fixed salaries and limitations on variable pay.

The growth of results-based work, common in digital platforms or productivity-based digital models, necessitates revisiting the pillars of wage protection. W.C.A. (No. 10,449) can be used to negotiate minimum fixed floors and classification by categories. The principle of fair remuneration is in the Constitution. For piecework (common in digital models), W.C.A. establishes that remuneration must reach the minimum wage in an eight-hour working day. For platform workers, D.P.W.A. (No. 20,396) reinforces this by requiring that piece-rate or hourly pay proportionally guarantees the national minimum wage.

d) Establishment of bipartite commissions to monitor occupational and mental health.

Digitalisation, especially telework or platforms, introduces psychosocial and ergonomic risks. Monitoring mental health becomes critical due to potential undue pressure from automated systems. Employers are obliged to integrate these risks into occupational health and safety management (Decree No. 86/022). Establishing a bipartite commission allows exercising the right to participate in safety and hygiene oversight and to demand risk assessments, as promoted by C.B.A. (No. 18,566).

e) Mandatory provision of technical advice to worker representation for interpreting algorithmic information and legal implications.

If companies are required to provide technical information about algorithms and evaluation criteria, as demanded by D.P.W.A. and P.D.P.A., the union must be equipped to understand it. Requiring the company to cover the cost of technical advice ensures effective information exchange. Without this support, information asymmetry persists, making the right to transparency ineffective and limiting the ability to negotiate in good faith.

f) Incorporation of personal or family needs and emergencies into performance evaluation criteria.

Digital evaluation cannot be rigid or inhumane. Negotiating clauses allowing flexibility or compensation for workers with family responsibilities or emergencies is crucial, aligned with the promotion of employment for such work-

ers, as recognized in the T.A. (No. 19,978). Constitutional principles protecting individual rights and recognizing the independence of workers' moral and civic conscience must be reflected in performance metrics.

g) Negotiating algorithmic bias regarding gender, race, and age.

This is a direct defence of fundamental human rights in the digital environment. The Constitution establishes equality before the law, a key principle to combat algorithmic discrimination. D.P.W.A. (No. 20,396) expressly requires adherence to equality and non-discrimination principles in algorithm implementation. Negotiating audits and criteria to eliminate any bias based on age, gender, or ethnicity that could influence task assignment, pay, or account suspension is essential.

h) Negotiating changes in shifts and work modality (onsite or remote) with advance notice and worker decision power.

Negotiation should establish reasonable notice for these changes, ensuring collective agreement over work conditions. To protect stability and family life, any change in modality or shifts must be negotiated, not imposed. T.A. (No. 19,978) requires any shift from onsite to remote or vice versa to be by written agreement. The right to disconnection and limitation of working hours is constitutionally and legally protected.

i) Implementing clear criteria regarding company assumption of risks from remote work, cybersecurity, and occupational health.

Digitalisation introduces risks such as constant tracking, email and file monitoring, and cybersecurity threats. Negotiating clear criteria ensures these preventive obligations are fulfilled. Employers must verify occupational health and safety conditions, cover operating and maintenance costs for tools, and protect against psychosocial, ergonomic, and cyber risks. Platform workers who suffer accidents are covered by mandatory insurance O.A.O.D.A. (No. 16,074), with civil liability for the employer in cases of gross negligence.

j) Limiting automated system decision-making in personnel selection, scheduling, suspensions, and dismissals.

Algorithms should be support tools, not ultimate authority. Automated systems' ability to make decisions that drastically affect employment, such as restricting, suspending, or cancelling accounts, must be limited. Decisions based solely on automated systems can be legally challenged, as the Constitution protects freedom, security, and labour rights.

k) Negotiating the right of workers to be consulted on risk assessments related to data protection and algorithmic use.

It is important to incorporate the right to be informed and consulted about how the personal data is processed and how algorithmic systems may influence the working conditions. PDPA, which requires organisations to assess and mitigate risks that automated decision-making may pose to individuals' rights and freedoms. It is an opportunity for workers to negotiate participation when digital tools or algorithms are used to organize, supervise, or evaluate work.

6.
Summary Reflections

If you remember only one thing from this report, remember this: digital systems do not remove your rights - they give you new reasons to use them!

