



Industrial Relations and Social Dialogue in the Age of Collaborative Economy (IRSDACE)

National Report FRANCE

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Industrial Relations and Social Dialogue in the Age of Collaborative Economy (IRSDACE)

The IRSDACE project - Industrial Relations and Social Dialogue in the Age of Collaborative Economy -, funded by DG EMPL of the European Commission, aims to identify how traditional players in the labour market, e.g. trade unions, employers' associations, member states and the EU, experience and respond to the collaborative economy.

IRSDACE had five main tasks: i) conceptualisation of platform work, its place in the labour market, employment policy and industrial relations; ii) analysis of discourse on platform economy among established industrial relations actors; iii) assessment of the implications of workers' experience with the platform economy for industrial relations and social dialogue; iv) comparative analysis of national experiences; and v) analysis of how EU-level employment policy and the industrial relations agenda should respond to the emergence of work in the platforms economy.

One of the project's initial difficulties and findings relates directly to the name collaborative. It has become clear to the research partners that this new reality encompasses many situations where no collaboration (nor sharing) takes place. Hence, the partners have opted for the use of the neutral term platform economy. Nevertheless, when contacting platform workers or national stakeholders, the researchers were faced with the need to use the corresponding local language terms of collaborative or sharing economy as these are the names known to the general public. We therefore recommend that these terms are treated as synonyms in the context of the IRSDACE results.

Seven country case studies have been produced in this project covering Belgium, France, Germany, Slovakia, Hungary, Spain and Denmark. The country case studies were prepared based on literature reviews, interviews and country focus groups. The methods used as well as the results for each country are described in each individual report. The reports show both the perspectives of industrial relations actors at the national level and the experiences of platform workers. A final project output brings the national case study results together in a comparative study.

The project started in January 2017, finishing in December 2018. CEPS is the project coordinator in a partnership with IZA (DE), FAOS at the University of Copenhagen (DK), Fundación Alternativas (ES) and CELSI (SK).

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Executive Summary

Recent developments in technology are having far-reaching consequences in the types of work as well as in access to work. In particular, online platforms have been transforming labour markets and how work is performed. Many developed and developing countries have been experiencing significant transformation because of these changes. In this context, looking at the number of platforms and users of it, France comes out as one of the frontrunners when it comes to the platform economy, not just in Europe, but also throughout the globe. For example, several large platforms (e.g. BlaBlaCar, Stuart) originated in France and have found large user bases across many countries. From the labour and industrial relations perspective, the country also poses an interesting case: despite rapidly declining rates of unionisation across sectors (less than 10% on average), the unions are very powerful and the majority of the workers benefit from collective bargaining in the economy. As regards the digital economy, the regulation of issues is decentralised through sectoral social dialogue.

Against this background, France constitutes an interesting case study for analysing the developments in platform economy, not only in terms of the laws that directly impact platforms and platform workers, but also as it has been a host to new forms of organisations representing platform workers, which attempted direct negotiation with a large and widely known platform. There is also an active network (Sharers & Workers) aiming to inform those involved in the transitions and extend production of shared knowledge.

The objective of this report is to create a case study of France by looking at its industrial relations and social dialogue in the context of the platform economy, by providing interesting insights from stakeholders in their various roles and activities and the way they interact with each other. Its experience, not just in terms of actual laws passed addressing the platform economy but also in terms of the mobilisation of platform workers in an organised way, puts France in a particular and unique position compared to other European counterparts and provides interesting insights for similar issues in other countries.

This report makes contributions in four areas: first, it analyses a country in which research on the platform economy is just emerging and has so far been mainly carried out in the native language. Second, by combining different methods and data collection exercises, the report provides relatively robust and detailed information on the issues at stake. Third, by studying industrial relations and social dialogue, the report is able to provide an overview of the perspectives of various stakeholders ranging from government officials and policymakers to representatives of employees as well as platform owners and workers in the French context where all these actors are relatively active compared to other countries. This leads to a balanced and comprehensive research perspective of the many interesting interactions between relevant actors. Fourth, the report goes beyond secondary data sources and collects primary data via interviews with various stakeholders and a focus group composed of platform workers, which deepens the understanding of the discourse, perceptions and experience of those workers. The primary data collection exercise complements the secondary sources of data and information on the issues under study.

The main finding of the paper is that, compared to many countries, France has experienced the most significant developments in the platform economy in the context of industrial relations and social dialogue. For example, the recent labour law (*Loi El Khomri*) that was passed in 2016 pays particular attention to the work done through online platforms, by aiming to regulate certain aspects of the

platform economy and increase the rights of platform workers. For example, among others, the law requires the platforms to provide insurance for accidents at work as well as the right to on-the-job training. With this law, platform workers also have the right to take collective action and constitute a trade union or be a member of it, as is a common right for salaried employees. However, there has been recent debate on an amendment to this law (Article 40) giving the platforms the possibility to propose a *social charter* in the public sphere and this appears to have generated some concerns among platform workers. Another law that passed recently is the *Loi Grandguillaume*, which looks at the transport sector specifically, regulates the entry of large platforms to the market and addresses some of the issues experienced by the stakeholders concerned.

In the sphere of social dialogue and new forms of organisation, France is host to the first formal example of an organisation of platform workers, called SCP VTC, composed mainly of Uber drivers. Under a mediator appointed by the government, this organisation sought to negotiate price setting and working conditions with one of the largest online platforms, Uber. Other smaller scale examples of a new form of worker organisation (*collectives*) also started emerging in the sector of delivery by bike, where Deliveroo, Foodora and Stuart are the major relevant platforms in France. The main example of such an organisation in that context is CLAP (*Collectif de Livreurs Autonomes de Paris*), which rallies independent workers doing delivery tasks for aforementioned delivery platforms. Finally, there are some initiatives aimed at organising cleaning workers across platforms; however, their existence is not yet formalised as for the former two sectors (i.e. personal transport and delivery by bike).

In terms of methodology, this paper adopts a mixed-method approach combining desk research reviewing economic and legal documents as well as conducting descriptive analysis using web data. The web data analysis indicates recent developments in the debate about the platform economy, for example, by showing the trends of the most frequent keywords used to describe the platform economy in search engines. It also gives further insights into the development of the discourse about the platform economy among different actors (e.g. government, workers, social partners, academics, etc.). To complement the empirical analysis, the paper also conducts primary data collection through interviews with relevant stakeholders as well as a focus group with platform workers.

The policy implications emerging from this research suggest that

- There is a growing awareness of actors engaged with platform economy work despite the challenges of mobilising platform workers with various aspirations and situations. This also requires a better mapping of the diversity of actors involved in platform work.
- Ahead of many other European countries, France has introduced concrete labour laws and other legislation impacting platforms and platform workers; however, concerns continue as regards employment status and social protection (e.g. complementary insurance), particularly for those workers who depend completely on this type of work, whether dealing with one or several platforms.
- There are concrete signs of social dialogue in France when it comes to the platform economy; however, this dialogue does not appear to emerge naturally, but rather only emerges after forceful demonstrations by the most impacted actors. Further participatory working groups could be pursued to address the problems more pragmatically.
- Closely related to the different nature of platform work compared to salaried employment, there appear to be differences in the new forms of social dialogue as compared to traditional forms with the established industrial relations actors. Such developments should be further encouraged to evolve together with traditional channels. For example, in other countries,

such as Germany, established trade unions opted to represent independent workers along with salaried employees. There are similar developments in France, too.

- Recent forms of unionism also appear to be transformed by digitalisation, whereby social media and other digital means (e.g. mobile app groups) are proving to be common tools of communication and mobilisation and a forum of exchange among platform workers. Similar developments are also underway in other European countries.
- Various other fora are also emerging to support and foster social dialogue involving different representatives from academia, social partners and public authorities (e.g. Sharers & Workers, France Stratégie). More such fora, interactions with relevant stakeholders and working groups bringing all sides together are necessary to cover the perspective of all actors in platform economy work.
- As emerged from such working groups with various stakeholders over the last two years, an Observatory of Platforms and Social Dialogue could be a future next step to collect information, data and evidence, serve as a space for social dialogue between actors and consideration about fair working conditions, minimum standards, etc.

