

The Regulation of platform work in Italy

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Kind of Platform work

- ▶ **Online web based platform** - totally online, not localized, only virtual world, work performance belonging to the digital business (design, translation, image recognition) – performance that can be outsourced in hits in any area of the world **AMT, UPWORK, SPEAKLIKE, ADDLANCE**
- ▶ **On location based platform** – online - off-line, virtual and real world, performance localized in micro times and micro places, traditional work performance (delivery, transport, home care and care) DELIVEROO, UBER, JUSTEAT, GLOVO



Risks and opportunities for workers from the Sharing economy to the Gig Economy

- ▶ Regularity of work and income, working conditions, social protection, use of skills, freedom of association and the right to collective bargaining.
- ▶ Initially these risks were exacerbated by informal and non-standard work agreements, the platforms highlighted in an almost ideological way the use of an independent workforce, not like concepts related to employee work
- ▶ This approach was then strongly refuted by the courts, trade unions, workers and other companies which saw unfair competition in the use of labour at almost non-existent costs.
- ▶ The narrative carried out by the platforms *works where, as and when you want* it has been strongly contested for the presence of organizational dimensions of Taylorism work, organized, coordinated profiled by mathematical and algorithmic formulas and corresponding in any time and place occur on the employer plan of the established platform work

Theoretical adjustment hypotheses about classification

- **Employee work**
- **Self-employment**
 - Radical
 - Temperate (**Tertium Genus, Etero-organizzazione**)
 - New kind of work produced by digital technology



INTERNATIONAL REGULATIONS

► **Employees**

- Spain 2021 - Inclusion of riders in workers' statutes after supreme court ruling 2020
- Italy only for a just eat platform work – contract of logistics workers only part-time work

► **Self-Employment**

- France 2016 – Even after a similar ruling to the Spanish one of the Court of Cassation not reclassified but only some rights. Self-employment with rights. The self employed can thus, for example, benefit from the coverage of contributions for accidents at work and have access to continuing vocational training. Their right to form or join trade unions was also enshrined and to organize a concerted movement to refuse to provide the service – 2019 transparency obligations for mobility platforms (transport of persons and delivery of goods with two- or three-wheeled vehicles), enshrined in the Transport Code
- Germany (New Kind of work) does not classify them but offers a series of protections and rights proper to employees
- Italy Etero-organizzazione



The regulation of the platform work delivery sector in Italy

decreto legge n. 101 del 3 settembre 2019, convertito nella legge 2 novembre 2019 n. 128 16:

- Greater inclusion in the forms of *etero organizzato* work (constants rider)
- Minimum protections for work in conditions of autonomy (radically contingent riders)
- Such as in France classification is not forced even after judgments (Turin, Bologna, Palermo)

rights

- the imposition of the written form of individual employment contracts
- the obligation to provide workers with all information necessary for the protection of their interests, rights and safety.
- determination of the overall compensation about collective agreements concluded by the comparatively more representative trade unions and employers' associations
- No piece work
- minimum hourly compensation
- supplementary allowance
- anti-discrimination discipline and protection of the freedom and dignity of employees
- Accident insurance, occupational diseases, occupational health and safety standards



