



WP4 Intervention and policy recommendations

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The 15 case studies of collective representation for slash workers selected and in-depth analysed in WP3 (Task 3.2) represent the basis and the starting point for the present analysis. This report aims at identifying models of collective representation that turned to be shared and transversal across the countries included in the project and, possibly, transferable to other contexts.

This report is organized into two sections. In the first section, edited by UCSC, the criteria to build the transversal models and the four models identified starting from the case studies are described; this section also presents the results of the local workshops carried out in the 5 countries under investigation to discuss the strengths and the weaknesses of the four models in a perspective of transferability and effectiveness of the practices identified. The second section, edited by ACTA, proposes policy recommendations that emerged from the overall research activity.

Section 1

1. Models of collective protection and representation of slash workers (edited by UCSC)

In the report relating to the task 3.2 of WP3 it is possible to reconstruct in detail the criteria adopted to select comparable case studies across countries relating to experiences and organisations of collective representation and protection of the slash workers. In the same report, the identified cases are presented in detail.

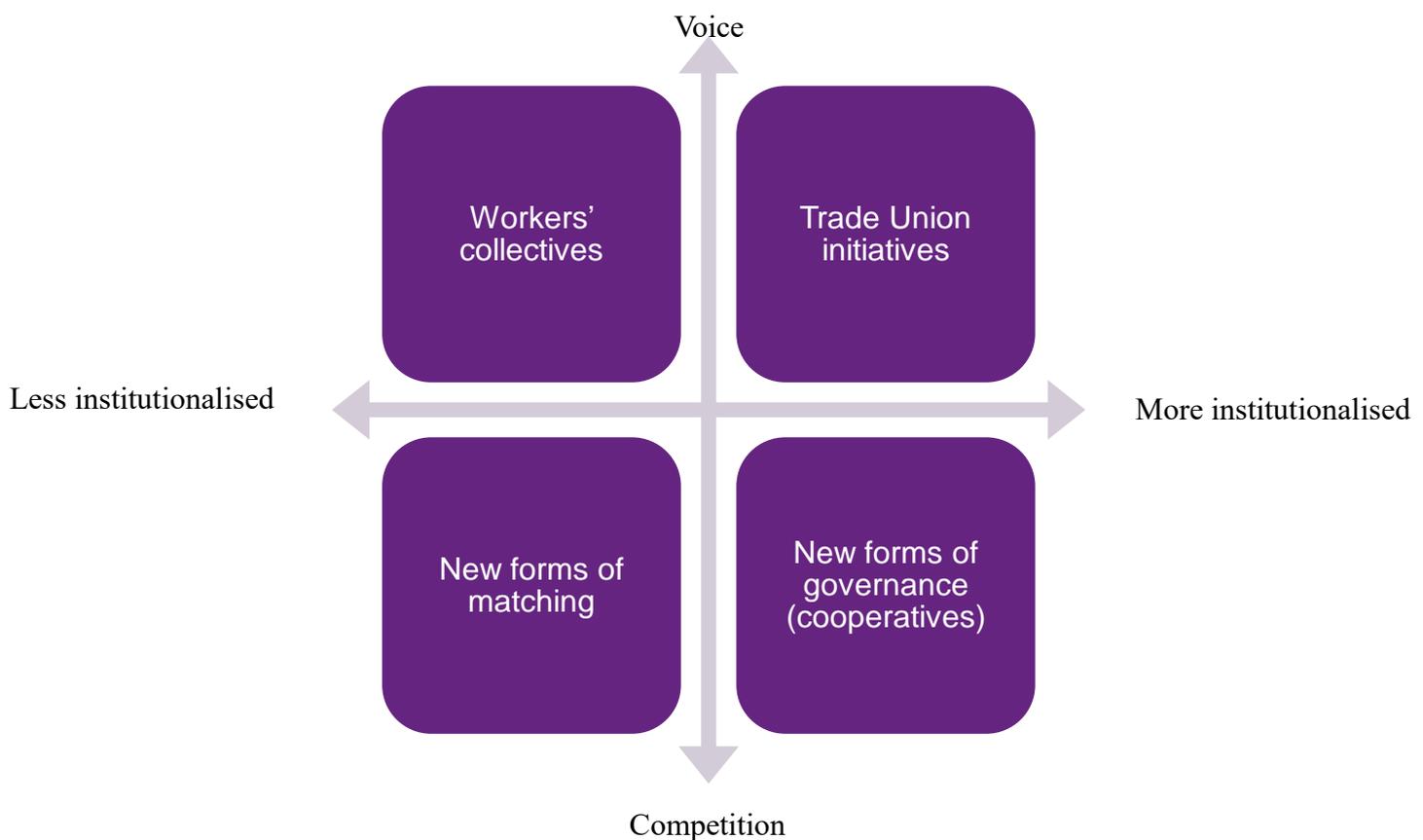
1.1. The four models

Starting from the WP3 analysis of the cases studies, through a retrospective study, the present analysis aims to detect similarities between the case studies analysed in each country, in order to find common structural characteristics and to identify possible patterns. The result of this comparative analysis is illustrated in Figure 4.1.

We clustered the models along two main axis: the first distinguishing between more voice-oriented actions vs. entrepreneurial practices aimed at building alternative economic models; the second distinguishing between more or less consolidated and institutionalized experiences.

For each model, we have deepened a series of analytical dimensions that enables to compare the different models and to understand their peculiar characteristics, namely: the type of organisations associated to the model; the centrality of slash working in their organizational actions; the main problems they try to address concerning slash workers; the profile of the promoters and founders of the initiative; the source of the financial support; the type of membership; the Strategic aims pursued; the strategic actions implemented; the mobilization strategies; the institutional collaboration in place; the proposal put forward; the results obtained; and the weaknesses displayed by the model.

Tab. 1 – Models of protection and collective representation of slash workers



The first quadrant in the upper right clusters the more institutionalized experiences promoting voice and lobby actions: it includes the initiatives promoted by the trade unions. These initiatives display some common features. These are initiatives aimed at expanding the reference basin and the membership of traditional trade unions, using digital channels to communicate with workers or addressing platform workers who are still underrepresented. For this reason, they address their actions also to non-members. The main shared object is

struggling to cope with the violations of labor rights. The problems connected to this kind of initiative concern the transition from being and experimental experiences to become a more structured and central initiatives in the strategies of trade union action.

Type 1 – Trade union initiatives	
Reference Cases: - IG Metall Ombudstelle (Mediation Office) for Fair Crowd Work – Germany https://ombudsstelle.crowdwork-igmetall.de/en.html - CITUB App – Bulgaria https://play.google.com/store/apps/details?id=com.voxknsb&hl=bg&gl=US - Tu Respuesta Sindacal Ya (TRS) - Spain http://www.turespuestasindical.es/	
Type of Organization	Trade Unions - Ombudstelle for Fair Crowd: IG Metall (2.2 million employees from the areas of metals and electricals, iron and steel, textiles and clothing, wood and plastics, crafts and services and information and communication technology) - CITUB App: The Confederation of Independent Trade Unions of Bulgaria (KNSB/CITUB) is the largest trade union confederation in Bulgaria (275,762 members). - TRS: The Unión General de Trabajadores (UGT) is one of the two major Spanish trade unions (941,485 members), historically affiliated with the Spanish Socialist Workers' Party (PSOE).
Centrality of slash working	IG Metall Ombudstelle and TRS are devoted to platform workers, while CITUB app to undeclared work. Both these categories of workers have significant shares of slash workers, a condition that is therefore addressed indirectly
Main problems they try to address	Lack of protection of workers. - IG Metall: mediations of conflicts - CITUB: labour rights violations - TRS: collecting information and requests from platform workers
Profile of Promoters and Founders	Trade Unions
Financial Support	Trade Unions. CITUB app co-financed by the European Social Fund
Membership	Mainly open. - IG Metall Ombudstelle: people working for platforms that signed the Code of Conduct for Fair Crowd Work. IG Metall represents crowd-workers in court cases only if they are members from at least 3 months. - CITUB and TRS: open (free access), even for non-union members

Strategic aims	<p>Getting to know and dealing with the problems of non-unionized workers</p> <ul style="list-style-type: none"> - IG Metall Ombudstelle: to provide a source of regulation and to guarantee fairness for platform workers; begin a process in which a sort of collective bargaining takes place in platforms. - CITUB: to reduce undeclared work - TRS: gathering information about platform work; offering legal advice; organize and mobilize platform workers.
Strategic actions	<p>Tools to collect reports from workers</p> <ul style="list-style-type: none"> - IG Metall Ombudstelle: Code of conduct for crowd-working platforms; mediation forum to resolve conflicts between platforms and their crowd-workers. - CITUB: workers can report through the application about workplace irregularities and the experts send the signal to the relevant institutions. Anonymity is guaranteed. The follow up about the infringements are published on the app, as a signal for other workers. - TRS: to compensate for the lack of a physical work centre they created an internet-based trade union section to meet the demands of platform workers; it depends directly from the confederation (two full time employees + 10 persons working on the initiative).
Mobilization	<p>Mainly reports to institutions.</p> <ul style="list-style-type: none"> - IG Metall Ombudstelle: requests to EU regulators. - CITUB: civic participation through an app; campaign to change Bulgarian legislation about undeclared work - TRS: UGT is part of the Social Dialogue Table for the regulation of digital platforms which began negotiations on October, 2020 at the call of the Ministry of Labour and Social Policies.
Institutional Collaboration	<ul style="list-style-type: none"> - IG Metall Ombudstelle: collaboration with the platform “content.de” that initially formulated the guidelines for the code of conduct; participation of other European Trade Unions in the launch of the Code of Conduct - CITUB: cooperation with NGOs and administrations - TRS: collaboration with Riders X Derechos.
Proposal	<ul style="list-style-type: none"> - IG Metall Ombudstelle: a relatively non-bureaucratic and inexpensive way to resolve simple disputes and to protect workers’ rights. Theoretically, it can encompass an international range of members and complains. Policy recommendations: IG Metall directed a request to EU regulators to give crowd-workers the rights to organize and negotiate collective agreements, including genuine self-employed platform workers. - CITUB: to increase civic participation in reporting workplace irregularities. Policy recommendations in order to reduce undeclared work

