



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR EMPLOYMENT, SOCIAL AFFAIRS AND INCLUSION

Jobs and Skills

Future of Work, Youth Employment

Brussels
EMPL.B.1/PeP/rb

Mr Maximilian Henning
Calle de Gaztambide 30
30 centro
ES-28015 MADRID

by email:

ask+request-10653-55f4a4c7@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2022/0629

Dear Mr Henning,

We refer to your e-mail of 28 January 2022 in which you make a request for access to documents, registered on 28 January 2022 under the above-mentioned reference numbers, followed by your reply to the request for clarification from 6 February 2022 registered on 7 February 2022.

You requested access to documents related to the communication with stakeholders regarding the proposed Directive on improving working conditions in platform work origination from:

- (a) the first stage of the social partner consultation from 24 February to 7 April;
- (b) the second stage of the social partner consultation from 15 June to 15 September;
- (c) the "substantial number of exchanges with many stakeholders";
- (d) and from the two dedicated meetings with platform operators and representatives of platform workers on 20 and 21 September, 2021.

The following meetings were identified that correspond to the above-mentioned period ad (c) and (d):

Meetings with platforms:

17/03/2021 – CAB Schmit (Ana Carla Pereira) with Platforms' representatives (Glovo, Bolt, Wolt, Delivery Hero)

17/03/2021 – DG Korte with Bolt

26/04/2021 – Csr Schmit with UBER CEO Dara Khosrowshahi

26/04/2021 – Csr Schmit with CEO Bolt Markus Villig

01/06/2021 – CAB Schmit (Ana Carla Pereira and Fabien Dell) with Bolt representatives (Dominick Moxon-Tritsch, Aurelien Pozana)

09/06/2021 – C SSR Schmit with Wolt CEO Mr. Miki Kuusi

20/09/2021 – Consultation hearing with platforms

24/09/2021 – CAB Schmit (Ana Carla Pereira, Fabien Dell) with MOVE EU representatives (Aurelien Pozana – Bolt, Claudia Breure – Free Now, Thanos Moysiadis – Uber)

07/10/2021 – C SSR Schmit with Will Shu, CEO of Deliveroo

20/10/2021 – C SSR Schmit with Amazon European VP, Jorrit van der Meulen

22/11/2021 – C SSR Schmit with the Adecco Group CEO, Mr Alain Dehaze

23/11/2021 – C SSR Schmit with Uber CEO Mr Dara Khosrowshahi

Meetings with platform workers, social partners and trade unions:

21/4/2021 – C SSR Schmit with BDA president Rainer Dulger

16/06/2021 – DG Korte participating to Social Dialogue Committee (SDC)

21/4/2021 – C SSR Schmit with BDA president Rainer Dulger

16/06/2021 – DG Korte participating to Social Dialogue Committee (SDC)

13/09/2021 – DG Korte meeting World Employment Confederation

21/09/2021 – Consultation hearing with platform workers

28/09/2021 – DG Korte participating to Social Dialogue Committee (SDC)

27/09/2021 - C SSR Schmit participating to Forum transnational des alternatives à l'ubérisation

12/11/2021 C SSR Schmit meeting with President of CEC European Managers

15/11/2021 C SSR Schmit meeting with Per Christensen, president of 3F

It was concluded that the following documents fall within the scope of your application:

(a) Documents related to the first stage of the social partner consultation (24 February 2021 – 7 April 2021):

1. First phase consultation of social partners under Article 154 TFEU on possible action addressing the challenges related to working conditions in platform work - Consultation document (C2021) 1127 final
2. Letter sent to social partners launching the first stage consultation - Ares(2021)1464565

Replies by trade unions:

3. European Trade Union Confederation (ETUC)
4. Eurocadres (Council of European Professional and Managerial Staff)
5. CEC-European Managers

6. European Confederation of Independent Trade Unions (CESI)
7. European Cockpit Association (ECA)

Replies by employers' organisations:

8. BUSINESSEUROPE
9. SGI Europe
10. SMEunited
11. Council of European Employers of the Metal, Engineering and Technology-Based Industries (CEEMET)
12. Hotels, Restaurants and Cafés in Europe (HOTREC)
13. World Employment Confederation Europe (WEC-Europe)
14. Retail, Wholesale and International Trade Representation to the EU (EuroCommerce)
15. Airline Coordination Platform

(b) Documents related to the second stage of the social partner consultation (15 June 2021 – 15 September 2021):

16. Second phase consultation of social partners under Article 154 TFEU on possible action addressing the challenges related to working conditions in platform work - Consultation document C(2021) 4230 final
17. Second phase consultation of social partners under Article 154 TFEU on possible action addressing the challenges related to working conditions in platform work – Analytical document C(2021) 4230 final - Ares(2021)3754314
18. Letter send to social partners launching the second stage consultation - Ares(2021)3904873

Replies by trade unions:

19. European Trade Union Confederation (ETUC)
20. Eurocadres (Council of European Professional and Managerial Staff)
21. European Confederation of Independent Trade Unions (CESI)
22. UNI Europa, the European services workers union
23. EFFAT

Replies by employers' organisations:

24. BUSINESSEUROPE
25. SGI Europe
26. SMEunited
27. Council of European Employers of the Metal, Engineering and Technology-Based Industries (CEEMET)
28. Hotels, Restaurants and Cafés in Europe (HOTREC)
29. World Employment Confederation Europe (WEC-Europe)
30. European Cockpit Association (ECA)

(c) Documents related to stakeholders meetings

Meeting with platforms:

31. 17/03/2021 – CAB Schmit (Ana Carla Pereira) with Platforms' representatives (Glovo, Bolt, Wolt, Deliery Hero) flash report Ares(2022)1234430
32. 17/03/2021 – DG Korte with Bolt - briefing Ares(2021)2391522
33. 17/03/2021 – DG Korte with Bolt - flash report Ares(2022)1234430

34. 26/04/2021 – C SSR Schmit with UBER CEO Dara Khosrowshahi – briefing
Ares(2021)3125243
35. 26/04/2021 – C SSR Schmit with UBER CEO Dara Khosrowshahi – flash report
Ares(2021)3399392
36. 26/04/2021 – C SSR Schmit with CEO Bolt Markus Villig – briefing
Ares(2021)3125247
37. 26/04/2021 – C SSR Schmit with CEO Bolt Markus Villig – flash report
Ares(2021)3399321
38. 01/06/2021 – CAB Schmit (Anna Carla Pereira and Fabien Dell) with Bolt representatives (Dominick Moxon-Tritsch, Aurelien Pozana) – flash report
Ares(2022)1301128
39. 09/06/2021 – C SSR Schmit with Wolt CEO Mr. Miki Kuusi – briefing
Ares(2021)4101160
40. 24/09/2021 – CAB Schmit (Ana Carla Pereira, Fabien Dell) with MOVE EU representatives (Aurelien Pozana – Bolt, Claudia Breure – Free Now, Thanos Moysiadis – Uber) – flash report Ares(2022)1300007
41. 07/10/2021 – C SSR Schmit with Will Shu, CEO of Deliveroo – briefing
Ares(2021)6497562
42. 07/10/2021 – C SSR Schmit with Will Shu, CEO of Deliveroo – flash report
Ares(2022)1300471
43. 20/10/2021 – C SSR Schmit with Amazon European VP, Jorrit van der Meulen – briefing - Ares(2021)6978171
44. 20/10/2021 – C SSR Schmit with Amazon European VP, Jorrit van der Meulen – flash report - Ares(2021)7032798
45. 22/11/2021 – C SSR Schmit with the Adecco Group CEO, Mr Alain Dehaze - briefing Ares(2021)7528332
46. 23/11/2021 – C SSR Schmit with with Uber CEO Mr Dara Khosrowshahi – briefing
Ares(2021)7561885
47. 23/11/2021 – C SSR Schmit with with Uber CEO Mr Dara Khosrowshahi – flash report Ares(2021)7296123

Meetings with platform workers, social partners and trade unions:

48. 21/4/2021 – C SSR Schmit with BDA president Rainer Dulger – briefing
Ares(2021)3011926
49. 21/4/2021 – C SSR Schmit with BDA president Rainer Dulger – flash report
Ares(2022)1906832
50. 16/06/2021 – DG Korte participating to Social Dialogue Committee (SDC) – briefing Ares(2021)4273653
51. 13/09/2021 – DG Korte meeting World Employment Confederation – briefing
Ares(2021)5884136
52. 13/09/2021 – DG Korte meeting World Employment Confederation – flash report
Ares(2021)5651111
53. 28/09/2021 – DG Korte participating to Social Dialogue Committee (SDC) – briefing Ares(2021)6221286
54. 28/09/2021 – DG Korte participating to Social Dialogue Committee (SDC) – flash report Ares(2022)1907445
55. 27/09/2021 - C SSR Schmit participating to Forum transnational des alternatives à l'ubérisation – briefing Ares(2021)6923152
56. 12/11/2021 C SSR Schmit meeting with President of CEC European Managers – briefing Ares(2021)7304639
57. 12/11/2021 C SSR Schmit meeting with President of CEC European Managers – flash report - Ares(2021)7039692 and Ares(2021)7304639

58. 15/11/2021 C SSR Schmit meeting with Per Christensen, president of 3F - briefing
Ares(2021)7340716

(d) Documents related to two dedicated meetings with platform operators and representatives of platform workers on 20 and 21 September, 2021

- 59. 20/09/2021 – Consultation hearing with platforms – briefing C SSR Schmit
Ares(2021)6035341
- 60. 20/09/2021 – Consultation hearing with platforms – briefing DG Korte
Ares(2021)6035346
- 61. 20/09/2021 – Consultation hearing with platforms – flash report
Ares(2022)1300746
- 62. 21/09/2021 – Consultation hearing with platform workers – briefing C SSR Schmit
Ares(2021)6067097
- 63. 21/09/2021 – Consultation hearing with platform workers – briefing DG Korte
Ares(2021)6067107
- 64. 21/09/2021 – Consultation hearing with platform workers – flash report
Ares(2022)1300746

With regard to the documents listed above, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- other information relating to an identified or identifiable natural person.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

Please note that the documents listed were drawn up for internal use under the responsibility of the relevant services of the Commission. They solely reflect the services interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which were not consulted on its content. They do not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application

requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)

BERL 7/076

B-1049 Brussels

or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Max UEBE
Head of Unit

Enclosure: 80 documents

