SOCIAL INCLUSION IN DIGITAL WORK

Julio Ismael CAMACHO SOLÍS

Summary: I. *Introduction*. II. *Innovative Work*. III. *Digital work*. IV. *labor Inclusion vs. labor Exclusion*. V. *Industry 4.0 and Social Security*. VI. *Emerging Social Rights*. VII. *Conclusions*. VIII. *Research sources*.

I. INTRODUCTION

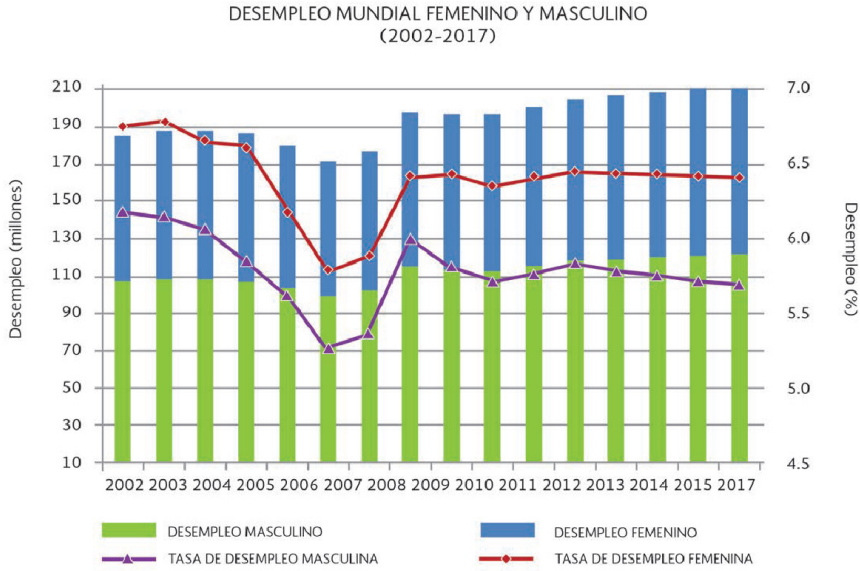
The advances in the systematization of daily life, as well as the instantaneous innovative communications interspersed with today's information systems determined by global technological development, mainly influence various areas of society in general, and particularly in labor relations, whether these are traditional, atypical, informal or formal. New forms of labor relations have been generated with a certain characteristic that has an impact on the organization and development of the work. Consequently, legal systems that protect the rights of workers, which give a legal definition to the labor relation, are outside the practical scope. This generates vulnerability considering the lack of legal protection of what is new or what is constantly evolving in a productive society. These innovations in digital robotization labor modify two dimensions of human existence in time and space.

II. INNOVATIVE WORK

Nowadays, there are several ways of providing subordinate work framed in the current labor legislation of our country. On the other hand, the other groups of workers, located outside the formal scope of labor law, are inserted in informality. This segment of employment consists of various labor relations and activities that have a common factor, being outside the protective labor and social security rules.

In the last ten years, the unemployment rate has increased 25 per cent worldwide, we live in a much richer society, but with poorer working conditions, where few jobs are being created to serve an expanding workforce, especially for those displaced by the structural changes of globalization: modernity, technology, innovation; elements that are determined by new work processes in a digitalized manner.

GRAPH 1 (SOURCE: OCDE, UNEMPLOYMENT TRENDS)



The development of labor relations has moved from the industrial era, where massive labor worked alongside machines to produce goods and services. We are in the age of access, where intelligent machines, in the form of computer software; robotics; nanotechnology; and biotechnology, progressively replace human labor in agriculture, industry and services.

The social reality of the world moves gradually, but firmly towards the use of digital platforms. In the digital age, work does not necessarily generate tangible parts or products; it also generates knowledge, making it much more difficult to measure productivity. Working conditions change, they move and their needs are adjusted. Competitiveness has become more voracious and looks for ways to channel the work mechanisms that allow it to

achieve its objectives; companies compress labor to keep their business up to date.

In the unconsciousness of the collective imaginary, technology is seen as something surprising and rarely considered as a factor of productivity; rather, it is placed on the road towards the digitalization of all productive activities, at least in the world of work, without neglecting the daily development of people in society; it is believed that certain technological advances represent a serious threat to current and future workers' development aspirations, because they will have to compete with new mechanical, systematized, digitized and artificial skills.

