# Social security for new forms of work in Europe 欧洲新就业形态社会保障

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#### The rise of new forms of work in the EU

#### 欧盟新就业形态的崛起

# Features of the Standard Employment Relationship 标准雇佣关系的特点

Subordinate employment 从属就业

Stable employment 稳定就业

Open-ended employment 无固定期限就业

Full-time employment 全日制就业

Performed from a location set by the employer 在雇主指定地点工作

# Features of non-standard forms of work 非标准就业形态的特点

Self-employment 自雇就业

Casual employment 临时雇佣

Fixed-term employment 固定期限就业

Part-time employment 非全日制就业

Telework 远程工作

Digitalisation 数字化
Labour market changes 劳动力市场变化
Focus on activation and balancing flexibility
重点关注激活和平衡灵活性

Including platform work 包括平台工作

Algorithmic management 算法管理

On-demand 按需

Short tasks 短期任务

Digital mediation 数字化调解

Crowdwork 众包

## Social security and non-standard work in the EU 欧盟的社会保障与非标准就业

- Social security and EU law: **coordination** rather than harmonisation. 社会保障与欧盟法律: 协调配合而非协调一致。
- Very **diverse approaches** by EU countries to providing social security for non-standard workers.

欧盟国家采取多种不同方法为非标准就业人员提供社会保障。

## Social security and non-standard work in the EU (cont.) 欧盟的社会保障与非标准就业(续)

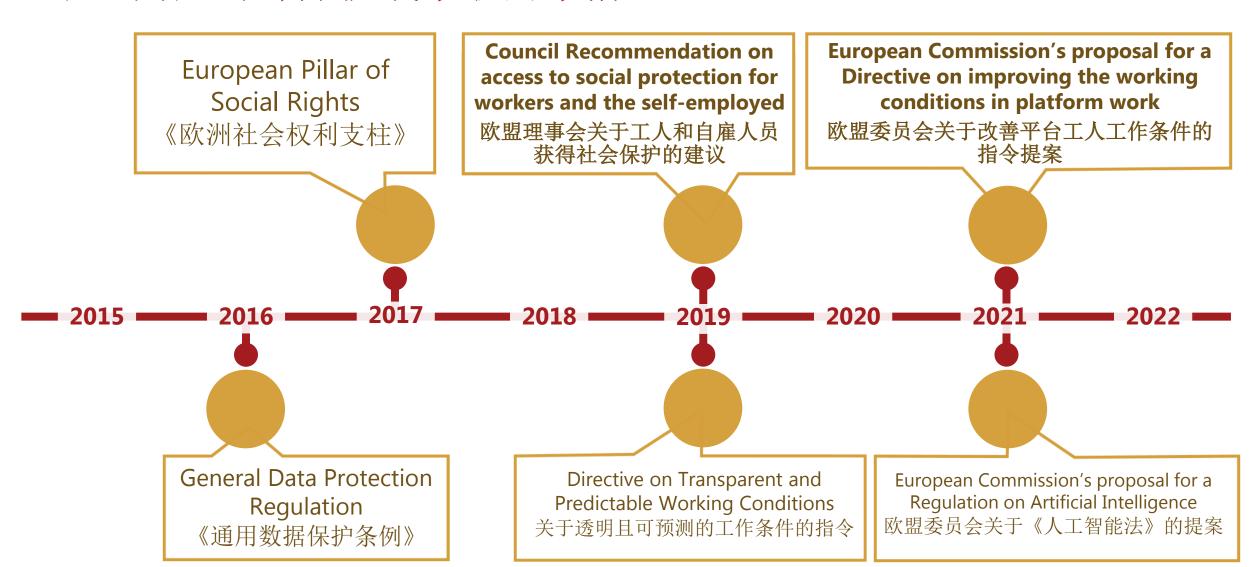
#### Main challenges encountered at national level: 国家层面上面临的主要挑战

- Exclusion (or exemption) of some non-standard workers from formal social security coverage. 部分非标准就业人员被<mark>排除</mark>在正规社会保障覆盖之外。
- Lack of adaptation to non-standard work's different features and social risks materialisation (e.g. concerning incapacity or unemployment).
- 不能适应非标准就业的不同特征和具体的社会风险(例如关于技能缺乏或失业)
- Lack of transparency on administrative procedures and working conditions.
- 行政管理程序和工作条件 缺乏透明度。

Achieving **labour-neutral** social security protection? 实现**劳工中立**的社会保障保护?

#### EU initiatives addressing some of these challenges

#### 欧盟为应对部分挑战采取的举措



### The Council Recommendation on access to social protection for workers and the self-employed

欧盟理事会关于工人和自雇人员获得社会保护的建议

Arts. 条款 8-14 All workers and the self-employed should have formal and effective access to adequate social protection.

所有工人和自雇人员均应通过正规有效的途径获得充足社会保护。

Art. 9(b) Differences based on labour status should be **proportional**, and **reflect the specific situation of beneficiaries**. 基于就业状态的差异应适当,并反映受益人的具体状况。

Art. 10

Transferability of benefits. 待遇可转移

Art. 11 **'Adequacy'** as in 'maintaining a **decent standard of living** and providing **appropriate income replacement**, while always preventing those members from falling into **poverty**'. "充足性"是指"维持体面的生活水平并提供适当的收入替代,时时防止成员陷入贫困"。

Arts. 15-16 Simplification, transparency and accessibility concerning administrative procedures. 行政管理程序的简化、透明度和可及性。

# The European Commission's proposal for a Directive on improving the working conditions in platform work

欧盟委员会关于改善平台工作者工作条件的指令提案

Presumption of employment relationship (Arts. 4-5)

雇佣关系假设(第4-5条)

Transparency on working conditions and algorithmic management (Arts. 6-12)

工作条件和算法管理的透明(第 **6-12**条) The Spanish Act on platform work and algorithmic management.

西班牙关于平台工作和算法管理的法案

The proposed Directive: Limited scope, potential social security impact.

指令提案:有限范围,潜在的社会保障影响

Initiatives at national level (e.g. Spain, France, Estonia). 国家层面举措(例如西班牙、法国、爱沙尼亚)

The proposed Directive: Limited scope, privacy concerns, potential social security impact.

指令提案:有限范围、隐私问题和潜在的社会保障影响

#### Conclusions 结论

Most social security systems in the EU were designed around the Standard Employment Relationship 在欧盟,大多数社会保障制度根据标准雇佣关系建立

resulting in 导致

Examples: Self-employment Marginal work Platform work 例如:自雇就业 边缘性就业,平台工作 Lack of **formal** and **effective** access to **adequate** social protection in the case of some **non-standard workers** 

部分非标准就业人员缺乏获得充足社 会保护的正规有效途径。

Initiatives taking into account the **specificities** of non-standard forms of work for the implementation of social security principles

采取的举措应考虑在社会保障原则实施过程中非标准就业形态的特殊性。

#### **Access to social protection**

Council Recommendation
National initiatives
获得社会保护
理事会建议、国家举措

Transparency 透明
Directive on platform work
National initiatives
平台工作指令
国家举措

Other issues 其他议题 Administrative transparency Social security coordination 行政透明 社会保障协调

# Thank you for your attention 感谢您的观看

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