Traditional and new forms of organisation and representation in the platform economy

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ABSTRACT

This article investigates whether the existing frameworks of industrial relations and social dialogue can also be applied to work in the platform economy. It further questions what role the traditional Social Partners can play in dealing with the challenges of this new form of work. The article maps new forms of organisation, of both workers and platforms, and explores how these interact with the traditional actors and structures. While organising platform workers is difficult, numerous successful efforts to do so exist, including by grassroots organisations, worker cooperatives and formal unions. All of these, to different degrees, perform similar functions to those of traditional Social Partners.

KEY WORDS

platform economy, trade unions, new forms of organisation, industrial relations, social dialogue

Introduction

Digitalisation is an important driver of economic change and alternative work arrangements, of which work in the platform economy is one particular form that has been subject to much debate. The platform economy can be defined as that part of the economy composed of digital platforms that enable users to share, lend, rent or purchase goods and services (Kilhoffer, Lenaerts & Beblavý, 2017). In the past few

years, platforms have rapidly gained ground in the European Union (EU), attracting an ever increasing number of users and workers.

For some, platform work is seen as entailing more flexibility, greater access to the labour market, additional income and other benefits. Others regard the platform economy as disenfranchising vulnerable workers and legitimising a particularly precarious form of work. The opportunities and risks of platform work, and what to do about it, have become much-discussed topics in both academic and policymaker circles – particularly in Europe, in the context of the Digital Single Market and the European Agenda on the Collaborative Economy (European Commission, 2016).

As the use of platforms expands, trade unions have become increasingly interested in engaging with and representing platform workers (Kilhoffer, Lenaerts & Beblavý, 2017). In several EU Member States, trade unions are undertaking collective actions aimed at supporting platform workers and leading negotiations on their behalf (Eurofound, 2018b; Vandaele, 2018). The unions' involvement has been encouraged by workers as well as policymakers, notably the EU institutions.

Yet, the relationship between the platform economy and the existing structures of industrial relations is not immediately intuitively obvious (Kilhoffer, Lenaerts & Beblavý, 2017; Eurofound, 2018b). Platforms and workers do not generally fall into the roles of employers and employees: platform workers are not usually employees, and platforms are not usually employers, though exceptions exist for both. How then can the organisation of these workers into employee organisations, or of platforms into employer organisations, be envisaged? A related matter is that some platform workers are incorrectly classified as self-employed, but in practice maintain an employee–employer relation with the platform (Aloisi, 2016; Rogers, 2016). This issue has resulted in several court cases, of which many are yet to be settled. Finally, the role of governments in dealing with the platform economy also differs from its usual form.

Although these dynamics are much discussed, they are poorly understood, which is why the organisation and representation of platforms and their workers warrants further analysis. The platform economy has created new conflicts and made old conflicts more salient. These include the declining share of formally employed workers, and the corresponding increase in self-employment (Sheehan & McNamara, 2015). The growing prevalence of non-standard work arrangements has corresponded with a decline in union membership in many countries (Visser, 2011). At the same time, Social Partners as well as workers are increasingly concerned about the impact of digitalisation on work more generally (Degryse, 2016; Vandaele, 2018). Thus, a number of cross-cutting issues are at play, which shape the interactions between platforms, platform workers and traditional actors and give rise to possibilities for engagement between new actors, such as grassroots organisations of platform workers, and traditional trade unions.

Against this background, this article investigates the industrial relations and social dialogue in the platform economy. By 'industrial relations', we mean the collective relationships between workers, employers and their respective representatives, including the tripartite dimension where public authorities at different levels are involved. 'Social dialogue' refers here to all communications between representatives of

the Social Partners[1] and the government, ranging from the exchange of information to collective negotiations. Historically, industrial relations and social dialogue have been seen as a cornerstone of the European social model (European Commission, 2015a, 2015b).

This article focuses specifically on three angles: first, we examine the role of industrial relations and social dialogue in the platform economy (and how this is linked to the debate on the employment status of platform workers and their working conditions); second, we investigate what levels of organisation and representation exist, both informally and formally; and third, we look at the activities that representation entails (from information exchange to negotiations). With regard to the two latter questions, our aim is to understand what types of actions are undertaken by whom, studying both the traditional Social Partners and new forms of grassroots organisation.

In this article, we present evidence that platform workers and, to a much more limited extent, platforms are increasingly represented and organised. We document new forms of grassroots organisation, as well as cooperation with the traditional actors in industrial relations. The article further shows that different types of actions and initiatives exist side by side with grassroots organisations providing information to workers and unions entering into negotiations with platform owners. Different forms of organisation could come into competition with each other but generally appear to collaborate (Vandaele, 2018). It is clear that much more is happening in terms of industrial relations and social dialogue in the platform economy than might be expected at first glance.

This analysis derives from desk research and is limited to countries where substantial activity connecting industrial relations and the platform economy has been established. It is based on a thorough review of the academic and grey literature, publications of Social Partners and other organisations, blog posts and newspaper articles, as well as other materials, most of which was published before the spring of 2018. The scope of the literature review is broad as there is little academic research on organisation and representation in the platform economy. For that reason, the desk research has also been enriched with a number of expert interviews with representatives of the government and Social Partners. Interviews were used to validate information gathered through desk research and to gather additional insights.

The remainder of this article is organised as follows. The following section offers a brief discussion on work in the platform economy. Although the working and employment conditions of platform workers are not the main focus of this article, this section is fundamental to providing an explanation of why there could be a role for industrial relations and social dialogue in the platform economy and what this role might entail. The subsequent section elaborates on the industrial relations and social dialogue angle, carefully considering whether the existing structures could also be applied to platform workers and platforms. It also reflects on new forms of organisation and representation. Within this section, both informal and formal forms of organisation and the activities of these groups (from information exchange to negotiations) are discussed. The final section of the article formulates the conclusions of this work.

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1 'Social partners' is a term generally used in Europe to refer to representatives of management and labour (employers' organisations and trade unions).

Work in the platform economy: conditions and status

As a starting point for the analysis of industrial relations and social dialogue in the platform economy and the roles of traditional and new actors, a brief discussion on the nature of platform work is informative. Research into work in the platform economy has accelerated, especially in recent years, with the studies of Codagnone, Biagi and Abadie (2016), Drahokoupil and Fabo (2016), Huws, Spencer and Joyce (2016), Prassl and Risak (2016) and Schmidt (2017) being prominent examples. Around the same time, platform work became a much-discussed topic in public debates, which highlighted both the opportunities and the risks associated with this new employment form (Eurofound, 2018b).