	<ul style="list-style-type: none"> - TRS: a virtual union section. Policy recommendations: they call for the creation of a public registry of platforms and their algorithms and for a tripartite observatory of platforms as a space for tripartite social dialogue
Results	<p>Mainly new contacts with non-members.</p> <ul style="list-style-type: none"> - IG Metall Ombudstelle: contact with platforms workers, since its main constituency was composed of high-skilled industrial workers in traditional industries. 50 conflicts submitted to the board for mediation from 2017 to 2019 - CITUB: 100000 downloads from 2019 to April 2020 - TRS: up to August 2019, 1,867 enquiries had been answered through the TRS webpage (mainly about redundancy and social security issues, the evaluation system and the allocation of working hours). They established union section in Glovo and Deliveroo. They started with riders but they expanded to other platform workers.
Weaknesses	<p>Some technical impediments; difficult to scale-up</p> <ul style="list-style-type: none"> - IG Metall Ombudstelle: membership is voluntary and very few platforms are members (10 platforms). It is mainly a German office, centering on German organizations. - CITUB: only 108 signals received, probably also due to the poor technical quality of the app (mainly about non-payment of salaries and social security contributions and for illegal overtime work) - TRS: low rate of answers to the questionnaire; no participation to the Facebook group and the Twitter account (now closed).

The second quadrant in the upper left concerns the voice initiatives which arise bottom up, launched from below by grassroots movements that take the form of collectives of workers. This kind of initiative is widespread among platform workers, especially food delivery riders, but we also have the interesting case of French sound artisans. In this case, the main organizational goal revolves around the precariousness of these workers and the need to ensure better protection to these unstable workers. They represent very interesting forms of self-organization of workers, which experience as main difficulties in involving workers who may lose their jobs due to their activism. Moreover, they struggle to take more structured forms, even when they set it as a goal.

Type 2 – Workers’ collective

Reference Cases:

	<ul style="list-style-type: none"> - Riders x Derechos – Spain (https://www.ridersxderechos.org/) - Liefern am Limit (https://www.facebook.com/liefernamlimit/) - Les Sons Fédérés (The Federal Sounds, TFS) – France (https://sons-federes.org/)
Type of Organization	<p>Riders x Derechos is a collective created by home delivery workers</p> <p>Les Sons Fédérés (The Federal Sounds, TFS) is a collective for “sound artisans”, without a legal status. They are in the process of building a more formalized structure.</p> <p>Liefern am Limit became an official subunit of the food and restaurant union - NGG in November 2018</p>
Centrality of slash working	These movements represent workers (riders and sound technicians) who perform fragmented activities and often combine multiple activities.
Main problems they try to address	<p>Precarious jobs</p> <p>Lack of social protection, representation and participation</p>
Profile of Promoters and Founders	<p>Bottom up by the workers in the field.</p> <p>Liefern am Limit: promoted by students who did not fear the backlash from the companies</p>
Financial Support	Volunteering
Membership	<p>Open (free access)</p> <p>Registration through mailing list</p>
Strategic aims	To defend rights and lobby for the regulation of work and social protection of workers
Strategic actions	<ul style="list-style-type: none"> - Riders x Derechos: strong communication strategy through various channel; promotion of home delivery cooperatives based on an ethical and ecological model - Liefern am Limit: to form work councils - TFS: open letter to policy makers, other public releases, a radio broadcast, investigative/research work
Mobilization	<p>Collective action and lobbying</p> <ul style="list-style-type: none"> - assemblies, mobilisations and strikes (<i>Riders x Derechos; Liefern am Limit</i>) - judicialisation of the conflict through complaints to the Labour Inspectorates and to the labour court (<i>Riders x Derechos</i>) - <i>TFS</i>: public releases; they were auctioned by the Ministry of Culture on march 2020.
Institutional Collaboration	<p>Collaboration, support and alliance with trade unions and with other national and international social actors to strengthen support for their cause.</p> <ul style="list-style-type: none"> - <i>Riders x Derechos</i>: Various unions offer to represent them, but they choose to remain independent. Nevertheless, they maintain a collaborative relation. They are part of the Transnational Federation of Couriers (FTC) which brings together riders’ organisations from eleven European countries - <i>Liefern am Limit</i>: born as a Facebook Group in February 2018, it then became an official subunit of the NGG Union in November 2018. They were

	<p>supported by German association of unions (DGB) and the union for workers in the food and restaurants sectors.</p> <p>Government at local, regional and state level. For example</p> <ul style="list-style-type: none"> - <i>Riders x Derechos</i>: it has held meetings with political representatives from different parties and parliamentary groups. At the national level, they managed to schedule a meeting with the Minister of Labour. - <i>Liefern am Limit</i>: The unions hold different stances on the regulation of the riders; a dialogue at national level has not been opened <p><i>TFS</i>: no evidence of established connections with other professional organizations or unions</p>
Proposal	<p>Improvement of working conditions.</p> <ul style="list-style-type: none"> - <i>Riders x Derechos</i>: a) lobby for the approval of a law that regulates work on digital platforms, guaranteeing labour rights and the application of the Workers' Statute; b) cooperative platform home-delivery - <i>Liefern am Limit</i>: a) required the access to a pension scheme with possibility to choose between private and public coverage; b) expansion of gig workers or so-called solo-self-who has the access to the social insurance system. - <i>TFS</i> advocates for the inception of a new radio creation subsidy fund
Results	<p>General Results:</p> <ul style="list-style-type: none"> - Introduce the debate on precariousness and the lack of regulation in their industries and – in particular – in the digital economy - The setting up (<i>Riders x Derechos</i>) of a cooperative platform for home-delivery that promotes an alternative ethical model for the home-delivery market. <p>Specific results:</p> <ul style="list-style-type: none"> - Resolution by Labour Inspectorate and court ruling recognizing the existence of an employment relationship between courier and companies (<i>Riders x Derechos</i>) - PPE during the COVID-19 pandemic (<i>Riders x Derechos</i>; <i>Liefern am Limit</i>) - Resonance in the public discourse (<i>Liefern am Limit</i>). - to consolidate itself as a social movement (<i>Riders x Derechos</i>) - <i>TFS</i>: the open letter was signed by 160 people and at least 150 people registered on the mailing list.
Weaknesses	<ul style="list-style-type: none"> - Economic sustainability - The recruitment of new supporters and the implementation of collective action are becoming

	<p>increasingly difficult due to riders' fear of being fired (<i>Riders x Derechos; Liefern am Limit</i>)</p> <ul style="list-style-type: none"> - <i>TFS</i>: difficulties related to the establishment of a trade union.
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If we move to business ventures quadrants, the less structured experiences in the bottom left concern new forms of matching between demand and supply of work, which range from simple Facebook groups to traditional internet websites, as in the case of Humus. The main issue they try to address to protect slash workers concerns the power asymmetries arising between employers and workers and opacity in the labour markets. The promoters are not trade unions or workers but social entrepreneurs.

Type 3 – New forms of matching	
Reference Cases:	
<ul style="list-style-type: none"> - Humus (www.humusjob.it) - Professional and Freelance Services FB Group (https://www.facebook.com/groups/greelance.bg/) 	
Type of organisation	Business network (<i>rete di imprese</i>), innovative startup with a social vocation (<i>startup innovativa a vocazione sociale</i>) - <i>Humus</i> <i>Professional and Freelance Services</i> is a Facebook Group
Centrality of slash working	Being a slash worker is an inherent characteristic of the workers involved in this kind of business.
Main problems they try to address	Power asymmetries and opacity featuring the market of reference: <ul style="list-style-type: none"> -no clear-cut or traditional employment status (i.e gig or seasonal workers in agriculture operate in a labour market where undeclared work is extremely common; freelancers have no clear rights and protections) - unequal access to relevant information and limited availability of such information (transparency issue concerning both hosts and employers are crucial in the cases of <i>Humus</i>) -low awareness of existing regulation and available protections (for example regarding taxation, mainly in the case of freelance) or work regulation (for example among migrant workers in agriculture sector in the case of <i>Humus</i>)
Profile of Promoters and Founders	Social entrepreneurs
Financial Support	<i>Humus</i> : “ethical” firms (i.e. NaturaSI-leading company in