The reallocation of the workforce to the labor sectors with an increasing use of information technologies is gradual and sustained. It maintains uniformity and requires a great deal of highly trained workforce, which is not always or rarely properly paid. With the technological innovations of today, these differences will result in greater diversification and technological industries will try to increase the value variable of knowledge about the products and the consumer society, which implies that the company, employer or work centre will become an economic unit of modernity, technology, and development.

Nowadays, new technologies, at least in theory, systematically allow the organization and focus on time and space, which is required by the very restructuring of productive organizations; at least, the most remarkable necessity is trying to eliminate downtime within organizations, due to dysfunctions, and thus obtaining a much higher level of productivity.

New technologies have also led to the creation of new ways of working, through Internet platforms or on-demand work through mobile applications.

Digital technologies have become a powerful force for social and economic development, offering substantial benefits for both individuals and society. The average labor productivity of the member countries of the Organization for Economic Cooperation and Development (OECD) is 50 points; Mexico reaches 20 points.

One of the causes attributed to the low productivity is that the educational level of the Mexican workforce is very low in relation to the rest of the members of the OECD.

This causes low productivity in Mexico. It is also one of the causes of hiring decrease as well as low wages; thus achieving that the deregulation and flexibility of labor standards comply with the dominant and prevailing economic and social globalization, to which the State attributes itself while

replicating it ordinarily in the field of work. The State forgets, without a doubt, the primary objective of opportunities for decent or dignified work.

Labor organizations determined by technology are presumably related to the social environment through that same technology, but the problems inherent to decision making originate tendencies that can be unstable for the work determined by the technology; this entails the following determinations.

1) Organized labor involves two sets of physical and social coercion that are in basic opposition to each other.
2) No system of work can adapt to physical and social demands at the same time.

Conclusion: Well-organized innovative work can be institutionalized in four different ways: 1. Organizations determined by production, 2. Organizations determined by technology, 3. Organizations determined by society 4. Pluralist organizations. Each of these four characteristics provide the organization for work according to the context that reflects its own social existence.

III. Digital Work

Currently, workers offer their work in the market under serious conditions of disadvantage, exclusion, limitations, incompetence, ignorance, misinformation and uncertainty; employers do not find better affordable conditions for workers in the labor market when it comes to locating available workers for jobs that require certain digital skills.

A successful matching of individual capabilities with the requirements of new technologies or new skills is overlooked as a prerequisite for access to work, which should improve production efficiency and significantly increase national production, development and wealth, based on the existing workforce.

The scenario of globalization has been marked by a radical bet on the benefit of competitiveness, resulting everywhere in a hardening of wage labor conditions. The main consequences have taken the form of lower wages, longer working hours, declining social rights and widespread precariousness.

The work-related problems of a labor society are to some extent very mutating, as well as the inability to work and produce, unlike low wage levels, which are the main source of poverty in Mexico. What is important in the workforce is not its size itself, taking into account that our country has a population of more than one hundred million inhabitants, where 40 per cent of the population is part of the workforce.

Robotization, digitalization, uberization, gig economy and crowd-working are terms that in a very short time have been incorporated into our vocabulary to describe the rapid changes that are taking place in the world of work and in all economies, where the action of working will be effective and efficient, fast and inserted in the route of digital productivity from the most industrialized to the least developed ones.

Present and future workers are all those based on their multipurpose knowledge. They have maximum mobility to take it anywhere and put it at the service of any company, without fixed and inflexible strings, and without stable relations, in a nomadic or wandering way, so that 45 percent of the population by 2022 will be part of a nomadic knowledge society, making this professional profile the largest segment of the workforce.

Similarly, companies based on their organization for vertical work, will give guidelines for the existence of crowdsourcing, where there will be work shifts, similar to legal days, which will be developed on digital platforms through Internet connection. What is new now is the speed and impact of these changes due to the simultaneous effect of globalization and digitalization. In the same way, crowdfunding will be used by global companies as a corporate action, as well as by the global market through a multitude of workers who perform the function of obtaining income for virtual companies through the Internet. The market also works quite well when it comes to determining relative levels of wages for different plants, industries, trades, occupations, and regions, so ultimately the labor market is the only artifice we have to classify many millions of workers with diverse skills and interests among a multitude of different jobs in the market economy.

When we summarize our current knowledge about the effects of modernization, digital globalization manifests itself as the generally most constant means of accumulating learning, resulting in this trivial conclusion: Digital media as a link and their specific attributes can have a positive effect on learning under certain conditions and can be used as effective tools for instructional purposes.

