Improving the working conditions of platform workers
Pre-legislative synthesis of national, regional and local positions on the European Commission's initiative

This Briefing forms part of an EPRS series which offers a synthesis of the pre-legislative state-of-play and advance consultation on a range of key European Commission priorities during the latter’s five-year term in office. It seeks to summarise the state of affairs in the relevant policy field, examine how existing policy is working on the ground, and identify best practice and ideas for the future on the part of governmental organisations at all levels of European system of multilevel governance.

Summary of findings
An EPRS analysis of the positions of partner governmental organisations at EU, national, regional and local levels suggests that they would like the following main considerations to be reflected in the discussion on the working conditions of platform workers:

- **The employment status of platform workers** has to be clarified. The binary system (employed or self-employed) is challenged by the specific characteristics of platform work and bogus self-employment. To give some examples, Ireland classifies workers on the basis of a series of tests, while Portugal enacts a legal presumption that transport sector platform workers are employees.

- Platform workers have the **right to be correctly informed**. This can be facilitated by transparency, designated advisory services, information campaigns and communication channels among workers. Platforms must **protect privacy**, share information and data with relevant (local) authorities, while artificial intelligence-based algorithms should be controlled by a human approach.

- Local and regional authorities are witnessing the negative social consequences of the limited rights of platform workers. **Social measures** should cover the specific needs of these workers in relation to sickness, accident, unemployment, protection at work and pension benefits.

- More investment should be made in **skills development and relevant training for platform workers**. Transferability and certification of competences would, for example, support career development.

- The asymmetry between national legislation and issues faced locally and regionally can be mitigated by **complementary EU action and strong cooperation between the levels of governance**. The role of cities in particular should be acknowledged. Negotiation frameworks and charters, for example, can help all levels share good practices and learn about the impact of the measures taken.
1. Current state of play

Background

The European Commission’s commitment to establish a regulation on platform workers

In July 2019, in her political guidelines for the 2019-2024 European Commission, Commission President Ursula von der Leyen pointed out that ‘digital transformation brings fast change that affects our labour markets’. In this context, she promised to ‘look at ways of improving the labour conditions of platform workers, notably by focusing on skills and education’.

On 10 March 2020, the European Commission published a communication on a new industrial strategy for Europe. This strategy mentions that ‘new forms of work must come with modern and improved forms of protection, including for those working on online platforms’ and the European Commission repeated its commitment to publish an initiative on improving working conditions for platform workers.

This intention was reiterated in von der Leyen’s letter of intent, annexed to the State of the Union address, published in September 2020, with the initiative to improve the working conditions of people working in the platform economy considered as one of the key new initiatives for 2021.

Platform workers in the European Union

Platform work can be defined as ‘all labour provided through, on, or mediated by online platforms in a wide range of sectors, where work can be of varied forms, and is provided in exchange for payment’. It implies a triangular relationship between platform, platform worker and client, using online intermediation. Platform work is constantly growing in size and importance, and it was further enhanced by the digital development during the coronavirus pandemic. Nevertheless, as a study of the Joint Research Centre points out, the exact number of platform workers in the EU is difficult to determine. Estimates vary between 1 % and 11 % of EU workers, depending on research criteria (for instance working full time on the platform or providing services occasionally; employed by the platform or self-employed). According to the place where the work is carried out, the determining component and the skills of the platform worker, different types of platform work can be distinguished (Figure 1).

Platform work is considered as a non-standard form of employment. Therefore, the working conditions and social rights of platform workers are not enshrined in standard labour law. This lack of regulation means that platform workers face a wide range of challenges. A European Commission study drafted by independent experts from academia and think tanks identified the following main challenges: unclear employment status, lack of information available to workers about their working conditions, fragmented and unpredictable income and work schedules, precariousness and poor working conditions, lack of or difficult access to adequate social protection, lack of occupational health and safety measures, lack of dispute resolution mechanisms, lack of collective rights and danger of discrimination.

Figure 1 – Typology of platform work

Source: Study to gather evidence on the working conditions of platform workers, CEPS, European Commission, 2019.
Platform workers in EU legislation

Although platform workers' rights are not enshrined in EU labour law, there are various pieces of EU legislation that consider the situation of platform workers. In June 2016, the European Commission adopted the European agenda for the collaborative economy with a view, not least, to clarify the concept of collaborative platforms and platform work; it provides guidance on the employment status of platform workers.