	<p>organic food distribution is showing interest in investing and supporting Humus) or using Crowdfunding platform (crowdfundingbuzz.it for Humus)</p> <p><i>Professional and Freelance Services</i>: volunteering</p>
Membership	Open (free access), sectorial, not binding or exclusive
Strategic aims	<p>Alternative business and organizational model that provide infrastructure and services to empower workers.</p> <p><i>Professional and Freelance Services FB Group</i> acts as a (experimental) form of collective action for contingent/slash workers and other atypical workers, organized in an horizontal P2P scheme.</p> <p><i>Humus</i> is an innovative job matching platform dedicated to promoting regular contracts in the agriculture sector</p>
Strategic actions	<p>a) New intermediation improving the “quality of matching” through self-selection or labelling employers/employee with respect to a precise alternative and ethical vision of the market (i.e. Humus tries to create a positive reputation for firms that hire their workforce with regular contracts through an “ethical stamp” which certifies the quality of work and the quality of the employer)</p> <p>b) promoting collaboration and networks of workers and employers (sharing costs, for example through specific regulative devices such as “the network contract” among employers in the case of <i>Humus</i>) or sharing information (for example, <i>Professional and Freelance Services FB Group</i> engages ad hoc discussions about parental leave or formal registration as self-employed)</p> <p>c) increasing transparency (identity, experience and attitudes of workers or employers are fully described and represented in all the three cases)</p>
Mobilization	No collective action, no lobbying
Institutional Collaboration	No collaboration with the trade unions or other institutions. An exception is represented by the case of <i>Humus</i> : in the past, they have developed a project with a confederal trade union to organise a training course dedicated to labour regulation and contracts in agriculture. The collaboration was limited to this project: in fact, after this experience the collaboration with the trade unions was deemed as extremely difficult)
Results	<p>- Experimenting a concrete example of alternative business models or organizations where workers are strongly committed</p> <p>-Strengthening collaboration among workers</p>
Weaknesses	<p>No scaling</p> <p>In search of economic sustainability</p>

More structured and institutionalized initiatives oriented to business, in addition to intervening on matching, promote new forms of governance of these activities. The prevailing form is that of the cooperative enterprise, also in the variant of the platform cooperative. The cases in this quadrant at the bottom right are numerous, albeit at different levels of maturity and development. This is the model where the socio-economic issues connected to performing multiple activities are addressed in a more direct way. The most interesting aspect displayed is that these cooperatives aim to maintain the flexibility and the full autonomy of workers but, at the same time, they want to ensure the protection of workers. They turn to be successful in introduce collective logic of action within sectors based traditionally based on highly individualized forms of work. On the other side, their main criticality mainly concerns the double and contrasting role they play by representing the interests of workers who are, at the same time, members of the cooperative.

Type 4 – New forms of governance (cooperatives)	
Reference cases:	
<ul style="list-style-type: none"> ▪ Doc Servizi - Italy (https://docservizi.retedoc.net/) ▪ Smart: Spain (https://smart-ib.coop/) and Germany (https://smart-eg.de) ▪ HappyDev – France (https://happy-dev.fr/en/) ▪ Coopcycle – France (https://coopcycle.org/en/) ▪ Consegne Etiche - Italy (https://consegnetiche.it/) ▪ Fair Bnb – Italy (https://fairbnb.coop/) 	
Type of organisation	<p>Cooperative enterprise</p> <ul style="list-style-type: none"> - <i>Doc Servizi</i>: a self-management cooperative enterprise (<i>cooperativa di autogestione</i>) that manages and coordinates the professional activity of artists and technicians in the music industry. - <i>SmartIb</i>: a business promotion cooperative that provides legal coverage for professionals in the arts and culture sector. - <i>HappyDev</i>: SCIC (Société cooperative d'intérêt collectif), umbrella brand used by various cooperatives in the IT sector. All chapters can be organized following a specific legal status - <i>Coopcycle</i>: federation of bike delivery cooperatives - <i>Consegne etiche</i>: project promoted by the Municipality of Bologna, involving delivery cooperatives - <i>Fair Bnb</i> is a cooperative accomodation booking platform that promotes and funds local initiatives and projects.
Centrality of slash workers	Slash work is directly connected to intermittent work and

	multiple commitments characterising the industries involved (creative and cultural industries, IT and communication, delivery).
Main problems they try to address	<p>Intermittent work: professionals in these sectors suffer from intermittent job engagement and multiple commitments:</p> <ul style="list-style-type: none"> - such condition affects both the continuity in income levels and the access to social protections schemes. - relatedly, ad hoc administrative and legal support are fundamental <p>Professional isolation and need to build networks and contacts.</p>
Profile of promoters and founders	<p>Workers in the sectors involved, looking for a bottom-up collective responses to their professional needs and difficulties.</p> <ul style="list-style-type: none"> - <i>Consegne Etiche</i>: promoted by the municipality of Bologna.
Financial support	<p>The cooperative models is based on the sharing and on the redistribution of financial revenues of the members/shareholders, levying a fee on the contracts.</p> <ul style="list-style-type: none"> - <i>Consegne Etiche</i>: the municipality provided for expertise and economic resources during the research and co-design phases. - <i>Fairbnb</i>: Banca Etica, a leading institution in ethical finance, and BCC, a Cooperative Bank, are crucial partners; they also got a crowdfunding campaign through Indiegogo
Membership	<p>Sectorial specialisation (music and entertainment industries for <i>Doc Servizi</i>; cultural industry for <i>SmartIb</i>; IT for <i>HappyDev</i>; delivery for <i>Consegne Etiche</i> and <i>Coopcycle</i>) but without formal restrictions on the nature of the activities performed.</p> <p><i>HappyDev</i>: workers must be co-opted by 3 members; it is mandatory to sign the Manifesto; they must hold an independent contractor legal status. Within each chapter, experienced freelancers play the role of ‘captain members’.</p>
Strategic aims	<p>Innovative organizational model aiming at</p> <ul style="list-style-type: none"> - providing an organisational infrastructure to ensure employment and income continuity in case of intermittent work - providing collective services to professional workers who can continue to perform their professional activity individually and autonomously, but minimising the risks connected to individual entrepreneurial activities. The services include training, coaching/mentoring, peer-support. - foster solidarity between workers and withing the local

	community (<i>Fair Bnb</i>)
Strategic actions	<p>Through the membership, the cooperative acts as direct employer of the workers, previously self-employed: they became formally employees but de facto autonomous in their professional activity within the cooperative structure.</p> <ul style="list-style-type: none"> - through this structure, the cooperative gets responsible of the payment of salaries, social contributions, as well as for the application of rights and social protections attached to the status of cooperative employee; - through this structure, on behalf of its members the cooperative performs all the administrative and legal duties autonomous professionals have to abide by towards the clients. - <i>Coopcycle</i>: they also provide technical support <p>Exception: <i>HappyDev</i>, members are freelancers, the cooperatives structure allows to adopt a legal status which does not require salaried status for all the workers.</p>
Mobilisation	<p>Collective lobbying actions and mobilisation:</p> <ul style="list-style-type: none"> - to promote the cooperative model in general and get formal recognition; - to advocate for sector/industry specific issues <i>SmartIb</i> towards the public administration; <i>Doc Servizi</i> as social partner in the music industry; <i>Consegne Etiche</i> through the municipality of Bologna. <p>Exception: <i>HappyDev</i> is not focused on enabling social and political dialog. It rather adopts a specific approach to the market of qualified professional services (see their Manifesto), as an alternative to freelancing platforms.</p>
Institutional collaboration	<p>Collaboration with the trade unions recognised as crucial for cooperatives with an institutionalised role as social partners:</p> <ul style="list-style-type: none"> - <i>Doc Servizi</i> collaborates with the sectorial union to get the first NCA for the work of artists, technicians and employees of cooperative signed in the sector. - <i>SmartIb</i> envisages to engaged in stricter dialogue with the unions in the coming years - <i>Consegne Etiche</i> is based on an inclusive co-designed project, directly involving workers' movements, as RUB, with their experience of struggles and representation of riders' voice. - <i>Coopcycle</i>: they interact with workers' collectives and unions. The federation was founded in collaboration with the founder of CLAP, described as a "friend organization"; several members are also enrolled in a union branch. <p><i>HappyDev</i> is not collaborating with trade unions; they share their technical infrastructures with other types of collectives.</p>

<p>Specific claims and future goal</p>	<p>Acknowledgement of the specificities of both the cooperative model and of the job-related issues in their specific industries.</p> <p>For <i>Doc Servizi</i> and <i>SmartIb</i>: aspiration to become institutionalised actors in the industries of reference towards the governments and the other social partners.</p> <p><i>Coopcycle</i> do not intend to take part in collective actions as a federation; they see themselves as competing with the platforms as an alternative way of working.</p> <p><i>Consegne etiche</i>: they intend to establish a network of private and public actors, collecting competences, expertise, relationships, and practices developed in the urban territory who support and use the service promoted by the alternative delivery model</p>
<p>Results</p>	<p>Model of social innovation: institutionalisation of an innovative organisational model that enables independent professionals with intermittent jobs to benefit from income continuity, access to social protections and, at the same time, to perform their professional activity autonomously.</p> <p>Reduction of precariousness in the artistic, cultural and creative, IT industries, and delivery in terms of job intermittence, income discontinuity and lack of access to social protections</p>
<p>Weaknesses</p>	<p>Economic sustainability at risk in case of prolonged lack or delays in the payment on the part of the customers</p> <p>Lack of institutionalised recognition as social partner</p> <p>Conflicts with trade unions</p>

As often happens when dealing with classifications, what turns to be of particular interest are the dynamics taking place between one quadrant and another, more than the positioning of the different experiences within the quadrants. If the tension between movement and institution, between bottom up and top down, has always been at the center of the debate, in this interpretative scheme what is most interesting is the relationship that emerges between voice actions and alternative entrepreneurship actions. What we have been observing over the recent years is a gradual blurring of the boundaries between these traditionally distinct forms of collective action. In particular, cooperatives play an increasingly important role in representing workers' needs. This new role can lead to new alliances with the trade unions or, as we have seen in many cases, can trigger issues of jurisdictional conflicts.

