
WORK STREAM 1: ACCESS TO SOCIAL PROTECTION ROUNDTABLE 1 | MINUTES

DATE & TIME: June 16, 2021 | 10.00 - 11.30 AM CET

PRESENT: *(alphabetically listed)*

Alex Lebus, MAXIS GBN
Benjamin Hay, Collective Benefits
Branka Anđelković, Public Policy Research Center
Charles De La Horie, Indeez
Christian Poppe, Delivery Hero
David Espinosa, UNI Europa
Eirini Papadopoulou, Seldia
Emma Raleigh, TaskRabbit
Frederik Fahning, ZenJob
Jelena Šapić, Reshaping Work
Jovana Karanović, Reshaping Work
Kalle Palling, Cachet
Lizeth Tijssen, Zurich Insurance

Marine Marty, Adecco
Menno Bart, Adecco
Natalia Walczak, European Transport Workers Federation
Olivia Blanchard, Digital Future Society
Roos Wouters, De Werkvereniging
Russell Corbould-Warren, Collective Benefits
Sandra Hanisch, ZenJob
Stefan Kröpfl, Zurich Insurance
Tanja Jakobi, Public Policy Research Center
Thomas Blondeel, Smart Coop
Vera Heitmann, IKEA
Wiggert de Haan, Roamler
Zuzana Pucikova, Uber

ABSENT:

Agnès Moreau, Indeez
Dimitris Theodorakis, UNI Europa
Florian De Jager, FNV Zelfstandigen
Helga Viegad, MAXIS GBN

Ignacio Doreste, ETUC
Jan Drahokoupil, ETUI
Maudie Derks, Acture Group
Niels Arntz, Temper

AGENDA:

▶ **Project Updates:**

- June edition of tailor-made monthly policy briefing sent on June 14: <https://mailchi.mp/28a281140e7d/your-monthly-policy-digest-june-edition>
- Future of Work Conference (September 10, 2021): All the project partners have an opportunity to sponsor the event and gain more visibility in this way
- Register to the Member Library (on the project website) to access work-stream related resources & share relevant documents, including video of expert lecture
- Contacts of all the participants that gave consent are shared in the Member Library

➤ **DISCUSSION TOPIC 1: WHAT CONSTITUTES A MINIMUM LEVEL OF SOCIAL PROTECTION**

ILO recently recommended an international governance system for digital labour platforms to be established and to oblige platforms (and their clients) to respect certain minimum rights and protections. So far, EU directives have not covered self-employed working through platforms. The Commission is considering an EU action that would ensure (1) the injury and disease prevention, (2) health and safety protection against occupational risks, (3) improved and accessible information on entitlements and obligations, (4) access to unemployment and sickness benefits schemes. However, certain points need to be clarified, e.g., scope (whether all the workers working through digital labour platforms should be covered, regardless of their employment status) and principle (territory (e.g., all digital platforms active in the EU) and/or business models). In addition to these points, the discussion opened questions such as what constitutes essential/minimum social benefits stands and what role of the states should be.

- Labour protection legislation is a necessary precondition for access to social protection, and diverse (non-standard) workers, including the self-employed and platform workers, are mainly prevented from being covered by this legislation. However, all the stakeholders agree that baseline social protection should be guaranteed to all workers, regardless of their legal status. Baseline social protection includes fundamental protections granted to workers in full-time employment, such as **health insurance, unemployment benefits, right to sick leave, pension, etc.**
- Unions' representatives advocate for comprehensive approach, meaning for diverse workers to enjoy the same social protection benefits as the employees. UNI Europa mentioned that in March 2018, the European Commission published a proposal for a **Council Recommendation on access to social protection for employed and self-employed workers**, aiming to support all the workers who, because of their status/duration of contract, are not necessarily covered by social security schemes. Moreover, UNI Europa says that such an approach is in accordance with the principles of the European Pillar of Social Rights.
- With the provision of autonomy and flexibility that comes from diverse forms of work (particularly from the platform work), **division of costs** between an organization providing work and worker is called into the question (e.g., previously employers contributed larger percentage than a worker, but the questions now include whether a self-employed person should contribute more in comparison to a platform and whether platforms should contribute proportionately just for the amount of work that somebody does).
- Unlike traditional social protection schemes, which are linked to a single employer, **multihoming** is present among platform workers. Stakeholders such as Cachet and Indeez suggested data sharing to establish level of contributions between different parties. For instance, De Werkvereniging suggested linking contributions to unique worker's social security number. The latter draws upon the idea of progressive taxes (the more someone earns, the more they pay). The third suggestion for addressing multihoming came from Delivery Hero that refers to establishing separate funds (as it is currently being done in India; NB: the emphasis here is on the model, not the level of contributions). In this case, all the ecosystem actors (e.g., platform, worker, client etc.) contribute to the social protection schemes.
- In Switzerland and other European countries (e.g., the Netherlands), **health insurance** is mandatory by law for all the citizens. An individual is responsible to arrange it (s/he is a bearer), while insurance companies compete by offering different packages. In the case a person cannot secure the insurance, the government provides subsidies. While such an approach to basic social

