

# Social security for new forms of work in Europe

## 欧洲新就业形态社会保障

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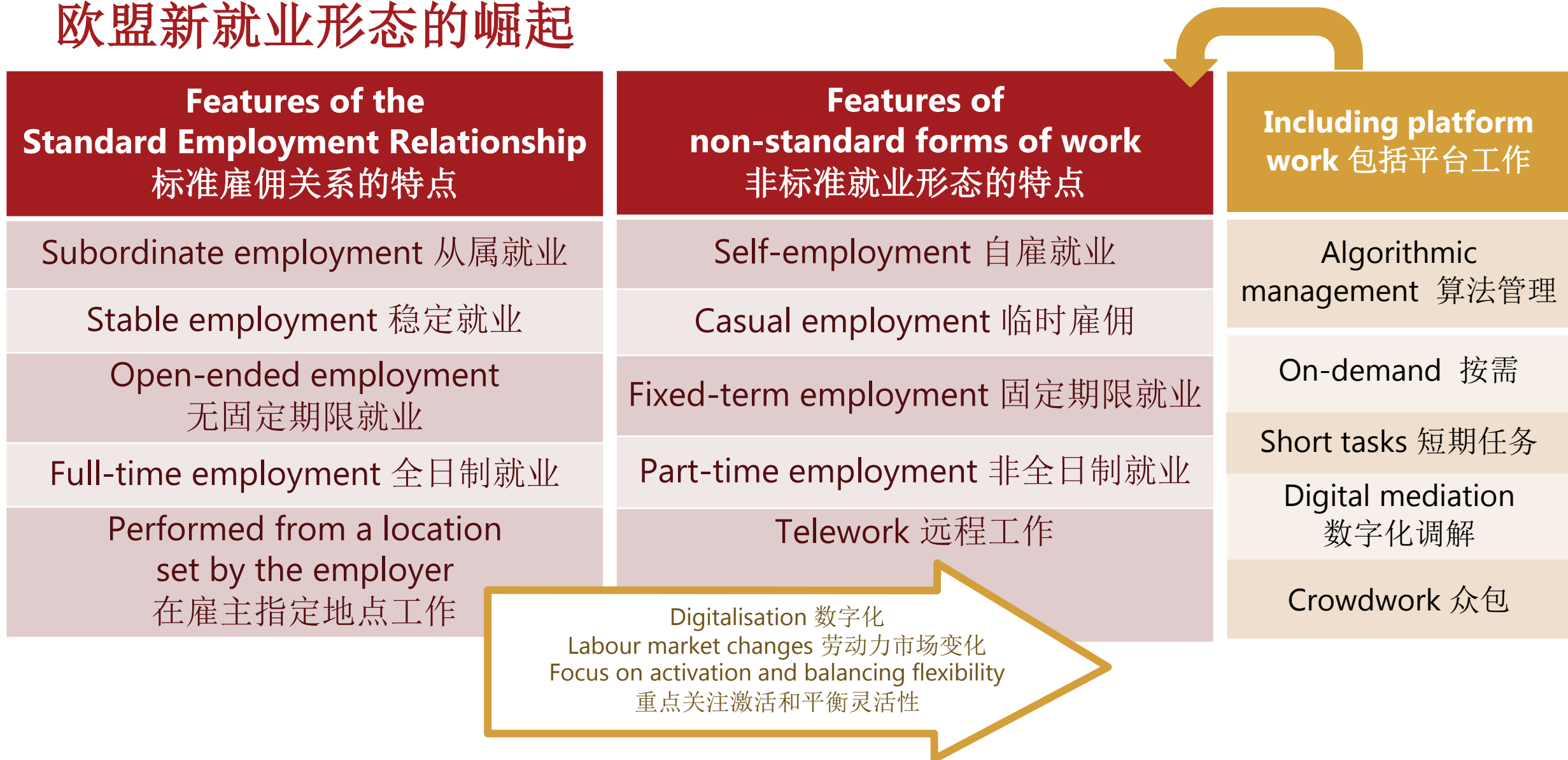
福利和市场法律研究中心“重塑数字时代的工作和福利”研究项目

