

Improving working conditions in platform work

Impact assessment (SWD(2021) 396/2, SWD(2021) 397 (summary)) and a subsidiarity grid (SWD(2021)395) accompanying a Commission proposal for a directive of the European Parliament and of the Council on improving working conditions in platform work, COM(2021)762.

This briefing provides an initial analysis of the strengths and weaknesses of the European Commission's impact assessment ([IA](#)) accompanying the above-mentioned [proposal](#),¹ submitted on 9 December 2021 and referred to the European Parliament's Committee on Employment and Social Affairs (EMPL). The proposal seeks to improve the working conditions of people working through platforms as regards their employment status, the fairness in the algorithmic management of their work and the enforcement of applicable rules, including in cross-border situations. The initiative, included in the [Commission work programme 2021](#), follows the Commission's commitment to implementing the [European Pillar of Social Rights](#) and its [action plan](#). In line with Article 154 of the Treaty on the Functioning of the European Union (TFEU), the Commission carried out a [two-stage consultation with the social partners](#). However, the social partners decided not to negotiate an agreement on the working conditions of people working through platforms.

Problem definition

The IA explains that there are over 500 active digital labour platforms² in the EU, typically operating in urban areas and large cities, and around 28.3 million people working through these platforms (around 22 million work in online labour platforms and 6 million in on-location labour platforms). According to the IA, the problem is that '**some people working through platforms face poor working conditions and inadequate access to social protection**' (IA, p. 5). The IA identifies three **problem drivers**: 1) risk of employment status misclassification; 2) issues related to [algorithmic management](#) (technologically enabled control, automated monitoring); and 3) issues related to enforcement, traceability and transparency, including in cross-border situations. (IA, pp. 5-14)

The IA considers that the problem is in 'many cases' linked to those who are 'false self-employed' (**driver 1**), who would not have the rights and protection afforded by the national and EU labour legislation that workers would have, nor have 'the autonomy and stronger labour market position enjoyed by some genuine self-employed' (IA, p. 6). The IA finds that a lack of regulatory clarity, unconsolidated jurisprudence, and a weak labour market position (e.g. of young people and foreign-born workers) are factors for the risk of misclassification. The IA also explains that platforms may cut labour costs through misclassification, which may cause unfair competition and reduce tax revenues and social protection contributions. The IA also refers to different national approaches in platform work, which may create legal uncertainty for platforms. The IA finds that in these conditions, it may be difficult especially for smaller platforms to scale up. According to the IA, misclassified people 'may not have access' to decent pay, balanced working time schedules, health and safety provisions, coverage against occupational risks, and facilitated procedures to claim their rights. The IA discusses algorithmic management (**driver 2**), which is largely unregulated in the EU acquis, and identifies issues such as information asymmetries, insufficient dialogue, unclear accountability and a lack of redress mechanisms. In the platforms, algorithmic management is relevant, for example, for task allocation. The IA refers to research in this field and points out that the degree of algorithmic control is significant especially in on-location platforms (e.g. [food delivery services](#)). The IA mentions that algorithmic management can have negative effects (e.g. [stress, risk](#)

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[of accidents](#)) on people working through platforms regardless of their employment status. The IA also states that algorithmic management can facilitate misclassification, as 'it can conceal employment subordination behind a claim of independence, based on a lack of human managers' (IA, p. 10). **Driver 3** is linked to the difficulty national authorities have in accessing data kept by platforms. The IA explains that only a fifth of the platforms give transparent information about the kind of contractual relations that the people working through them have. A significant cross-border dimension in platform work makes traceability more difficult, as, for instance, 41 % of the platforms operate in more than one Member State. (IA, p. 5-14, annexes 9-12, pp. 149-191)

The IA expects that without EU-level action, the problem is likely to grow, given the growth of the EU platform economy (revenue growth from €3 billion in 2016 to €20.3 billion in 2020). The IA also mentions the megatrends, such as globalisation and digitalisation, and the growth of the 'gig-economy', the volume of which is estimated at €385.9 billion in 2023, compared to €184.9 billion in 2018. The IA refers to the highly concentrated platform economy (e.g. the '25 largest platforms account for about four-fifths of the total earnings of people working through platforms') and expects the concentration trend to continue, possibly hurting working conditions. (IA, pp. 14-16)

