

From: [REDACTED] (EMPL)
Sent: 14 December 2017 18:36
To: [REDACTED]
Cc: [REDACTED] EMPL B2 UNIT; [REDACTED] (EMPL); [REDACTED]
(EMPL)
Subject: RE: Introduction to Deliveroo

Dear Mr [REDACTED]

Thank you for your message and for the extensive material supporting your views on the revision of the Written Statement Directive. The Commission's proposal should be published next Wednesday. Perhaps we could find a slot in the new year where we could discuss it, and your views based on your experience?

Piet told me about your meeting with him a few weeks ago, so we have some insight already into your business and the issues relating to labour law that you discussed with him.

Best wishes – and Happy Christmas in the meantime.

[REDACTED]

[REDACTED]



European Commission
DG Employment, Social Affairs and Inclusion
Directorate B: Employment
Unit B2: Working Conditions

[REDACTED]

From: [REDACTED]
Sent: Thursday, December 14, 2017 9:16 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Introduction to Deliveroo

Dear [REDACTED]

I am sorry that my colleague [REDACTED] and I were eventually unable to travel to Brussels to meet you. As you are probably aware, we had the opportunity to hold an introductory meeting with

your colleagues members of Cabinet of Commissioner Thyssen, M. Piet Van Nuffel and [REDACTED] last October.

Taking into account your current work in the framework of the European Pillar of Social Rights, we believe it is important to introduce Deliveroo's business and share some thoughts on social rights and employment policy in Europe, in particular regarding the EU Written Statement Directive dossier.

About Deliveroo:

— **Deliveroo is a fast-growing food company** with a mission to bring the world's best local restaurants to everyone's home or office. Launched in 2013, and headquartered in London, Deliveroo now operates in 150 cities across 12 countries, mostly in Europe: **Belgium, France, Germany, Italy, Ireland, the Netherlands, Spain and the UK**, as well as in the United Arab Emirates, Singapore, Australia and Hong-Kong.

— Deliveroo works with over 35,000 restaurants and over 30,000 riders worldwide. **In the past 12 months we have worked with over 46,000 riders in EU countries.**

— Deliveroo is proud to **offer well paid, flexible work** to its riders. Deliveroo is a platform, not a traditional employer, allowing our riders to be their own boss. Our fully flexible fee per delivery model means that riders are not subject to work schedules or shifts. Riders can log-in and log-off when they want; work where they want; work with multiple companies at the same time; and work without the obligations that come with traditional forms of employment. The vast **majority of riders say flexibility is the number one reason** why they choose Deliveroo.

*- For example, in the UK: Deliveroo works with over 10,000 of the UK's best-loved restaurants in over 100 towns and cities. On average, riders work with us fewer than 15 hours a week. **85% of our riders work with Deliveroo as in addition to other commitments** - a full or part time job, caring responsibilities and for studies. The majority of our riders are under 25 years old. **Riders earn over £9.50 (10.80€) per hour on average** across the UK - well above the national minimum wage. This pattern is common across our European markets, with riders on average earning above national minimum wage levels and seeing platform work not as a primary source of income but as a 'top up' to other work.*

What we believe in

— At EU level, we advocate for a framework that **provides workers with flexibility and security**, offering people the work that they want. This means that we want to preserve the flexibility that comes with self-employment, but we also want to offer more work-related benefits in a way that is compatible with flexible working.

— Our understanding is that the Commission is planning to propose to review the current EU « Written Statement » Directive.

— We understand that one objective pursued by the Commission is to provide more protection and certainty to all workers in the EU. We agree with the objective to offer more security, and we are aware that the growth of platforms/on-demand businesses have created new models of labour market participation, which have as a result created unique policy challenges in a range of areas.

— However, we believe that people working with platforms/on-demand businesses such as Deliveroo do not fall under the definition of traditional « workers » or employees, as they are self-employed, something that has been affirmed by courts in the UK and France recently.

— Therefore, we believe that regarding the options considered in the context of an upcoming review of the EU Written Statement Directive:

- It would be **inappropriate to broaden the scope of the current Directive** to include all types of workers, including independent / self-employed working with online platforms, given the very different relationships between the self-employed and a platform and employers and employees.

- We do not believe that **introducing obligations a requirement to provide a minimum of guaranteed hours** is in the interests of platform workers as this would require them to be put on shift patterns where platforms can ensure work is performed, which would in turn deny platform workers the flexibility to choose when and where they work, as they currently enjoy.

- Indeed, obligations that are inherent to more traditional forms of employment are absent in the working model Deliveroo offers. Just as Deliveroo is not obliged to make any work available to riders, riders are not obliged to do any work for Deliveroo. This would fundamentally change if guaranteed hours were introduced.

In a model whereby an advance notice of minimum hours would be to be agreed on, our riders would be required to work in compulsory sessions, arranged with us in advance, during which they would have to work with us exclusively. As a consequence, **this would have a detrimental impact on our riders, our restaurant partners and customers** in the EU: our riders would be denied the flexibility they highly value; and the fall in demand to work with platforms would limit the numbers of riders on the road, which would mean fewer orders completed, which would be negative for customers' delivery times and restaurants' revenues.

Deliveroo has made clear to national governments that we are keen to offer more security - indeed we said this in a formal submission to the UK Government - however we believe our common objective should be to do so in a way that is compatible with the most popular feature of this new, on-demand way of working, which is flexibility and freedom.

We hope that this input will prove useful for you when proposing avenues of EU policy action. We of course remain available for any question you may have on the below, and look forward to an opportunity to meeting you in the near future, as Deliveroo is keen to continue contributing constructively to policy-making in Europe.

Best regards,

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