The technologies that provide access from home, as in today's case, are the ones that give greater flexibility to the workers; those that are only ac-

cessible from workplaces are undoubtedly those with less flexibility, forcing workers to transit constantly.

The introduction of technologies in work processes can mean a change in the organizational structure of companies and workplaces, the inertia of an organization can be an insurmountable obstacle to the use of any technology as a tool for work.

Digital is a term associated with technology, although it was initially used to denote everything related to fingers, it began to be used when technological science made its presence in the different fields in which it is known. The important thing between the two definitions of digital that are known, it could be the interaction that the human being can have with the computers or any digital device that includes a capacity that is exploited with the fingers.

The only man educated for work is the one who has learned to learn, the man who has learned to adapt to change, who has come to realize that no knowledge is safe and understands that only the process of knowing how to seek this knowledge will give him security.

The above may determine that for paradigms of digital work as meaningful learning must be determined by the ability that is what allows certain things to be done, the motivation determines what is done and the attitude determines how well it is done.

Jobs of the present, as well as those of the near future, require technological training, at least young people will need a solid theoretical base, a good practical training and be in contact with the world of hardware and software. Manual and repetitive work will be the most likely to be replaced by machines, although it will be carried out through a constant process with certain uncertainties.

At the same time, new ways of providing work will modify existing business strategies for offshoring, as automated work incorporates cheaper and more efficient production in the country of origin.

According to the most recent study of Internet user habits in Mexico, in 2017, just over half of Internet users (52 per cent) remain connected 24 hours a day. On average, each Internet user is on the net eight hours, a minute and 47 seconds a day.

Six out of ten users, pay for a data plan and eight out of ten, connect from home. Sending and checking emails is the second most popular activity on the Internet, just below access to social media.

This news of developing the way to work via email, as an additional tool, to simplify activities, even outside the working day, is undoubtedly the

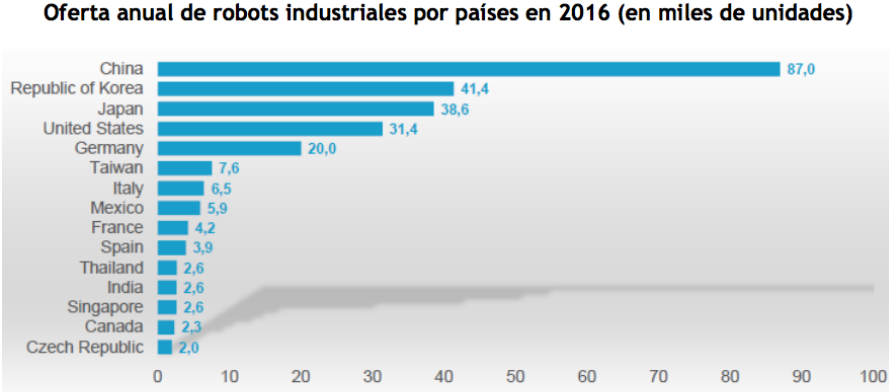
effectiveness of technological control, with unlimited forms giving way to a centralized and objective subordination, which leaves a perennial and cybernetic trace, even automatically.

Out of the countries that make up the Organization for Economic Cooperation and Development (OECD), Mexico is the country with the most hours worked per year: 2,255. This club of developed nations' average is 1,763 hours.

The marriage between Big Data and robotization heralds a new economy and, therefore, a new world of work is all recognized by the benefits of this development, while highlighting its uncertainty about employment.

The Digital transformation is not only changing our economy, but also the nature of labor markets and the workforce. The fourth industrial revolution, the eruption of robots and artificial intelligence changed the labor market environment, which is relatively significant, as illustrated in the following graph:

GRAPH 2 (SOURCE: INTERNATIONAL FEDERATION OF ROBOTICS 2017).



In Latin America, the introduction of robotization is still limited. It is estimated that there are currently about 28,000 robots, concentrated mainly in Mexico and Brazil. However, considering the rapid evolution worldwide, it is important to ask how this process of technological change can impact the region; for this end, it is necessary to consider three main factors: the pro-

duction structure, the level of innovation and the situation of the labor market.

In Mexico, almost unanimously, the development in which this finds itself is considered as a dual economy, an economy with modern and other traditional sectors, it is an economy where 57 per cent of the population does not find employment in the formal sector, it is an economy where less than 20 per cent of the labor works in the manufacturing sector.

