Policy Dialogue on Future of Work
Digitalization and new technologies

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Platform work initiative – key figures

• **28 million** people are estimated to do platform work in the EU.
  - **6 million** people do ‘on-location’ platform work.
  - **22 million** people do ‘online’ platform work.

• In 2025, this figure will have increased to **43 million** people.

• **90%** of people working through platforms are classified as self-employed.

• **5.5 million** people might be erroneously classified as “self-employed”.

• **55%** of people on platforms earn less than the minimum wage.
Legislative context

• EU labour and social acquis
  • Directive on Transparent and predictable working conditions
  • Council Recommendation on access to social protection etc.

• the General Data Protection Regulation (GDPR)

• the Platforms-To-Business (P2B) Regulation

• the proposed Artificial Intelligence Act (AIA)
The package adopted on 9 December includes:

• A proposal for a **Directive on improving working conditions in platform work**, including measures on employment status misclassification, algorithmic management rights and provisions on transparency and traceability

• An accompanying **Communication** outlining the interplays between the proposed Directive and other relevant EU initiatives, and calling on stakeholders to complement EU action

• **Draft guidelines on the application of EU competition law to solo self-employed persons in a weak position** (incl. those on platforms).
The proposed Directive: objectives

Improve the working conditions of persons performing platform work by …

- ensuring correct determination of their employment status
- improving transparency in platform work, including in cross-border situations
- promoting transparency, fairness and accountability in algorithmic management

… while supporting the conditions for the sustainable growth of digital labour platforms in the Union.
The proposed Directive: main provisions

• **rebuttable presumption of employment relationship** (including shift in the burden of proof)

• **new set of rights** for people subject to *algorithmic management* on platforms

• obligations for platforms to **provide information** on people working through them and their terms and conditions
• The Communication calls on stakeholders to complement EU action with concrete measures at national and sectoral level:

  o **Calls on Member States** to provide advice and guidance to people working through platforms; to support social partners in their capacity building activities.

  o **Calls on platforms** to promote social dialogue and cooperate across industries, e.g. through Codes of Conduct on reputational data portability.
Draft guidelines on EU competition law

• Will be subject to an 8-week public consultation, ending in February.

• Once adopted, the guidelines will bind the Commission in subsequent interpretations and enforcements of EU competition law vis-à-vis solo self-employed people.

• Solo self-employed people in a weak position, including those on platforms, will be able to collectively bargain without risking infringement procedures.
Thank you

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