What happened

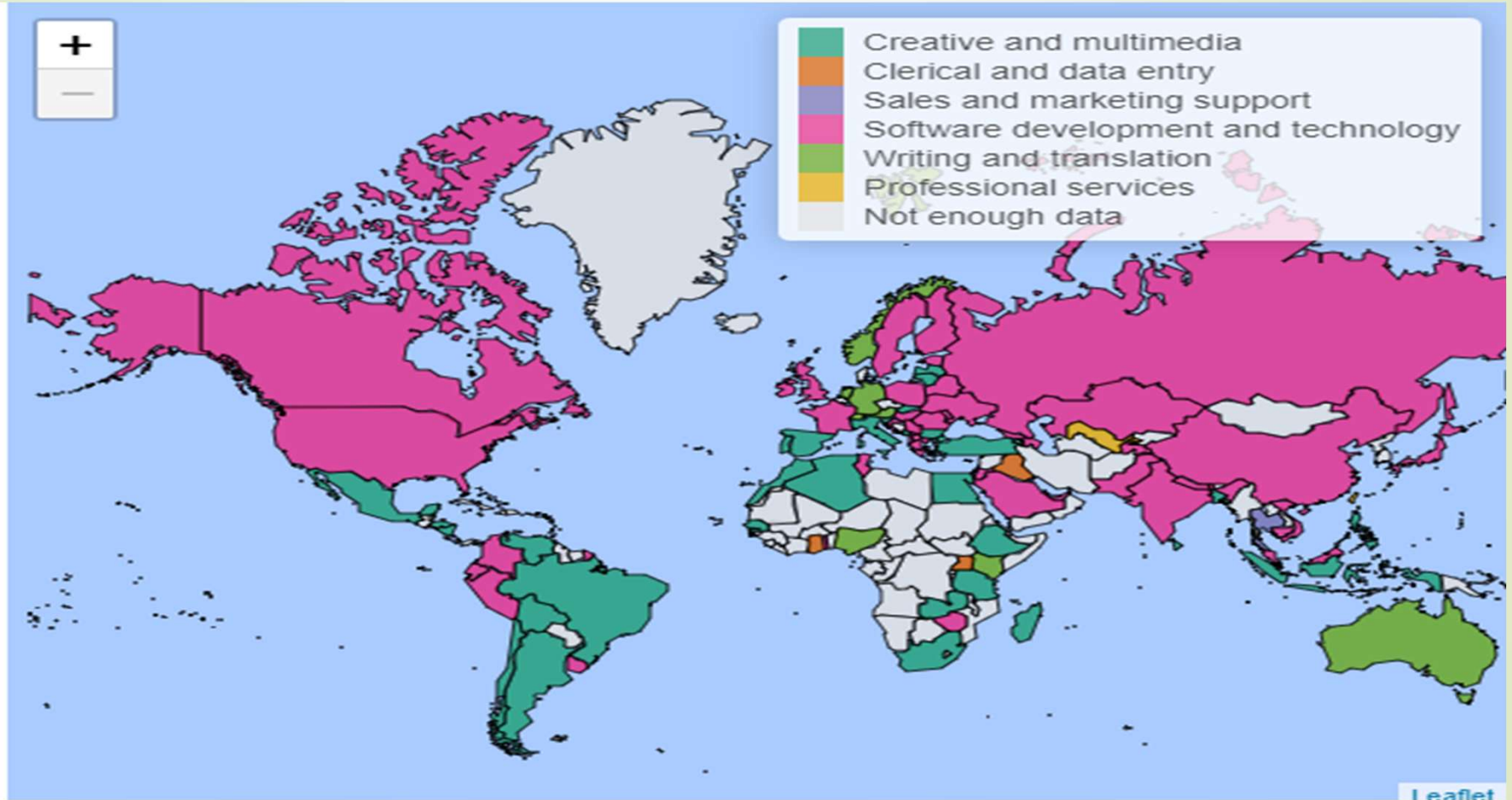
- ▶ Shortly before the effective entry into force of the Act in the absence of collective agreements applicable the national contracts present in the logistic sector
- ▶ Agreement between Assodelivery, the employers' association that brings together the largest Italian companies in the sector, with a trade union initials (UGL), amending, in part, the legal discipline. The major representative trade unions (CGIL, CISL and UIL) and unions rider of the main Italy towns were opposed to the agreement
- ▶ Fully self-employed
- ▶ Introduction of piece working time
- ▶ Trade union accessibility are for members and representatives of the signatory trade union
- ▶ Just to eat exception – Logistics workers dependency too in a part-time relationship
- ▶ The rest of the online-based crowd work remains informal