In the case of Uruguay, conditions are relatively favourable for workers to face the risks arising from digitalisation. Key elements include a strong labour union movement, with a single central organization (PIT-CNT) and a longstanding tradition of collective bargaining. Another important factor is the legal framework that mandates periodic tripartite negotiations, ensuring government participation and thus creating the potential to reduce the asymmetries between employers and workers.

There are also various laws aimed at addressing issues related to digitalisation, which provides a favourable starting point for negotiating more effectively in bipartite and tripartite forums.

However, it is necessary to highlight that many of these regulations, such as those on telework or platform-based employment, leave too many aspects to be "negotiated" individually between the worker and the employer. This clearly creates a significant power and information asymmetry. In this way, Uruguay's legal framework covers many aspects but often does not protect the weaker party in the negotiation with sufficient force. Therefore, it is crucial that collective bargaining forums be prioritized by unions and that Wage Councils be expanded and strengthened to cover an increasing range of issues related to the world of work.

At the same time, current legislation and discussions about new regulations appear to lag behind the changes in employment and working conditions. For example, the advancement of AI has clearly impacted many sectors of the Uruguayan economy, yet there is currently no legal framework that effectively protects workers. Algorithmic management practices, increasingly applied by companies, are minimally captured in existing legislation, leaving significant room for non-compliance.

This is why both bipartite collective bargaining and tripartite negotiation through Wage Councils need to be strengthened to effectively address technological changes. Meeting this challenge requires modernizing and enhancing union capacities, as well as a political commitment from governments to ensure that the labour market promotes greater social justice.

Training, labour transition, professional reconversion, and discussions about the costs associated with digital transformation—and who will bear them—are becoming increasingly central issues for society. In these matters, unions have a crucial and leading role to play.

Some cases of bipartite and tripartite bargaining on technological matters provide good examples of how trade unions can leverage the labour-relations framework to address the impacts associated with digitalisation.

In the financial system, a clause was negotiated in the private banking sector establishing that, whenever a technological change is introduced that affects employment, both parties must set up a bargaining space to manage those impacts and to define the training programs. In another financial subsector—credit administration companies—it was agreed that in cases where variable pay is determined by a commission scheme driven by an algorithm, the operation of that algorithm must be disclosed to workers.

In the cash-in-transit sector, the parties also negotiated the creation of a bipartite committee to address issues related to innovation and the introduction of new technologies, their impact on working conditions, and the creation or modification of job classifications.

Finally, in the retail sector, on a bipartite basis, some stores negotiated that saleswomen—whose compensation consists of a base salary plus commissions on in-person sales—should not perform tasks related to fulfilling orders placed through digital channels, thereby preserving their time for customer service. In addition, the parties agreed to align discounts offered on the website and in physical stores in order to avoid incentives that undermine in-person sales. They also established specific in-store promotions for customers who pick up their online purchases on site, with the aim of encouraging brick-and-mortar sales. At the same time, there is an ongoing demand that warehouse workers (generally messengers or junior staff at the bottom of the organizational hierarchy) receive commissions on sales made through digital platforms, since they are the ones who prepare the orders and deliveries.

7.
Annex – Links to the Laws and Agreements Covered

Constitution of the Oriental Republic of Uruguay (C.R.O.U.) – 1967

→ **Official constitutional text (Legislative Library / Poder Legislativo)**
https://biblioteca.parlamento.gub.uy/constitucion/

→ **Official text on IMPO (Uruguay's legal database)**
https://www.impo.com.uy/bases/constitucion/1967-1967

→ **WIPO Lex version (with PDF)** - includes Spanish/English versions
https://www.wipo.int/wipolex/en/legislation/details/7541

Wage Councils Act No. 10,449 (W.C.A.) – 1943

→ **Ley Nº 10.449 (Consejos de salarios) on IMPO**
https://www.impo.com.uy/bases/leyes/10449-1943

→ **Government normative link (gub.uy)**
https://www.gub.uy/ministerio-trabajo-seguridad-social/institucional/normativa/ley-n-10449-fecha-20111943-negociacion-colectiva-creacion-consejos-salarios

