Dear Werner and Mette,

Please see attached below and attached reports from the three meetings regarding platform work. My apologies for the delay. Happy to make any amendments.

Kind regards,

The meeting was convened at the request of the European Trade Unions Confederation (ETUC), with Mr [Redacted], ETUC [Redacted] and Mr [Redacted], ETUC [Redacted], meeting with Ms Mette Dryskjot and Mr Werner Stengg, CAB Vestager.

ETUC already had meetings with Commission representatives on platform work, but wanted to convey key messages to CAB Vestager before the publication of the proposal for a Directive on Platform Work. Ms Dryskjot and Mr Stengg stressed that it is CAB Schmit/DG EMPL and not CAB Vestager is in the lead for this initiative, which is now in the final stage before the adoption on 8 December. They asked for clarifications of various points presented by ETUC.

**ETUC** stressed their support for the rebuttable presumption of employment relationship as a key element for the proposed Directive to have a real effect. Their view is that all the platforms-employers should be faced with the same mechanism, whereby the burden of proof should be borne by the platforms themselves. When a platform matches one criteria, such as setting the remuneration levels, or supervising the work, this is a strong indication that the platform strongly organises the work.

In case the presumption would be activated only by a combination of several criteria, a number of platforms that do organise work would “fall through the cracks” and not be “eligible” for the presumption of employment relationship. This would probably be the case for many of the court rulings where workers have been reclassified as employees. The platforms would change their general conditions to only match one criteria and avoid being “caught” by presumption.

ETUC also stressed that the transparency of the algorithms is essential in order to define the status of the self-employed or employees. Transparency of algorithms is also key in informing and negotiating with both self-employed and employees. In fact, collective bargaining cannot take place if people working through platforms are falsely categorised (e.g. employed through a bogus agency). ETUC also stressed that SMEs should not be exempt from the Directive/rebuttable presumption because that would create a risk of platforms splitting into smaller organisations to avoid the obligations.