The European Pillar of Social Rights, proclaimed in November 2017, aims to address some of the policy challenges associated with new forms of employment, including platform work. As part of the pillar's roll-out initiatives, in June 2019 the European Parliament and Council adopted the new Directive on transparent and predictable working conditions, which also mentions platform workers, who 'could fall in the scope of the directive', provided that they are not self-employed. In November 2019, Council adopted the Recommendation on access to social protection for workers and the self-employed, which also includes a reference to platform workers. The recommendation stresses that 'in some Member States, certain categories of workers such as short part-time workers, seasonal workers, on-demand workers, platform workers and those on temporary agency contracts or traineeships are excluded from social protection schemes'.

An EU legislative initiative on platform workers

Following von der Leyen's commitment in the political guidelines of July 2019 and the letter of intent of September 2020, the European Commission launched the first stage of a consultation of social partners on 24 February 2021, which ended on 7 April 2021, and to which the Commission received replies from 14 EU-wide social partners. On the basis of the replies received, the Commission concluded that there was a need for further EU action in order to ensure basic labour standards and rights for platform workers. On 15 June 2021, the second stage of a social partners' consultation was launched. This second phase ended on 15 September 2021.

Initiatives at the European Parliament

The European Parliament has followed the situation of platform workers closely in recent years. Following a process of engagement with gig-economy workers, trade unions and experts in labour law, on 16 November 2020 The Left group in the European Parliament (GUE/NGL) presented a proposal for an EU directive on digital platform workers. The aim of the draft directive was to secure the protection of digital platform workers by aligning their labour and social rights with those of all other workers. Under the directive, Member States would have to guarantee platform workers fair conditions with respect to: working arrangements, leave and rest periods, remuneration, processing of personal data, health and safety, representation and access to social protection.

In 2019, the European Parliament’s Committee on Employment and Social Affairs (EMPL) started an own-initiative procedure on 'Fair working conditions, rights and social protection for platform workers – New forms of employment linked to digital development'. The EMPL committee voted on the report on 27 July 2021, and it was adopted by Parliament on 16 September 2021. The resolution pleads the case for improved working conditions for platform workers, who should benefit from the same rights and social protection as other workers. It argues that an employment relationship should be presumed in the case of platform workers, reversing the burden of proof. Platform workers should benefit from essential and transparent information regarding working conditions and the calculation of fees, and a healthy and safe working environment, with transparent algorithms and data management. The resolution also highlights the right of platform workers to basic training to be provided by the platform and the importance of recognising their skills.
Methodology

The data sources for this briefing were obtained through:

1. **general requests** for input from governmental organisations at all levels of government;
2. **targeted requests** for input, seeking to obtain specific input from partner organisations; and
3. **pro-active desk research**, aiming to obtain additional relevant input online.

First, general requests for input on key Commission priorities were sent to all the governmental organisations in the European Parliamentary Research Service’s Linking the Levels Unit network. This was done by means of the monthly newsletter *The Link*,

with calls sent each month between February and July 2021 to an expanding network, reaching 739 contacts by the end of that period.

Second, targeted emails were sent between July and September 2021 to experts within the partner organisations with specific expertise on the working rights of platform workers, as well as to the ministries of labour and social policy in each Member State. At this stage, some guiding questions were provided on the topics to be addressed, covering the following main points in relation to platform workers:

- general objectives and scope of the platform workers’ initiative;
- employment status of platform workers;
- working conditions, including health and safety;
- access to adequate social protection;
- access to collective representation;
- access to training and professional opportunities.

Finally, pro-active desk research was carried out to gather further information from other governmental organisations online, as well as from the relevant literature, using the European Parliament’s Library knowledge resources. This process aimed at closing the analytical gaps identified and mitigating, to the extent possible, self-selection bias.

The outreach strategy garnered 86 documents, which are analysed for this briefing: 14 from the local, 4 from the regional, 48 from the national and 20 from the European level. Figure 1 illustrates the input obtained according to the level of governance from which the documents originate.

The documents are published or provided by governmental organisations such as national ministries, regional executives and cities, but also by umbrella organisations bringing together public authorities, for example the *Eurocities*.