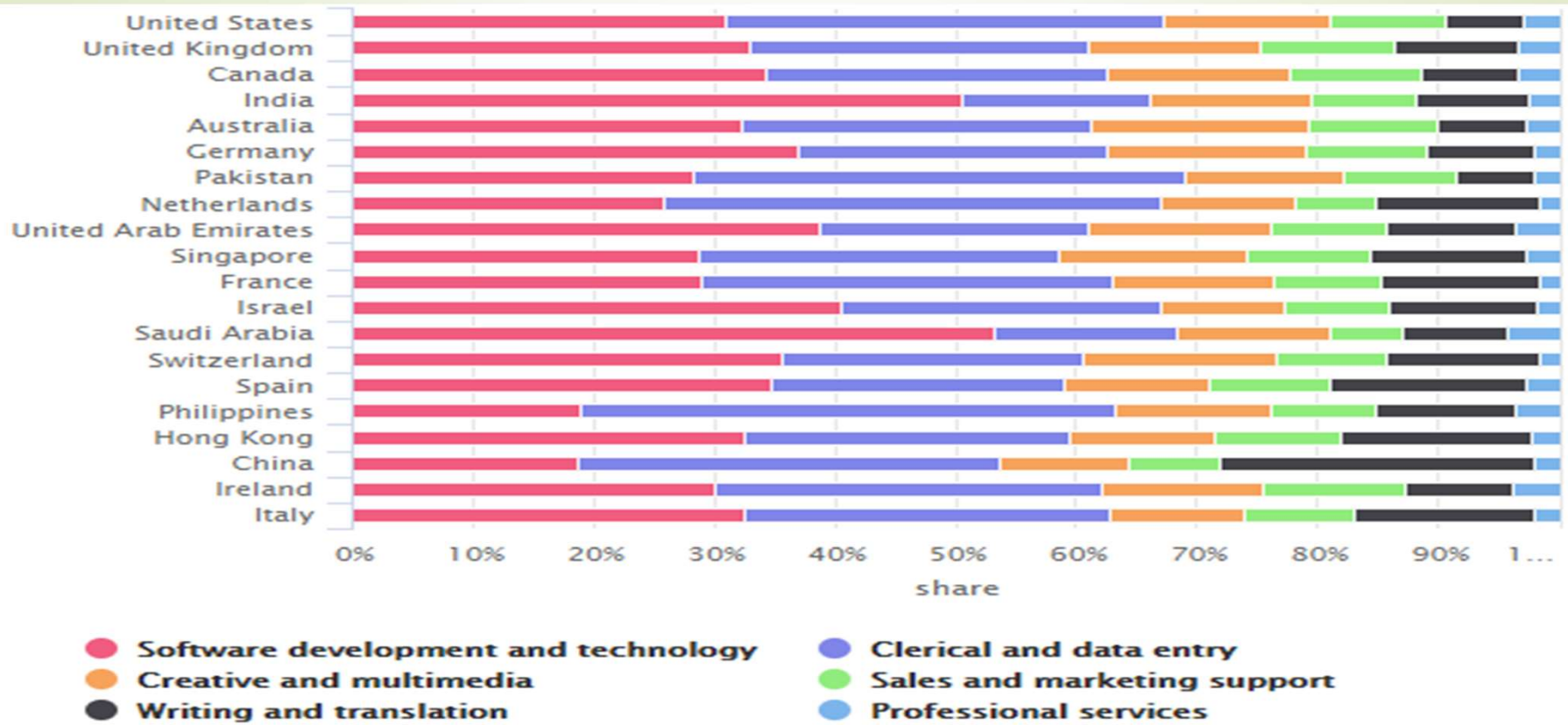
Characteristics of the Agreement

- ▶ Technology providers only
- Platforms, companies that make available computer programs and procedures that, regardless of the place of establishment, are instrumental to the activities of delivery of goods;
- Self-employed riders
- self-employed persons who decide to carry out activities of delivery of goods on behalf of others, based on a contract with one or more Platforms
- The agreement reaffirms almost at every point the independent character of the rider figure, entering reasons to refute in ideal and cultural terms any other classification,
- In the absence of such an Agreement, they would have been classified as employed persons
- The operation of time piece work
- The regulation of wage supplements at piecemeal time
- Rewards
- The delivery prize
- Compensation for bad weather and night as calculated
- Rewards for new openings

A quantification of platform work activities in the world, principal activity for single country (from UE commission and ILO elaboration)



supply and demand of online freelance labour across countries and occupations by tracking the number of projects and tasks across platforms in real time (from data ILO, EU, OCSE, OXFORD UNIVERSITY)



Source: Online Labour Index



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