As the principles that regulated the new industrial revolution that we have been living since the end of the 20th Century and up to the present day are being consolidated, the typologies of the new ways of working that most companies will have in the future and the profile of the appropriate worker to cover these needs begin to be glimpsed.

However, the values of digitalization and change are not limited to the world of work. The processes of change are intertwined with all spheres of society such as social security systems, culture, education, citizen security, and infrastructure.

This reality incorporates a sensitive concern about how the competitiveness of markets may affect working conditions, employment levels and the distribution of income as labor income. These situations, as they consolidate, will have a significant effect on paid employment, work organization and the financing of social security systems, as well as on the role and tasks of workers' representatives.

Traditional employment systems face profound and far-reaching changes, although the direction, speed and scope of these achieve an unstoppable advance, which reflects a duality compared to the usual work that escapes having incorporated some technological requirement for their performance of the same activity.

Conclusion:

The format for the digital work of the new Industrial Revolution 4.0 will mean the end of the need to maintain the rules of social and labor protection. Less human work and the little that remains will be more autonomous, connected by computer applications via algorithms. The reality is more ambivalent and evidence as both digital work and analogue work, have similar social protection needs.

IV. Labor Inclusion vs Labor Exclusion

We are far from understanding the fact that work is what made our species human. The species would extinguish much faster without work than without copulation. Work remains the primary activity on which the access to the satisfaction of basic needs for most of humanity depends.

The aspects that reflect the social scenario of Industry 4.0 and can be altered are: the rate of unemployment, low wages, high inequality and fear of the future, where the use of Information and Communication Technologies should be aligned with labor competencies in the short term should contain; analysis, design, development, implementation and evaluation.

Modern technology has led to the concentration of economic and political power and to the development of a society governed by totalitarian states that disguise and make democracies invisible, in a society made up of individuals who can fulfil themselves according to their potential and, above all, achieve a happy and fruitful life.

However, the new global production diminishes the importance of manual labor, which means that the world of work is becoming more abstract, more immaterial; now value is based on the ability to be accessed; today the essential is not to dominate a territory but to have access to a network with connectivity.

What follows is that there is a social exclusion of new social classes of a global nature to be mentioned

1) The upper-class, with all the means of knowledge and information and the capacity of manipulation.
2) The nomads of misery, millions of people in poverty, forced to fight to survive.
3) A gigantic middle class that will live in the hope of reaching the upper-class.

For this reason, the value of the work itself is secondary, its central importance is reduced, it is translated only as the generation of employment derived from economic growth, but it is even more basic to find ways to build true processes of digital globalization with equity, which should guarantee a broad respect for the basic minimum of worker protection rules.

Science can be defined as the reduction of multiplicity to unity; the last century's successive advances in technology have been accompanied

by matching advances in organization, so organization is indispensable because freedom exists and it has a meaning only of a self-regulated community of individuals who cooperate freely.

Individuals have had to individualize, the dehumanizing effects of surplus organization are reinforced as they develop the effects of excessive population on the labor market, substitution to subordinate themselves to all ends by means. An organization is not a conscious or living entity; its value is instrumental and derivative, it is not good in itself; it is good only insofar as it promotes the good of the individuals who are part of the collective whole.

As we gain more experience in an area, we gain more precise and detailed knowledge, but we also become less flexible in our way of thinking. De-individualization, by reducing self-awareness, also reduces accessibility to norms of behaviour. People believe that having the Internet is an illusion of being unique people and being able to manage the excess search for meaning in life.

The human beings of the 21st Century are from two worlds, the online world and the offline world that urges and encourages us to build our ways and means, using strategies, tools offered by information technology.

Most sociological research shows that the majority of users use the Internet, not so much because of the opportunity for access, but because of the exit, which is more attractive for building a shelter to reserve an exclusive comfort zone.

Instead of serving the cause of increasing the quantity and improving the quality of life of human integration, mutual understanding, cooperation, and solidarity, the network has facilitated practices of isolation, separation, exclusion, enmity, and conflict.