1. Introduction

This research report is part of a European Commission funded project, *Industrial Relations and Social Dialogue in the Age of Collaborative Economy (IRSDACE)*, to study the industrial relations and social dialogue in the context of collaborative digital platforms focusing on paid work in three specific sectors: (i) transport, (ii) accommodation and (iii) microwork. While the project covers seven countries around Europe, the current report presents the national case study for France.

As detailed in Kilhoffer, Lenaerts and Beblavý (2017), we use the following terminology throughout the project and the current report: *industrial relations* means collective relationships between workers, employers and their respective representatives, including the tripartite dimension where public authorities at different levels are involved. *Social dialogue* refers to all communications between social partners and government representatives, from simple information exchanges to negotiations. *Social partners* are employee organisations (such as trade unions) as well as employer organisations.

Various terms are in use in the context of platform economy, such as sharing economy, gig economy, collaborative economy and on-demand economy, that are used to describe the same or similar (or even mistakenly different) things, even though these concepts are being fine-tuned as the research in this field has grown over the last years. In the particular case of the IRSDACE project, the evolution of the terminology in academic literature, public debate as well as during our experience in talking to various stakeholders has evolved and led us to using the term ‘platform economy’ rather than ‘collaborative economy’ as the former is more neutral and seems to better reflect the type of economic relations under study – which are not always collaborative.¹ In this case, platform economy refers to the part of the economy composed of digital platforms enabling users to share, lend, rent, or purchase goods and services. Some examples of such digital or online platforms are firms such as Uber, Airbnb, Foodora, Mechanical Turk or TaskRabbit, all of which connect service providers with customers. In this case, ‘platform workers’ are service providers who connect to customers via digital platforms, but are not usually referred to as employees.

In other words, our project focuses on a narrower field by looking at ‘employment’ platforms, which facilitate the sale/provision/exchange of goods, services and content through the efforts of platform workers. This means that platforms offer (rather than sell) goods, services and content, which are produced, made available or sold by contributors, known as platform workers.

Methodologically, this research report is produced by combining desk research covering academic and policy literature as well as empirical data collection through web-based methods and interviews with relevant stakeholders. As regards the interviews, we conducted a number of semi-structured interviews with relevant stakeholders such as employee representatives (both traditional and new forms of organisations), platform representatives, academic experts, public authorities, labour inspectorates as well as platform workers themselves.² When we were not able to interview one representative of established industrial relations actors, we complemented this part by desk research checking existing academic and policy documents. In addition to interviews, we also conducted a focus group bringing together a number of platform workers from different sectors as covered under

¹ Of course, we also consider the national context and adapt the terminology accordingly.

² We conducted semi-structured interviews during the period from January to June 2018. This implies that the most recent developments and changes in legislation and discourse after the summer 2018 are not fully reflected in the interview outcomes of the current report.

this project. The focus group led to a deeper understanding of the issues and actual experiences of platform workers in different sectors.

The main findings of the report suggest that, compared to many countries, France has experienced the most significant developments in the platform economy in terms of industrial relations and social dialogue. For example, the recent labour law (*Loi El Khomri*) that passed in 2016 pays particular attention to the work done through online platforms, by aiming to regulate certain aspects of platform economy and increase the rights of platform workers. For example, among others, the law requires the platforms to provide insurance for accidents at work as well as right to on-the-job training. With this law, platform workers also have the right to take collective action and constitute a trade union or be a member of it, as is a common right for salaried employees. However, there has been recent debate on the amendment of this law (Article 40) giving the possibility to platforms to propose a *social charter* in the public sphere and this appears to have generated some concerns among platform workers. Another recent law looks more specifically at the transport sector, addresses the issues experienced in that sector and regulates the entry of large platforms to the market (*Loi Grandguillaume*).

In the sphere of social dialogue and new forms of organisation, France is host to the first formal example of an organisation of platform workers, called SCP VTC, composed of mainly Uber drivers (Lenaerts, Kilhoffer & Akgüç, forthcoming). Under a mediator appointed by the government, this organisation sought to negotiate price setting and working conditions with one of the largest online platforms, Uber. Other smaller scale examples of a new form of worker organisation (*collectives*) also started emerging in the sector of delivery by bike, where Deliveroo, Foodora and Stuart are the major relevant platforms in France. The main example organisation in that context is CLAP (*Collectif de Livreurs Autonomes de Paris*), which rallies independent workers doing delivery tasks for the aforementioned delivery platforms. Finally, there are some initiatives aimed at organising cleaning workers across platforms; however, their existence is not yet formalised as for the former two sectors of personal transport and delivery by bike.

The report is structured as follows: Section 2 gives an overview of work in the platform economy in France by giving a snapshot of the status of such platform work using web data, summarising the main characteristics of the French case with its labour code and employment relationships and by highlighting the main challenges faced by various actors in the industrial relations context; Section 3 provides the core research results based on information collected through interviews by providing a detailed overview of discourse, perceptions and experience in platform work among established industrial relations actors (representatives from trade unions, public authorities, new collectives representing platform workers); Section 4 gives a detailed overview of discourse, perceptions and experience in platform work of platform owners and platform workers themselves active in different sectors; Section 5 provides a comparative overview of the perspectives of different actors including trade unions (traditional and new), public authorities, platform owners, platform workers, and experts; and finally Section 6 gives concluding remarks, policy recommendations and ways forward for the future.

2. Work in the platform economy

France is an interesting country to look at when it comes to platform economy. Not only are the issues at stake intensely discussed among platform workers, but there is also a significant debate on the side of the government, which has recently introduced changes in the labour law, updated

legislation related to personal transport and appears to be open to discussions on further aspects of platform work.

As the issues and questions related to platform work are vigorously debated in France, there have been many reports – some of them being commissioned by government agencies – that try to describe and analyse recent developments, the problems faced and various aspects of this type of work over the last few years in France. One of the most important such reports is prepared by the authors Amar and Viossat (2016) from the General Inspectorate for Social Affairs (*Inspection Générale des Affaires Sociales, IGAS*). This comprehensive report revolves around three major concepts: collaborative platforms, work and social protection. The report aims to build a starting point for future research by stressing its necessity for making appropriate legislation, implementing social security and ensure the smooth functioning of the labour markets. It provides an overview of platforms in France (as well as abroad), conducts a field study of 20 platforms, interviewing workers, national and international experts, social partners and government administrative offices.

The IGAS report initially starts from “collaborative platforms”, which are defined as online platforms that serve as intermediaries between people. They further narrow these to “employment” platforms, which help the sale/provision/exchange of goods, services and content through the use of platform workers. This means that platforms offer – rather than sell – goods, services and content, which are produced, made available or sold by contributors, known as platform workers.

As pointed out by the IGAS report, the platform economy sector is still marginal in numbers, but it is growing rapidly in France. Given the lack of comprehensive figures or size of the whole sector, the current research – which is still in its infancy – remains limited in terms of estimating the impacts of platform economy on traditional employment and the labour market, leaving room for speculation until more data is collected. For example, Montel (2017) argues that one could observe an improvement in the functioning of the labour markets in the sense that more actors – both from the supply and demand side – could relatively easily access to the labour markets via digital tools and platforms. The flexibility and the idea of being able to control their own working hours are among the main factors attracting certain workers towards such platforms. This is especially interesting for workers who are doing platform work as a complementary source of income, rather than being completely dependent on platform work. However, one of the main criticisms in this context is that the platforms actually render the work more precarious and offer less social protection compared to salaried employment.

The underlying principle of platforms is that they replace traditional enterprises when they can reduce the cost of transactions, since they can offer better prices for the same or better results. Generally, they reduce this cost by mobilising the assets of individuals rather than providing them themselves – this is why the hosting and transport sectors are booming. At the same time, platforms seek to avoid being considered as direct employers or contractors, since it allows them to avoid the costs of employing a workforce and the sectoral regulations applied to traditional employers.

2.1 What is the current state of play with work in the platform economy?

France is one of the frontrunners in Europe when it comes to the platform economy. This is true not only because there are many widely known platforms that originated in France (e.g. Allocab, AlloVoisins, BlaBlaCar, Chauffeur-Privé, eYeka, Frizbiz, HopWork – now became Malt, Quicar, Stuart, TokTokTok, Resto-in, to name a few). For example, the concept of platform work is not yet among

those measured statistically by the French National Institute of Statistics and Economic Studies (INSEE) on a wide scale. Yet some smaller scale surveys have been conducted as part of research on this type of work.