Collective Bargaining Act No. 18,566 (C.B.A.) – 2009

→ **Ley Nº 18.566 (Negociación Colectiva) on IMPO (updated text)**
https://www.impo.com.uy/bases/leyes/18566-2009

→ **Official government PDF (Presidencia) of Law 18.566**
https://medios.presidencia.gub.uy/legal/2023/leyes/05/mtss_360.pdf

Collective Bargaining in the Public Sector Act No. 18,508 (C.B.P.S.A.) – 2009

→ **Ley Nº 18.508 (Negociación Colectiva en el sector público) - official**
https://www.impo.com.uy/bases/leyes/18508-2009

→ **Normative link on Presidencia (government site)**
https://www.gub.uy/presidencia/institucional/normativa/ley-n-18508-fecha-26062009

Personal Data Protection Act No. 18,331 (P.D.P.A.) – 2008

→ **Ley Nº 18.331 Protección de Datos Personales on IMPO**
https://www.impo.com.uy/bases/leyes/18331-2008

→ **Government PDF (Judicial selection site)**
https://seleccion.poderjudicial.gub.uy/seleccion/archivos/ley18331habeasdata2008.pdf

Telework Act No. 19,978 and Regulatory Decree No. 86/022 (T.A. and R.D.) – 2021/2022
Official consolidated legal text of Ley N.º 19.978 (Teletrabajo)

→ **Ley N.º 19.978 de fecha 20/08/2021 — *Normas para la promoción y regulación del Teletrabajo* on IMPO (official legal database of Uruguay):**
https://www.impo.com.uy/bases/leyes/19978-2021
(IMPO — Ley 19.978)

→ **Decree Nº 86/022 (Teletrabajo — IMPO)**
https://www.impo.com.uy/bases/decretos/86-2022

Digital Platform Work Act No. 20,396 (D.P.W.A.) – 2025

→ **Establécense niveles mínimos de protección para los trabajadores que desarrollen tareas mediante plataformas digitales, asegurando condiciones de trabajo justas, decentes y seguras. (712*R)**
https://www.impo.com.uy/bases/leyes-originales/20396-2025

Occupational Accidents and Occupational Diseases Act No. 16,074 (O.A.O.D.A.) – 1990

→ **Ley Nº 16.074 (Accidentes y enfermedades profesionales) on IMPO**
https://www.impo.com.uy/bases/leyes/16074-1989

8.
Glossary List

This glossary explains recurring terms and concepts used throughout the country chapters. It is intended to support workers and union representatives in quickly understanding technical, legal, and managerial language commonly used in discussions about digitalised workplaces.

A

Algorithmic management The use of software systems and algorithms to allocate tasks, evaluate performance, determine pay, schedule work, or discipline workers, often with limited transparency or human oversight.

Artificial intelligence (AI) Computer-based systems designed to perform tasks that typically require human judgment, such as decision-making, pattern recognition, prediction, or classification. In workplaces, AI is increasingly used in recruitment, performance management, surveillance, and automation.

AI systems (Artificial Intelligence systems) An AI system is a type of digital system that uses computational methods such as machine learning, statistical models, or rule-based algorithms to generate outputs including predictions, classifications, recommendations, or decisions based on input data. AI systems are used in some workplaces for tasks such as recruitment screening, performance scoring, task allocation, or pattern recognition. AI systems are digital systems that use algorithmic models to generate outputs from data.

Automated decision-making (ADM) Decisions affecting workers that are made wholly or primarily by digital systems, with minimal or no human intervention, for example in hiring, scheduling, performance scoring, or dismissal.

B

Biometric data / biometric systems Personal data based on physical or behavioural characteristics, such as fingerprints, facial images, iris scans, or voice patterns, used to identify or authenticate workers, often for attendance, access control, or monitoring.

C

Collective bargaining Negotiations between workers' organisations and employers to determine working conditions, rights, and obligations. In the context of digitalisation, collective bargaining is used to regulate technology use where law is absent, weak, or insufficient.

Consultation and worker participation Legal or collectively agreed processes requiring employers to inform and involve workers or their representatives before introducing technological, organisational, or operational changes that affect working conditions.

D

Data Any representation of information, facts, or concepts in a form capable of being processed by a computer system.