Given that platform work is very much governed by national legislation and measures taken at this level, the majority of the documents obtained and analysed in this briefing stem from the national level.
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2. Governmental organisation positions to date

Status of platform workers

Differentiating between types of platform work

While platform work has some general characteristics, such as the presence of an online platform, platform workers providing services and paying clients, it is very heterogeneous, and it is important to consider and to differentiate between all its forms. As the CEPS study explains, different types of platform work have specific and shared challenges relating to working conditions:

- skill requirements for tasks: higher- or lower-skilled,
- location of tasks: online or on location,
- selection process: decision made by platform, platform worker or client.

A similar, but more detailed typology has been developed by Eurofound, which considers five elements, leading to several types of platform work (of which 10 exist in Europe at present):

- the skill level required to perform the task: low, medium or high,
- the format of service provision: on location (delivered in person) or online,
- the scale of the tasks: micro tasks versus larger projects,
- the selector: tasks assigned based on a decision by the platform, client or worker,
- the way workers and clients are matched: a task offer or a contest.

Platforms can also be defined by other criteria: the city of Barcelona points out, in a discussion paper, the importance of distinguishing between collaborative platforms on the one hand, which are designed to maximise community building and peer-to-peer relations, and extractive platforms (such as Uber, Glovo, or Deliveroo) on the other, which need to be monitored and regulated. The paper also argues that other differentiation criteria might include the platform's level of democracy, sustainability potential and performance, social responsibility (sub-contracting and user participation processes), the financing of the project and the distribution of the profit generated, transparency mechanisms, and workers' rights. Technical differentiation criteria might include: the type of software used, centralised or decentralised technological architecture, the management of data generated, and privacy and data protection.

The European Committee of the Regions (CoR) underlines that because of the rapid expansion of the platform economy, 'an accurate mapping of existing forms of platform work should be the first step before the updating of the legal framework'. Furthermore, it supports the creation of a special working group to look into and monitor employment relationships and the classification of workers on digital platforms under the framework of the EU Observatory on the Online Platform Economy. The European Economic and Social Committee (EESC) is of the same opinion, highlighting that there is a serious gap in consistent and systematic information about the platform economy. Consequently, the Commission and the Member States should coordinate their efforts to improve statistics-based information for future studies on the topic. Eurocities goes even further and asks for platform work to be defined as a 'non-standard type of work to be covered by EU labour legislation in terms of the protection of ... working conditions and social risks'.

Box 1 – The Observatory on the Online Platform Economy

This observatory monitors and analyses developments in the online platform economy to enable informed and flexible policy making in the EU. It consists of a group of 15 independent experts and a team of Commission officials. It is assisted in its work by a study carried out by stakeholders.
Employees or self-employed?

One of the biggest challenges relating to platform work is the unclear employment status of those involved. For platform-based activities, traditional labour law categories and definitions are difficult to apply. The Hungarian Ministry of Information and Technology considers that it is essential to clarify the terminology so that the employment status of platform workers can be clearly defined, arguing that this is essential in order to ensure employment rights, and guarantee adequate access to social protection and the possibility of representation. Estonia also underlines platform workers' 'obscure' legal status (between entrepreneur and worker). The European Central Bank notes that there are legal problems with platform workers' employment status and the question of whether online platforms should be considered as employers, pointing out that the results of related court cases are so far mixed. It is important to define platform workers' status, because this affects them in three key ways: in terms of social security, taxes and labour law. The city of Berlin highlights that, from a legal standpoint, platform work should be treated like other kinds of work, even though some adaptation is required due to the novel nature of digital and international work.

Most Member States, such as Ireland have a binary system in relation to employment status (an individual is either self-employed or an employee), without a 'middle ground' or third category. The decision as to whether an individual is self-employed or an employee is based on a series of tests laid down in case law. The situation is similar in Finland, where platform workers can also be either employees or self-employed. The assessment is made on a case-by-case basis, even though platform companies may have defined platform workers as self-employed. In Czechia, the term 'platform worker' is not defined or mentioned in legislation, but the status of platform workers is considered to be a key aspect of working through platforms. Platform workers in Czechia can be either 'self-employed' or 'employees'. In Lithuania, platform workers are self-employed and subject to the provisions the Civil Code only.