Despite its size and potential to grow in the future, existing evidence suggests that the platform economy sector remains marginal. Putting the figures in perspective, one-third of work is non-standard in OECD countries, while in France the share of independent workers is less than 10% (but there are more temporary workers). In the case of platforms, current research suggests that overall there are around 2,500 'employees' of platforms and more than 200,000 platform workers in France (Amar & Viossat, 2016).³ In terms of sectoral breakdown, the most prominent sectors are transport and hosting, mainly because most people in France own a house and a car and platforms allow them to share their assets. In other words, the more people with a certain asset, the more they can participate on a platform that allows them to share or rent this asset. For example, according to the IGAS report, there are nearly 15,000 Uber drivers and nearly 5,000 Stuart courier bike riders in France. The numbers are expected to be much smaller in microwork.

In a recent report on the collaborative economy prepared by Terrasse et al. (2016) for the prime minister, nearly 4,500 couriers working for the Stuart platform were surveyed. The main findings from this study point to more than half of these platform workers being below 30 years of age; that students and jobseekers make up 40% each of platform workers, while 20% of them were already employed in other jobs; and that platform work was a supplementary source of income for these people meaning that most of the platform workers combined several professional activities simultaneously.

As mentioned by the IGAS report, almost 80% of platforms have been created since 2008 and nearly 50% of them have less than three years of existence (Amar & Viossat, 2016). [Lhernould \(2018\)](#) mentions that the value of transactions between platform workers and final users amounted to nearly €7 billion in 2015, which corresponds to 80% growth since 2012. For example, transactions of Airbnb and Uber together totalled €1 billion in 2015.

2.2 What are the main challenges and impacts for workers?

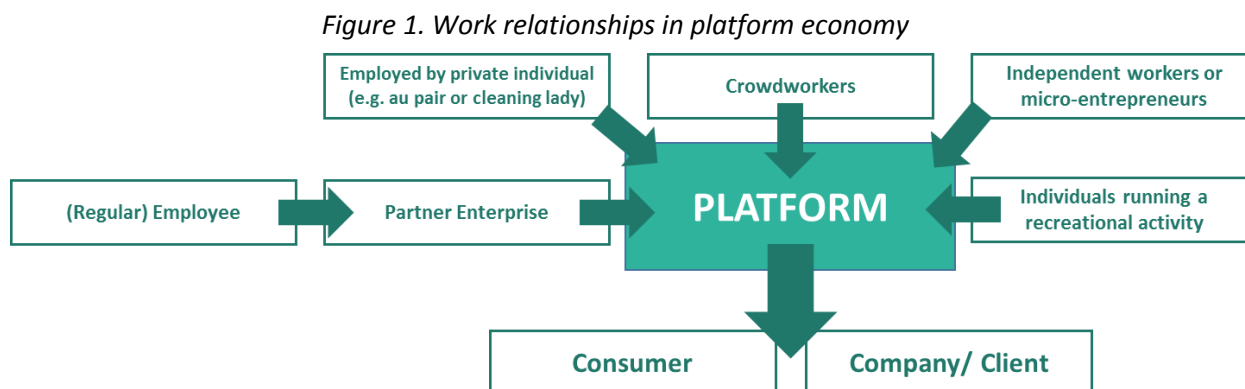
While platform work provides workers with flexibility and autonomy, it also brings certain challenges that are more significant and create discontent among some workers. Depending on the sector of the platform work, the most important challenges workers face are in their employment status (including legal status, but also insecurity of the job, dependence on employment relation, etc.), briefly described below.

2.2.1 Legal status of employment

In the French labour code, there are two main employment statuses: salaried worker (*salarié*) governed by the labour code and self-employed (*indépendant*). However, in the platform economy the platforms often occupy a different role to that of an employer, while the economic dependence of platform workers on the platforms means these workers belong to a different category compared to other independent workers.

³ These numbers do not include platforms for second-hand sales and hosting sectors.

The following figure aims to explain that those working in the platform economy in fact have various labour classifications – due to their professional situations outside the platform economy – going from regular employees to individuals that are active on the platforms in ways that can no longer be considered as part of a labour relationship. The IGAS report highlights that the borders between each category are blurred, and so are the borders between paid and unpaid work.



Source: IGAS report (2016), page 57.

The report notes that (i) the amount of employees using the platforms is higher than one might expect; (ii) for independent workers, the platforms may bring new challenges, such as new forms of economic dependency; (iii) temporary task-based work is still uncommon in France; (iv) individuals engaging in recreational activities through the platforms do not perceive it as work (e.g. BlaBlaCar); (v) these new types of work are usually multiple, meaning that each platform worker is likely to cumulate various such categories, making it harder to determine their exact status.

Moreover, the IGAS report points to the fact that online platforms have been trying to avoid being considered as employers, since they see themselves as simply technology intermediaries. This is related to the legal concept of subordination. In France, work relationships are determined by the subordination relationship between the employer and the employee; in particular, it is a tripartite control relation: (i) power to direct, (ii) power to control and (iii) power to sanction. To fall outside of these three criteria, the platform worker should be free to accept or refuse to provide the service; the platforms should not be able to give directions or instructions (namely leaving the worker free to decide on their time schedule and fees) and the worker should receive no sanction even in case of misconduct. As reported in the IGAS report, studies have proven that some online platforms do not *clearly* fall out of these criteria. Online platforms are aware of this risk and have been including contractual clauses (usually in the terms and conditions of the apps) to protect themselves from being qualified as employers.

2.2.2 Working conditions

The actual working conditions of platform economy workers are not well documented and existing studies only provide limited case studies specific to a sector or several sectors. Based on these studies and information collected from the interviews for this report, there appear to be two main issues concerning working conditions: wages and working hours. As also highlighted by the IGAS report, there is a risk of the working conditions worsening through low hourly rates and incentives to stay 'at work' for 24 hours per day. The way some platforms operate can also lead to a race to the bottom. Moreover, a higher risk of suffering from psychological problems is also possible due to lack of self-esteem and extreme stress (Amar & Viossat, 2016). For example, delivery workers need to

deliver fast enough – sometimes by taking risks on the road – in order to complete as many tasks as possible to increase their earnings.

In the IGAS report, it is recommended that online evaluation platforms as well as conflict resolution platforms should be created to support platform workers in their relations with the platforms. Similarly, the report also recommends that platforms perform an annual survey of worker satisfaction and working conditions. Last but not least, more research is needed to analyse working conditions as well as health and safety at work in the platform economy.

2.2.3 Social protection

Regarding social security protection, workers in the platform economy enjoy as broad a coverage as any other citizen due to the French basic coverage. However, this excludes unemployment benefits: all inactive persons – a category into which platform workers fall if they are not considered as employees by the platform but are also not registered as any of the types of self-employed from the figure above – are covered as follows: (i) sickness benefits (medical fees); (ii) child support – universal in France; (iii) maternity and disability benefits; and (iv) some other risks that may be covered on a voluntary basis. Thus, the crucial difference between workers and inactive persons is the ability to access unemployment benefits (excluded from the basic coverage) and the level of sickness benefits, which is higher for employed persons.

In spite of this, the definition of a clear status for workers in the platform economy is not only pertinent to avoiding discrimination between those already employed and those who are inactive, but also between employees and self-employed. The amount that micro-entrepreneurs or independent workers have to contribute for social security can be particularly onerous relative to the reality of platform work, where revenues are not fixed. Another issue is the coverage regarding work-related accidents and sickness. Those that are employees are covered for work-related accidents and sickness under the insurance for *accidents du travail et maladies professionnelles* (AT-MP). However, any other worker (e.g. independent workers), apart from the agriculture sector, is excluded from this protection. There is a possibility to register – on a voluntary basis – for the AT-MP, but only 13,600 people (mostly medical staff) in France have done so.