Overall, the problem definition is based on various data sources, such as the IA supporting study ([PPMI, 2021](#)), research, independent studies, surveys, national and EU case law. However, the problem definition would have benefited from a clearer formulation of the problem. The problem definition refers to 'some people' and explains that 'in many cases' they are misclassified people; however, many of the issues mentioned concern people working through platforms in general (e.g. pay level, health and safety aspects, working time schedules). Therefore, it is not quite clear from the IA whether the problem of 'some people' affects only misclassified people or also others. The IA explains that issues in data access and data collection make it difficult to provide precise estimates on those who would be affected by the identified problems in the platform economy. The estimate of 28.3 million people working through platforms is based on a survey conducted as part of the IA supporting study. As regards the number of misclassified people, the IA states that 'a relevant share of these [people working through platforms] may be misclassified' (IA, p. 8), and refers to the difficulties in acquiring data on misclassified people. It explains that determining platform workers' employment status is linked to national legislation and EU case law (CJEU), and that 'the level of control exerted over the person performing the work' is an important factor in this respect. The IA explains the calculation methods used, for instance, for people working through platforms and people at risk of misclassification, in Annex 5. (pp. 101-137)

Subsidiarity / proportionality

The legal basis of the proposal is Article 153 of the TFEU, which would cover also protection of 'false self-employed people' (see CJEU, [C-256/01](#) and [C-413/13](#)). In addition, Article 16(2) of the TFEU would be used insofar as protection of personal data is concerned. (IA, p. 16) The IA provides a dedicated [subsidiarity grid](#), in line with the recommendation of the [Task Force on subsidiarity, proportionality and 'doing less more efficiently'](#). It explains in sufficient detail the need for and added value of EU action, for example, due to the cross-border dimension and the need to prevent unfair competitive practices and downward pressure on working conditions and social standards. Proportionality is discussed in the context of the preferred option, yet the policy options are not compared against the proportionality criterion, which would have been required by the [Better Regulation Guidelines](#) (BRG). The Swedish parliament submitted a [reasoned opinion](#) by the deadline of 8 March 2022 for the [subsidiarity check](#) by national parliaments.

Objectives of the initiative

The IA defines the **general objective** of the initiative as one that seeks to 'improve the working conditions and social rights of people working through digital labour platforms, including with the view to support the conditions for sustainable growth of digital labour platforms in the European Union' (IA, p. 17). It is linked to the defined problem, although the general objective appears to

target all the people working through platforms, whilst the formulation of the problem is more limited ('some people'). Moreover, the general objective also covers conditions for sustainable growth, even though the defined problem focuses on working conditions only. The IA identifies three **specific objectives** that are linked to the problem drivers: SO1) 'ensure that people working through digital labour platforms have – or can obtain – the correct legal employment status in light of their actual relationship with such platforms and gain access to the applicable labour and social protection rights'; SO2) 'ensure fairness, transparency and accountability in algorithmic management in the platform work context'; and SO3) 'enhance transparency, traceability and awareness of developments in platform work and improve enforcement of the applicable rules for all people working through digital labour platforms, including those operating across borders' (IA, p. 18). As required in the BRG, the IA also presents **operational objectives** in the monitoring and evaluation section, after having selected the preferred option. Overall, the objectives appear to follow the SMART criteria – which state that the defined objectives should be specific, measurable, achievable, relevant and time-bound – except that they are not time-bound.

Range of options considered

As required by the BRG, the IA provides a sufficient range of options, including non-legislative, against the baseline. The IA presents three policy options under three policy areas on: a) employment misclassification; b) algorithmic management; and c) enforcement, traceability and transparency. The proposed options, most of which are not exclusive and can be combined, are linked to the problem drivers and objectives. It should be noted that the proposed options are individual measures and not different full-fledged policy options spelling out various measures. The options are sufficiently explained, and stakeholders' views are integrated under each policy area.

Baseline: No further EU action.

Policy area A: Risk of employment misclassification

Option A.1. (Interpretation and guidance) proposes non-binding guidance on the jurisprudence regarding the concept of 'worker' and misclassification in the platform economy (IA, p. 21).