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# The rise of new forms of work in the EU

## 欧盟新就业形态的崛起



# 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）

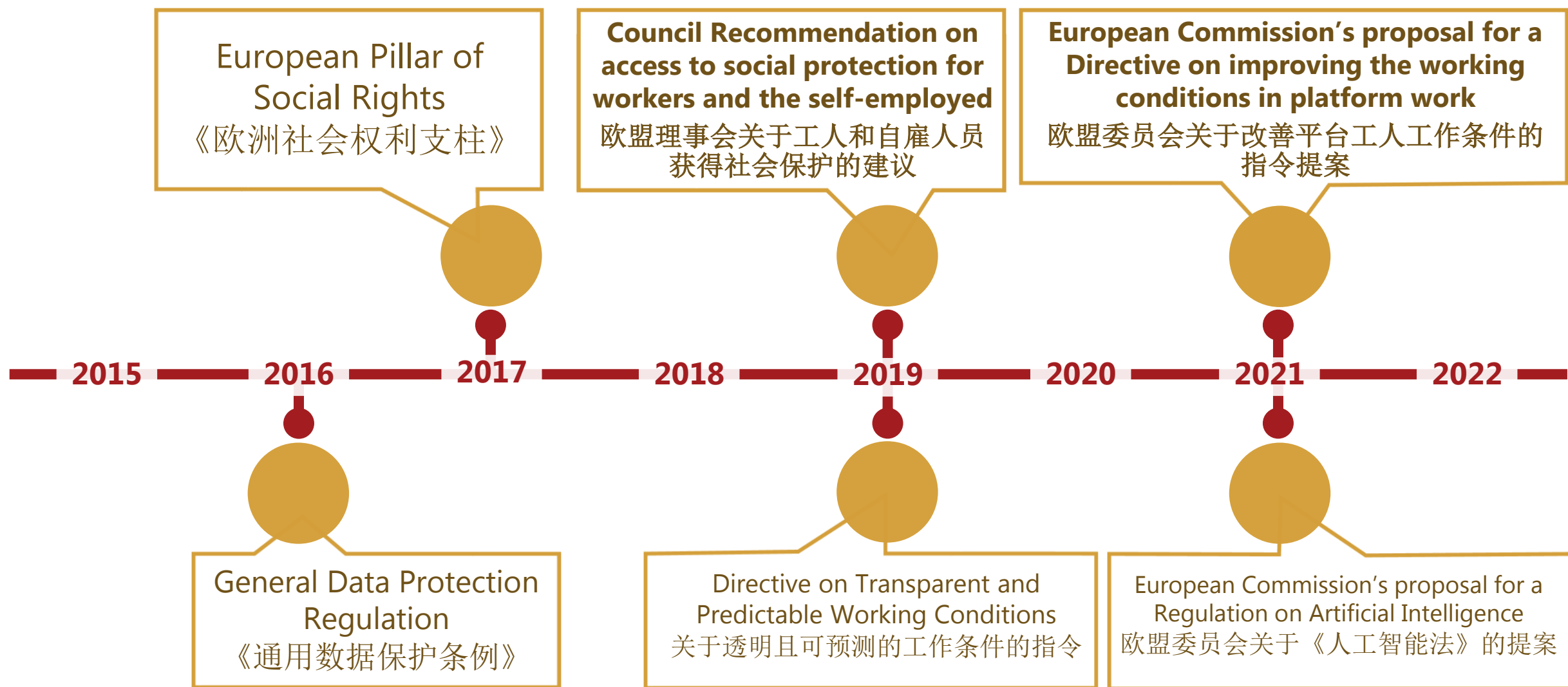
**Main challenges encountered at national level:** 国家层面上面临的主要挑战

- **Exclusion** (or exemption) of some non-standard workers from formal social security coverage. 部分非标准就业人员被**排除**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）