2.3 The role of industrial relations and social dialogue in platform economy work

2.3.1 Unions in France

France has long been a country with a very strong union culture. The freedom of association in France was recognised by the Waldeck-Rousseau law of 1884. The right to be a union member and to exercise union action was further recognised in the preambles of the 1946 and 1958 Constitutions. The social partners are called *syndicats* or *associations professionnelles*. France has both trade unions (*syndicats de salariés*) and employers' associations (*syndicats d'employeurs*). Concerning trade unions, there are five confederations officially recognised as representative bodies: *Confédération générale du travail (CGT)*, *Confédération française démocratique du travail (CFDT)*, *Confédération générale des cadres (CGC)*, *Confédération française des travailleurs chrétiens (CFTC)*, and *Force ouvrière (FO)*. Other relevant actors in the French social dialogue are the *Union nationale des syndicats autonomes (UNSA)* and its sectoral branch *UNSA-Transport*. On the employers' side, the following organisations are recognised: *Mouvement des entreprises de France (MEDEF)*,

Confédération générale des petites et moyennes entreprises (CGPME), and Union professionnelle artisanale (UPA).

Social partners in France are organised into different levels of representation. There is a national level (commonly under the name of ‘confederations’) where deliberative bodies define the main guidelines and course of action for the union. The national level is usually led by one person with the title of secretary general. The unions then have local levels, both regional (‘federations’) and municipal (‘unions’). The unions also have a level where there is a union representation within an individual company. Officers of all these levels are appointed through elections.

Unions have different types of funding: membership fees, contributions from companies, contributions from the local community, public grants for specific union activities and public support in kind (such as free office space in public buildings). In France, the decline in the share of unionised employees is an aspect of the financial fragility of trade unions, just as in other countries. However, the reality of union finances become clear only after 2008 with the demand for financial transparency by law.⁴ Despite the drops in rates of union membership from 30% in the 1950s to 10% more recently (13% in the public sector as opposed to 5% in the private sector), nearly nine workers out of ten benefit from collective bargaining.

2.3.2 Industrial relations and social dialogue in the platform economy context

Platform economy work presents a very interesting, yet challenging, case for the industrial relations framework in France. In principle, as most platform workers are not salaried employees, but generally have independent status, they are by definition not represented by trade unions, which only have salaried employees as their members. Yet some organisations were created to promote the rights of independent workers, such as the *Fédération des auto-entrepreneurs* (FEDAE) and it is possible that some of their members work through online platforms.

Given the salience of the issues raised by platform workers, traditional social partners have also been interested in them, in particular after the Mettling report (Mettling, 2015).⁵ For instance, UNSA created a section to protect Uber drivers. The CFTC organised one of its recent congresses around the topic of the digital economy and demanded the establishment of a new status for collaborative workers. The CGT has also initiated activities in this area. Overall, while there seems to be increased interest in the subject matter, there seems to be no single response to the digital economy. Furthermore, a lot of the social dialogue is decentralised through sectoral social dialogue and while some social partners in some sectors see it as a threat, others see it as an opportunity.

The recent changes in labour law, the 2016 *Loi El Khomri*, not only touch on work and the safeguarding of career paths, but also focus on the modernisation of social dialogue in the fast changing world of work (Garben, 2017). In particular, the Act of 8 August 2016 provides platform workers with (i) the right to constitute a trade union and be a member of a union and (ii) the right to take collective action in defence of their interests.

⁴ The Law of 20 August 2008 introduced the rules of representation. In particular, to be considered as a representative actor and have the right to conduct negotiations on behalf of its members, a union has to fulfil the following criteria: (i) respect for republican values; (ii) independence; (iii) financial transparency; (iv) at least 10 years of existence; (v) be influential on account of its activity and experience; (vi) accounting and membership fees, and (vii) sufficient representation in professional elections.

⁵ A report produced by Bruno Mettling for the Ministry of Labour in France (2015). For more details, see: <http://www.ladocumentationfrancaise.fr/var/storage/rapports-publics/154000646.pdf>.

In this context, some new formal unions have already been formed among platform workers. Up to now, the most interest in organisations stemmed from the VTC sector. For example, SCP VTC is one of the first unions for VTC drivers (it appeared even before the *Loi El Khomri*). The other active case is the delivery sector. However, some platform workers in delivery sectors chose to stay as part of an existing trade union (e.g. CGT Bike Couriers), while others prefer being independent from established trade unions and remaining as collectives or cooperatives (e.g. CLAP, CoopCycle).

An important aspect that is also pointed out in the IGAS report is that – because the platform economy still lacks a proper sector structure – government bureaucracy (especially social affairs departments) is not very familiar with the issues and characteristics of platform economy work. However, the labour department only started to research the collaborative (or platform) economy in anticipation of its bill concerning the digital economy in 2014/2015. Uber was one of the main drivers in bringing attention to the platform economy. As noted in the IGAS report from 2016, the social security and the labour departments do not have any regular contacts with the platforms nor with their users or workers. However, in order to promote a relationship and representation of the platforms at the administrative level, the IGAS report suggests that a professional association be created to represent the platforms.

In an attempt towards creating inclusive social dialogue, France Stratégie,⁶ Sharers & Workers⁷ and IGAS, jointly launched a participatory initiative in December 2016 bringing together digital platforms, social partners and experts to discuss and consider the list of recommendations in the IGAS report related to the platform work and employment and social protection policies ([Chagny et al., 2017](#)). This working group then met four times in the following year (from May to July 2017) and the discussions revolved mainly around the following two themes: (i) social dialogue and modes of representation including innovative methods and (ii) voluntary contributions by platforms to the complementary social coverage of platform workers with independent status. Overall, these meetings served as a space for discussion among the different stakeholders of current issues and challenges and possible future actions to address these challenges.

2.4 Where the debate on the platform economy takes place: a quick analysis based on web-data

The debate on the platform economy in France has become all the more lively as the size of the sector and the number of individuals involved have increased over the last decade. The platform economy debate involves discussions on issues such as employment status, social protection and representation of workers (and of platforms) as well as taxation and regulatory issues in platform economy work. The actors involved in these discussions range from policymakers and academics to civil society actors and social partners including both traditional and new types of organisations. In this section, we provide a brief overview of such debates taking place on the web describing what type of information is available and which prominent actors disseminate inputs for the debate on this topic. This is done through a web data analysis as described next.

The web data analysis is based on the Google search engine using a selection of keywords that describe the platform economy both in the national language (French) and in English. In particular,

⁶ France Stratégie is a public body under the authority of Prime Minister in France.

⁷ Sharers & Workers is a network on the collaborative economy linked to digital platforms managed by Ires (*L'Institut de recherches économiques et sociales*) and ASTREES (*Association Travail Emploi Europe Société*).

the first 100 results from the Google search were extracted to be analysed in a next step. The extraction was done for general web or URL links (denoted as 'HTML') as well as for pdf documents (denoted as 'PDF'). The Google search for France was done using the Google France website (www.google.fr) and this analysis was carried out during the autumn of 2017. For the web data search, the following French words are used:

économie collaborative; économie du partage; économie numérique; économie à la demande; consommation collaborative; crowdworking; plateformes collaboratives; économie de plateforme; économie du pair-à-pair; crowdsourcing

Additionally, we used the following English words:

platform economy, crowdsourcing, sharing economy, collaborative consumption, share economy, on-demand economy, crowdworking, crowdworker, crowd work and gig work

Using these relevant keywords in the platform economy context, we conducted the four web searches as follows:

- i) native language html links,
- ii) native language pdf documents,
- iii) English language html links, and
- iv) English language pdf documents.

For each of these searches, the first 100 results are retained and categorised using the taxonomy in Table 1.

