Proposal to improve the working conditions of self-employed platform workers in the framework of coming Regulation upon platform workers

For several years, the platform economy has impulsed economic activity development and an access to employment in new forms of work. Although the platforms received only positive reviews and even enthusiasm during the first years of their deployment, fundamental questions are emerging today. Social phenomena were born from these new models and today constitute new challenges the legislator has to face.

In order to improve working conditions of self-employed platform workers, two principal issues need to be addressed from our point of view.

The first one refers to work remuneration and income allocated to self-employed workers. The platforms have tended to drastically reduce remuneration for identical services and modify access to work over the years. The neologism "uberization" was even born to describe the precariousness of many freelancers working for platforms. The prices of the services are governed by opaque algorithms, created and used unilaterally by the platforms. So they set the prices and the commissions recovered from the price of the service delivered. Thereupon the income distributed to the self-employed person for the performance of the service becomes unstable and fluctuates.

Secondly, one other main issue deals with the social protection of workers. The lack of protection and social coverage of self-employed workers is now glaring. However, we draw the legislator's attention to the fact that the social protection deficit does not concern only platform workers but all European self-employed. With regard to platforms, we warn about the fact that certain platforms propose social protection measures after having significantly reduced wages. Moreover, the social protection guarantees proposed are much lower than that of internal employees. To obtain this so-called offer, the workers shall demonstrate a certain amount of revenues made on and for the platforms. Social dependency of self-employed workers would be then added to the economic one.

We expect new European guidelines to deal with the two issues pointed out and propose accurate responses. Anyhow it shall be treated separately to avoid any risk of exploitation of the social protection by the platforms.
Regarding the issue of remuneration and algorithmic work management, we are convinced that the frame of a fair social dialogue must be established in order to balance the relationship between workers and platforms. When this social dialogue concerns salaried workers, it must be applied according to the national law. On the other hand, when this social dialogue concerns self-employed workers, it should cover the following subjects: firstly, prices and remuneration and secondly, the transparency of algorithms. Thus, these issues can be addressed only if the prohibition of collective action or class action can be launched. Another solution would be to fix a minimum price at a sectoral level and ensure a minimum of adequate remuneration at national level.

As regards to social protection, member states would be encouraged to create the tools to prohibit the support by social protection platforms of self-employed workers. Indeed, it is not acceptable that workers are legally independent but socially dependent on the platform for their social protection. If the worker is an employee, his social protection is covered by contributions linked to his status. If the worker is self-employed, his social protection is financed by his personal contributions and his rights are attached to his person, even if he changes missions or clients regularly. In consequence, there is no need for platforms to cover the social protection contribution of a self-employed person. An adequate remuneration is the key to be able to finance its own social protection. In addition, it has been observed by self-employed workers (particularly in the food delivery and ride hailing sectors) that the implementation of social protection guarantees financed by the platform, was accompanied by a substantial reduction in remuneration.

Independants.co was founded in 2020 by [redacted], digital women entrepreneur.

Independants.co is a French labour union for better rights of self-employed people.

Independants.co wants a greatest value for self-employed status.

Independants.co gathers more than 9000 members in every sector or profession.

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