Nevertheless, the debate on work in the platform economy is obfuscated by the abundance of terms that are used for identical or similar phenomena – or not (Codagnone, Biagi & Abadie, 2016; Eurofound, 2018a). Concepts such as 'collaborative economy' or 'sharing economy', which were popularised early on, are increasingly refuted, because they convey an image that does not necessarily match with the business models of the platforms (Codagnone, Biagi & Abadie, 2016; Eurofound, 2018b). As a result, the debate has moved away from its initial focus on altruistic platforms to platforms that present larger regulatory challenges, such as those intermediating paid labour. For the purpose of this article, the more neutral term 'platform economy' is, therefore, preferred.

Work in the platform economy is highly diverse, and is becoming more heterogeneous as the platform economy develops (Kilhoffer, Lenaerts & Beblavý, 2017). Following De Groen, Maselli and Fabo (2016), platform work can be classified into four groups as illustrated in Table 1, depending on whether services are provided offline or online and on the level of skills required to perform them. While this distinction may appear simplistic, it does capture the diversity of platform work rather well. Even in more sophisticated classifications and typologies such as those of Schmidt (2017) and Eurofound (2018b), the format of service provision and the levels of skills required are key classification elements. All four types identified in Table 1 come with their own implications for the employment and working conditions of the workers involved. Especially, low-skilled activities that are carried out online are believed to be precarious (e.g. click work on Amazon Mechanical Turk typically involves micro tasks that are remunerated by just a few cents but are still highly competitive; Silberman & Irani, 2016). In addition, as will become clear below, there are differences in the extent of organisation of platform workers involved in different types of work.

Table 1: Conceptualisation of work in the platform economy

Virtual/global services		Physical/local services	
Low-skilled	High-skilled	Low-skilled	High-skilled
e.g. MTurk	e.g. Upwork	e.g. Uber	e.g. TakeLessons

Source: De Groen, Maselli and Fabo (2016).

Against this background, concerns have been raised about the employment and working conditions facing those working in the platform economy. Workers' employment status is typically tied to specific rights and obligations, for example, in the areas of taxation, social insurance provision, maternity and parental leave, workplace health and safety regulations and paid holidays. If platform workers are unaware of their status or misclassified they may, for example, miss out on some of the benefits they are entitled to. In responding to these challenges, platform workers have turned to traditional trade unions, started their own associations or have taken issues to court, for example in France, Italy and the United Kingdom.

As a new form of labour, platform work often presents a challenge for clear determination of employment status. By default, platform workers are regarded as self-employed in most EU Member States, but not always (Goudin, 2016; Eurofound, 2018b). In many of the services where platform economy models are prevalent (e.g. taxi services, domestic cleaning), self-employment was already the norm before the advent of online platforms. However, workers are not always aware of their employment status or of the implications that this may have (Cheselina, 2017). Platforms may also offer workers different types of contracts, even when identical work is being performed (e.g. in Germany, depending on the number of hours one wants to work, Foodora offers three different types of contract), which further complicates the issue. Although issues relating to categorisation of workers are not new (Goudin, 2016), working arrangements in the platform economy have made the employment status debate considerably more salient (Prassl & Risak, 2016).

France has been at the forefront in addressing employment issues raised by the digital economy and particularly the platform economy. Recognising the limitations of the binary system of French labour law, whereby workers are classified either as self-employed or as employees, instead of creating a new employment category, the government has given certain minimum social rights to platform workers under the *Act of 8 August 2016 on work, modernisation of social dialogue and securing of career paths – Loi n. 2016-1088 du 8 août 2016, Article 60*. As a result, the rights of platform workers now include the possibility to benefit from work-related accident insurance (which would be the responsibility of the online platform), continued professional training and the validation of the working experience with the platform. More relevant in the context of representation, the law also gives platform workers the right to constitute a trade union, to be a member of a trade union and to take collective action in defence of their interests. There is also an ongoing debate on unemployment insurance for independent workers (*l'assurance chômage indépendants*).

One aspect of platform work that has been noted for its potential to lead to the abuse and exploitation of platform workers is the way that platforms are able to determine the general terms and conditions of contracts unilaterally (Deutscher Bundestag, 2015). As there is no specific regulatory framework for platform work in most countries and the employment status of workers is legally unclear, the terms and conditions stipulated by the platforms indicate the status of workers and determine the formal relationships between the platform, worker and client (Eurofound, 2018b). The terms and conditions are also frequently ambiguous, and even contain clauses that violate the freedom usually allotted to self-employed individuals to complete their work

at a time and place and in the manner of their choice (Schmidt, 2015). The terminology contained within contracts for platform work, while generally vague, can also be illustrative. For example, Uber uses the euphemism 'partners' to describe its drivers, which is regarded as a sign of bogus self-employment in some studies (Jorens & van Buynder, 2008).

Some trade unions have taken a step further towards addressing this ambiguous employment status of some platform workers. For example, the GMB, a general British trade union, filed a case against Uber on behalf of 17 Uber drivers alleging that Uber had falsely classified its drivers as self-employed. The GMB won the ruling, which was unambiguous and concluded that Uber drivers are workers and, therefore, entitled to basic workers' rights including holiday pay and the minimum wage (Osborne, 2016).

Organisation and representation in the platform economy: the role for traditional and new actors

Historically, employee and employer associations in Europe emerged as a response to precarious working conditions in the second industrial revolution. The Social Partners have traditionally had an important role in the EU as is recognised in Article 152 of the Treaty on the Functioning of the Union (effective since 1958). It is still the case that the Social Partners are seen as prime actors in the EU policy domain. With work in the platform economy challenging legal and regulatory frameworks, governments and the Social Partners have started to take note. When the employment and working conditions of platform workers started to be questioned and it was suggested that platform work might crowd out more protected (and sometimes unionised) forms of work, the Social Partners got involved in the platform economy debate. In Germany, for example, the trade union IG Metall developed an interest in platform work when large and influential German companies began outsourcing part of their activities to platforms. This raised concerns about working conditions and wages with the trade union (Eurofound, 2018b).