Table 1. Categorisation of web links based on keyword searches

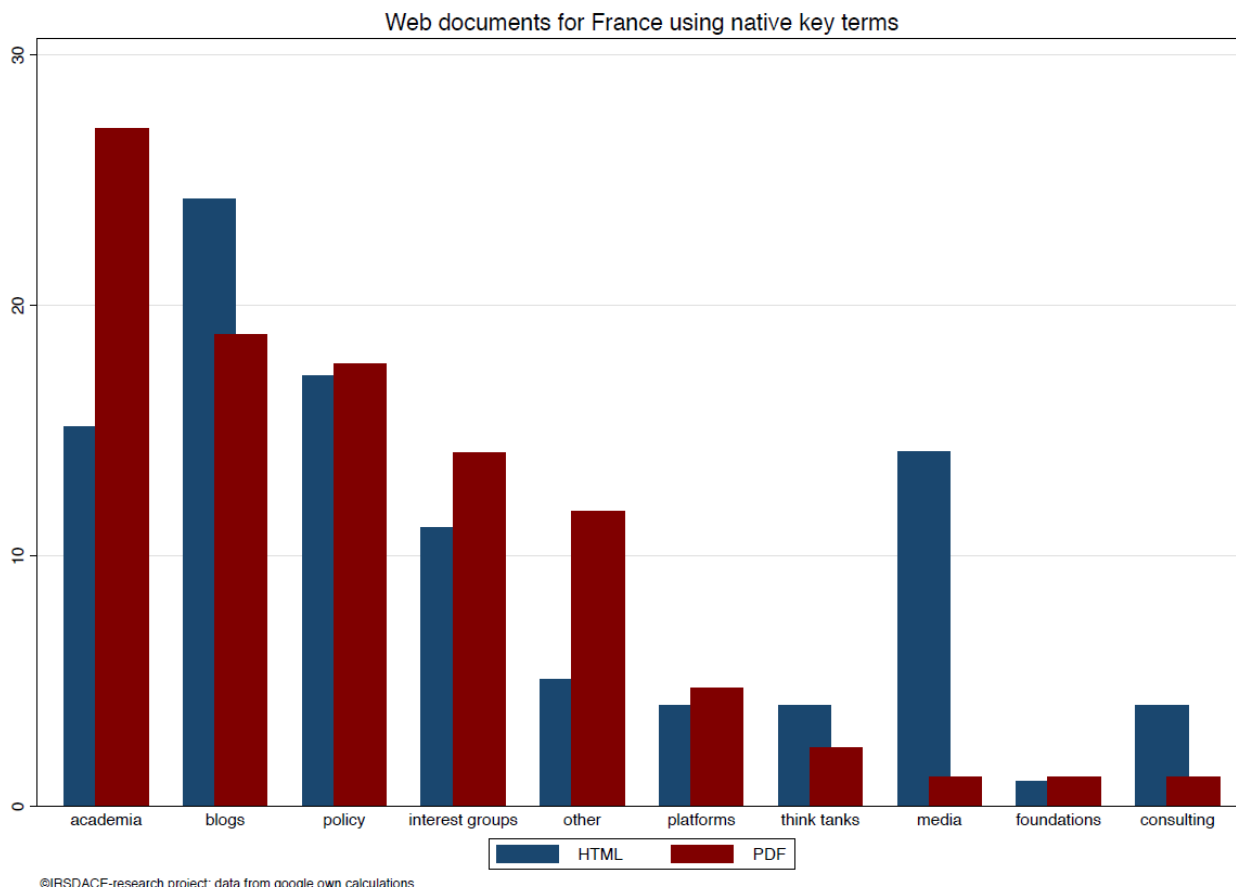
Category	Content: all URLs related to:
Academia	University webpages, academic papers and journals, projects, etc.
Blogs	Informal or emerging media, blogs, online magazines, publishers, etc.
Consulting	Business consulting, legal consulting, etc.
Foundations	Foundations of any kind - political, industrial, private, etc.
Interest groups	Trade unions, employer organisations, professional associations, lobbying, etc.
Media	Formal media, newspapers, public broadcasters, etc.
Platforms	Platforms
Policy	Parliament, government, federal ministries, committees, political organisations
Think tanks	Research institutes, policy-driven think tanks, etc.
Other	URLs which cannot be classified into any of the other categories (e.g. dictionary)

The following figures display the results of this web link and pdf document searches using the selection of keywords on the platform economy as listed before and based on the categorisation from Table 1. Figure 2 and 3 show the results across different items coming out of Google searches using French (Figure 2) and English (Figure 3) keywords. The last set of figures displayed together in Figure 4 gives a comparative perspective of the web data analysis from France relative to other countries in the IRSDACE project (i.e. Belgium, Denmark, Germany, Hungary, Slovakia and Spain).⁸

⁸ Parallel web data analyses are performed for the other countries covered under IRSDACE project.

The results of Figure 2 suggest that academics, blogs, policy and media web links obtain the most hits when a search is done using French terms describing platform economy. The pdf documents using native terms related to the platform economy mostly originate from academic and policy documents as well as from blogs.

Figure 2. Share of web links by category for France (search based on French keywords)

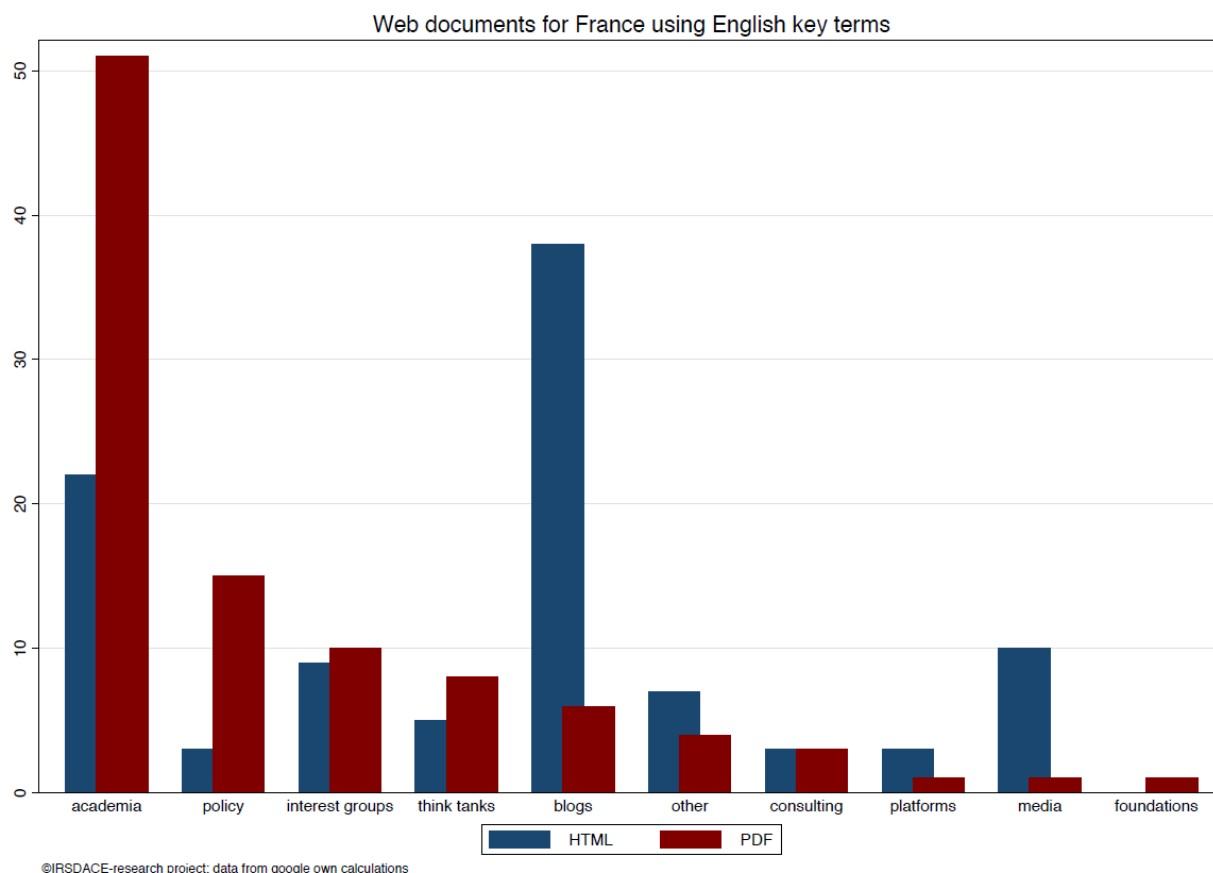


Source: Graph prepared by the partners from IZA on the basis of web data collected for the project.

When the same search is done using English terms, Figure 3 shows that the most important sources of platform economy web documents come from academia, blogs and media sources, while the pdf documents using English keywords related to platform economy are mainly from academic sources followed by policy websites. Interestingly, very little web documentation on the platform economy is found (using French or English keywords) on the platforms’ websites themselves.