In Portugal, there is a legal presumption that platform workers in the transport sector are employees. A law obliges platforms to use 'operators' as intermediaries between the platform and the drivers (see Box 2). In other sectors, digital platform workers are considered to be either employees or self-employed – this is assessed on a case-by-case basis. Similarly, the above-mentioned resolution adopted by the European Parliament argues for the presumption of an employment relationship in the case of platform workers, with a reversal of the burden of proof.

Box 2 – Portuguese law on the transport of passengers by platform workers

In August 2018, Portugal approved Law 45/2018, which introduced specific regulations for the transport of passengers by platform workers ('Individual Paid Transport of Passengers in Unmarked Vehicles' – TVDE).

The law governs the employment status of individual platform workers and introduces an employment presumption. However, it only applies to the transport sector. According to this law, individual drivers cannot conclude a contract directly with the platforms, only with the operators. The law also introduces additional material provisions on working conditions, such as limited working hours.


In certain cases, platform workers are able to choose their own employment status. The preliminary results of a study carried out by the city of Vienna and the Vienna Chamber of Labour show that workers are conscious of the difference between employee and self-employed status, but that some of them choose self-employment as the 'price of freedom', in order to have more influence over the volume of work they do and their and working hours.
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When it comes to the need for a third category of worker, authorities tend to disagree. Finland is not in favour of creating such a category, and Ireland fears that the introduction of a third category might create a situation where some workers receive only limited protection under a limited range of employment statuses. The city of Barcelona however suggests that the need for a third employment category must be evaluated. This category could include workers who 'work occasionally' or are 'intermittently self-employed' professionals on digital platforms. This would require an analysis of the minimum number of working hours to be considered for this category.

The EESC calls for the concepts of 'employer', 'supply and demand intermediary', 'employee', and 'self-employed worker' to be clarified, as these have consequences for the applicability of labour legislation and protection on the platform economy. It also argues for a move (via guidelines) towards uniform definitions, so as to achieve decent working conditions in the platform economy.

The CoR believes that the employee status of platform workers should follow from the actual performance of the work, and not the way the relationship is described by the parties. It supports the creation of a special working group to look into and monitor employment relationships and the classification of workers on digital platforms under the framework of the EU Observatory on the Online Platform Economy, and would like to contribute to the group's work with best practices at local, regional and cross-border levels. There is also a need for EU-level guidelines to combat the abuse of self-employed status as a means of avoiding legal or fiscal obligations.

The problem of bogus (false) self-employment in the case of platform workers is considered a major problem by several governments, as well as by regional and local authorities. The Spanish Ministry of Labour, Migration and Social Security observes that bogus self-employed workers have a significant presence in the businesses created on digital platforms. Some companies make use of a virtual infrastructure, obtaining the workers they need by calling upon those officially registered as self-employed. The situation created however fits the characteristics of an employer–employee relationship. In Ireland, issues relating to the employment status of platform workers were tackled by the 2017 Competition (Amendment) Act which offers the first statutory definition of ‘false’ or ‘fully dependent’ self-employment.

The problem of bogus self-employment is a priority for the Berlin Senate Administration for Integration, Labour and Social Affairs. It points out that cooperation with self-employed persons should not be cheaper than employment subject to social insurance. An increase in self-employment could lead to a fall in the price of the relevant services, with the potential result that companies with employees subject to social insurance can no longer compete.

Rights of platform workers

As self-employed workers do not enjoy the same rights as employees, platform workers experience problems with respect to various aspects of their work (working conditions, healthcare, unemployment, pensions) and human development (education, training, recognition of skills).
Information and transparency

The platform economy relies on a contractual triangle in which the platform operator links the consumer/user and the supplier/service provider. This creates multiple relationships determined by different contracts proposed by the platforms. The unequal relationship between platforms and the two other actors arises from their respective resources but also the contractual conditions. These conditions and their consequences are often difficult to interpret as shown by the discussions about the status of platform workers (see above) and may not be clearly understandable for the workers. Consequently, the Italian regions of Lazio and Tuscany have both adopted guidelines in which they underline that platform workers have the right to clear and transparent contractual conditions. Information should be understandable and brought to workers’ attention properly. The city of Berlin argues that platform workers’ rights must be better communicated and that platform operators must be required to pass information on. It adds that ‘existing advisory services and information campaigns must be utilised, and new ones created’. Platform workers must be given the opportunity to contact each other. An obligation to set up a communication channel could be enforced through legislation.