Option A.2. (Shift of the burden of proof and measures to improve legal certainty) provides that misclassified people have to establish basic proof of elements (prima facie evidence) concerning their employment relationship in legal proceedings, and the digital labour platform would be obliged to prove that the person concerned is self-employed. In addition, this option would introduce a certification procedure, according to which an independent body, such as a labour authority, would certify the contractual relationship between the platforms and people working through them. To bring about an improvement in the working conditions of the genuine self-employed in the platforms, this option would clarify that social protection, insurance and training measures that are 'voluntarily provided or paid by the platforms' would not be regarded as proof of an employment relationship. (IA, pp. 21-22)

Option A.3. (Rebuttable presumption, including a shift in the burden of proof) introduces a rebuttable presumption of the existence of an employment relationship with digital labour platforms, which would apply as a standard rule. In legal proceedings, as in Option A.2., platforms would need to prove that a person working in the platform is correctly classified as self-employed. However, contrary to Option A.2., the claimants are not required to provide basic proof of elements. Option A.3. includes three sub-options, which differ in terms of their personal scope. In **sub-option A.3.a.**, the rebuttable presumption would be applied to on-location digital labour platforms; in **sub-option A.3.b.** it would apply to all digital labour platforms that exert a certain degree of control (defined by indicators based on the existing caselaw); and in **sub-option A.3.c.** it would apply to all digital labour platforms (regardless their type and control element). (IA, pp. 22-23)

Policy area B: Algorithmic management

Option B.1. (Guidance) provides non-binding guidelines of possible measures, such as best practices and information campaigns. (IA, p. 25)

Option B.2. (Transparency, consultation, human oversight and redress) would require platforms to provide transparency on automated monitoring and decision-making systems, and consult with workers' representatives on significant changes regarding contractual relations or work organisation linked to algorithmic management. This option also obliges platforms to provide for human oversight and review of substantial decisions taken by algorithms in individual cases. The option also envisages that reasonable time periods should apply whenever requests are made for written explanations for or reconsideration of such decisions. This option also sets restrictions on data collection from platform workers and obliges platforms to provide risk assessments on the impact of algorithms on the safety and health of workers. In terms of the personal scope, two sub-options are included: **sub-option B.2.a.** on employed people working through platforms, and **sub-option B.2.b.** on employed and self-employed people working through platforms. (IA, pp. 25-26)

Option B.3. (Option B2 + portability of reputational data) would include the measures under Option B.2.; in addition, it would foster [data portability](#) (provided in the GDPR) and extend it to reputational data (e.g. ratings of clients) to facilitate professional mobility across the platforms. To this end, this option obliges the platforms to make their reputational systems interoperable. Option B.3. includes the same sub-options as regards the personal scope as Option B.2. (IA, p. 26)

Policy area C: Enforcement, traceability and transparency, including in cross-border situations

Option C.1. (Clarification on the obligation to declare platform work, including in cross-border situations) would provide a clarification, according to which platforms acting as employers have to declare the work performed through them to the authorities of the Member State in which workers carry out their work. Platforms would also have to share relevant data with the authorities (except, for instance, commercial secrets or data protected by intellectual property rights). (IA, p. 28)

Option C.2. (Publication requirements for platforms) would oblige platforms to publish the following types of information on their websites: updated information on the terms and conditions for the people working through them; the number of people working through them, as well as their employment status, social protection coverage, average remuneration, working time, etc. Option C.2. also sets a requirement that this information has to be regularly updated or provided in case authorities ask for it. This option would take into account the size of the platform, i.e. small and medium-sized enterprises (SMEs) could update their data less frequently. (IA, pp. 28-29)

Option C.3. (Register of platforms) proposes including platforms' data in a central public register and updating it regularly. As under Option C.2., SMEs would need to update their data less frequently. (IA, p. 29)

Assessment of impacts

The IA assesses qualitatively and partly quantitatively the main **economic, social and environmental impacts** that the options would be expected to have on platforms, people working through platforms, consumers, public authorities and the economy at large. Regarding the measures under **policy area A**, the IA discusses the costs for platforms (e.g. wages, social protection contributions) and public authorities (e.g. certifying procedure, legal framework for implementing the rebuttable presumption). On the other hand, benefits would be expected for people working through platforms (increased wages, paid leave), traditional businesses such as taxi and delivery sectors (improved level playing field), and public authorities (increased revenues, taxes, social protection contributions). The measures proposed to address **policy area B** issues would entail costs in particular for platforms, for activities such as holding consultations with workers' representatives, developing and maintaining communication channels, making risk assessments