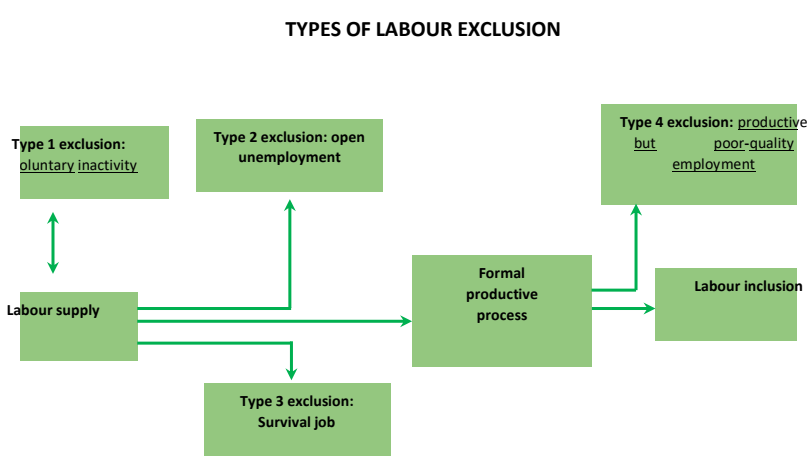
It is not possible to increase our security without reducing our freedom, nor to increase our freedom without renouncing a little our security; intelligence as that capacity of the human being to adapt to the environment, be it social or physical; the more adapted one is, the more intelligent one is for others.

As a natural consequence, the education of the workforce in Mexico is a reflection of illiteracy: 33 percent of employed people have as maximum level the primary level almost half of them did not finish it, another third of the employed population has secondary education which, even today, no longer means the completion of compulsory education, which already considers the baccalaureate. Finally, 32.8 percent of the workers have a maximum level of s middle and superior education studies.

In Mexico, there are more than 119 million registered people, among which 7.6 million (a total of 6.4 per cent) have disabilities that often prevent them from getting a job.

Similarly, it is considered that the lack of employment reflects social exclusion understood in the following way: a) Physical, mental or sensory disability, insofar as this favours their situation of social exclusion; b) School failure: young people at risk of social exclusion due to their school difficulties and who are enrolled in programs of social guarantee, initial professional qualification, curricular diversification, and any other educational offer that includes digital literacy.

GRAPH 3 (SOURCE: OWN ELABORATION BASED ON A STUDY ON LABOR INCLUSION, ADVANCES, AND CHALLENGES, STPS 2015.)



The complex field of labor inclusion should be at least adjusted to the following aspects to mention:

a) Professional competence: A set of knowledge and skills that enable professional activity to be carried out by the requirements of production and employment.
b) Specific skills: Technical knowledge, attitudes, and skills demanded by the occupational exercise in the labor market.
c) Capacities: The set of resources and aptitudes that an individual has for carrying out a certain task is called capacity; in this sense, this no-

tion is linked to education, the latter being a process of incorporation of new tools to develop in the world.

d) Knowledge: It is a set of stored information, through experience or learning or through introspection. Taken by itself, it has a lower qualitative value.

e) Attitudes: A positive or negative predisposition towards something or someone, is composed of three parts. The effective, cognitive and behavioural.

The ability of a person refers to his ability to contract obligations applied to labor law, and it becomes an obligation for the employer to ensure the maintenance of the ability of its employees to maintain a job.

In the media, but also among academics, the debate around digital platforms is focused on discerning whether service providers through them are workers, self-employed or independent.

For the International Labour Organization, the central dimensions of social exclusion are: economic, social and institutional; the latter implies non-participation in the labor market (inactivity), lack of access to employment (unemployment) and the impossibility of access to quality jobs, in addition to other dimensions such as the conditions that the global labor market and some of these are:

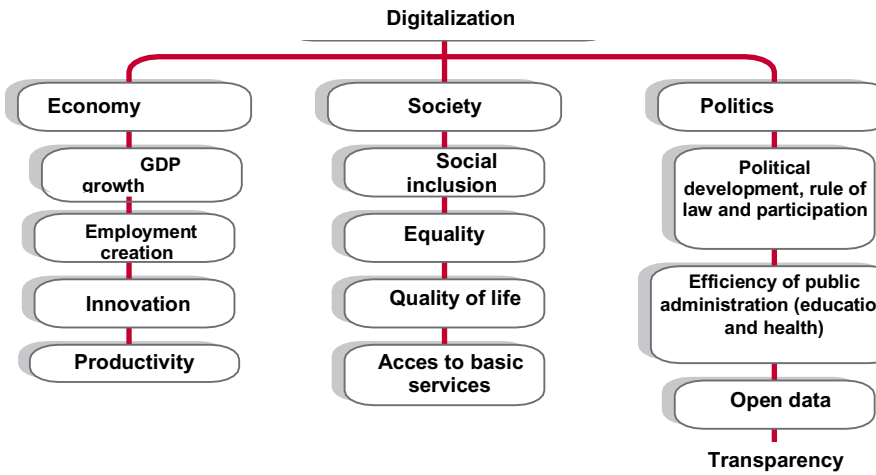
1) Only a part of the population enjoys the benefits of generating wealth and welfare, where employment is the guarantee of it.
2) The costs in terms of the potential for economic growth, due to the non-inclusion of important segments of the population in the productive processes, which gives social exclusion in relation to access to work.