protection would cover all the workers regardless of their legal status, the European Transport Workers Federation alerts that subsidies would be given from the public funds, which are essentially provided by tax payers. This would mean that consumers not only pay for platform services but also pay for social protection contributions of workers in some cases, indirectly supporting platforms.

➤ **DISCUSSION TOPIC 2: FINANCING MINIMUM OF SOCIAL PROTECTION BENEFITS**

Contributions to minimum social protection benefits are another major point of debate. Some argue that platforms should assume all responsibility, while others argue that the responsibility should be shared among platforms, their clients and workers. Hence, the discussion evolved around the following questions: who contributes to the social protection benefits for workers in diverse forms of employment and how contributions can be managed (cross-border and across platforms) and distributed.

- One proposal refers to **flat rates** (percentage of each fee that is deducted to the social protection fund either by a worker or by a platform), whereas another one includes **risks consideration**, especially that may stem from specific occupation (e.g., a traffic injury may be of high risk for delivery riders but not for Upwork freelancers), as ways of financing minimum social protection benefits. In both cases, a third entity is needed - either a state or private companies to monitor contributions. We may also imagine a combination of the public and private solutions in this regard.
- Provision of social protection benefits by platforms can serve as an incentive, says Collective Benefits. In their opinion, **platforms can compete with different social protection benefits**, in the same way that employers compete on the basis of some other benefits (private insurance, critical illness coverage, additional insurance protection).
- In France, there is a specific status, the so-called VDI (which stands for independent direct sellers), that provides various entitlements such as sick leave, after a contractor meets certain criteria. Following this example, a **minimum threshold** based on working hours or earnings could be developed and applied.
- Not all diverse workers (in particular, self-employed in the IT sector) consider financing social protection as the way to go. These 'better-off' workers are keen to diversify their protection and invest in different assets (e.g., stocks, savings account, property). However, this should not mean that financing the minimum social protection and such investments are mutually exclusive (the Dutch example).
- UNI Europa underlined that all the decisions regarding the minimum of social protection and its financing are to be taken on the basis of collective bargaining and dialogue because all the discussions are about advancing workers' livelihoods.

➤ **POSSIBLE SOLUTIONS**

- Mandatory minimum level of social protection for all workers, regardless of their status should be advised across EU Member States.
- Beyond this minimum, platforms could be encouraged to provide various other benefits (e.g., training, paid vacation leave) and in this way stay ahead of competitors. In this regard, insurance companies could provide these additional benefits or complement

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- existing benefits with industry-specific ones (e.g. disability insurance for riskier jobs).
 - Different business models could be envisioned, whereas those workers that satisfy certain criteria can enjoy 'employee' status and the full spectrum of social benefits that come with it
 - When it comes to the division of social contributions among different parties and tackling the problem of 'multihoming' (workers performing work for multiple platforms simultaneously), a percentage of earnings could be defined – that way those platforms for whom the worker contributes most hours would pay proportionally more. It is worth further discussing earnings – workers may purposefully select into those platforms that offer higher hourly rates, as that would result in higher social protection contributions.

NEXT STEPS & ROUNDTABLE:

- The third roundtable on access to social protection is on October 6. The agenda and recommended readings will be shared by October 1 the latest.
- The next monthly policy briefing will be sent in the week 12-16 July.

ADJOURNMENT:

- Minutes submitted by: Jelena Šapić
- Minutes approved on: TBA