Report of videoconference between Move EU and Cabinet Vestager on platform work, 4 November 2021

Attendees

- Free Now
- Uber
- EUStrategy.eu
- Werner Stengg (CAB VESTAGER)
- Mette Dyrskjot (CAB VESTAGER)
- SG

Move EU, which brings together Uber, Bolt and Free Now (Hamburg-based, formerly MyTaxi) - the leading players in the ride-hailing sector, requested the meeting to discuss platform work and the upcoming proposal. Move EU pointed at the ride-hailing market as very competitive, with a big shortage of drivers, where companies work both with traditional taxi drivers as well as other types of licenced drivers (PHD, private-hire drivers). Depending on the regulatory framework in the Member State they work with both employed and self-employed drivers. The majority of drivers want to remain flexible, and there are many competitors in the sectors allowing the drivers to move between platforms at will. The ride-hailing platforms are today effectively blocked from offering additional benefits to drivers, as this could lead to the courts reclassifying their relationship with self-employed drivers as the employment one. Hence it would be good if the upcoming proposal could offer “safe harbour” rules. The overall objective should be to improve the legal certainty both for drivers and platforms. A good example to this end is the discussions around the related French law, where the focus is clearly not to change the employment status. Uber also queried on the forthcoming guidelines on collective bargaining.

On their side Cab Vestager took good note of all the observations made and pointed that the proposal for a Directive upcoming on 8 December is aimed at striking the right balance without undermining functioning business models. At the same time the initiative will cover all types of platform work going beyond the narrow ride-hailing sector. The main issue in the broad platform work sector that needs to be tackled is clearly the classification issue. The proposal will be accompanied by draft guidelines on collective bargaining, which will be than discussed with national competition authorities.