1.2. The local workshops

The four models described have been discussed in local workshops carried out in the five countries involved into the empirical analysis, between 18 March and 30 April 2021.

During the workshop, the local researchers presented the four models and participants were required to answer these questions with personal notes:

1. Do you think this model can be implemented in your country? (if one or more of the cases presented already refers to your country, take into consideration mainly the others or in any case reflect on the possible evolutions of the cases already present)
2. What role could your organization play in implementing this model?

The debate – organized in two rounds, was guided by these inputs and questions.

First round:

- Requests for clarification or further information on the proposed models
- What are the weaknesses, the risks of these models? What to avoid?
- What are the strengths? New ideas listening to these cases? (new, provocative, even impossible) What role can your organization play?

Second round. General question: Are there other ways to protect and represent slash workers who have not been presented in the cases? More specific questions:

- How do you think the protection of discontinuities between one contract and another and the accumulation of multiple jobs relating to different social security funds should be addressed?
- Do you think that universal social security should be based on the insurance system? if so, can it actually guarantee adequate protection and be sustainable for workers? If not, what alternatives are possible?
- How do you think platforms jobs should be framed, including for tax and social security purposes?
- Do you think collective bargaining for self-employed workers can be used? have you ever applied it?

The workshops involved 4 to 7 participants in each country, including representatives of institutional actors, trade unions, workers' movements, cooperatives and alternative entrepreneurial initiatives.

The table below lists the participants for each country (Table 2).

Tab. 2 – Participants of the local workshops

Country	Participants
Bulgaria	<ul style="list-style-type: none"> • Ivo Iliev (II) Administrator of the two biggest professional-oriented Facebook groups: «Professional and freelance services» with 96,000 members and «Handmaders, Painters and Crafters» – 31,000 members. • Violeta Zlateva, Chair of the Union of Self-employed and Informal Workers (NGO). • Ivanka Mogilska, freelancer, copywriter, founder and author of the blog http://svobodnapraktika.com/. • Adrian Iliev, Chair of the Branch Syndicate Information Technologies at National Federation Technical Industry, Science, Informatics (NFTISI) at CL Podkrepa • Vanya Grigorova, Advisor of the President of CL "Podkrepa"
France	<ul style="list-style-type: none"> • Éric Peres (Force Ouvrière union, Secretary Genera FO-Cadres, vice-president French Data Authority CNIL) • Odile Chagny (economist, researcher at IRES, coordinator of the Sharers & Workers initiative) • Amandine Brugiere (head of Perspective ANACT [French National Agency for the Improvement of Working Conditions], former member of the CNNum [French Digital Council]) • Édouard Bernasse (former food delivery rider, secretary general of the CLAP union [Collective of Parisian Autonomous Delivery Workers], parliamentary assistant of Senator Pascal Savoldelli) • Élisbeth Leblanc (occupational psychologist, member of ANACT, PhD Candidate in psychology of work at Lyon 2 University) • Nicole Alix (president of the NGO Coop des Communs, former president of the development division of Crédit Coopératif bank)
Germany	<ul style="list-style-type: none"> • Hans Pongratz (LMU) • Gunter Haake (Verdi) • Sebastian Hoffmann (smart de) • Heiner Heiland (TU Dortmund)
Italy	<ul style="list-style-type: none"> • Francesca Martinelli (Doc Servizi) • Chiara Chiappa (Doc Servizi) • Ilaria Lani (Nidil-CGIL Firenze) • Anna Soru (ACTA) • Cristina Zanni (ACTA) • Michele D'Alena (Consegne Etiche)

	<ul style="list-style-type: none"> • Michele Faioli (CNEL)
Spain	<ul style="list-style-type: none"> • Felipe Corredor (Riders x Derechos) • Rocío Nogales (Smart Ibérica) • Rubén Ranz (UGT) • Fernando Rocha (Fundación 1º de Mayo, CCOO) • Israel Sánchez (CAIS- Consorcio Andaluz de Impulso Social)

The following table (table 3) summarizes the main issues that emerged from the local workshops in the five countries for each topic.

Tab. 3 – Main results of the local workshops

Country	Main results
<i>Requests for clarification or further information and remarks</i>	
Germany	<p>It was seen as extremely important to address the problems of collectivity for slash workers since the institutional landscape in Germany is centered around workers having one occupation with one employer. For the self-employed, some privileged occupational groups have their own associations which lobby for a specific clientele. More collective approaches would reach more vulnerable workers and have more say at a political level</p> <p>The second typology is a top-down approach favored by unions. The fourth typology is a grass roots or bottom-up approach which is not so common in Germany but is an important path for slash workers.</p> <p>The third model was not so well understood. It was unclear how sustainable such models are.</p> <p>Cooperatives are seen as important components of a future of collectivity for many freelancers within a framework of basic employment protections.</p>
Italy	<p>The presented models seem to point out that the most widespread experiences of collective representation of slash workers share the common attempt to assimilate slash/intermittent workers to the status of subordinated workers (cfr. the cooperative model and alternative business model) as a way to ensure social and employment protections → within the Italian regulatory framework this seems to be the most viable solution compared to the search for ad hoc protections</p>
Spain	<p>One of the participants requests information on the dimension of the phenomenon of slash workers in Europe and on their profiles. He considers that this should be the context in which the models of representation are analyzed ...</p> <p>Following this line, another participant asks specifically about the gendered and intersectional dimension of the phenomenon.</p>

	<p>She request information about possible initiatives in the sector of care and domestic work → A union representative confirms the difficulty to deal with or reach platform workers in the care and domestic labour sector.</p>
<p><i>What are the weaknesses, the risks? What to avoid?</i></p>	
Bulgaria	<p>If a freelancer/slash worker needs information he/she will find it in informal sources – Facebook groups, bloggers, peers, but there are no organized forms of association of self-employed as in other countries such as the USA or Australia.</p> <p>The freelancers strive for representation and consultations how to follow the administrative, social security and tax requirements.</p> <p>The freelancers need simplifying of tax and administrative procedures.</p> <p>The freelancers’ opinion is that the state administration is not transparent, and any clear information is given for how to manage administrative and tax issues, the administration is not supporting the freelancers at all.</p> <p>Freelancers and slash workers feel neglected, they lack any attention from the institutions despite the number of freelance workers is increasing (also in the context of Covid-19) and is becoming significant members of the economy.</p> <p>Obscure administrative procedure are making freelance job uncompetitive because they are allocating too much time for dealing with administrative requirements. The state institutions do not understand this type of occupation.</p> <p>The trade union organizations are still focused mainly on workers who have labour contracts and work 8 hours a day, even if there are voices claiming for a new strategy corresponding to the labour market transformation and rise of atypical work.</p> <p>According to the one of the trade union representatives, the freelance type of occupation is not eligible for, since it is atypical form of employment.</p> <p>The trade unions must change their view, because the situation is constantly transforming, and this way of employment will rise.</p>
Germany	<p>Unions often take the approach of top-down actions. The danger is that they don’t really know what the workers, who are not part of their usual constituents, need and want. They may only reach very few workers and have very little leverage.</p> <p>Top-down union initiatives often are geared to getting workers to join unions and be involved in institutionally set goals (such as dependent employment) which might not protect their best interests.</p> <p>Cooperatives in Germany traditionally target a group of privileged clientele. When this is not the case (as with smart de), it is hard to reach out, the membership is very heterogeneous. It is hard to be sustainable because no money to run the cooperative is generated.</p> <p>Several of the initiatives involve foreign workers or Germans with a migration background in Germany. These workers are in a precarious position and are often afraid to engage in the collective actions.</p>

	<p>The perception among unions is very strong that platform work is often a secondary occupation in which workers (or students) with a main job are just trying to earn some extra money. Therefore, organizing around it is – to a certain extent - a misuse of resources.</p>
France	<p>There is a fundamental ambiguity in this document. Do models aim to describe a typology of actors or of modes of action? Or rather 4 modes of governance? What’s the focus? What is the question that we are addressing?</p> <p>The main point is that these 4 types are not static. On the contrary, they are dynamic and can change with time. Some cooperatives can become unions, some association can percolate into movements, etc. As such, a time dimension should be clarified to better appreciate these four models.</p> <p>Cooperatives is probably the most elusive of these 4 types. When we mention a «cooperative model», what kind of cooperative are we talking about? This needs to be specified...</p> <p>When talking about unions, are we only considering new initiatives specific to these workers? Or even wider projects and initiatives? Also, when it comes to unions, how can we appreciate the different approaches to work, employment, and labour each union conveys? FO, for instance, was predicated on the principle of overcoming the employee as the only social agent worthy of representation by the union. The main point is not employment, but how we can defend «the salary» as an institution.</p> <p>In the French context, the relationship between unions and coops is quite distinctive. The issue of federating “alternative” models to uber-like platforms lies at the heart of the debate.</p> <p>This typology seems to stem from a fundamental lack of understanding of the link between work, savings and consumption. This triangulation is paramount and I am not sure it has been included in the study. Ideally, we should have studied the relationship between the transformations of work, the transformation of consumption and how much this is related to the availability of savings for today’s citizens.</p> <p>The variety of profiles of workers included in the study (from precarious workers to freelancers, to delivery workers, to micro-workers) makes it very difficult to create a single set of categories. What do these workers have in common that makes it possible to treat them as a whole?</p> <p>The heterogeneity of the initiatives included (in terms of countries, sizes, statuses, etc.) can hinder their comparability</p> <p>Workers’ statuses should be given a more central role in the models, especially in the case of forms that fall outside traditional/formal employment</p>
Italy	<p>Ethical platforms: this model might be hardly competitive compared to the multinational companies for delivery due to a lack of a potentially unlimited “reserve army” of riders, available at any contractual conditions and with unlimited flexibility in terms of working time and hours.</p> <p>This weakness is strictly connected with the problem of leveraging on</p>