Since their inception, the Social Partners have taken up different functions. The trade unions, for example, are concerned with building and maintaining an identity, collective bargaining, protection of worker rights, collecting and sharing information for workers, ensuring workers access to social protection, and developing human capital through education and training. These functions are also relevant in the platform economy. The EU has taken the stance that Social Partners have an essential role to play in the development of the platform economy (European Commission, 2016). Below, we assess to what extent Social Partners are actually involved in the platform economy and what forms of organisation have emerged so far.

Applying the industrial relations framework to the platform economy

Industrial relations structures, which have a rich history, are well established in the EU, and in all of its Member States, bipartite and tripartite social dialogue embedded in the regulatory frameworks governing labour relations. With these structures and practices in place (as depicted in Figure 1), the question is to what extent the platform economy can be introduced into this framework?
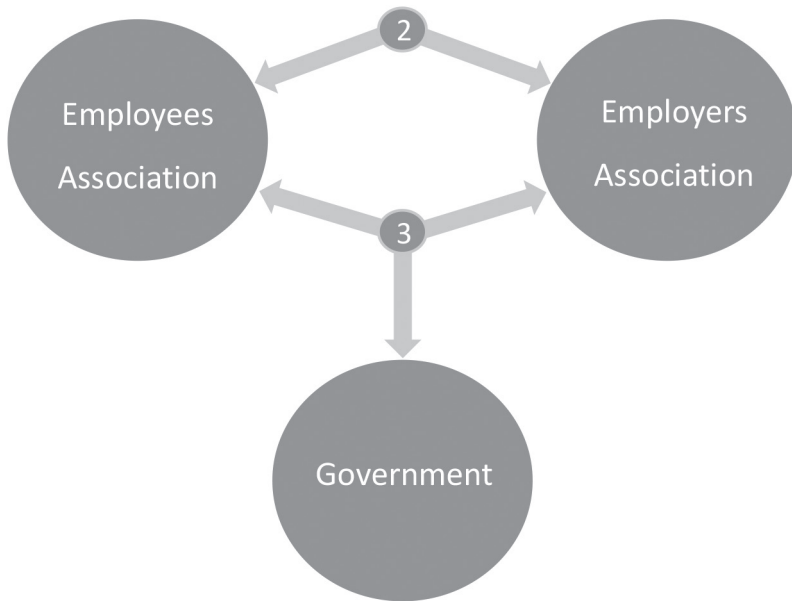
Figure 1: Conceptualisation of bipartite and tripartite social dialogue

Note: The bipartite relationship is indicated with number 2, and the tripartite is indicated with number 3.
Source: Authors' elaboration.

We explore this question with reference to Figure 2. Already, at first glance, it is clear that several reservations must be noted (Kilhoffer, Lenaerts & Beblavý, 2017). Looking at labour supply, platform workers tend to be classified as self-employed, even if their activities correspond in many ways to a traditional employment relationship. This complicates their organisation and representation (e.g. because of anti-cartel laws or because workers consider themselves to be self-employed and do not see the need for organisation). Second, platforms do not usually recognise themselves as employers but rather consider themselves to be 'intermediaries' between workers and clients, or even as tech start-ups (Lenaerts et al., 2018). Third, while the government representatives in industrial relations are typically those at the sectoral, national or supranational level, those involved in discussions with actors in the platform economy may primarily be active at lower levels (e.g. the local level). Fourth, some soft forms of organisation do not function exactly like trade unions but rather as a sort of watchdog or intermediary. Examples of this are platform cooperatives such as SMart[2] or union-affiliated guilds such as the Collectif des coursier-e-s/KoeriersKollektief in Belgium[3] (Vandaele, 2018). Such initiatives frequently receive support from established trade unions.

2   See https://smart-eu.org/.
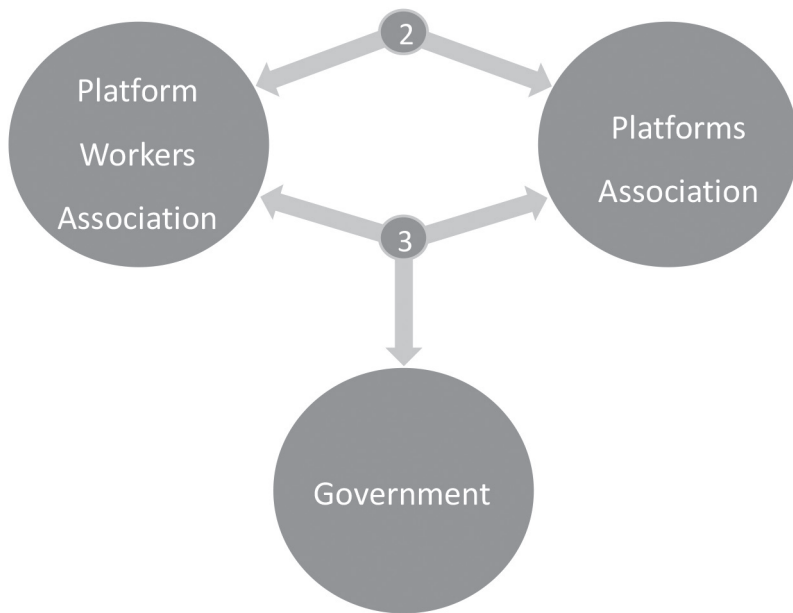3   See https://cne.csc-en-ligne.be/default.html.

Figure 2:   Potential conceptualisation of bipartite and tripartite social dialogue in the platform economy

Note: Bipartite relationships are indicated by the number 2, and tripartite relationships by the number 3.
Source: Authors' elaboration.

These observations suggest that industrial relations and social dialogue are likely to differ from the traditional ones shown in Figure 1 in the context of the platform economy. Nevertheless, there are also cases in which the relationship shown in Figure 2 is nearly a perfect fit, which happens when platforms formally employ their workers. Although these cases are the exception and not the rule, such examples do exist. In Sweden, for example, Foodora couriers have an employment contract with the platform. Another example is Germany, where, platform workers of Foodora and Book A Tiger are employees, and thus, the relevant organisational structures for German employees apply to them. However, in the German case, both platforms began operations using self-employment contracts and only started using the employee model after pressure from the Social Partners. In France, a recently founded delivery start-up, Stuart, which had been collaborating with large firms such as Carrefour and Zalando, was bought by La Poste, the national postal service company.[4] La Poste envisions offering longer term employment contracts (currently 14% of workers have a full-time employment contract) as well as a social protection package (details unknown) to Stuart's independent workers (Steinman, 2017).