On the other hand, the creation of jobs can be interpreted as a reflection of the demand for labor force on the part of companies arising from their investment or production plans and, at the macro level, as one of the products of economic growth that includes digital literacy understood as the set of training actions aimed at the development of technical, social and ethical skills related to the use of Information and Communication Technologies.

From the National Digital Strategy contemplated by the 2012-2018 sectoral development plans, the digitalization of various services is integrated as a fundamental premise, so that the population transits in that sense. Tak-

ing into account the people who have a job, this becomes a duality to work in the projection of six-year goals.

GRAPH 4 (MARCO ESTRUCTURAL DE LA ESTRATEGIA DIGITAL NACIONAL)



Thus digital inclusion, located as a fundamental element of the fields of social justice and human rights, must be fundamentally the ones that must foster new spaces for tolerance and integration, to counteract the attempts of individuals and groups that seek to impose values, customs or beliefs, paradigms in the digital world, ultimately also affect non-connected areas in which the following concepts are considered necessary to take into account because of the importance they represent:

1) Digital skills: skills and knowledge for personal development in any situation of the Information and Knowledge Society. It implies from the ability to use digital devices (computers, smartphones, among others) to make use of the Internet, in such a way that they can be used for all the activities of the people (social, relationship with the government or economic)
2) Digital Inclusion: it is the democratization of access to Information and Communication Technologies in such a way that the entire population can be successfully inserted into the Information and Knowledge Society.

3) Information and knowledge Society refers to the transformations of society that includes ethical, social, political, and economic, among others, because of the massive adoption of ICTs.[64]

The validity of labor contracting, where vulnerability is located, where ignorance and ignorance are elements contrary to access to employment, which reaffirmed with the use of the digital signature, which consists of the use of an encryption method called asymmetric, key or public key. This method consists of establishing a pair of keys, one public, known or not by the subjects or the contracting parties, and the other private, known only by one party, which results in a disadvantage.[65]

Digital labor contracts that represent virtual rights which are perfected with the will of the parties that give them the elements of existence. For example, in the civil-law tradition of formalizing agreements, such as one's consent and the object that are perfected with virtual formality, this finds its sustenance in cryptology.[66]

Currently, three aspects of understanding the concept of digital inclusion can be identified: access, digital literacy and the appropriation of technologies. The first aspect is based on the distribution of goods and services that guarantee access to infrastructure and information and communication technologies.

The second aspect emphasizes basic skills in the same tools, which allow the individual to know how to use them and, in this case, the access to the physical means and the school literacy represent the necessary requirements to develop.[67]

In addition to knowing how to use them, individuals must develop an understanding of the new means by which they can appropriate these resources in order to reinvent their uses and not become consumers.[68]

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64 Brogna, Patricia, *adultez, trabajo y discapacidad*, editorial trillas, Mexico, 2014, p. 58.

65 *Idem.*

66 Cryptology is defined as the science that studies the concealment or encryption of information, as well as the design of systems that perform these functions, which include data, text, images, voice or sounds.

67 Conectas, Programa de incentivo a la producción académica en derechos humanos, http://www.conectas. org/revista-sur/conectas-e-fundacao-carlos-chagas-divulgam-selecionados-para-o-programa-de--incentivo-a-producao-academica-em-direitos-humanos?pg=2, Date of consultation: June 3rd,2018.

68 *Idem.*

Conclusion:Inclusion from the labor perspective, in relation to Industry 4.0, is related with the scope and implications of the concepts of labor inclusion and exclusion, which are identified as twin concepts, insofar as they refer to processes that allow the access of a part of the population to productive jobs with favourable or adequate working conditions, while another part of the population does not have access to this type of employment, it is necessary to emphasize that the concept of labor inclusion is a fundamental component to achieve social inclusion, or in other words, it is a determining factor to combat social exclusion.

V. Industry 4.0 and Social Security

There is a widespread conviction that the labor revolution based on digital knowledge, added to robotization will not only change the economy but society as a whole, therefore, the dominant work will be a society called the labor society, which is not far from being the society of knowledge to work.