	<p>economies of scale → obstacle to the financial sustainability in the long run</p> <p>Cooperatives: the model experiences the risks of misuse and misapplication, triggering phenomena of labour brokerage and illegal recruitment of workforce both offline and online.</p> <p>Furthermore, this model works as long as the cooperative has a relevant dimensions: with a few members, the risk of unsustainability is high.</p> <p>Trade unions: the collective representation of atypical, intermittent and autonomous workers raises severe issues in terms of representativeness of the different trade union categories towards these segments of workers and accordingly, in terms of their legitimisation to collectively bargain on behalf of them</p> <p>→ for instance the food delivery riders might be represented in Italy by both the category for atypical workers as well as for the workers in the transport and logistic sector</p>
Spain	<p>These initiatives can become stopgaps, palliative measures, but in practice they do not have the capacity to really reverse the problem of workers' precariousness; they only reduce it.</p> <p>Difficult to explain what these initiatives are (they are not always well understood).</p> <p>Problems of economic sustainability, both for cooperatives and for those that do not generate income from their own activity (e.g. RxD).</p> <p>The diversity and fragmentation of the sectors involved makes the development of this initiative complex.</p> <p>Difficulty in integrating new organisational paradigms. Especially in a context where old and new models of working environments coexist. For traditional trade union organisations it is still difficult to adapt their structures.</p> <p>Existing legal regulatory framework is not favourable and is also in a context of de-structuring of labor norms. These initiatives are taking place at a historical moment when corporate forces are strengthening their power.</p> <p>The context is evolving so fast that even new models (RxD) are outdated, it is difficult to adapt as quickly as the environment requires. Lack of agility.</p> <p>False cooperatives are beginning to emerge. Difficult/impossible to compete on a level playing field. This generates frustration.</p> <p>Cooperatives depend on the goodwill and awareness of the consumer.</p> <p>Neoliberal culture and identities are widespread (workers self-identify with neoliberal discourse).</p>
<i>What are the strengths? New ideas? What role can your organization play?</i>	
Bulgaria	<p>In Bulgaria Facebook groups are substituting the platforms and are preferred digital place for job search and search for information and advice for dealing with administration. Furthermore the group administration has introduced</p>

	<p>Mentorship program for consulting and advising, which is made via instant messages for free within the all-in-one communication Messenger app.</p> <p>The trade unions agree to cooperate and provide various type of consultations – legal, administrative, other to freelancers active in the facebook groups (exchange forums).</p> <p>Currently there are some types of consulting available and despite being aimed for trade union members only, the freelancers also can take advantages of them.</p> <p>Both freelancers and trade union representatives agree that future cooperation is highly necessary and will be established. Both will participate in forums and workshops and live consultations which will be beneficial for the freelancers and for the trade union members.</p> <p>The identified in SWIRL four types of IR action for slash workers could be useful for further prospective and strategy formulation by trade unions.</p>
Germany	<p>All of these types of collective initiatives serve to get networks created – and this is a large advantage. However, the initiatives should try to create more synergy effects between them, rather than remaining single solutions.</p> <p>Grass root movements, cooperatives, and social enterprises are the best ways to understand work situations of slash workers and define and identify what workers really want.</p> <p>Cooperatives: Are an important form to catch workers who often fall out of other organisational categories (no company-bound employment, no occupational association, no special fund for social insurance for their group) and have them work together to improve their working situation, articulate their interests, and position on the labor market. In Germany the cooperative aspect is somewhat downplayed since the membership is small. However, with growing membership this can change. The cooperative has to move from being an affirmative process to a transformative one. This can only happen if the cooperative is large and powerful enough.</p>
France	<p>The models highlight the common traits between workers that have very different statuses, and show that there are valuable similarities</p> <p>The models highlight the trajectory of the initiatives considered, providing context</p> <p>The models aim to improve the workers' condition</p> <p>A comparative perspective is useful to foster workers' organisation</p>
Italy	<p>Cooperatives: organisational body able to socialise social and employment risks, otherwise individually borne by the workers, isolated in the labour market.</p> <p>→ the strength of the cooperative is rooted in its capacity to build networks which multiplies and share the opportunities and the knowledge.</p>

	<p>Various models display a high degree of transferability and application in other economic sectors: this is the case of the cooperative model in other industries and of the ethical platform model in other cities</p> <p>→ the application in other sectors might even turn to be more effective than the pioneer one.</p> <p>Trade unions: the entitlement to sign NCAs turned to be a fruitful tool for other organisations not authorised to participate in collective bargaining</p> <p>→ trade unions sign national and company-level agreements regulating for instance working conditions of cooperative workers or platform workers.</p>
Spain	<p>Everyone agrees that the best way to protect and represent these workers is through alliances and synergies between the different models: cooperatives, unions and grassroots movements. These models must converge and dialogue with each other.</p> <p>Reinforcing their two-fold dimension. Do not forget that these initiatives are a lifeline for many people; they are necessary for their material survival. At the same time they are tools to fight for their rights - dignity.</p> <p>Some third sector – social economy organization are committed to include gender and climate justice perspectives.</p> <p>They can function as pedagogical tools to change identities and (neoliberal) mentalities. They also suggest that we are not facing an inevitability precarization of labour conditions, that there are alternatives.</p> <p>Implement new communication tools such as podcasts, which make it possible to reach audiences that are not easily accessible through more traditional media. Example: https://ugt-asturias.org/actualidad/salud-laboral/ugt-asturias-presenta-territorio-laboral-un-podcast-para-la-divulgacion-y-la-formacion-preventiva/</p>
<p><i>Are there other ways to protect and represent slash workers who have not been presented in the cases?</i></p>	
France	<p>The representation of slash workers should target all workers, not only the ones in formal employment.</p> <p>It should be noted that, in the specific case of France, there is no formal status of «para-subordination» (as opposed to Italy, Spain, Germany, etc.) *See Report Antonmattei & Sciberras (2008) Le travailleur économiquement dépendant: quelle protection?</p> <p>(https://travail-emploi.gouv.fr/IMG/pdf/Rapport_Antonmattei-Sciberras-07NOV08.pdf)</p> <p>The relative power of each actor (e.g.: cooperatives, unions, etc.) in each country should be taken into consideration, as this implies different modes of action to be adopted in each country</p>
Germany	<p>New organizational models based on self-management and self-organization</p>

	<p>that integrate the values of the social economy. An example would be the Buurtzorg Community Care Company: https://www.buurtzorg.com/...</p> <p>We shouldn't forget the role of the State / Public Sector</p> <p>It would be useful to impose social clauses in public administration contracts. This could balance the competitive environment for cooperatives.</p> <p>Some participants highlight the important role that the labour inspectorate has played in regulating the rider sector and suggest that this could be extended to other sectors.</p>
<i>Protection of discontinuities and accumulation of multiple jobs</i>	
Germany	<p>Social protections up to now have been organized around regular employment relationships in which employers pay half of the contributions. For freelancers and self-employed, this has been organized differently. However, for many self-employed, there are special arrangements to make sure they have affordable access to social protections. For many slash workers, this is not the case. There has to be a basis protection (maybe from taxes and the general population) for these workers.</p> <p>It is good to have collective bargaining, when possible, but it is not always possible. You can't force workers to be dependent employees. The most important thing is to assure that workers have good work, good working conditions and receive fair compensation.</p> <p>The EU spent years trying to define a separate category of worker, for example those who work on platforms: not dependently employed, but not self-employed. They did not succeed – also considering the difficulty across the member States. Also, you have to implement actions in the national framework: trying a one size fits all does not work.</p> <p>Institutionalization is good, but it is necessary to look at work itself rather than workplaces to set standards.</p> <p>Unions in Germany were very slow to respond to the needs of the grass roots movements or to platform work. They only stepped in later when many measures were already in place. You can't expect the unions to take the lead on moving forward with these new forms of work and workers.</p>
France	<p>When it comes to the status of slash workers, the ones with a status of independent workers should be granted the same social rights as workers in formal employment, as their work has de facto the same characteristics as formal employment</p>
Italy	<p>Lack of social protections for slash workers → the criteria to access these schemes are designed on the subordinated employment</p> <p>Criticisms emerged concerning the possibility to implement a universal social security system for all kinds of workers → a scheme exclusively based on the insurance system risks to provide only marginal social protections compared to the social contribution paid by the workers. There is a need to complement</p>