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4   See the press release of La Poste regarding the 100% acquisition of the Stuart start-up: https://legroupe.laposte.fr/content/search?presse=1&SearchText=stuart (accessed on January 14, 2018).

In the more common case where platform workers are self-employed, a variety of different forms of organisation are possible. In some countries, unions have long existed specifically for self-employed workers, especially in the cultural and social domains (Vandaele & Leschke, 2010). Examples are trade unions representing journalists, actors and film and TV workers in the United Kingdom. In other cases, such unions were established more recently, such as the Freelancers Union in the USA. In other cases, employee organisations have represented self-employed workers alongside employees, and some have opened up their statutes to the self-employed recently (e.g. IG Metall in Germany; Eurofound, 2018a and as confirmed in expert interviews with representatives of trade unions). The German United Services Trade Union Ver.di, for instance, counts some 30,000 self-employed workers as members.

We now proceed to examine the extent to which the platform economy is compatible with industrial relations and to what extent actors in the platform economy have penetrated the traditional industrial relations framework.

To what extent are platform workers organised or represented?

In this section, we discuss the organisation and representation of platform workers along two axes: the level of organisation (which captures the formality of the effort) and what actions are undertaken (which captures the types of activities). Both are discussed simultaneously.

Soft forms of organisation are relatively common in the platform economy (Silberman & Irani, 2016; Kilhoffer, Lenaerts & Beblavý, 2017; Vandaele, 2018; Eurofound, 2018a). At the least formal level, these may include chat forums on social media, mobile phone app groups or other web forums, facilitating communication between platform workers. Such soft forms of organisation are worth considering as they are performing some of the functions of trade unions and can indicate the first steps to more formal organisation and representation. Interestingly, some traditional trade unions have also turned to social media to engage with their members (Carneiro, 2018). In addition, grassroots efforts of platform workers are growing in number and relevance (e.g. there are multiple bottom-up initiatives for Uber drivers, such as UberPeople.net; Kilhoffer, Lenaerts and Beblavý, 2017). In particular, social media platforms, such as Facebook, have proven to be effective tools for these purposes.

One of the first soft forms of organisation was Turkopticon. Turkopticon was created by Silberman and Irani in response to reports of 'low pay, slow pay, poor communication, and arbitrary rejections (i.e. non-payment)' for Amazon Mechanical Turk (AMT) workers (Silberman & Irani, 2016). Turkopticon's website also links to grassroots web forums run by and for AMT workers (Turkers), on which information about the AMT marketplace is shared. Turkopticon further maintains a web browser extension that allows Turkers to see and contribute ratings for clients based on pay, pay speed, fairness of work evaluation and communication. Another example of informal organisation is UberPeople.net, an informal community of Uber drivers (Karanovic, Berends & Engel, 2017). Within this community, Uber drivers give one another advice on legal issues. For example, threads stress the need to use 'dash cams' to protect oneself against accusations of unprofessional conduct and verify claims made against passengers.

Other noteworthy efforts of self-organisation models include collectives, cooperatives and mutuals. Some organisations such as Outlandish have utilised a business model owned by the workers themselves (i.e. cooperatives; Robbins, 2014; Parsons, 2016). In other cases, organisations such as the Freelancers Union of the United States legally function as a mutual rather than a union but nevertheless provide a number of services typical of trade unions (e.g. discounted social protection; Heckscher, Horowitz & Erickson, 2010).

Branches of platform work that are particularly well organised are those involving drivers and bicycle couriers. Organisations of the latter, in particular, are prevalent in a number of major European cities. The reason for the relatively high level of activity may be that these workers work in close proximity with one another and are able to recognise each other as working for the same platform, facilitating the building of contacts. It may also be that their work frequently shares a number of features of employment (e.g. mandatory hours, wearing a uniform), while not always receiving the benefits of employment. Whatever the reason, drivers and bicycle couriers for platforms including Uber, Foodora and Deliveroo have organised and held protests over working conditions and remuneration.

In France, bike riders for various food delivery platforms such as Deliveroo, Foodora and UberEats have organised themselves into a collective called CLAP – *Collectif des livreurs autonomes de Paris*. CLAP underlines the precarious conditions of workers with a high dependence on the platforms and defends the rights of the workers to exercise their profession with decent working conditions and social protection. This organisation mainly uses social media channels (e.g. Facebook) to reach out to couriers to organise gatherings and to allow them to express their problems and experiences working for food delivery platforms. The members of CLAP also advocate the idea of providing further self-management to the couriers and suggest ways of developing a new platform cooperative, which would be owned by the couriers themselves (Leblond & Voldoire, 2017).[5] One such attempt is CoopCycle,[6] which is an open source software managed by volunteers that enables couriers to organise their own delivery work in the city in which they operate (Leblond & Voldoire, 2017).

In the USA, the Teamsters 117 in Seattle and the Independent Drivers' Guild of New York City provide examples of organisation of drivers. The Independent Drivers Guild was formed in May 2016 as part of a compromise in the New York City area between Uber and the International Association of Machinists and Aerospace Workers. As part of the arrangement, members of the Guild met regularly with Uber officials in New York City, but the Guild also had to agree not to challenge Uber's stance that its drivers are independent contractors rather than employees. The Guild has had successes, such as requiring Uber to offer an in-app tipping option and raising the minimum fare rate (Scheiber, 2017). Nevertheless, it has also faced criticism from unions such as the Teamsters and New York Taxi Workers Alliance for brokering a deal with Uber before building a more formal organisation of drivers (Scheiber, 2017).

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5   As part of our interviews, we also had the chance to talk to two members of CLAP who expressed these opinions.
6   https://coopcycle.org/en/.

A much discussed example of a cooperative engaging platform workers is SMart (Kilhoffer & Lenaerts, 2017; Vandaele, 2017). Until late 2017, SMart had a partnership with bicycle delivery platform Deliveroo in Belgium that received considerable attention in the literature on the platform economy (De Groen, Maselli & Fabo, 2016; Drahokoupil & Fabo, 2016). Through this partnership, Belgian couriers could opt for self-employment or employment through SMart (while receiving tasks through Deliveroo). At the time, self-employed couriers were paid €11 hourly, plus €2 per delivery, a €25 bonus for every 25 deliveries and €1.5 for three deliveries within an hour. Couriers employed through SMart received €9.31 hourly (student rate) or €11 (independent rate). As of February 2017, about 90% of Deliveroo's Belgian couriers were employed through SMart (De Groen, Lenaerts, Bosc & Paquier, 2017).

