

MEPs approve boost to workers' rights in the gig economy

- Minimum rights agreed for workers in casual or short-term employment
- Working conditions must be made clear to worker on first day on job, no later than seven days where justified
- Probationary period limited to six months

MEPs approved minimum rights for workers with on-demand, voucher-based or platform jobs, like Uber or Deliveroo, in a vote on Tuesday.

The law, already agreed with EU ministers, says that every person who has an employment contract or employment relationship as defined by law, collective agreements or practice in force in each member state should be covered by these new rights. The case law of the Court of Justice, stating that a worker performs services for a certain time for and under the direction of another person in return for remuneration, should be also taken into account.

This would mean that workers in casual or short-term employment, on-demand workers, intermittent workers, voucher-based workers, platform workers, as well as paid trainees and apprentices, deserve a set of minimum rights, as long as they meet these criteria and pass the threshold of working 3 hours per week and 12 hours per 4 weeks on average.

Genuinely self-employed workers would be excluded from the new rules.

Increased transparency

All workers need to be informed from day one as a general principle, and no later than seven days where justified, of the essential aspects of their employment contract, such as a description of duties, a starting date, the duration, remuneration, standard working day or reference hours for those with unpredictable work schedules.

Better protection for new forms of employment

The specific set of rights to cover new forms of employment includes:

- Workers with on-demand contracts or similar forms of employment should benefit from a minimum level of predictability such as predetermined reference hours and reference days. They should also be able to refuse, without consequences, an assignment outside predetermined hours or be compensated if the assignment was not cancelled in time.
- Member states shall adopt measures to prevent abusive practices, such as limits to the use and duration of the contract.
- The employer should not prohibit, penalise or hinder workers from taking jobs with other companies if this falls outside the work schedule established with that employer.

New rules for probationary period and training

Probationary periods will be no longer than six months or proportionate to the expected duration of the contract in the case of fixed-term employment. A renewed contract for the same function will not result in a new probationary period.

Finally, the employer will provide mandatory training, which will count as working time, free of charge. When possible, such training should be completed within working hours.

Quote

[Enrique Calvet Chambon](#) (ALDE, ES), the rapporteur said : “This directive is the first big step towards implementation of the European Pillar of Social Rights, affecting all EU workers. All workers who have been in limbo will now be granted minimum rights thanks to this directive, and the European Court of Justice rulings, from now on no employer will be able to abuse the flexibility in the labour market.”

Next steps

The final text was adopted with 466 votes to 145 and 37 abstentions. The member states will have three years to put the rules into practice

Debate: Tuesday, 16 April

Vote: Tuesday, 16 April

Procedure: Ordinary legislative procedure, first reading agreement

Further information

[Adopted text will be available here \(16.04.2019\)](#)

[Procedure file](#)

[Rapporteur: Enrique Calvet Chambon \(ALDE, ES\)](#)

[EP Think Tank: Ensuring more transparent and predictable working conditions](#)

[Infographic: Gig economy, EU law to improve workers' rights](#)

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