In the new society of digital knowledge, new forms of work are appearing that make the classical prototype of work with stability, convenience, adaptation, subsidies disappear, which would require not only changing labor laws, but also the very culture of social security and social security, where the future of work is mentioned indistinctly.[69]

After the automation of industry in the 18th and 19th Centuries (Industry 1.0), the division of labor and chain production (scientific organization of work) of the 20th Century (Industry 2.0), and the technological revolution of the late 20th Century (Industry 3.0), we would now speak of the era of the digitalization of the economy. This would cause a real mutation in companies (business models), in work (modes of provision) and the economy (shared and non-competitive) (Industry 4.0).[70]

Faced with the current displacement of the ends of social welfare, by the means of digitalization of the world as the maximum expression of cultural and technological innovation and, in parallel, faced with the replacement of the decision of citizen sovereignty by the power and knowledge, with

[69] Organización Internacional del Trabajo, *El futuro del trabajo que queremos, conferencia nacional tripartita,* http: //www.ilo.org/wcmsp5/groups/public/-europe/rogeneva/ilo-madrid/documents/publication/wcms_615487.pdf Date of consultation: April 12th, 2018.

[70] Molina Navarrete, Cristóbal, D*erecho y trabajo en la era digital*: revolución industrial 4.0 o economía sumergida 3.0, http: //www.ilo.org/wcmsp5/groups/public/europe/ro-geneva/ilo-madrid/documents/article/wcms_548619.pdf Date of consultation: April 15th, 2018.

the necessary expertise that in turn represents the voice of the dominant thought of the global, there is no effective alternative to the free market.[71]

It is up to social law to create, and in many cases maintain, the necessary balance between: Social protection, digital economy, labor inclusion, market distribution and policy development, supposedly only as an economic state of emergency but which the ungoverned digital economy threatens to turn the development of digital labor markets into a structural one.[72]

What is happening today in our pension system is not something purely circumstantial driven by prevailing changes, but is the symptom that changes in the world of work are putting at risk a system that in its original conception was based on another employment model, because the discontinuity and fragmentation of employment affect the very coverage, expansion, coverage, and financing of Social Security, taking into account the most penetrating reduction in employment as a result of the advance of the technological and robotic revolution. That is to say, the more technology, the less protection for work, that can guarantee access to coverage against occupational risks, which is based on the scheme that service providers, through digital platforms, work in a discontinuous and fragmented way over time.

The main challenge is not technological, for employers, the State, and society, but management with institutional responsibility, since this process of technological, digital and productive change must prevail with social strength, without ignoring the fact that it deepens the precariousness of employment, access to social security, as well as equalizing or disappearing inequalities between workers and, above all, promoting social and territorial cohesion.[73]

Because the problem is not the number of jobs lost through automation, but rather that enough jobs are produced to compensate for the loss of jobs caused by digitalization, this process requires sharing decisions, which entails a new business culture, granting greater power and influence in decision-making, in the organization of labor relations and the structure of labor activity.

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71 *Idem.*

72 *Idem.*

73 In 2016, 68.4 million people lacked access to social security. Because of this situation, federal and state governments have created non-contributory programs. However, the proliferation of dispersed and unconnected instruments does not solve the underlying problem. Having, therefore, a universal social protection system with more equal access among population groups may be a factor that reduces poverty, but particularly equal opportunities.

The so-called Fourth Industrial Revolution implies a radical change in the substance and form of development of enterprises, the education system, workers, governments, social security and society as a whole.

Given that Mexico is a country with a high economic inequality compared to others, with a Gini coefficient of 0.48 (World Bank 2018), we face the serious risk of low social mobility in the future as reflected in the graph 1.[74]

In Mexico, the labor market is the main source of income and could therefore become an engine for increasing social mobility and decreasing inequality. Precisely, given that in Mexico the population obtains 74 per cent of its income from the labor market, it is crucial to analyse the ways in which people enter the labor force and how their income is distributed, reveals a severe stagnation or even a fall in labor income in the last 10 years (2007-2017), depending on the source.[75]

The form of access to social protection and the protection of social security and other rights of workers on digital platforms and robotization as components of Industry 4.0 is part of the process of integrating the global economy, which draws a perspective of uncertainty for many people and communities in precarious situations, it can be effective and beneficial if we adopt a sufficiently broad approach to the conditions that govern our lives and our work.