When this partnership came to an abrupt end in October 2017, as Deliveroo announced it would only work with self-employed couriers from 1 February 2018 onward, a heated debate started among the workers, SMart, trade unions, the government and the platform (Kilhoffer & Lenaerts, 2017, Vandaele, 2017). At the time, SMart was engaged in negotiations with trade unions BTB (ABVV), HORVAL (ABVV) and CNE (ACV) that seemed close to reaching a company-level collective agreement for the platform workers (Kilhoffer & Lenaerts, 2017; Vandaele, 2017).

The break-up of the partnership between SMart and Deliveroo also led to actions (Kilhoffer & Lenaerts, 2017; Vandaele, 2017; Eurofound, 2018b). A collective of workers, supported by traditional trade unions, pledged to hold regular strikes until their demands were met. In January 2018, bikers conducted a sit-in at the Deliveroo headquarters in Brussels. A close collaboration between individual workers, collectives of workers and trade unions emerged (Kilhoffer & Lenaerts, 2017; Vandaele, 2017). Trade unions working on the Deliveroo case adopted a range of measures, for example distributing leaflets, talking to workers on the street and via Facebook groups, and launching negotiations. The case of Deliveroo touches on numerous points: organisational reaction to a growing group of precarious workers, social dialogue and collective industrial action concerning platform workers, and employment status shifts.

A combination of formal and informal organisations, engaging in different types of activities, has also been used elsewhere. In Germany, Deliveroo and Foodora, as well as couriers working for these platforms, have been working with the Freie Arbeiterinnen- und Arbeiter-Union (Free Workers' Union; FAU, 2016). Foodora has also concluded an agreement with the Gewerkschaft Nahrung-Genuss-Gaststätten (Food, Beverages and Catering Union) in Cologne regarding working conditions (Jauch, 2017). These examples corroborate the work of Al-Ani and Stumpp (2015), who find that platform workers themselves acknowledge the importance of engagement with trade unions.

French drivers have been particularly engaged in organising themselves in relation to large platforms, mainly Uber. In recent years, many drivers have worked for Uber under the VTC system (*voiture de tourisme avec chauffeur)*, a status that involves an easy process for obtaining the right to drive (unlike the traditional taxi licence). However, Uber drivers have found themselves in vulnerable situations and, in particular, lack control over the pricing of the ride, which is set by the platform, even though the drivers are supposed to be independent. Other concerns related to social protection, accident insurance, working hours and maintenance costs have been raised,

and drivers have also started to mobilise around these issues. Initial initiatives were based on mobile app and social media groups, which finally led to the formation of the first official syndicate of VTC drivers (Syndicat SCP VTC) in France and Europe in 2015. The syndicate has been supported by the larger traditional trade unions such as UNSA Transport. The syndicate was also behind a series of strikes against Uber in Paris at the end of 2016 (Vedrenne, 2016). Following the strikes, Thibaud Simphal, Uber's general manager for Western Europe, entered into negotiations with drivers at the request of the French government in December 2016. The negotiations were moderated by a mediator, Jacques Rapoport (who is an expert on transport issues), appointed by the government. After consultations with both sides, Mr Rapoport, in turn, submitted his recommendations to the French government.[7] These conclusions also included financial compensation from Uber to drivers.

This chain of events offers a near-textbook example of industrial relations in action. This was possible, in part, because Uber is large enough to have reached a 'critical mass' of Parisian drivers working for it, which precipitated organisation and collective action. Furthermore, Uber's model approximates sufficiently to a traditional employment relationship to merit the provision of additional protections. A recent law known as *Loi Grandguillaume*, due to be implemented in 2018, aimed at a stricter regulation of the transport sector regarding VTC drivers and access to the profession, limits the space for manoeuvre available to big platforms.

In the examples presented so far, the role of traditional trade unions has mostly been linked to platform work that is done offline. Organising those who work online (i.e. performing location-independent activities) is a much more difficult challenge as these workers are harder to identify, reach and unite. In spite of these challenges, the German Trade Union, IG Metall, has made significant progress in engaging these workers. One result of IG Metall's efforts is Fair Crowd Work, which is a type of watchdog organisation run in collaboration with the Austrian Chamber of Labour, the Austrian Trade Union Confederation, and the Swedish white collar trade union, Unionen. Fair Crowd Work collects information about platforms and produces a rating system based on the platforms' terms and conditions and workers' reviews. Fair Crowd Work additionally offers advice to workers on relevant labour unions and was also involved in producing the 'Frankfurt Declaration' on fair practices in platform work (Fair Crowd Work, 2016). Lastly, Fair Crowd Work provides information on legal status and workers' rights (Fair Crowd Work, 2017a). These activities, however, remain largely focused on providing information. At the time of writing, there is no evidence of more advanced actions, to the best of our knowledge.

Our findings on the types of organisation and representation of platform workers are summarised in Table 2. Although they are not exhaustive, the examples presented are illustrative of how far the organisation and representation of platform workers has

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7   The official conclusions submitted to the government by the moderator are published here: https://www.ecologique-solidaire.gouv.fr/sites/default/files/Rapport%20du%20m%C3%A9diateur%20Jacques%20Rapoport%2008022017.pdf (accessed on January 14, 2018).
     The mediator Jacques Rapoport also has reported further information on the process in his personal blog: https://blogdumediateur.wordpress.com/ (accessed on January 14, 2018).

progressed (also see Vandaele, 2018). Yet, it has been argued that organising platform workers is uniquely difficult (Kilhoffer, Lenaerts & Beblavý, 2017; Scheiber, 2017; Vandaele, 2018). Platform workers are less likely to organise due to their unclear status, frequent turnover, dispersed locations and uncertain organisation rights stemming from cartel and competition laws (Scheiber, 2017). Some platform workers are attached to their autonomy and fear that the political agenda of traditional trade unions might not reflect these concerns of the platform workers. Additionally, many platform workers may not recognise their activities as work, know that opportunities for organisation and representation exist, or acknowledge the utility of representation for the types of platform work they perform. The latter, for example, holds true for high-skilled workers on online contest-based design platforms such as 99designs (Eurofound, 2018b). This raises challenges for grassroots and trade union efforts to reach platform workers. Nevertheless, examples of organisation and representation do exist and are expanding. As the table shows, workers doing low-skilled physical activities, such as drivers and bikers, groups who are easier to identify and reach, have been particularly likely to organise and be represented.