The lack of access to information is strengthened by the digital nature of the platform economy. As platforms rely heavily on the use of data and data processing, they ‘need to ensure the application of principles such as transparency and non-discrimination in their business models’ according to an article published in the Economic Bulletin of the European Central Bank. An observation made by Eurocities is that ‘competent authorities do not have access to data of a sufficient quality and frequency’ and thus cannot enforce the applicable laws well. The advantage of data gathering could however be reduced by legal requirements to share information with relevant authorities, suggests a report from Eurofound. Furthermore, data about transportation, labour or safety from firms operating in their territories could help cities address urban challenges more effectively.

Platform workers are increasingly subject to decisions determined by artificial intelligence algorithms. In an exploratory opinion adopted in 2020, the EESC recommended considering the algorithms used by platforms ‘in the same way as spoken or written instructions in conventional work’. The potentially negative impact of such new technologies on workers has to be prevented. Even if decisions are made by an algorithm, this should not lead to discrimination between workers and tasks should be allocated transparently and fairly. The CoR has joined a call made by the International Labour Organization (ILO) requiring a human-in-command approach, whereby final decisions that affect work should be taken by humans. The Slovenian Ministry of Labour, Family, Social Affairs and Equal Opportunities proposes that there should be minimum standards on algorithms used by online platforms to select, evaluate or monitor platform workers and that workers should be involved in the operation of the online platform and the algorithms used.

Finally, platforms should ensure appropriate privacy and data protection. In line with the General Data Protection Regulation, workers have a right to know what personal data is stored by the platform, and to have it rectified or removed. The city of Berlin considers that workers should be given an insight into the data collected, including those used for their evaluation.

Social rights

Academics have observed a potential correlation between precarity and the growing importance of digitalisation and the platform economy, with a common trait of platforms being that ‘they all pursue immunity from labour law standards and regulations’. The OECD acknowledges the advantages new forms of work offer in terms of flexibility and autonomy but considers it essential to secure social protection, bargaining power and learning opportunities for workers. In Lithuania, for example, as self-employed people, platform workers are insured by social insurance for pensions, sickness and maternity, but not for unemployment, accidents at work or occupational diseases.
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The social support offered by cities is being overburdened because non-standard contracts mean that self-employed people have less access to social protection, and because sometimes platform work is not considered an economic activity. Eurocities therefore wants welfare systems to be modernised to cover these cases, and the European Pillar for Social Rights to include the new trends in digitalisation and new forms of work. As many young people and migrants are working in difficult conditions in the platform economy, elected representatives in the city of Nantes are also hoping for ambitious social legislation. The regions of Lazio and Tuscany suggest special financial allowances for work at night or in adverse weather conditions, health and safety protection at work, free safety equipment or the reimbursement of maintenance costs for workers’ vehicles. In March 2019, the region of Lazio even adopted a specific law introducing several rights for ‘digital workers’, despite the limited regional competences in this field.

The option preferred by Hungary’s Ministry of Innovation and Technology would be to put the focus on strengthening controls and the scope of inspections conducted by labour inspectorates or other enforcement bodies. New legislative measures at EU level should guarantee decent working conditions and worker protection but must also respect the autonomy of the contracting parties and national legal systems.

Among the main social protection challenges facing platform workers is their lack of cover in the event of a cessation of activity. As self-employed workers, platform workers generally lack protection against unemployment. In Ireland, for example, the self-employed are generally only covered by health and safety legislation and equal status legislation, with minimum access to labour law protection. Social insurance unemployment benefit was however extended to self-employed people in 2019, thus closing a significant gap in coverage. The Lithuanian Ministry of Social security and Labour has observed that the lack of unemployment coverage for the self-employed has been the ‘most important lesson learned from Covid-19’ and temporary measures of universal benefits have been adopted. The Lithuanian government is envisaging adapting the existing rules on unemployment social insurance in order to address ‘the specific needs of self-employed and platform workers’. In some Member States, including Austria and Finland, platform workers can sign up voluntarily for unemployment insurance but specific conditions apply.