and ensuring data portability. The IA considers that these measures would benefit people working through platforms in terms of improved transparency and accountability related to algorithmic management and working conditions. The measures relating to **policy area C** would entail administrative costs for platforms and the public sector, but would at the same time improve access to social protection and labour rights. The IA does not provide quantified estimates, for example, for costs for public authorities or the costs that platforms would have to incur to make risk assessments and ensure data portability. The IA finds that the measures in policy areas B-C would not have any 'noticeable' environmental impacts. However, the measures in policy area A would have indirect positive environmental impacts (e.g. the increase in online platforms would bring about a decrease in commuting). The IA expects indirect negative impacts from the reclassification in ride-hailing platforms, as it 'would thwart the use of electric vehicles by drivers' (p. 36). The IA could have explained this point further, as it is not that clear. The IA also assesses qualitatively territorial impacts and explains that all proposed policy measures would particularly impact western and southern Member States where platforms operate more widely. As regards consumers, the IA expects the prices of services to increase due to the increased compliance costs for ride-hailing and delivery services, which could make some platforms move from less densely populated areas to larger cities. (IA, pp. 32, 95-98)

The policy options were compared against the defined objectives and the Better Regulation criteria of **effectiveness, efficiency, coherence**, but not against the criterion of **proportionality**. The IA finds that in the measures under policy area A, Option A3b is the most effective option, as it provides a rebuttable presumption, and also the most efficient option as it has the best ratio of costs and benefits (both high) compared especially with A2 (costs and benefits low). Moreover, Option A3b is considered the most coherent measure from the point of view of the EU social acquis and social objectives. In the policy area B, the IA assesses Option B3b – which includes also data portability rights and covers both workers and self-employed – as the most effective option, and Option B2b as the most efficient one. The IA finds Options B2a and B2b more coherent with the existing EU legislation than the other options. While the IA points out that the data portability element under options B3a-b could be dealt with under other instruments, such as the European strategy for data, and that in the stakeholder consultation the feasibility of Option B3b was questioned due to its administrative and compliance costs for platforms (particularly for SMEs), a question might arise as to why Option B3 and sub-options were presented in the first place. According to the IA, in the policy area C, Options C1 and C3 would be the most effective measures, whereas under Option C2 national authorities would need to 'look for' necessary information on the websites of platforms. In terms of efficiency, Option C1 would be the best measure as it would provide clear social benefits with low costs. Option C1 scores highest also for coherence, as the IA finds Option C2 weaker due to the administrative burden faced by platforms, and Option C3 as one that 'potentially duplicates similar, existing registers'. (IA, pp. 39-44)

The **preferred policy option** consists of **Option A3b** for addressing misclassification issues, **Option B2b** for algorithmic management (covers workers and self-employed), and **both Options C1 and C2** for improving enforcement, traceability and transparency. The IA could have clarified its arguments concerning Option C2, as on the one hand it mentions, for instance, that this option 'only constitutes a light-touch administrative burden' and 'would greatly facilitate the tasks of labour inspectorates, social protection institutions and tax authorities' (p. 46). On the other hand, though, the IA finds that this option would 'require Member States' authorities to proactively look for relevant information on platforms' websites' (p. 41) and would 'impose administrative burdens on platforms' (p. 44). The IA considers the preferred option to be proportionate, among other things, due to its use of minimum requirements, its limited scope (it targets platforms that exert control), and the less stringent requirement towards SMEs as regards how often they are to provide information (IA, pp. 44-48). The IA presents the estimated costs (partially quantified) and benefits (partially quantified) of the preferred option in annex 3. (IA, pp. 77-79)

SMEs/ Competitiveness

The IA mentions that more than around two thirds of the digital labour platforms are SMEs, as estimated in the IA supporting study (IA, p. 8). In line with the BRG (see also [Tool 22](#)), an SME test has been carried out as part of the IA, the findings of which are described in a separate annex (IA, pp. 80-81). The IA also identifies businesses that are indirectly affected, such as competing traditional businesses (e.g. taxi companies) and businesses relying on platform-provided work in their operations (e.g. restaurants), but explains that it was not possible to estimate how many of these would be affected by this initiative. In addition, the IA explains that due to lack of data, it was not possible to determine the impacts the proposal would have on the different categories of enterprises: micro-, small- or medium-sized. For that reason, it considers impacts more broadly, for example, in terms of wage increases 'SMEs are likely to be more affected', and 'the smaller the firm, the higher the share of non-wage costs relative to total employment costs' (IA, p. 80). The IA considers that SMEs would benefit from the proposed measures, as these would improve the playing field, as unfair competition usually has a stronger negative effect on SMEs than on larger companies. Some mitigating measures are also foreseen for SMEs: for example, they do not have to update the reports they produce as often as others (policy area C). As regards EU-wide competitiveness, the IA takes the view that, while online platforms operating in the EU may become less competitive compared to their counterparts in less regulated markets, they would enjoy expected benefits, such as increased regulatory certainty. The IA could have explained the aspects related to EU-wide competitiveness in more detail. (IA, pp. 14, 31-34, 37-39)