Table 2: Synthesis of the types of organisation and representation of platform workers

Overall level of organisation	Virtual/global services		Physical/local services	
	Low-skilled	High-skilled	Low-skilled	High-skilled
	Low	Medium	High	Negligible
Types of organisation				
Information sharing networks	Yes	Yes	Yes	Yes
Grassroots organisation	Yes	Yes	Yes	
Formation of workers council			Yes	
Incorporation into union	Yes	Yes	Yes	
Types of actions				
Information exchange and consultation	Yes	Yes	Yes	Yes
Lawsuits			Yes	
Collective actions (e.g. strikes)			Yes	
Collective negotiations			Yes	
Collective agreements			Yes	

Source: Authors' e-analysis.

To what extent are platforms organised or represented?

In contrast to the developments on the side of the platform workers, there is less evidence of platforms organising themselves into associations or of established employers' associations accepting platforms into their ranks. On the contrary, there are examples of employers' associations fighting against platforms, such as the ongoing battle between Airbnb, hotel industry associations and hotel unions over the platform's operations in San Francisco (Benner, 2017). There are, nevertheless, a handful of interesting cases worth mentioning here as well.

One interesting example of platform organisation is that of the *Deutscher Crowdsourcing Verband* (German Crowdsourcing Association) (De Groen, Kilhoffer & Lenaerts, 2018). Founded by eight platforms, the Deutscher Crowdsourcing Verband represents the first known formal organisation of platforms and is noteworthy for creating a voluntary agreement to abide by certain principles. Together, the eight platforms have drafted a Code of Conduct, aimed at the promotion of a fair and trust-based collaboration between platforms and crowd workers. The Code of Conduct establishes a framework covering ten fields of interest: lawfulness of task, clarification of the legal framework, fair pay, 'motivating and good' work, respectful conduct, clear task definitions and appropriate time planning, freedom and flexibility, constructive feedback and open communication, rule-based process to reject completed work and request rework, and data privacy and the private sphere (Deutscher Crowdsourcing Verband, 2017).

Since the Code of Conduct's inception, Testbirds, one of the founding platforms, has collaborated with IG Metall to improve the code and further develop fair crowd employment practices (Paulo, 2017). In November 2017, the Code of Conduct was further formalised with the creation of a dispute settlement mechanism (Fair Crowd Work, 2017b). In collaboration with IG Metall, an Ombuds Office was established by the platforms of the Deutscher Crowdsourcing Verband, to hold signatories of the Code of Conduct accountable. The purpose of the Ombuds Office is to serve as a formal mechanism to voice grievances and find resolutions for crowd workers who work through one of the signatory platforms and believe that the platform is not holding itself to the standards agreed to in the Code of Conduct (Fair Crowd Work, 2017b). Given its recent inception, it is not yet clear what impact the Ombuds Office will have for German platforms and crowd workers. If the Code of Conduct and Ombuds Office prove to be effective, both would provide examples of how self-regulation in the platform economy can be approached.

Beyond the Deutscher Crowdsourcing Verband, little organisation appears to be occurring on the platform side and certainly not at the level of formality that has been achieved by the Crowdsourcing Verband. Furthermore, activities have so far mostly focused on information exchange and consultation. One example is the open letter that was sent in February 2016 by Uber, Airbnb and 45 other platforms to the Dutch Presidency of the Council of the EU concerning the EU's initiatives to develop a European agenda on the platform economy (Codagnone, Biagi & Abadie, 2016). Notwithstanding this example of joint action, it is clear that the organisation and representation of platforms is a far cry from that of crowd workers.

Several reasons have been put forward that could explain the more limited organisation of platforms (Eurofound, 2018b). One possible explanation is that platforms are not organising because platform workers' organisations are in their infancy, so countering their influence is not seen as a priority. Similarly, platforms tend to argue that, due to their business model, they are in close contact with workers and can resolve issues on a one-to-one basis. Platforms may regard themselves as intermediaries, and therefore may see no need for negotiation with workers and, by extension, for organisation and representation. Another reason could be that platforms have sufficiently divergent interests from each other and from other businesses and, therefore do not see organisation as a helpful strategy. Finally, the platform economy is evolving fast, with smaller platforms being bought out by larger ones and frequent platform mergers, which could make platform associations less viable. The lack of a negotiation partner on the platform side is seen as problematic by the unions.

Conclusion

This article has presented an overview of existing practices in the platform economy, touching upon the employment and working conditions of these platforms and how the relevant actors, including the workers and owners of platforms, have been engaging or organising, if at all, to address the conditions they face. The cross-country evidence on the platform economy presented here clearly shows a domain that is evolving fast, especially, in the context of industrial relations and social dialogue.

The diversity of national approaches to industrial relations is on full display in the platform economy. Platform workers are engaging in soft forms of organisation, creating associations exclusively for their own interests, joining new intermediaries as well as being brought into existing employee associations. In some cases, established Social Partners have supported or led the process, while grassroots organisation is also present. Even as Social Partners and governments try to fit the platform economy into an industrial relations framework, the platform economy is broadening the scope of industrial relations activity.

New forms of organisation and partnerships between platform workers and other organisations, such as Fair Crowd Work, demonstrate that worker organisation is adapting to alternative work arrangements. However, activity is also noteworthy in the traditional model of industrial relations consisting of bilateral and trilateral social dialogue. This article has discussed examples of platform worker organisation, with a focus on the cases of Germany, France, Belgium, the United Kingdom and the USA, which can be regarded as prime examples. While this list of examples is far from exhaustive, these cases are illustrative of the increasing potential for integrating the platform economy into industrial relations systems and for the role of social dialogue in the context of platform work. What makes this selection of countries particularly interesting is the combination of different types and levels of organisation (from informal, grassroots networks to formal trade unions) and different types of action (from information exchange on web forums to strike and collective negotiations).