These figures overall suggest that the platform economy debate, taking web documentation in the form of web links or pdf documents as a proxy, is mainly led by academia, policy actors and blogs and to a lesser extent by media and various interest groups.

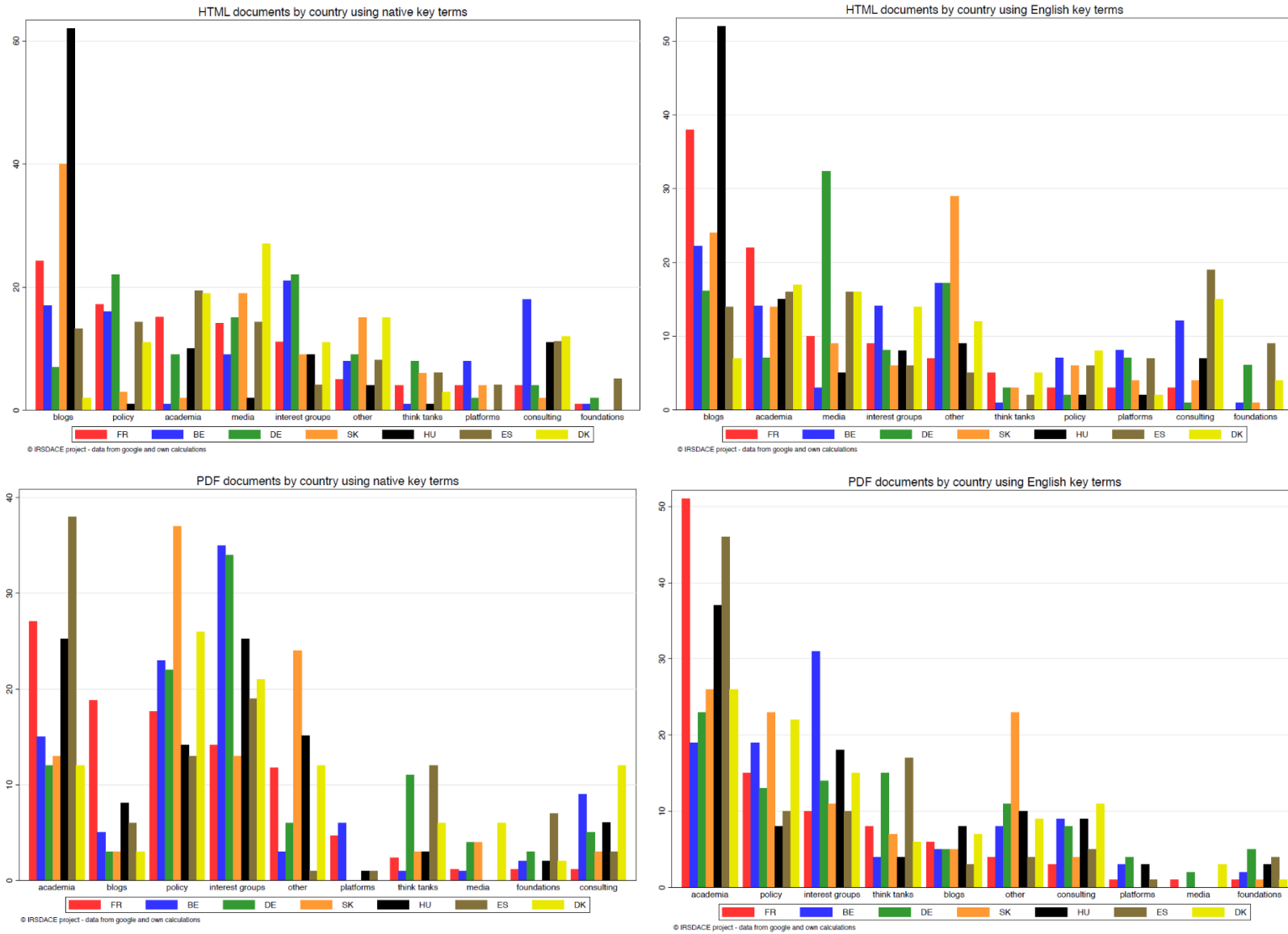
Figure 3. Share of web links by category for France (search based on English keywords)



Source: Graph prepared by the partners from IZA on the basis of web data collected for the project.

The final set of figures from Figure 4 repeats the same exercise for Figures 2 and 3 but adding the results from other countries (i.e. Belgium, Denmark, Germany, Hungary, Slovakia and Spain) of the IRSDACE project. This allows a comparison of the different prominent actors or main sources of information on the platform economy debate detected using searches with the native and English keywords in this context across different countries. For example, the upper left part in Figure 4 suggests that the blogs are three times more prominent sources in the platform economy debate in Hungary and Slovakia using HTML links with native keywords compared to France. In other words, the former countries have much related content on blogs. When using English keywords, the blogs from France (just after Hungary) and academic HTML links are one of the most prominent sources of platform economy debate content (upper right figure). However, when looking at pdf documents (lower figures both on left and right), together with Denmark, Germany and Spain, the academic documents using native keywords in France are among the most prominent sources of pdf documents on platform economy. Similar findings emerge using English keywords. In other words, compared to other countries, French academia is among the leaders in producing web content (particularly pdf documents) on the platform economy.

Figure 4. Comparative Web Data Analysis - France



Source: Graph prepared by the partners from IZA on the basis of web data collected for the project.

3. Discourse, perceptions and experiences of work in the platform economy among established industrial relations actors

3.1 Discourse, perceptions and experiences of platform economy work among employee representatives

As part of our research on the discourse, perceptions and experience of platform work among employee representatives, we conducted several interviews with individuals from employee representatives, also including a recently-formed worker union of drivers for a large platform and of a collective of courier riders working for large food delivery platforms.⁹

3.1.1 Perspectives from employee representatives

We were unfortunately not able to interview the aforementioned established trade union members such as the CGT, CFCT and CFDT. However, our desk research suggests that there is an increasing interest in platform workers among traditional social partners. As described in [Lhernould \(2018\)](#), the CFDT generally welcomes self-employed persons and expressed its willingness to also include self-employed platform workers, despite the difficulties of establishing collective agreements for these types of workers. In 2014, UNSA also started to be interested in defending the rights of Uber drivers. Similarly, [Lhernould \(2018\)](#) mentions that the CGT takes digitalisation seriously – the union even devoted one of its recent annual events to this topic and the unionisation of platform workers – and encourages the creation of local unions. One example in this context is the bike courier CGT in the Gironde region (Bordeaux), which defends the rights of self-employed platform workers.

The first interviewee among the other employee representatives used to be part of UNSA Transport management and is currently active in other union activities as well as being part of the Sharers & Workers network. Given this profile, we classified this interviewee as an employee representative.

Perceptions of the platform economy. According to the interviewee, the term *collaborative economy* is often misused in France, and that social partners are pushing for a clearer differentiation. In particular, the interviewee thinks that the term is too generic and does not reflect how social dialogue operates within it, nor the purely moneymaking nature of certain platforms. In their organisation, as they are the point of contact for many of the organisations being formed to tackle representation for platform workers, they have become familiar with many of the platforms operating in France, such as Uber, Airbnb, Deliveroo and Foodora.

Role of social dialogue. According to the interviewee, social dialogue in the platform economy is missing and this is a difficult problem to tackle because of how unions are organised in France: the members of traditional trade unions are *salaried employees* and not *workers*; therefore, the unions, by definition, are not representing *independent workers*, which is the category into which platform workers often find themselves classified. Thus, it becomes difficult to unionise platform workers as a result, but necessary in order to make their voices heard and ensure social protection. Moreover, using the status of *independent worker* to define platform workers shows the inadequacy of legal framing for new forms of employment, as this term poorly defines their status. This, the interviewee

⁹ We were not able to interview social partners from the accommodation sector. However, we compensated for this with information obtained through desk research as well as interviews with public authorities and academic experts.

argues, is because legislation is often a step behind innovations of any kind, and even when some laws are passed, they do not always benefit those most directly and severely affected by the changes.

The interviewee stressed the importance of properly structured representation for effective social dialogue, since the latter is based on good communication and a clear knowledge of the involved actors. In the context of the platform economy, the first attempts of worker representation of platform workers came about in the transport sector (VTC) following the conflict with taxi drivers.