Simplification and other regulatory implications

The IA explains the coherence and links of the present initiative with the existing EU legislation that is of relevance to platform work. In the area of social and labour legislation the IA discusses the legislation on transparent and predictable working conditions ([\(EU\) 2019/1152](#)), working time ([2003/88/EC](#)) and temporary agency work ([2008/104/EC](#)). As for the area of the internal market, the IA explains the legislation on business users of online intermediary services ([\(EU\) 2019/1150](#), 'P2B') and data protection ([\(EU\) 2016/679](#), GDPR). Moreover, the IA also explains how adopted legislative proposals (e.g. the [digital services act](#), the [artificial intelligence act](#) and the [data act](#)) and certain upcoming legislative proposals (e.g. the initiative on collective bargaining for the self-employed) would relate to this initiative on digital labour platforms. (IA, pp. 12, 25-26, 138-148).

Monitoring and evaluation

The IA presents six operational objectives, linked to the specific objectives, in the monitoring and evaluation plans. The IA also provides relevant monitoring indicators and sources of data (e.g. Member States, EU Labour Force Survey). According to the IA, an evaluation would be carried out five years after the entry into force of the legislative proposal. (IA, pp. 48-49)

Stakeholder consultation

As required by the BRG, the IA provides a separate annex 2 summarising the extensive Commission consultation activities that were carried out (IA, pp. 56-74). The IA describes the views of different stakeholder groups and presents stakeholders' feedback in the various IA sections. The IA describes the two-stage consultation process of social partners that was conducted according to Article 154 of the TFEU. In the [first-stage consultation](#) (between 24 February 2021 and 7 April 2021) concerning the need and scope for EU action, 14 replies were received from the European social partners (six trade unions and eight employers' organisations). The [second-stage consultation](#) (between 15 June 2021 and 15 September 2021) concerning objectives and avenues of a possible EU action, received 14 replies from the European social partners (eight trade unions and six employers' organisations). Trade unions emphasized the need to ensure fair working conditions for people working through platforms and to facilitate their access to social protection and collective bargaining. They supported the idea for an EU initiative (a directive) providing a rebuttable presumption of an employment status with reversed burden of proof, new rights related to algorithmic management,

reporting obligations of platforms and clarification of the applicable social legislation. Employers' organisations were in favour of dealing with issues concerning misclassification, working conditions and access to information at the national level. These organisations, including SME United, stressed that genuine self-employed people should be allowed to benefit from the 'autonomy and freedom associated with their status', and opposed a rebuttable presumption of employment status with reversed burden of proof. For example, SME United preferred non-binding measures such as EU guidelines or a Council recommendation. Employers' organisations also considered that the existing legal instruments (P2B regulation, GDPR) or the upcoming AI act would address the algorithmic management problems. Finally, due to a lack of agreement, the social partners decided not to enter into negotiations for the conclusion of an agreement according to Article 155 of the TFEU. (IA, pp. 56-60)

Contrary to the BRG, the Commission did not organise an **open public consultation** (OPC) on the platform initiative and did not clearly explain a reason for this decision. The IA explains that views were collected under the OPC on the digital services act (between 2 June and 8 September 2020), which included, among other things, aspects of self-employed persons offering services through platforms. It received 2 863 replies (2 182 individuals, 621 organisations, 59 administrations, 55 'others'), which voiced problems, among other things, relating to the unclear employment status, the lack of social protection coverage, and the uncertainty as regards working time. The Commission also conducted **targeted consultations**, including meetings with 28 platforms, four organisations representing platforms and 24 organisations representing people working through platforms. In addition, an online panel survey on platform work was carried out, gathering 10 938 replies from daily internet users. As part of the IA supporting study, 61 interviews were held in order to gather views on policy options from trade unions (13), employers' organisations (6), digital labour platforms (19), representatives of people working through platforms (8), policy makers (7), and experts and academics (8). The IA mentions that the [European Parliament](#) has called for EU action to ensure fair working conditions in platform work, and also refers to the opinions of the [European Economic and Social Committee](#) and the [European Committee of the Regions](#) on platform work.