Based on available evidence, platform workers performing low-skilled, offline platform work, such as Uber drivers or Deliveroo bikers, are particularly likely to organise. This category is followed by platform workers performing high-skilled tasks

(e.g. freelancers), and then by those doing low-skilled online tasks. The greater level of organisation among drivers and riders is at least partially due to the fact that drivers and riders are more likely to work in urban areas in close proximity to each other, enabling organisation to be accomplished more readily. Conversely, platform workers using Clickworker or AMT can work from anywhere and may be a more heterogeneous group. As such, the most concrete forms of organisation are observed for 'location-dependent' platform workers, whereas only soft forms of organisation have been found among online or 'location-independent' platform workers.

By organising, platform workers stand to benefit from improved working conditions. By assisting platform workers, trade unions stand to gain new members, representing a growing share of the labour market. By engaging with platform workers and trade unions, platforms may gain access to markets that otherwise would not allow their operation. As such, the incentives for greater integration of the platform economy into industrial relations structures are already in place.

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REFERENCES

Al-Ani, A. & S. Stumpp (2015) *Motivationen und Durchsetzung von Interessen auf kommerziellen Plattformen. Ergebnisse einer Umfrage unter Kreativ- und IT-Crowdworkern*, Alexander von Humboldt Institut für Internet und Gesellschaft, Berlin.

Aloisi, A. (2016) 'Commoditized workers. Case study research on labour law issues arising from a set of "on-demand/gig economy" platforms', *Comparative Labor Law & Policy Journal*, 37 (3): 653–90.

Benner, K. (2017) 'Inside the hotel industry's plan to combat Airbnb', *The New York Times*, October 16. Accessed October 15, 2018 from https://www.nytimes.com/2017/04/16/technology/inside-the-hotel-industrys-plan-to-combat-airbnb.html.

Carneiro, B. (2018) 'Trade unions & Facebook: The need to improve dialogue and expand networks', ETUI Policy Brief, No. 5/2018, ETUI, Brussels.

Cheselina, O. (2017) *Platform Economy as a Challenge for Social Security in Germany*, Munich: Max Planck Institute for Social Law & Social Policy.

Codagnone, C., F. Biagi & F. Abadie (2016) 'The passions and the interests: Unpacking the "sharing economy"', JRC Science for Policy Report, Joint Research Centre, Seville.

De Groen, W.P., Z. Kilhoffer & K. Lenaerts (2018) 'Employment and working conditions of selected types of platform work', Eurofound Working Paper, Germany: National context analysis.

De Groen, W.P., K. Lenaerts, R. Bosc & F. Paquier (2017) 'Impact of digitalisation and the on-demand economy on labour markets and the consequences for employment and industrial relations', Paper prepared for the Employers' Group of the European Economic and Social Committee, August.

De Groen, W.P., I. Maselli & B. Fabo (2016) 'The digital market for local services: A one-night stand for workers? An example from the on-demand economy', CEPS Special Report No. 133, Brussels: Centre for European Policy Studies, April.

Degryse, C. (2016) 'Digitalisation of the economy & its impact on labour markets', ETUI Working Paper 2016.02, ETUI, Brussels.

Deutscher Bundestag (2015) 'Rechtsfragen zum Crowdsourcing', Sachstand WD 6-3000-156/14. Accessed October 15, 2018 from https://www.bundestag.de/blob/406942/2aaf68d8454b9ac2a ccf79818b4b9809/wd-6-156-14-pdf-data.pdf.

Deutscher Crowdsourcing Verband (2017) 'Crowdsourcing Code of Conduct', Munich, October. Accessed October 15, 2018 from http://crowdsourcing-code.com/.

Drahokoupil, J. & B. Fabo (2016) 'The platform economy and the disruption of the employment relationship', Research Paper–Policy brief, Brussels: European Trade Union Institute, July 14.

Eurofound (2018a) 'Employment & working conditions of selected types of platform work', Eurofound, Luxembourg.

Eurofound (2018b) 'Platform work: Types & implications for work and employment – Literature review', Eurofound Working Paper, Eurofound, Dublin.

European Commission (2015a) *Employment & Social Developments in Europe 2015*, Luxembourg: Publications Office of the European Union.

European Commission (2015b) *Industrial Relations in Europe 2014*, Luxembourg: Publications Office of the European Union.

European Commission (2016) 'A European agenda for the collaborative economy', Communication from the Commission to the European Parliament, the Council, the European Economic & Social Committee and the Committee of the Regions, COM (2016) 356 final, Brussels, June. Accessed October 15, 2018 from https://ec.europa.eu/docsroom/documents/16881/attachments/2/translations/en/renditions/pdf.

Fair Crowd Work (2016) 'Frankfurter Erklärung zu plattformbasierter Arbeit. Vorschläge für Plattformbetreiber, Kunden, politische Entscheidungsträger, Beschäftigte und Arbeitnehmerorganisationen', Declaration, Frankfurt, December. Accessed October 15, 2018 from https://www.igmetall.de/docs_20161214_Frankfurt_Paper_on_Platform_Based_Work_DE_1c33819e1e90d2d09e531a61a572a0a423a93455.pdf.

Fair Crowd Work (2017a), *Kennen Sie Ihre Rechte?* Accessed October 15, 2018 from http://faircrowd.work/de/unions-for-crowdworkers/know-your-rights/.

Fair Crowd Work (2017b) *Ombuds Office for German Crowdsourcing Platforms Established*. Accessed October 15, 2018 from http://faircrowd.work/2017/11/08/ombudsstelle-fuer-crowdworking-plattformen-vereinbart/.

Freie Arbeiterinnen- und Arbeiter-Union (2016) 'www.fau.org Freie Arbeiterinnen- und Arbeiter Union (FAU)'. Accessed October 15, 2018 from https://www.fau.org/artikel/art_161227-133014.

Goudin, P. (2016) 'The cost of non-Europe in the sharing economy: Economic, social & legal challenges and opportunities', Think Tank, European Parliamentary Research Service. Accessed October 15, 2018 from http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_STU(2016)558777.

Heckscher, C., S. Horowitz & A. Erickson (2010) 'Civil society and the provision of services: The freelancers union experience', in D. Finegold, M. Gatta, H. Salzman & S.J. Schurman (eds) *Transforming the U.S. Workforce Development System: Lessons from Research and Practice*, Ithaca: Labor and Employment Relations Association:237–60.