VI. Emerging Social Rights

Alongside social rights, specific rights appear from the same intellectual structure, which no longer belong to everyone. They demand unequal treatment to achieve equality and equality with people who enjoy the fullness of human rights, as well as those imaginary collectives of society who find themselves in social life in inferior conditions.

For this reason, in the face of digital inequality, equalization will be the point of arrival to make possible an equal coexistence from comparable principles in the quality of life, in the means available to the social groups of workers in the area of protection that each one enjoys.

74 Informe desigualdades en México 2018 / El Colegio de México, Mexico: Colegio de México, Red de Estudios sobre Desigualdades, 2018, p.48.

75 *Idem.*

They are also emerging social rights that enrich the heritage of the original rights of the poor and workers, today generalized and converted into rights for all and have their origin in the idea of dignified equality. There is a difficulty in considering social rights as full rights because they are difficult to justify and also because they involve a substantial economic effort that clashes with the scarcity of welfare, which is a reality in which all societies find themselves in any case.

These difficulties do not dilute the radical mandate of the Constitution to remove obstacles and promote conditions so that freedom and equality can be real and effective for all, although they do oblige to distinguish between different social rights categories where the approach to the protection of individual freedoms in which information and communication technologies are the means to achieve balance or equity.[76]

According to Article 19 of the Universal Declaration of Human Rights: Everyone has the right to freedom of opinion and expression; this right includes freedom without interference, to hold opinions and to seek, receive and impart information and ideas through any media and regardless of frontiers.[77]

In addition, Article 13 of the American Convention on Human Rights (pact of San José, Costa Rica), in force since 1978, states that:

> Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally or written, printed, in an art form, or through any other process of one's choice.[78]

The main factors that generate situations of inequality and that can cause discrimination and exclusion at work for people in vulnerable situations.

- Belonging to lower levels in the social scale.
- Cultural differences to adapt to socio-labor patterns.
- High level of prejudices of society regarding the integration they can achieve.

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[76] Alexy, Robert, *Derechos sociales y ponderación*, Editorial Fontamara, Madrid 2010, p. 52.

[77] Declaración Universal de los Derechos Humanos, https://dudh.es/19/ Date of consultation: 15 February 2018.

[78] Organización de los Estados Americanos, *Artículo 13 convención americana sobre derechos humanos*, http://www.oas.org/es/cidh/expresion/showarticle.asp?artID=25&lID=2 Date of consultation: February 16th, 2018.

- Prejudices about the lower labor productivity of some people in comparison with others.
- Less physical, mental or professional capacity of certain people.
- Greater risk of expulsion from the labor market due to potential or effective changes in the jobs and the contents of the jobs.

Digital inclusion initiatives, for example, must intrinsically involve the creation of creative and intelligent situations in isolated environments often characterized by rurality, orality, isolation, population aging, poverty, and social traditions.[79]

The aforementioned problem of the digital divide, along with other barriers such as information poverty, censorship, the political use of technologies, disinformation, media manipulation and the destruction of public information especially in the contexts of social change, social justice, and global market fundamentalism.

Facing the emergence of new components that integrate telecommunications, computer equipment and digital programs, to access decent employment, however, the true pillars of information societies focused on human development with guaranteed social protection; where the societies of shared knowledge are education, ethics and participation must be articulated as an integral systemic process.[80]

An approach to the society-technology-culture relationship which is more appropriate to the problem of digital inclusion must take as its assumption that technology, as well as language, influences the contexts in which it arises or is introduced, as well as having its meaning, its form in time and space by the way they are used in heterogeneous contexts of social rights that are transformed in an emergent way in the world of work.

IX. Conclusions

First: The competitive challenges of a globalized and technical world of work focus on the fact that workers have greater freedom to move and to adapt, where social inclusion for work ensures respect and protects human rights of

[79] Alexy, Roberto, *op. cit.*,p. 54

[80] López-López, Pedro, Samek, Toni, Inclusión digital: *Un nuevo derecho humano, Educación y biblioteca,* 2009, v. 21, n. 172, p. 114.

social justice without fear of being excluded from where the most competitive companies expand the labor market.

Second: Today, more than ever, companies require flexibility to answer to the challenges of globalization and technological advances. This flexibility extends to the ability to hire and fire workers, and to be able to adjust the scenario quickly and quickly is indispensable in the current global competitive context, where the current labor legislation must adapt to the context of the reality of the advance of the digital labor market.

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