



COLLABORATIVE PLATFORMS, LABOR AND SOCIAL PROTECTION

Nicolas AMAR et Louis-Charles VIOSSAT

EXECUTIVE SUMMARY

The new report ‘ Collaborative Platforms, Labor and Social Protection ’, released by the Office of the Inspector General for Social Affairs in France (IGAS), is written by Mr. Nicolas AMAR, inspector, and Mr. Louis-Charles VIOSSAT, inspector general.

This report is the first attempt ever in France to describe and analyze in details the various social challenges related to collaborative platforms such as Uber, Airbnb or Leboncoin: labor, employment, vocational training, social security, health insurance, unemployment insurance

It includes more than 30 concrete recommendations which, if implemented, would foster the development of the sharing economy in France and better labor conditions and social protection of collaborative workers.

The report is based on a review of academic literature in France and abroad as well as interviews with around 20 platforms operating in France and dozens of collaborative workers, domestic and international experts (OECD, ILO, EC), social partners and domestic government agencies and offices.

The report describes the new, complex and rapidly growing ecosystem of collaborative platforms in France, with a total market estimated at 7 billion ” by the authors. It focuses on %labor platforms+ and %collaborative platform workers+, which include: sharing platforms (Blablacar), organized services platforms (Uber), jobbing platforms (SuperMano), digital cooperatives (LaRuchequiditoui), marketplaces (Priceminister), freelance plateforms (Hopwork) and crowdworking platforms (Foule Factory).

The authors stress the hybrid legal and economic nature of collaborative platforms, and recommend the adoption of a specific European legal status in the course of the revision of the European Union directive from 2000. Meanwhile, in order to better regulate collaborative work, the authors suggest also to adopt an approach similar to the approach initiated by Sharing Economy UK (SEUK): certification and/or labellisation better than regulation.

Then, the report focuses on the limited relationships between most domestic (French) government units and the ecosystem of collaborative platforms. It addresses then the important issue of statistics and collaborative workers. Statistical analysis is made difficult by the nature of the work on platforms itself and current statistical developments are only very partial and preliminary. Launching inter-disciplinary research programs would be much needed as well as designing new statistical tools, including based on big data analysis.

In the same chapter, the report criticizes two common mistakes about collaborative platforms: some analysts confuse the impact of collaborative platforms for the overall impact of digital revolution on the labor market as well as the structural trends towards more contingent work and outsourcing; other analysts focus only on negative effects of collaborative platforms and underevaluate their opportunities.

In a third chapter, the authors underline the multiple and complex impacts of collaborative platforms on labor, employment and vocational training. Collaborative platforms are a new and original example of triangular employment relationships. There is a larger diversity than expected of collaborative workers' legal statuses on the French platforms. Employees are more frequent than often described in the press. Even if self-employed workers are unsurprisingly predominant, the rise of the share of self-employed collaborative workers doesn't seem to announce the end of salaried workers in a foreseeable future in France. It does not require either, in France, the adoption of a particular legal status for economically dependent self-employed workers such as in Italy or in Spain. However, the creation of a mediator/arbitrator dedicated to collaborative workers as well as the adoption of rules of due process would be a step forward. The report highlights also the occasional and subsidiary nature of collaborative work, which generates only limited incomes (from a few hundred " to a few thousands " per year and per worker).

The report analyses in more details the peculiar situation of crowdworkers as well as simple individuals sharing or selling their assets on collaborative platforms. According to the report, the number of collaborative workers in France as of today (> 200 000) should not be overestimated as well as their impact on the destruction of jobs in the traditional economy. Unfortunately, the consequences of collaborative work on the labor market are not well known yet: collaborative platforms may reinforce the labor market's flexibility and they might also be an overall positive factor of integration for poor individuals and communities. More research is urgently needed on these important aspects.

Risks on some collaborative workers' health conditions are highlighted by the report as well as the need to authorize and encourage collaborative platforms to finance vocational training programs for their collaborative worker.

As far as collective bargaining is concerned, the report draws on initiatives from Germany and the US and recommends to create evaluation platforms of collaborative platforms, consult collaborative workers on an annual basis on their labor conditions, as well as create a French-style labor exemption which would allow self-employed collaborative workers to negotiate fees with organized services platforms such as Uber.

The fourth and final chapter of the report analyzes issues related to social protection and collaborative platforms. A first challenge is clarifying existing rules of affiliation and income. In fact, collaborative platforms and work blur the lines between what is considered professional versus amateur or non-professional, on which the French social protection system is still based. Contributions on very limited incomes of collaborative workers are particularly at stake. In that respect, the report suggests to create a simplified status of micro-entrepreneur for collaborative platform workers earning less than 1,500 " per year and clarify the basis of social contributions for sharing activities (Blablacar). The report acknowledges the risks of fraud on collaborative platforms and advocates for a rapid reinforcement of controls by social security and labor inspections. In parallel, it suggests the creation of a digital social security branch adapted to self-employed collaborative workers, as well as experimentations of innovative programs targeted to collaborative workers for a better access to credit and housing.