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

### 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）

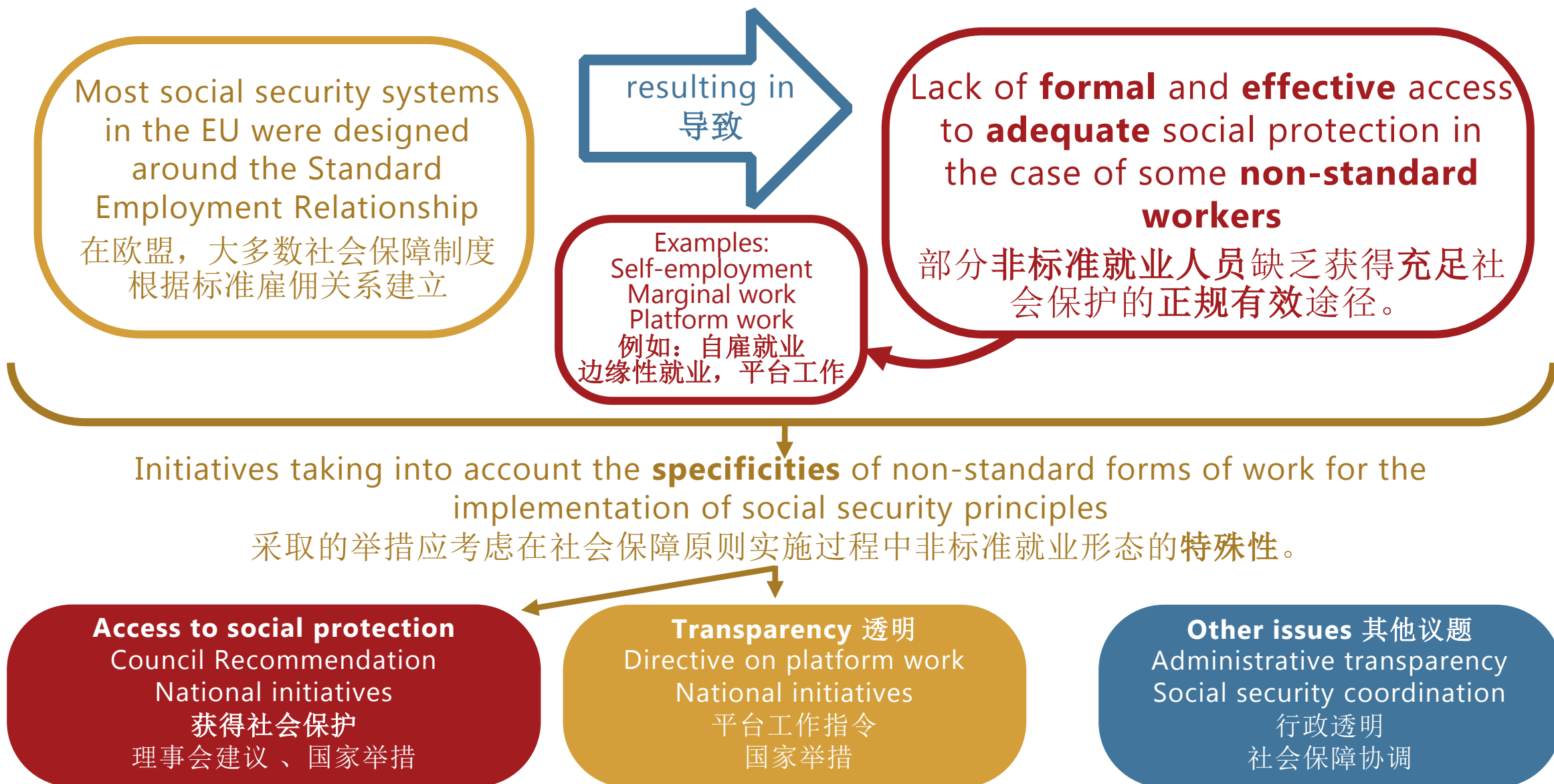
Initiatives at national level (e.g. Spain, France, Estonia).

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







Thank you for your attention  
感谢您的观看

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