	<p>these resources with the general taxation also for slash/intermittent/atypical workers.</p> <p>Recent attempts to improve social protections through lobbying actions and negotiating tables, generally hampered because of frequent changes in government composition. Also trade unions and professional registered often hampered the extension of social protections via legislative interventions.</p>
Spain	<p>Representatives of unions and grassroots social movements advocate for the introduction of a universal basic income as a way to manage a situation that changes very quickly and challenges the ability of unions to react. It is also considered as a way of adapting the management of social protection to intermittent work trajectories.</p> <p>Representative of union highlights how the universal basic income should be connected with a general redistribution of labour.</p> <p>Limiting working hours. Address the development of the right to rest and right to disconnection.</p> <p>The unions, currently with a sectoral structure, are promoting spaces of representation for workers with various jobs in different sectors</p> <p>These spaces should be both: Online and Onsite.</p>
<i>Platform jobs</i>	
Germany	<p>Many trade unions would like to see platforms be designated as companies so that they have to pay half of the social contributions for health insurance and pensions that regular companies have to pay. There are many obstacles to this path due to the freelance nature of much of the workforce. For some areas (the local/offline) type of platform such as delivery workers, this type of designation is easier and has also achieved some success.</p> <p>Everyone who works should have certain rights and all employers, not matter whether companies, platforms, etc., have to have certain obligations.</p>
France	<p>With respect to logistic workers, their «independent» status is not chosen, but rather imposed by companies/platforms. Platforms choose to manage many aspects of riders (e.g.: they provide invoices) that should be handled by workers themselves if they were truly independent. Since they are not de facto independent, they should be granted the same social benefits as employees</p> <p>A work should be done to deconstruct platforms' narratives surrounding the independence and freedom associated with platform work. Workers' aspiration towards flexibility (which is understandable especially among younger workers and among those having legitimate aspirations towards autonomy) are turned into marketing tools by platforms.</p> <p>In terms of platform workers' status at the European level, hybrid/flexsecurity models (such as the Scandinavian model) should be privileged. However, this seems difficult to reconcile with the French political landscape. [OC] In order to have better protection, workers should join Umbrella associations as recommended in the latest Report Frouin</p>

	(https://www.gouvernement.fr/partage/11922-remise-du-rapport-reguler-les-plateformes-numeriques-de-travail NB: OC partook in this report as a member of the expert council).
Italy	<p>Call for a supranational legislative intervention to regulate platform work at the EU level</p> <p>→ this regulation has to be compatible with the competition law and has to provide a common legislative framework to the member states.</p> <p>Call for a major implementation of collective bargaining at the national level to regulate work in the platforms and slash work.</p>
Spain	<p>Union representatives emphasize the need to adapt legal frameworks to these new labor realities. They consider that a dispute over the legal framework is necessary not only at the Spanish level, but also at the European level and even at the global level.</p> <p>At the Spanish level, they propose to expand the framework of collective labour regulation beyond the company, which is currently the basis of this regulation. It should be more focused on the value chain.</p> <p>Another line of action, which is already being implemented by the unions, is to facilitate and support the self-organization of workers in new work environments.</p>
<i>Collective bargaining</i>	
Germany	<p>Collective bargaining might represent a useful solution to regulate work in the platforms, especially for food delivery platforms (and other local/offline applications), but it is not always possible, especially for remote/online platforms.</p> <p>Many slash workers want to be self-employed or freelance. In many occupations this has a long tradition. Collective bargaining is generally organized around companies and sectors rather than occupations, even though the entire social protection system and work identity is organized around occupations in Germany. For many occupations, having flexibility is very important. However, even freelance workers do have to learn not to undersell themselves and charge a fair fee for work. Cooperatives and other groups for the self-employed make this easier.</p>
France	<p>There's a gap between formal employment and independent work. Whatever status is adopted for slash workers, it should be either one or the other (not hybrid statuses).</p> <p>The issue of remuneration should remain at the heart of the debate, rather than status</p> <p>The 4 types featured in the document can indeed compete against each other in cases of collective bargaining. With French new labor laws and recent</p>

	<p>reforms, workers are invited to choose their representatives among a pool comprising unions, associations, cooperatives... The negotiation and conflicts among these 4 forms of slash worker representation should also be addressed, as they reveal an important side of the issue of worker rights.</p> <p>It should be noted that in Europe, independent workers are now allowed to form associations</p> <p>*Cf. The new article 101 of TFUE https:// concurrency.public.lu/dam-assets/fr/legislation/Article-101-et-102-du-TFUE.pdf</p>
Italy	<p>Collective bargaining might represent a useful solution to regulate work in the platforms, especially for food delivery platforms, but the application might raise tricky implications</p> <p>→ the shift from independent to subordinated status has to take into consideration the need for flexibility in work organisation and working time expressed by these workers, who often perform another job</p> <p>→ need to include flexibility clauses in the NCAs</p>
Spain	<p>Union representatives emphasize the importance of not abandoning nor renouncing collective bargaining</p>

1.3. Main transversal findings emerging from the analysis of the four models

The presentation of the four different models of collective representation for slash workers summarized in the previous tables highlights some relevant transversal findings, as well as important inputs for further investigation.

First of all, the different cases pointed out analyzed should not be considered as "good practices" or even "best practices" of collective representation across European Members States, but rather as institutional experimentations based on diverse experiences and different power resources. Accordingly, they display showing both elements of success to be replicated, transferred and eventually potentiated, as well as critical aspects to be seriously taken into consideration from both a theoretical as well as from a more mundane perspective. In this vein, a future beneficial investigation could take into account, for instance, also organizational cases and experiences that turned to be unsuccessful or problematic, in order to understand the reasons and the rationales underpinning such failures.

Second, the transversal analysis sheds light on the need to analyze these phenomena also from a longitudinal outlook, by adopting medium-term diachronic approach. The current state

of the art investigated across the different cases provide a complete and fruitful picture of the ongoing experiences, though without offering hints on future perspectives regarding, in particular, the capacity of the initiatives to survive in the long run, the resources necessary to become more institutionalized beyond the startup initial phase of launch and the financial sustainability of these kinds of initiatives. Conversely, a longitudinal analysis which observes the evolutions and the organizational transformations of these cases would provide useful elements again for both the academic investigation as well as for the practical experience. Third, the transversal analysis points out clearly emerging forms of alliance with varying and different geometries of the actors involved in the various initiatives considered. Each actor or type of institutional experimentation might provide diverse power resources to the coalition (e.g. the institutional acknowledgment as social partner for the trade unions who are, accordingly, entitled to sign collective agreements; a deep and bottom-up knowledge of the specific needs of the workers in the case of grassroots experiences. The empirical investigation, interestingly, underlined also the risk of emerging conflicts among these actors when the scope of collective representation overlaps, or in case of diverging strategies and perspective in the organizing action of these specific segment of workers. All in all, on this point, it would be useful to strengthen and deepen the observation of the results and the evolutions of these coalitions.

Finally, the present analysis of slash workers and the emerging form of collective representation focused specifically on the quality of their working life. These experiences, however, clearly show a tension between work and consumption on the one side, and, in parallel, between workers and consumers on the other side. These dichotomies have an impact on the logic of protection and representation of the workers that should be taken into consideration for further reflections.

Section 2

2. Policy recommendations (by Acta)

2.1. The main challenges arising from the SWIRL project

1. A large portion of employment is only marginally covered by the system of protections, which is still largely linked to salaried employment. Within this portion, there has been significant growth among independent professionals, defined as highly skilled, self-employed workers in non-commercial service sectors. For these individuals, high qualifications are not always sufficient to ensure adequate incomes, and the pandemic has highlighted their vulnerability, pointing to an urgent need to extend the system of protections to cover these workers as well.
2. Although there are differences between countries, some common trends emerged with respect to the conditions of the self-employed: a) maternity and pension schemes are often provided; b) schemes for illness (benefits for periods of absence from work, while health care, when not universal, is on a voluntary basis) and unemployment are not generally provided. Protection of compensation is lacking, and exposure to income fluctuation is high. On-the-job safety is often neglected as well.
3. There are many differences between contractual formats, offering various levels of protection. Sometimes these differences are exploited by workers who attempt to surf between one type of contract and another to obtain benefits, but more often it is the employer companies that determine the most advantageous contract, preferring those that cost less and, therefore, do not guarantee any social welfare protection. As the wp2 report points out (pg. 5): *“It appears that companies have become much more aggressive in finding ways of bypassing existing regulations even in countries known for their high quality of social dialogue”*.

4. For self-employed professionals, another factor frequently associated with the condition of slash-worker is intermittent employment. This gives rise to problems in terms of the continuity of protections (social protections should be tied to the worker and not to the job/contract), while periods of unemployment make establishing adequate income-support mechanisms of crucial importance. In the long term, this also has an impact on entitlement to a pension.

5. Multiple jobs are often a consequence of the difficulty of sustaining oneself economically with a single job. This is true for low-skilled jobs, but also for those entailing high skills, especially in the sectors of the arts and culture. (wp2 report, pg. 17 “*both workers in underpaid jobs with low skills and highly qualified professionals in creative sectors characterize slash work*”). Inadequate incomes can be the result of low-paying jobs or unstable, fragmented employment. The condition of slash-worker also makes it difficult to reconcile or combine access to the various social protection systems provided for different categories of employment. This segmentation has a considerable cost, frequently resulting in access to only partial benefits, which do not replace the worker’s full income. Holding more than one job also makes it difficult to guarantee controls on safety, a risk of particular note when activities prove highly stressful (the accumulation of a number of jobs could lead to excessive working hours, a situation not easily controlled).

6. The spread of platforms that bring together supply and demand of employment facilitates growth of the grey area between self-employment and salaried employee. The rise of platform work, given significant impetus by the pandemic, moves in this direction by rendering the distinction between salaried employees and the self-employed increasingly uncertain, laying the groundwork for increased levels of non-standard employment. Much platform work relies on contracts where workers are not defined as employees, but rather 'independent contractors', 'self-employed' or 'gig workers'. These jobs are easy to find (with lower entry barriers than in the offline labour market) and flexible, but quite often lack any protections.