“A union was established in order to defend the legal status of those workers against the state, and not to protect workers against platforms themselves. It is only later on, when Uber started to lower prices that the focus shifted in that direction, protecting ‘independents’ in a relationship with platforms different from the one between ‘salaried employees’ and their companies.” (Employee representative)

It was pointed out during the interview that the term ‘union’ (*syndicat*) is seen as pejorative in France and that many of the new organisations prefer the term ‘collective’. The interviewee also explained that new organisations are trying to figure out how to organise themselves effectively, which is further complicated by the nature of platform workers: either working long hours or doing both platform and traditional work, thus having multiple statuses (independent and salaried employee). It appears that this makes it difficult to structure a cohesive force that can cater to the needs of the workers. Ultimately, collectives have been built around targeting specific issues rather than broad themes or demographic groups.

“...when interacting with chauffeurs, we noted that most complaints did not centre around social protection as much as they did on securing stable and regular prices for their services. Platforms impose prices unilaterally, and workers are dissatisfied with that, demanding more bargaining power and setting of a definitive minimum price that they have named ‘a threshold of dignity’, as they feel disrespected by platforms.” (Employee representative)

Such new forms of unions and ‘collectives’ also organise meetings like traditional unions; however, there are limited number of platform workers (such as drivers) that can attend such meetings, as going to a meeting is time spent not earning any revenue, unlike the fixed salary of a traditional worker. This is why the use of social media has gained importance in unions aimed at protecting platform workers, where activity is high; for example, the interviewee cited about 23,000 members of a closed Facebook group of Uber drivers in France.

As a social partner, the interviewee believes in the feasibility of social dialogue – an inherently biased opinion – and argues that more positive media coverage is necessary to establish better social dialogue. It appears that currently mass media only tends to report conflicts and problems, and not the progress that has already been made. For example, marcel.cab created a small radio discussing social dialogue for drivers, and AlloCab published a memorandum on the subject of social dialogue.

Evolution of the platform economy – future perspectives. The interviewee believes the platform economy will continue to exist in the future, explaining that even large, established companies are trying to *platformise* themselves. However, the point is that this is neither a positive nor a negative thing, as a platform is ultimately a tool with no inherent morality behind it. What needs to be done is to implement the social reality that will accompany this tool.

“On the one hand, regulations will be put in place in the fiscal field in order to reduce what amounts to tax evasion on the part of the platforms. On the other hand, the reason why current problems exist is that human beings tend to face change by recoiling in confusion, not because change itself is good or bad.” (Employee representative)

All in all, the interviewee from the transport sector and Sharers & Workers explained that their aim is to develop social dialogue, which is difficult due to the problematic nature of the ‘independent worker’ status in France. The point is that properly structured representative organisations are necessary for this, but that the negative connotation of ‘unions’ in France and overall negativity of the press are an obstacle. Moreover, organising unions is difficult due to the irregular nature of platform work, which is why social media has become important for unions, and collectives have formed around specific issues rather than broad themes. For example, most workers in the transport sector are mainly concerned about securing regular prices for their services rather than welfare. Finally, the interviewee considers that the EU is one of the most pertinent actors in that respect, due to the scale of platforms, as the largest platforms are international in scale. For the interviewee, it is key that regulations be developed at the international level, as a guide to individual countries, rather than having each country make their decisions alone. As a result, there should also be representation in the platform economy at the European level.

3.1.2 Perspectives from new organisations and collectives of platform workers: the case of personal transport

In this part, we interviewed platform worker representatives from a recently formed trade union working in the transport sector as well as representatives of platform workers grouped in a collective in the delivery sector. Both of the interviewees are active in representing platform workers in their respective organisations as well as working as platform workers themselves, and hence having personal experience.

The first interviewee is member of a union called SCP VTC, the union mainly representing the drivers for one of the largest platforms (Uber) in the personal transport sector. This union has been very active in its efforts to encourage platform workers to raise their concerns. The method of outreach has been diverse: demonstrations and protests on the streets, awareness-raising campaigns through social media, etc.

“The term ‘collaborative economy’ was coined by platforms themselves in order to create a better image of themselves. Drivers, the first to get involved with such platform work, felt that this term was a sham; however, since they had much less media coverage, they could not easily denounce the duplicity of the term, which is why it has remained as it is. I believe that the term ‘collaborative economy’ is entirely inappropriate, as platforms decide everything and workers decide nothing. Perhaps we should use another term ‘économie de péage’ (tollbooth economy), as it is the type of economy where one pays after using the service, just like how one pays for using the highway after exiting. This seems like an artificial economy, where platforms capture the market by enrolling workers in the platform, and the consumer only knows the platform and not the workers.” (Representative of platform workers – SCP VTC)

Perceptions of the platform economy. The interviewee has mainly been involved in the platform economy in the personal transport sector and has been in close touch with Uber drivers. According to the union representative, the perception of the drivers is that Uber gradually imposed its rules when the platform started thriving, reducing benefits for the workers. The workers were unable to do much, as all market capital went through the platform. According to the representative, this exposes one of the major problems of the platform economy: workers do not control prices, nor do they have any bargaining power over price setting, despite being labelled as ‘independent’. Moreover, SCP VTC is also interested in platforms offering all sorts of small jobs, such as *Trusk*, *Mesdepanneurs.fr*, *Plombier.com* and *Frizbiz*. The latter platform, the interviewee explained, makes reverse auctions once a client posts their request, with each service provider affiliated with the platform lowering prices as much as possible to be chosen by the client. This also led to prices dropping once competition grew, with workers earning €120-150 per job initially, but currently only making around €50-80 for the same jobs (‘race to the bottom’).

“Most of these platforms exhibit an imbalance in power, as observed when workers go on strike, yet they are not recognised as workers’ representatives, since they are ‘independents’, or when workers can get dismissed despite showing proof of their work with the platform to uphold ‘freedom’, as no contracts exist. We dislike this ‘bourgeois’ attitude. It appears that platforms are taking advantage of the weakest social class – uneducated and poor people from the suburbs, often young immigrants.” (Representative of platform workers – SCP VTC)

The interviewee explained how they and their associates (fellow Uber drivers) became aware of how little ‘collaboration’ happened in such an economy, specifically with Uber. Drivers were convinced they were ‘salaried employees’; however, the invoices generated by Uber were in their personal name, meaning they had to pay taxes on their income before Uber took the platform’s cut of the earnings. Additionally, this meant that they had to take fiscal and legal responsibility for both the invoice and the client.

Involvement of the government. According to the representative of platform VTC drivers, very little has been done despite the growing number in studies and publications on platform worker issues. Some laws have been passed, such as the *Loi Grandguillaume*, which imposes a shared responsibility between the platform and worker by making platforms more than a linking/connecting agent (Art.1), forces platforms to provide all their information to the government to increase transparency (Art.2) and gives the responsibility for qualification tests to a neutral third party (Chamber of Trades and Crafts), rather than the platforms themselves (Art.3). Also, access to professions in the platform economy has become more controlled, reducing the number of underqualified workers. While these have helped in some respect, they did not tackle the two central problems the interviewee and their organisation identified previously.

“There are very few laws in place to protect platform workers. There is no sick leave nor paid holidays, which means that drivers with broken legs are sometimes still forced to work to make ends meet. While the economic problems faced by platform workers have been recently brought to light due to serious protests by VTC and others, only the ILO has taken note of the poor working conditions after a 6-month long study. The long working hours (10-14h a day) mean that family life suffers, that health problems from sitting too long and eating poorly become more acute, that sleep schedules are inconsistent in order to mesh with peak hours where prices are higher.” (Representative of platform workers – SCP VTC)

Role of social dialogue and further challenges. When creating their VTC union, they realised that they could not associate with UNSA because of their legal status. In fact, the interviewee complained that most truly representative and knowledgeable organisations have very little means to sustain themselves. This contrasts with larger and more established organisations such as the CFDT, FO and CGT, which sought to claim worker rights issues as their own once they realised how large the movement was becoming. The interviewee thinks that traditional unions make use of their deep capital and try to take credit for certain actions such as strikes organised by platform workers.