Data Fiduciary / Controller The entity (usually the employer) that decides how and why personal data is processed and bears the legal responsibility for its protection.

Data Minimisation The principle that only the data strictly necessary for a specific, stated purpose should be collected and used.

Data protection Rules and principles governing how information relating to an identifiable person is collected, stored, used, shared, and retained. In workplaces, this includes amongst others attendance data, location data, performance metrics, and biometric information.

Data Protection Impact Assessment (DPIA) A structured assessment required in many jurisdictions before introducing high-risk data-processing systems. It evaluates risks to workers' rights and freedoms.

Digital labour platforms / platform work Work mediated through digital applications or online platforms that allocate tasks, manage performance, and process payment, often using algorithmic systems. Examples include ride-hailing, delivery, and online outsourcing.

Digital technologies Digital technologies are electronic tools, devices, software, and data-processing applications that create, collect, store, transmit, or analyse digital data. In workplaces, this includes items such as computers, mobile devices, biometric scanners, cameras, GPS devices, software applications, platforms, and databases.

These technologies generate and process data that can be used in organising, monitoring, or managing work. Digital technologies are the individual electronic tools and applications.

Digital systems A digital system is an arrangement of multiple digital technologies that operate together to collect data, process it according to defined rules or instructions, and produce outputs.

A digital system may include hardware, software, data storage, and interfaces used by managers or workers. The system refers to the combined operation of these components rather than any single device or application. Digital systems are combinations of digital technologies working together.

Digital surveillance / worker monitoring The use of digital tools to observe, record, or analyse workers' activities, movements, communications, or performance, including CCTV, GPS tracking, keystroke logging, and screen monitoring.

E

Enforcement gaps The disconnect between formal legal rights and their real-world application, often due to weak oversight, delayed remedies, limited access to regulators, or reliance on individual complaints.

F

Function creep The gradual expansion of a technology's use beyond its original stated purpose, for example when security or attendance systems are later used for performance evaluation or discipline.

H

Human oversight The requirement that automated or AI-driven systems remain subject to meaningful human review, judgment, and accountability, particularly when decisions affect workers' rights or livelihoods.

I

Informational asymmetry A power imbalance in which employers control access to information, data, and system logic, while workers lack insight into how technologies operate or how decisions are made.

O

Occupational safety and health (OSH) Legal and organisational obligations to protect workers' physical and mental well-being at work, including risks arising from stress, work intensification, constant monitoring, or technological change.

P

Platform worker classification The legal determination of whether platform workers are treated as employees, self-employed, or a separate category, which affects access to labour rights, social protection, and collective bargaining.

Power asymmetry An imbalance of authority and control between management and workers, intensified in digitalised workplaces through surveillance, data extraction, and algorithmic control.

Purpose limitation A core data-protection principle requiring that data collected for one specific purpose (e.g. security) not be reused for incompatible purposes (e.g. discipline or productivity scoring) without justification and consultation.

R

Right to explanation / transparency The principle that workers should receive clear, accessible information about what data are collected about them, how technologies function, and how decisions affecting them are made.

Right to disconnect The right of workers to be free from work-related digital communication and monitoring outside working hours, protecting rest time and work-life boundaries.

Risk assessment An evaluation of potential harms associated with introducing new technologies, including impacts on privacy, health, equality, workload, and job security.

S

Surveillance capitalism / data extraction A model in which value is generated by collecting and analysing large amounts of behavioural data, increasingly applied within workplaces through digital management systems.

W

Worker dignity and autonomy Foundational labour principles recognising workers as rights-bearing individuals, not merely data points or inputs, requiring limits on intrusive monitoring and automated control.

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Negotiating Digitalised Workplaces – Rights and Obligations

This series of country studies – encompassing to date Albania, Brasil, India, Ireland, Kenya, South Korea, and Uruguay – highlights the institutional power resources of workers to shape the digitalisation of workplaces. By knowing rights, laws and labour market agreements, workers and trade unions can henceforth better claim their rights and negotiate working conditions when digital technologies are introduced and used.

Further information on this topic can be found here:
↗ fes.de/lnk/negodigirights

Friedrich Ebert Stiftung