The same logic applies regarding pensions. In France, self-employed platform workers can pay social security contributions to benefit from social security but ‘the healthcare cash benefits and retirement pensions available are much less favourable than in the general scheme applicable to employees’. In Portugal, the specific legislation adopted in the transport services sector allows platform workers to benefit from unemployment protection, through the legal presumption that they are employees. Employees from this sector are also covered by general labour and social protection legislation, and therefore have the right to paid sick leave, parental leave, leave for childcare and their working hours are limited. For other sectors, unemployment benefits can be attributed in the case of economically dependent self-employed workers.

Human development

On the right to personal human development and related skill recognition, Eurofound came to the conclusion that ‘skills development should receive more attention in discussions and initiatives related to platform work’. Skills can play a central role in everyone’s personal improvement and help them grow as global citizens. This argument was behind the national skills strategy adopted by the Irish Department of Education, which provides a structure for skills development until 2025. It identifies technology as one of the key drivers of change and considers improving digital skills to be vital for Ireland’s future job market and people’s lives.

Platform workers do not normally get much support in their professional and personal development however. The city of Berlin would like to see digital platforms invest in and provide training for their workers. According to Eurofound, skills development could be initiated at EU level and operationalised in the Member States. Workers – especially low skilled ones – should be familiarised
with using platforms to find and conduct work. For its part, the CoR is urging local and regional authorities ‘to frame employment, lifelong learning and social policies that will keep pace with and reflect the digitalisation of labour markets’. In practice, cities are already implementing programmes (adult training, life-long learning, etc.) to invest more in digital skills and skills development through re-skilling and up-skilling, as observed by Eurocities.  

Skills acquired should be transferable through new forms of documentation and certification (e.g. digital references, e-portfolios). A study conducted by the city of Berlin showed that it is difficult for platform workers to prove their career development. In the event of a change of platform or applying for another job, they do not usually have any references. According to the city of Bologna, workers moving from one platform to another should have access to documentation to attest to their work experience. The reference or certification would however have to be different depending on the type of work done and the reason for needing such a document.

**Defence of rights**

Another issue for platform workers is their capacity to have their rights promoted or defended. The absence of an employment contract often makes it impossible for them to negotiate collectively or be represented by trade unions. In Finland, for example, labour legislation and collective agreements do not apply to self-employed people. Platform workers belonging to this category are not therefore covered by such texts unless deemed otherwise by the authorities or by a court. In view of the legal challenges relating to the specific situation of platform workers, Estonia is of the opinion that ‘the possibility to negotiate collectively needs to be carefully weighed, analysing whether platform workers ought to be compared with employees with labour contracts or with independent service providers’.

A few exceptions have nevertheless been introduced to give platform workers some representation capacities. The Irish 2017 Competition (Amendment) Act provides a specific exemption for three named categories of self-employed workers who have the right to bargain collectively with employers in relation to working conditions and terms of employment, including pay rates. A mechanism introduced by this act could, in strictly defined circumstances, allow other groups of self-employed workers to bargain collectively in the future. This provision has not however been used by any trade union since the legislation came into force.

In Lithuania, platform workers do not have employee status and thus do not have the right to collective bargaining or the conclusion of collective agreements. Nevertheless, they are currently represented by the Courier Association, which was established in October 2020 as a division of the May 1st Trade Union. According to the Ministry of Social Security and Labour, this is Lithuania’s first ever organisation uniting people working on e-platforms.

**3. Analysis of governmental organisations’ positions**

**Notable features of input**

The input gathered for this synthesis reflects the multidimensional aspect of the topic: many policies are involved and various levels of governance. Looking at working conditions means looking at labour and social policies, but also at education policy, owing to the profile of workers and problems relating to training. The specificity of these workers and the rapid growth of the sector are concerns for employment and economic policies. The consumer protection and transport policy are also affected by the platforms’ development, whereas the platform model is closely related to developments in digital policy, including for the use of artificial intelligence.

The fact that half of the input analysed comes from national level can be explained by the current state of affairs. Even though platform work is very much a global issue, it is – until now at least – very much governed by national legislation and measures taken at this level. Cities and regions are however on the front line, as they are the first affected by the changes brought by platforms and
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Multilevel governance

According to expert comments shared by the city of Barcelona, the current regulations are not well suited to the platform economy model: regulatory competences are in the hands of supranational and national actors whereas the focus and impact of this economic activity is on cities. Therefore, according to the CoR, subnational authorities should regulate digital platforms within the scope of their competences with a particular eye to taxation and urban planning.

