



# Addressing SDG 8: Decent Work and Economic Growth

Challenges and Opportunities for precarious workers

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# Precarious workers

Worker precarity derives from:

- **Fragmentation of labour** and outsourcing with the most precarious workers located at the end of the supply chain;
- **Flexibilization of employment** with workers in non-standard employment facing most vulnerabilities and insecurities;
- The **regime overlap** between cross-border labour mobility, migration status, and non-standard employment.

# Types of workers recently studied

## Posted workers

- Bridging the gap between legislation and practice in the posting of workers (POW-BRIDGE)
- Secure Mobility: Uncovering gaps in the social protection of posted workers (SMUG)
- Enhancing the collection and analysis of national data on intra-EU posting (POSTING.STAT)

## Undeclared workers

- Peer Review on 'Control and prevention of undeclared work in complex chains of economic activity'
- The forthcoming 'Undeclared Work Study'

## Food delivery riders

- Ridersurvey: Researching delivery riders' working conditions and perceptions of trade unions in Austria

## Public Authorities' Enforcement Challenges

- At the sectoral/workplace level
  - Sector characteristics such as the contractual arrangements and the degree of irregularity in the care sector or the multi-border crossing mobility in the international transport sector;
  - Understaffing and limited personnel capacities to carry inspections in the workplace;
  - Language barriers
- At the national level
  - Differences in national legislation, standards and documentation between sending and receiving countries in terms of labour law, occupational safety and health, social security, agency work, and company law
  - Differences in punitive measures, e.g., the use and scale of administrative fines
- At the transnational level
  - Slow/inconsistent responses to information and documentation exchange via the Internal Market Information System;
  - no access for Candidate Countries, bilateral protocols not established

## **Employers' Challenges**

- Access to information, including language barriers;
- The administrative burden;
- Applying the correct remuneration in the receiving country, including CBA rates;
- Understanding and applying the correct social security obligations;
- Abiding by national OSH obligations in the receiving country.

## **Challenges to Worker Protection**

- Limited awareness of their own social and labour rights;
- Lack of information and language barriers: in making and pursuing claims, reporting violations, or communicating with the authorities;
- Under-reporting violations also due to fear of employer response and hesitation to interact with the authorities;
- Limited trade union representation and legal support.

## Addressing Challenges

- More comprehensive and accessible information platforms and campaigns for posting companies and posted workers;
- Simplification of rules and reduction of bureaucracies;
- Fully operational EU-level mechanisms of information exchange, cooperation and joint enforcement overseen by a transnational institution such as the European Labour Authority;
- The strengthening of protection mechanisms, such as the recognition of union membership and with that the provision of union representation across borders.

## Characteristics of Undeclared Work in Austria

- Several types of UDW within the spectrum between fully declared and illegal work:
  - (partly) envelope wages,
  - bogus part-time work
  - falsely declared employment (incl. bogus self-employment), and
  - underpayment.
- Violations of working time and underpayment are the main forms detected by enforcement agencies;
- Precarious workers such as third country workers, posted workers and temporary workers more frequently found not to be fully/properly declared, and hence more vulnerable;
- Certain sectors with complex chains of economic activity have a higher incidence of UDW, such as construction.



## Addressing Challenges

- Well-functioning cooperation between the authorities to respond to the challenges of complex chains of economic activity;
- Establishing a public registry of violations including bogus companies to combat social dumping;
- Expanding/strengthening liability regulations along the subcontracting chain.

## Overview

**Aim:** Collect new data on delivery riders' working conditions and perceptions of trade unions in Austria.

**Background:** Platform workers suffer from low wages and bad working conditions and trade unions globally are losing members. Austria is the first country with a collective wage bargaining agreement for riders and trade unions are (still) quite strong.

**Questions:**

- What are the working conditions of (different groups of) riders?
- In which areas do riders want support from the trade unions?
- Does the success of trade unions make delivery riders more likely to become union members?

## Challenges and solutions

**Challenges:** Recruit respondents

**Solution:** Approach riders through multiple avenues in cooperation with the ÖGB, the „Riderscollective“ and works council members

- Internal WhatsApp groups of the platforms
- ÖGB/Riderscollective events
- Social media
- Face-to-face



## **Timetable and planed outputs**

- Survey runs until December 2021
- Final report to be published in February 2022
- Comparative study (AT vs. BE) and other academic publications planned.

# Conclusions

- Worker precarity and vulnerability results from a combination of their non-standard employment status with other factors such as migration status;
- The flexibility and diversity of employment forms bring new challenges to rule enforcement, which can be addressed by
  - simplifying the rules,
  - improving access to information,
  - strengthening enforcement mechanisms, and
  - increasing worker protection.
- Public authorities and social partners can achieve these if they strengthen their collaboration at different levels from the workplace to the national and transnational levels.

## More information

Posting of Workers:

<https://www.euro.centre.org/projects/detail/3633>

Undeclared Work:

<https://ec.europa.eu/social/main.jsp?langId=en&catId=1047&furtherNews=yes&newsId=9896>

Food Delivery Riders:

<https://www.euro.centre.org/projects/detail/4089>

# Questions and Discussion

Thank You!