Huws, U., N.H. Spencer & S. Joyce (2016) 'Crowd work in Europe: Preliminary results from a survey in the UK, Sweden, Germany, Austria and the Netherlands', Brussels: FEPS Studies, December.

Jauch, M. (2017) *Lieferservice – Kollaps der Pizzaboten*. Accessed October 15, 2018 from https://www.freitag.de/autoren/matthias-jauch/kollaps-der-pizzaboten.

Jorens, Y. & T. van Buynder (2008) 'Self-employment and bogus self-employment in the European construction industry', Expert Report, European Social Partners for the Construction Industry (EFBWW and FIEC) and DG for Employment and Social Affairs of the European Commission. Accessed November 7, 2014 from http://www.efbww.org/pdfs/annex%208%20-%20Brochure%20part%201%20%5BEN%5D.pdf.

Karanovic, J., H. Berends & Y. Engel (2017) 'Is platform capitalism doomed? Ask the workers–Framing and legitimation of new forms of organizing in the on-demand economy', Paper presented at *WINIR 2017*, Utrecht, The Netherlands, September.

Kilhoffer, Z. & K. Lenaerts (2017) 'What is happening with platform workers' rights? Lessons from Belgium', CEPS Commentaries, CEPS, Brussels, November. Accessed October 15, 2018 from https://www.ceps.eu/publications/what-happening-platform-workers-rights-lessons-belgium.

Kilhoffer, Z., K. Lenaerts & M. Beblavý (2017) 'The platform economy and industrial relations: Applying the old framework to the new reality', CEPS Commentaries, CEPS, Brussels, November.

Leblond, C. & V. Voldoire (2017), 'Ces livreurs à vélo qui veulent s'affranchier des plateforms', Itinéraire bis. Accessed October 15, 2018 from https://www.franceculture.fr/emissions/itineraire-bis/ces-livreurs-velo-qui-veulent-saffranchir-des-plateformes.

Lenaerts, K., W.P. De Groen, Z. Kilhoffer, R. Bosc & N. Salez (2018) 'Online Talent Platforms, Labour Market Intermediaries and the Changing World of Work', World Employment Confederation and UNI Europa. Accessed October 15, 2018 from https://www.ceps.eu/publications/online-talent-platforms-labour-market-intermediaries-and-changing-world-work.

Osborne, H. (2016) 'Uber loses right to classify UK drivers as self-employed', *The Guardian*, October 28. Accessed October 15, 2018 from https://www.theguardian.com/technology/2016/oct/28/uber-uk-tribunal-self-employed-status.

Parsons, M. (2016) 'Freelancing collaboratively? Introducing CoPitch', Outlandish Blog. Accessed October 15, 2018 from https://outlandish.com/blog/freelance-collaboratively-introducing-copitch/.

Paulo, T.S. (2017) 'Our top testers talk crowdworking with IG Metall', Testbirds Blog. Accessed October 15, 2018 from http://blog.testbirds.com/our-top-testers-talk-crowdwork/.

Prassl, J. & M. Risak (2016) 'Uber, askrabbitt, & co: Platforms as employers? Rethinking the legal analysis of crowdwork', *Comparing Labour Law & Policy Journal*, 619–37. Accessed October 15, 2018 from https://heinonline.org/HOL/LandingPage?handle=hein.journals/cllpj37&div=39&id=&page=.

Robbins, H. (2014) 'Outlandish is becoming a co-operative consortium', Outlandish Blog. Accessed October 15, 2018 from https://outlandish.com/blog/outlandish-4-0-outlandish-is-becoming-a-co-operative-consortium/.

Rogers, B. (2016) 'Employment rights in the platform economy: Getting back to basics', Temple University Legal Studies Research Paper No. 2015–33. Accessed October 15, 2018 from https://ssrn.com/abstract=2641305.

Scheiber, N. (2017) 'Uber has a union of sorts, but faces doubts on its autonomy', *The New York Times*, May 12. Accessed October 15, 2018 from https://www.nytimes.com/2017/05/12/business/economy/uber-drivers-union.html.

Schmidt, F.A. (2015) 'The design of creative crowdwork: From tools for empowerment to platform capitalism', London: Royal College of Art, June.

Schmidt, F.A. (2017) 'Arbeitsmärkte in der Plattformökonomie – Zur Funktionsweise und den Herausforderungen von Crowdwork und Gigwork', Friedrich Ebert Stiftung, Bonn.

Sheehan, M. & A. McNamara (2015) 'Business start-ups & youth self employment. A policy literature review synthesis report', Working Paper 7, Brighton: University of Brighton, April.

Silberman, M.S. & L. Irani (2016) 'Operating an employer reputation system: Lessons from Turkopticon, 2008–2015', University of California, San Diego, February. Accessed October 15, 2018 from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2729498.

Steinman, L. (2017) 'La Poste innove pour la protection sociale des coursiers de Stuart', *LesEchos.fr*, November 6. Accessed October 15, 2018 from https://www.lesechos.fr/06/11/2017/lesechos.fr/030832342581_la-poste-innove-pour-la-protection-sociale-des-coursiers-de-stuart.htm.

Vandaele, K. (2017) 'Belgique. Les syndicats sur le qui-vive pour soutenir les travailleurs des plateformes: l'exemple des livreurs de repas', *Chronique internationale de IRES*, 160:85–100.

Vandaele, K. (2018) 'Will trade unions survive in the platform economy? Emerging patterns of platform workers' collective voice & representation in Europe', ETUI Working Paper 2018.05, Noisy-le-Grand Cedex, France: IRES.

Vandaele, K. & J. Leschke (2010) 'Following the "organising model" of British unions? Organising non-standard workers in Germany and the Netherlands', ETUI Working Paper 2010.02, Brussels: ETUI.

Vedrenne, G. (2016) 'Ce que la grève des VTC révèle de "l'uberisation"', *Europe1*, December 15. Accessed October 15, 2018 from http://www.europe1.fr/economie/la-greve-des-vtc-revelatrice-des-defis-poses-par-luberisation-2927663.

Visser, J. (2011) 'Data base on institutional characteristics of trade unions, wage setting, state intervention & social pacts, 1960–2010 (ICTWSS)', University of Amsterdam. Accessed October 15, 2018 from http://archive.uva-aias.net/uploaded_files/regular/ICTWSScodebook50-2.pdf.