7. Platform work raises additional issues in terms of job classification, contracts, control, transparency of algorithms, transferability of rankings etc.. Moreover, it accentuates price competition, placing downward pressure on fees. Further complications arise in the case of platforms that operate outside of national borders, making guarantees of decent remuneration, social benefits and enhancement of skills even more complex.

8. The spread of platforms that bring together supply and demand of employment has multiplied opportunities to find and carry out additional work activities that often require limited amounts of time, ensure flexibility in how the work is organised and can be performed remotely. As reported in the WP3 report, there has emerged: *“bidirectional relationship between platforms and slash work. On the one hand, platforms generate job opportunities that ease workers to diversify their paid activities, thus fostering the spread of slash workers. On the other hand, the extension of slash workers helps create the social conditions for the platform work model's sustainability as it is currently operating, since a second job in the “conventional” market provides the job security and income sufficiency necessary to make digital work desirable”*.

9. In some cases, and especially in the audiovisual sector (as reported in the French case study “The Federal Sounds”), the growth of platform enterprises does not establish a direct relationship between workers and the platform, but rather results in changes in the sector’s artistic and economic scenario, in addition to placing downward pressure on workers' compensation by encouraging concentration. In other instances, platforms are forums for selling creative content, as in the case of Patreon, OnlyFans, Twitch, platforms whose use has grown significantly during the pandemic, and which allow people to make money by selling access to original content. It is not clear how these activities should be regulated: whether they should be considered as work and, as such, be subject to social benefit contributions.

10. Women report that they earn lower incomes and, in the daily management of work-life balance, are forced to accept flexible, precarious forms of employment

more often than men, in addition to more frequently finding themselves in need of a second job to arrive at a subsistence-level income.

11. Informal (off-the-books) work remains widespread, especially in Eastern and Southern European countries (one of the Bulgarian case studies focuses on a Facebook group engaged in a campaign against the informal economy), in no small measure because of the difficulties faced by many workers, especially immigrants, when it comes to entering the regular labour market. Of course, off-the-books work is associated with a lack of social welfare, unless it is performed as only a marginal or secondary activity. Platforms, which are often used as clearinghouses for activities performed off the books, could contribute to regularizing black-market work, but rules need to be established to make this happen.
12. In some countries, and especially Bulgaria (report on the local workshop), the self-employed face obstacles tied to a lack of transparency in administrative and fiscal procedures, as well as excessive, time-consuming bureaucracy.

2.2. How these problems have been addressed in the context of industrial relations.

As a rule, traditional trade unions have been unresponsive when it comes to addressing the above issues.

In most countries (except for those of Eastern European, including Bulgaria), trade unions have opened up recruitment to the self-employed and to hybrid workers, generally excluding only self-employed workers that have employees, due to their ambiguous role as both worker and employer¹.

¹ Fulton L. (2018) Trade unions protecting self-employed workers. ETUC. Brussels. The workshop held in Bulgaria confirms the different approach in Eastern European countries: “According to the one of the trade union representatives, freelance employment is not eligible, since it is atypical form”.

But when designing measures for these new types of workers, traditional trade unions have shown a certain rigidity of approach, replicating the strategy adopted for salaried workers, and often focusing their initiatives on providing custom-tailored services (information, training, contractual assistance...), as was confirmed by the Swirl surveys.

Trade unions do not question the fact that the system of protections provides safeguards only for salaried employment, while self-employment is generally governed by civil law. This difficulty of the unions is also linked to their organisational outlook being keyed on sectors of economic activity and levels of contractual classification, which provide the framework for collective-bargaining agreements. Moreover, they struggle to grasp new needs and tend to favour a top-down approach.

In light of the above, the path followed has entailed broadening the scope of application of contracts of salaried employment through three approaches:

- a) The identification of bogus self-employed workers, in order to counter the growth on the market of weak self-employment.
- b) The identification and legislative recognition of hybrid figures, i.e. economically dependent or para-subordinate workers (“co.co.co.”, or para-subordinated workers, in Italy; “trade” in Spain), to whom some basic rights are guaranteed.
- c) The establishment of co-operative forms that bring together freelancers, formally classifying them as salaried employees, a path that is widely followed in Belgium and France [the 2014 Hamon Act created the figure of the salaried entrepreneur, within the framework of business and employment cooperatives (BEC)]. Being a salaried employee, in fact, allows these workers to obtain access to a series of social protection benefits, including unemployment.

Other specific measures have been introduced to regulate mini-jobs, such as the tax measures passed in Belgium for online workers with remuneration of up to 5,000 EUR per year, the German measures for mini-jobs of up to 450 EUR per month, as well as the Italian vouchers (albeit now greatly reduced, compared to the original version). In the last two cases, social benefits are also provided.

An analysis of trade union initiatives shows that no particular attention is given to the problems of slash-workers. The labour market is becoming more and more fluid and fragmented, but unions show a certain rigidity, focusing on workers who have only one job with one employer.

With specific reference to contingent work, the main initiatives in the sector of industrial relations concerned the category of food-delivery riders employed through platforms, often in the form of bottom-up, and self-mobilisation efforts launched by these workers themselves, while, when it comes to proposals to protect online work organised through platforms, unions look to the European Union, expecting it to define the basic rights and rules.

Contingent and slash-workers, because of the fragmented nature of their employment, barely have any stable relations with unions. The worsening of their working conditions, especially during the pandemic period, has favoured the emergence of new forms of aggregation (collectives, professional associations, grassroots unions brought into being from below) that act, for the most part, independently of (and often in competition with) traditional unions, though in some cases there has been a certain convergence.

2.3. The current system of labour protection

The current system of safeguards in most European countries was built on the basis of Fordist model, under which salaried employment is largely predominant, while the great majority of the self-employed for the most part, deal directly with their final consumers (as in the case of craftsmen, tradesmen, but also professionals, such as doctors, lawyers etc.).

Under this scheme, self-employed workers did not need to be protected against the bargaining power of their clients-contractors, as the latter were generally individuals.

This model is no longer adequate to covering the significant and growing numbers of self-employed workers who sell their services primarily to businesses and branches of the public administration, compared to which they are at a disadvantage when it comes to bargaining power. The sharp drop in income experienced by the self-employed, especially after the crisis of 2008, confirms this limited bargaining power, at the same time highlighting the need for forms of protection, seeing that the drop in their income means that they are no longer able provide for situations of risk on their own. The pandemic crisis has placed dramatic emphasis on this weakness.

What are the existing forms of protection?

In the European countries, workers' safeguards rest on two pillars:

1. labour law: establishing workers' rights through laws and collective-bargaining that regulate working conditions (salaries, working hours, rest etc.) under agreements

between employers' associations and trade unions. In some countries, there is also a legal minimum wage.

2. social welfare, which includes measures financed primarily by benefit contributions, in order to guarantee income during periods of parenthood, illness or accident, or of unemployment or severe drops in income, as well as in old age (pensions)². These measures vary according to the type of contract. As a rule, they provide very extensive protection for salaried employees (partly because, in this case, the companies pay a larger portion of the benefit contributions), with this being especially true for standard employees. In the case of self-employment, on the other hand, the protections are limited, or not provided at all for certain new forms of work. Generally speaking, the self-employed are not entitled to support in the event of illness, accidents or unemployment, or they receive only partial benefits. The prevailing idea is that the self-employed can decide whether, and how, to take out insurance against non-work situations, without being obliged to pay benefit contributions.

2.4. What possible actions for the future?

What viable solutions, then, can be implemented to regulate working conditions and improve social protection for slash-workers?

A first step, promoted at the EU level as well, involves a reformulation of the boundaries of the concept of the worker, expanding it to take in additional categories of non-standard workers. This exercise in redefinition is of critical importance, in that it has a direct effect on the application of social and labour safeguards. In addition, the application of collective bargaining rights is closely tied to this definition. A recent major European study on platforms³ contends that: (pg. 91). *"At the heart of many discussions around the negative impacts of platform work on working conditions is the way in which the use of non-standard employment relationships (typically, self-employed status) blocks access to many or all of the social protections that come with full-time indefinite employment. To rectify this, the report*

² Other welfare measures, which are universal and concern all citizens, are financed through taxation, such as those for the family and, in general, for health and education.

³ Online platforms: Economic and societal effects, EPRS, European Parliamentary Research Service, March 2021. [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/656336/EPRS_STU\(2021\)656336_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/656336/EPRS_STU(2021)656336_EN.pdf)

recommends redefining the category of worker in such a way that it encompasses the new forms of platform work and non-standard work. At a stroke, those currently excluded from standard social protections would be brought back within their ambit. There are a variety of definitions that could be used to carry this out. Regardless of what definition is chosen though, an important aspect is that workers should, by default, be categorised as employees."

Many of the court rulings on labour cases brought by platform workers also point in this direction.

A second orientation, promoted primarily by movements (and noted in the Spanish workshop), is to introduce a universal basic income. Support for universal basic income has increased during the pandemic emergency. Indeed, since March 2020, rising inequality and drastic changes in the labour market have forced governments to implement economic initiatives, such as basic income programmes, that previously would have been politically untenable.

Finally, there is a third path, an alternative to the first two, which asks what the basic protections are and how to ensure them for all workers. Is it possible to adapt employment protection instruments to meet the needs of the self-employed and address new forms of work?