Faced with an asymmetrical situation, a large number of cities are intending to cooperate in order to bring about regulatory change but also to develop negotiating frameworks with platforms and cities. As suggested by the city of Berlin, one step could be to recognise cities as key stakeholders and put them at the centre of the discussion. Cities should develop an open dialogue between each other but also with trade unions, political institutions and platforms. In the same vein, the EESC would like to see organisations such as the European Commission, the Organisation for Economic Co-operation and Development and ILO work together with social partners at all governance levels and civil society organisations more widely. Their objective would be to develop appropriate provisions on decent working conditions and the protection required.

The number of legislative changes made or other measures taken by the respective governing actors varies considerably from one place to another, as does readiness to see an EU initiative. While some Member States welcome the discussion at EU level as the 'platform economy is an international and cross-border phenomenon',24 others emphasise the primary role of national administrations and the need to respect national legal systems. Many nevertheless point out the complementarity between national and European levels. A European framework could have some advantages, such as helping analyse common problems and resolve common issues.25

Cooperation between governmental organisations from different levels and different places appears to be the key to tackling the various dimensions and issues associated with platform workers' working conditions. Indeed, there is broad agreement on the benefits of sharing good practices, studying the impact of the various measures taken and learning from each other.

EXPERT READING ON THE TOPIC

CEPS, Study to gather evidence on the working conditions of platform workers, European Commission, 2019.


ENDNOTES

1 Governmental organisations wishing to subscribe to *The LINK* newsletter can write to EPRS-LinkingLevels@europarl.europa.eu.

2 Eurocities, Promoting decent work: cities’ experience with platform work, July 2021.

3 Information provided by the Hungarian Ministry of Information and Technology, August 2021.

4 It should be noted that self-employed is not a legal term in Finland. It is however, commonly used to describe, for instance, a person who works independently and possibly under a service contract or other agreement for another party without being employed in an employment relationship.

5 Information provided by the Czech Ministry of Labour and Social Affairs, August 2021.

6 Information provided by the Lithuanian Ministry of Social Security and Labour, August 2021.

7 Information provided by the Strategy and Planning Office of the Republic of Portugal, September 2021.

8 Lazio region, Diritti primari della gig economy. La Visione della regione Lazio, 2018; Tuscany region, Linee Guida della Regione Toscana per: La tutela delle lavoratrici e dei lavoratori della piattaforme digitali per la consegna del cibo a domicilio e per una corretta applicazione contrattuale (Riders Ciclo-fattorini), May 2021.

9 Eurocities, Promoting decent work: cities, op. cit.

10 Tuscany region, Linee Guida della Regione Toscana..., op. cit.

11 Information provided by the Slovenian Ministry of Labour, Family, Social Affairs and Equal Opportunities, August 2021.


13 Eurocities, Promoting decent work: cities, op. cit.

14 Lazio region, Diritti primari della gig economy..., op. cit.; Tuscany region, Linee Guida della Regione Toscana..., op. cit.

15 Information provided by the Hungarian Ministry for Innovation and Technology, August 2021.

16 Information provided by the Irish Department of Enterprise, Trade and Employment, September 2021.

17 Information provided by the Lithuanian Ministry of Social security and Labour, August 2021.

18 Information provided by the Portuguese Ministry of Labour, Solidarity and Social Security, September 2021.

19 Eurocities, Promoting decent work: cities, op. cit.

20 Information provided by the Finnish Ministry of Economic Affairs and Employment and Finnish Ministry of Social Affairs and Health, September 2021.

21 Estonian positions on the digital economy and digital services act, letter to the European Commission.

22 Information provided by the Irish Department of Enterprise, Trade and Employment, September 2021.

23 Information provided by the Lithuanian Ministry of Social security and Labour, August 2021.

24 Information provided by the Finnish Ministry of Economic Affairs and Employment and Finnish Ministry of Social Affairs and Health, September 2021.

25 Information provided by the Portuguese Ministry of Labour, Solidarity and Social Security, September 2021.

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