Supporting data and analytical methods used

The Commission outsourced three (publicly available) studies in support of the IA ([PPMI, 2021](#); [CEPS, 2021](#); [CEPS, 2020](#)). In addition, the IA drew on broad stakeholder consultations, independent studies, surveys and academic literature. Its data sources are well referenced and hyperlinks to the documents are generally provided. The IA includes a dedicated annex 5, which explains in detail the methodology used (including assumptions). The IA openly explains the limitations and uncertainties in the analysis, such as the difficulties in estimating the number of people working through platforms, misclassified people and digital labour platforms active in the EU. The IA considers that the estimates are 'in line with other scientific attempts at quantifying the number of people working through platforms', and mentions the earlier studies in Annex 5 (IA, pp. 7-9, 32, 99-103). The initiative seeks to address the lack of data through the measures under policy area C.

Follow-up to the opinion of the Commission Regulatory Scrutiny Board

The Regulatory Scrutiny Board (RSB) adopted a positive [opinion](#) with reservations on a draft version of the IA report on 29 October 2021. The RSB draws attention to significant shortcomings, namely the need to clarify the scope and coherence of the initiative with other relevant initiatives; to better explain the relevancy of algorithmic management issues for the platform economy; and to sufficiently describe the views of different stakeholder groups on policy options and include them in the analysis of impacts. In addition, the RSB considers that the IA should explain how disclosure of commercially sensitive information would be avoided, and how SMEs are taken into account. The IA would also need to address territorial impacts and impacts on employment, and to explain the limitations and uncertainties in the analysis and methodology used for making the calculations. The IA provides explanations in a dedicated annex 1 on the improvements made (IA, pp. 51-54). It

appears that the IA has addressed the points raised by the RSB, except that the scope of the initiative (workers, self-employed) could have been more precise in the problem definition.

Coherence between the Commission's legislative proposal and the IA

The legislative proposal appears to follow the preferred option of the IA.

The IA presents a qualitative and partially quantitative assessment in support of the proposal on working conditions in platform work. The problem definition would have benefited from further clarification, in particular of the target group, as it refers to 'some people', whilst the IA describes more widely problems faced by all of the people working through platforms. The IA openly explains the difficulties relating to the lack of data on platforms, an issue that the authors of the IA tried to address by making great efforts to collect relevant data, for example, through a survey and broad stakeholder consultations. The IA provides a sufficient range of options to address the defined problems and clearly describes the stakeholders' views, which appear to diverge, for example regarding the rebuttable presumption with reversed burden of proof of an employment status. In the impacts assessment, the proportionality criterion was not used in the comparison of the options, contrary to the recommendations of the Better Regulation Guidelines. Moreover, the IA openly indicates that it was not possible to quantify some costs (e.g. risk assessment, data portability). Despite its weaknesses, the IA is able to provide a useful information package for decision-making. As a technical point, to facilitate reader-friendliness, part of the information included in the extensive annexes could have been included in the main analysis.

¹ See also M. Kiss, [Improving the working conditions of platform workers](#), EPRS, February 2022; M. Kiss and Y.-S. Rittelmeyer with E. Di Franco, [Improving the working conditions of platform workers](#), EPRS, December 2021.

² **Digital labour platform:** 'a private internet-based company which provides an online service ensuring the supply of on-demand work, performed by individuals for individual or corporate customers, regardless of whether such work is performed on-location or online'. **Online labour platform:** 'only or mostly organises work performed in the online world, e.g. AI-training, image tagging, design projects, translations and editing work, software development'. **On-location labour platform:** 'only or mostly organises work performed in the physical world, e.g. ride-hailing, food-delivery, household tasks (cleaning, plumbing, caring)'. **People working through platforms:** 'individuals performing work organised via a digital labour platform, regardless of these people's legal employment status (worker, self-employed or any third category status)'. (IA, p. 2)

This briefing, prepared for the Committee on Employment and Social Affairs (EMPL), analyses whether the principal criteria laid down in the Commission's own Better Regulation Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

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