Let's consider the two pillars of welfare and collective bargaining separately.

2.4.1. Working conditions

Regarding matters regulated by labour law, one issue undoubtedly of great interest to the self-employed, as already noted, is remuneration. The instrument that generally regulates remuneration for salaried employment is collective bargaining. Can this also be a suitable instrument for non-salaried forms of employment?

The European Union has started considering whether collective bargaining and self-employment can be reconciled with antitrust laws, and whether the current constraints should be removed. According to the European law on competition, the self-employed are placed on the same footing as companies, so that any form of joint action in the negotiation of remuneration or other conditions is held to be a trust, placing it in conflict with existing anti-trust law. However, there are some exceptions, and in many European countries frequent use

has been made of collective bargaining, especially for professions that revolve around the world of culture, the arts and entertainment.

The European Union recently launched a review of this issue, to assess whether collective bargaining could be adopted for new forms of work.

The European Union has started exploring this policy situation with reference to job activities for which platforms serve as a clearing house. In a call for opinions that expired in September 2020⁴, it collected suggestions on how to adapt current laws on competition to address the need to counteract the bargaining power of large platforms.

At the beginning of 2021⁵, the European Union launched a survey of opinions more specifically aimed at "defining the EU competition law's scope of application, to enable an improvement of working conditions through collective-bargaining agreements - not only for employees, but also, under some circumstances, for the solo self-employed".

Hopefully, the European Union will continue moving in this direction, removing existing obstacles that prevent the solo self-employed from utilising collective bargaining.

A further policy instrument, adopted in most European countries, is the legal minimum wage. Among the countries involved in the Swirl project, only Italy has not introduced it yet, due to opposition from trade unions and business associations, and this has favoured processes of compensation compression that were particularly acute during the crisis of 2008 and the current crisis. Overcoming ongoing opposition would be an important development in the interests of workers.

This brings us to the second question: is collective bargaining applicable to the self-employed?

Our opinion is that it is applicable to a certain segment of the self-employed, and namely those directly involved in the production of services provided by their client enterprises, i.e. in a production activity per se, while it is not applicable to those who have a staff function, traditionally an area that employs consultants.

In the first case, the choice of using external collaborators, generally justified by the search for production flexibility, has often aimed, in actual fact, at reducing costs, thanks to the combination of lower social benefit contributions (which, moreover, are entirely borne by the self-employed) and lower remuneration. Employers can use their greater bargaining power to

⁴ <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12418-Digital-Services-Act-package-ex-ante-regulatory-instrument-of-very-large-online-platforms-acting-as-gatekeepers>.

⁵ <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12483-Collective-bargaining-agreements-for-self-employed-scope-of-application-EU-competition-rules>.

impose their own conditions on the self-employed, who are not protected by collective bargaining. These processes have led to situations of sharp pay differentials between the self-employed and salaried employees engaged in the same professional activities. An example common to many European countries is that of journalists: the generalised crisis of the press, triggered by the advent of digital technology, has primarily affected the freelance segment, which is more exposed to competition.

Allowing the self-employed to organise forms of representation that can participate in collective bargaining could help address the imbalance in bargaining power between client companies and self-employed workers. The self-employed could decide to establish such forms of representation either together with, or independent of, salaried employees, depending on the circumstances and the actors in the market in which they find themselves. It is a different matter when the self-employed carry out staff activities. Here, collective bargaining, as traditionally understood, is not applicable, seeing that each self-employed individual might work with clients in different sectors, ruling out a direct reference to any one collective-bargaining agreement in a single sector.

However, there is still a need to allow for the adoption of instruments safeguarding remuneration, with a possible way forward being the establishment of reference parameters for the main services offered, to be drawn up through encounters between representatives of the individual professions and a specific commission composed of experts, plus representatives of business and the public administration.

The establishment of parameters would not guarantee compliance with the same, but it would still represent an important benchmark for clients and workers, potentially proving useful in the event of legal disputes.

Moreover, in looking at the cultural and creative professions, whose workers, as we have seen, are among those who experience the greatest difficulty when it comes to receiving decent compensation, other issues also arise:

- 2) The effective protection of copyrights and royalties, which must be adapted and upgraded to address new tools of communication;
- 3) Ensuring that public funding, which is a very important source of financing for artistic and cultural activities in most EU countries⁶, is used not only to benefit businesses, but also for the benefit of workers. Usually, the criteria for access to public funds will include

⁶ For example, in the audiovisual sector, by EU-20, the weight of public funds on total revenues is 23% of 114.5 billion. Trends in VOD market in EU28. European Audiovisual Observatory January 2021

considerations of cultural content, nationality of the applicant or the talent, commercial potential, gender distribution⁷. These could be supplemented with criteria on the contractual status of all workers, respect for safe working conditions, and decent wages.

2.4.2. Social protection

Welfare measures meant to address the issues highlighted in paragraph 1 should move past current divisions, in a context where the distinction between salaried employment and self-employment is increasingly blurred, and where the pressures driving the growth of bogus self-employment may increase even further. A new infrastructure of social protections could be foreseen as developing along two lines:

1. social welfare expansion, by broadening the system of protections, so that all forms of work are provided with certain basic protections, including income-support policies.
2. to ensure ongoing access to assistance⁸ during transitions from one system of protection system to another, in addition to providing full protection to workers engaged in several jobs falling under different protection systems.

2.4.3. Social welfare expansion

A basic protection system covering parenthood, serious illness, unemployment or a significant drop in income, as well as retirement, could be provided for all workers, no matter what type of employment contract they have, even those of very short duration, including platform work. In a scenario where these forms of earnings will be increasingly common, and will play a growing role in securing income, it is important to ensure that they contribute to building the social security system, both to protect workers and to support the welfare state.

Funding should be based on compulsory insurance (with direct employer participation, if possible, or, if not, then partial compensation from clients), as is currently the case where

⁷ Mapping of film and audiovisual public funding criteria in the EU, European Audiovisual Observatory, Strasbourg 2019 <https://rm.coe.int/mapping-of-film-and-audiovisual-public-funding-criteria-in-the-eu/1680947b6c>.

⁸ Parenthood, illness, income support.

such protections are provided. However, to ensure decent minimum benefits, even for the most fragile workers, either the contribution must be high, at the risk of it proving difficult to sustain and encouraging tax evasion, or additional public funding is required. In the latter case, the guarantee of decent minimum benefits (in the event of illness, pregnancy or retirement), even in return for low benefit contributions, could be an incentive for regular work, including in areas where informal work is widespread.

Insurance should apply to all remuneration arising from the sale of services, ideas or products, in whatever form. This should be the case for the contractual arrangements that in many countries (under approaches which differ from country to country) allow forms of employment that do not require benefit contributions, as well as for the various arrangements that have emerged on the web for selling content (the sale of individual content or subscriptions, or even ‘spontaneous’ contributions in the form of donations).

2.4.4. Continuity of services

To ensure that social welfare benefits are continuous, and eligible for accumulation, steps must be taken to overcome the current fragmentation of social security schemes. Unifying, or at least homogenising, the various social security funds would reduce many of the current difficulties. In addressing a highly differentiated set of situations, it will be necessary to provide for:

- bridging measures, e.g. extending the duration of benefits from a discontinued welfare scheme for a sufficient number of months to allow the new fund to become operational;
- the accumulation of benefits accrued through working activities carried out concurrently.

3. Annexes. Guidelines for the local workshop

Overall duration: 1h and half

Participants: about 7 representatives of the social partners or other significant interlocutors

Timeline:

Introduction. 10 minutes

- Short presentation of the Swirl project and the objectives of the meeting.
- Short self-introductions by participants.

Presentation of the 4 types. 20 minutes

- One researcher (or more researchers in turn) presents the 4 models. The local team decides independently whether to anticipate the models via email before the meeting or to present them directly during the workshop. If you share the documents, it is recommended that you translate them into your own language.
- During the presentation of the characteristics of the four groups, participants are required to answer these questions with personal notes:
 3. Do you think this model can be implemented in your country? (if one or more of the cases presented already refers to your country, take into consideration mainly the others or in any case reflect on the possible evolutions of the cases already present)
 4. What role could your organization play in implementing this model?

First round of debate. 30 minutes

- Debate rules:
 - Be succinct in presenting your point of view
 - Try to add and not counter
 - When you comment, specify the model you are referring to

A researcher takes notes using the attached outline. The notes will be shared with the participants

- Three rounds of commentary (10 minutes each):

1. Requests for clarification or further information on the proposed models
2. What are the weaknesses, the risks of these models? What to avoid?
3. What are the strengths? New ideas listening to these cases? (new, provocative, even impossible) What role can your organization play?

Second round of debate. 20 minutes

- Debate rules:
 - Be succinct in presenting your point of view
 - Try to add and not counter

A researcher takes notes using the attached outline. The notes will be shared with the participants

- General question: Are there other ways to protect and represent slash workers who have not been presented in the cases? (they can be concrete cases or ideas, proposals).

If it is not enough, more specific questions can be asked:

- How do you think the protection of discontinuities between one contract and another and the accumulation of multiple jobs relating to different social security funds should be addressed?
- Do you think that universal social security should be based on the insurance system? if so, can it actually guarantee adequate protection and be sustainable for workers? If not, what alternatives are possible?
- How do you think platforms jobs should be framed, including for tax and social security purposes?
- Do you think collective bargaining for self-employed workers can be used? have you ever applied it?

Conclusions. 10 minutes

The researchers share the notes taken during the workshop for validation.