As regards social dialogue with platforms, the drivers felt there was no established means of communication for social dialogue, and only through relatively violent protests – such as with *Chauffeur Privé* and *Le Cab* – were they able to communicate with the platform via the intermediary of the state. Ever since, all their interactions have been carried out by forcing the state to intervene. Therefore, the perception of the SCP VTC drivers is that social dialogue is difficult at present.

The platform worker representative argues that the call for a ‘hybrid status’ will not help their cause, and that workers must either take full control over their profession by becoming either ‘employers’ (*self-employed in the true sense*) or ‘salaried employees’. What they would like is to balance power between the platform and workers.

“The problem is that employers make decisions and are responsible for them, while the salaried employee does not. However, platforms – which serve as intermediaries – make decisions for workers, who should be able to make those decisions, since they are responsible for the decisions taken. In that respect, we have nothing against platforms that do not make decisions for workers such as BlaBlaCar, Le Bon Coin or Airbnb.” (Representative of platform workers – SCP VTC)

At the moment, the main goal of the SCP VTC union is to condemn the current state of affairs in front of a wider population, as they feel that few people grasp the major problems faced by these workers. The interviewee also explained that SCP VTC initially started out as a WhatsApp group, and that they gradually began to organise themselves in real life, eventually forming a union – similar to a cycle couriers collective that started their movement through Facebook – showing the importance of social media in the formation of representative organisations in a fast evolving world of work.

Nevertheless, the interviewee is pessimistic about the future of the platform economy. This is because of the resignation many workers display in the face of such poor working conditions, as they feel they have no other choice but to continue working on platforms. The interviewee suggests that it could condition younger generations to expect work that pays by the task (*travail payé à la tâche*) and not by the hour, which would only worsen the current state of affairs.

Representatives such as VTC seek to denounce the current exploitative conditions to the public, but are pessimistic about the possibility of social dialogue, since they were only able to meet with platforms through strong protests requiring the intervention of the state. Moreover, these organisations with experts in the plight of workers have little to no funds, while traditional unions aiming to steal credit and grow have much more capital. A hybrid status should not be attempted, and the balance of power should be fixed. Nevertheless, some laws, such as the *Loi Grandguillaume*, impose shared responsibility, transparency by externalising qualification tests and getting rid of the *Loi LOTIS*. Overall this heightens entry barriers for platforms and gives more room to the state to protect the market against unfair competition.

“...platforms gradually imposed themselves over workers when the industry boomed, which is when workers realised that they were being taken advantage of by the lack of means for social dialogue, especially since most of them come from the ‘weakest class’ of young, poor and uneducated immigrants. This is problematic, as platform workers are labelled as ‘independent’, meaning that they are judicially responsible (no insurance, no sick leave, no paid holidays), yet are economically dependent on the platform. It also means that representation is problematic and easily dismissed as illegitimate. The government has put little protections in place, and the laws passed do not fix the core problems: no control over prices and oversaturation of workers.”
(Representative of platform workers – SCP VTC)

Role of EU and future perspectives. The SCP VTC representative is disillusioned by Europe, which, the VTC workers feel, has not come forward regarding platform worker issues despite the growing amount of research being carried out and that it mainly appears to promote the interests of major players (possibly due to lobbying). At the same time, Europe also promotes social dialogue between actors involved in the platform economy and in that context, the interviewee mentioned that Europe could provide further support and funds for unions with low or no budget, as new organisations representing platform workers tend to die out quickly despite being the most knowledgeable on the subject. In other words, the interviewee would prefer to be given the means to represent platform workers and so they can deal with their problems themselves.

3.1.3 Perspectives from new organisations and collectives of platform workers: the case of bike delivery

The second interviewee is engaged with new forms of organisation of platform workers representing platform workers who are doing bicycle courier. In particular, the interviewee is part of a collective called CLAP (*Collectif des Livreurs Autonome de Paris*). There are also other regional collectives (e.g. Gironde). They explain that such organisations are created by platform workers, who are the only ones who truly understand their current problems, as the sudden growth of the platform economy has taken all other actors by surprise. They are all very new, as platform work itself is new, too, and composed of many young militants.

Perceptions of the platform economy and main problems faced. The collective, CLAP, is composed of platform workers who are providing two-wheeled (mainly bicycle) delivery services (e.g. food or else) for major platforms such as Deliveroo, Foodora, Uber Eats, Stuart and Glovo. In France, these platforms started appearing around 5 years ago (ca. 2013) and have grown fairly quickly; the number of bikers has risen from around 50 in 2014 to 10,000 in 2017. As part of the IRSDACE project, we interviewed a representative of CLAP to learn about the perspective of courier bikers on platform work and social dialogue.

“Although some call it ‘collaborative’ or ‘sharing’ economy, what is often forgotten is that ‘sharing’ is not necessarily equal/equitable, and workers are at a disadvantage in the platform economy. A large part of the value of the services provided go solely to the platforms. This is something that people have noticed recently as this economy rose in prominence. Thus, it would be more accurate to call this a ‘renting economy’, where the flow of information is the value and workers are the labour force without the value behind it. Not only that, but the platform economy is not a new type of work, but a new method of accessing work. The work itself remains practically

unchanged, however, the new method of access means that a new way to access social dialogue is needed. This is something that not many new workers expect, creating a gap between expectations and reality. The platform economy went from niche to norm too quickly, so it has not been considered as a social issue, which has only helped speed its growth. This, in turn, has caused young people to conceive of work in a more capitalist way and ignoring its social aspect.” (Representative of platform workers – CLAP)

According to the interviewee, the status of platform workers was resumed as being economically dependent on the platform but having to face the responsibilities tied to the risks of their work independently, which leaves platform workers stuck between being traditional workers and independent workers. Thanks to the Article 60 of *Loi El Khomri* (labour law), platform workers have similar rights to traditional workers, but without the same protections, and are not truly independent workers since platforms take charge of various aspects of their work. Moreover, unlike actual independent workers, they demand the protections of traditional workers since they do not have the same accumulation of capital as independent workers. The interviewee highlights the need to define this third legal status better, as the borders between them are too blurry.

What is more, according to the CLAP representative, as the platform economy has grown so quickly over the past few years, social protection and representation have been neglected, which is why insurance, sick leave, paid holidays and pensions are all severely lacking in platform work. The interviewee argues that current laws in France (and Europe, in general) are designed to give advantage to the growth of platforms at the expense of their workers by taking away responsibility from the platform. Thus, platforms have been able to profit from the lack of social protection and from the rise in unemployment pushing people towards platform work with limited outside alternatives. Moreover, what little laws have been put in place were mostly the results of accidents giving the platforms no choice, and the insurance given to workers is highly ineffective from the perspective of the CLAP representative. For example, the interviewee cited an example where bikers only get parts of their body covered by insurance in case of injury.

Role of social dialogue and organisations. The interviewee explains that organisations such as CLAP (or the previous one *Collectif Coursiers Francilien*) are created by platform workers, who are the only ones who truly understand their current problems, as the sudden growth of the platform economy has taken all other actors by surprise. They are all very new, as platform work itself is new too, and composed of many young militants. The interviewee uses the term “digitalised unionism” to describe the current state of representation. This means that rather than meeting face-to-face, they use social media to organise events, discussions and transmit information. This is because – particularly for platform workers in delivery services – their mobile devices are the most important item in their work, and are thus an indispensable tool for unions. This follows the trend of official and formal organisations, institutions and companies in also using social media as a means of business and communication. Their main role is essentially to ease the flow of information on situations and the problems of platform work.

As regards interaction with platforms, according to the experience of the CLAP representative, there is practically no way of communicating with platforms directly, the interviewee has only managed to speak with platforms through events such as work groups and meetings hosted by organisations such as think tanks, networks such as Sharers & Workers or national research agencies. Even then, the platforms rarely attend such events, now that they are in direct contact with the government in France.

Perspectives for the future and the role of the EU. For these and similar reasons, the interviewee considers social dialogue to be very difficult currently, as platforms were not built with any consideration for social aspects, and it remains to be completely built from the bottom up. Institutional networks are difficult to penetrate and make a difference. At the same time, social dialogue is impossible to smother forever, and will eventually be properly established, according to the interviewee. This is because workers, as much as they are not independent in the sense they think they are, they are still mentally independent and can easily see the working conditions they are subject to as unfair. Moreover, now that the issue of platform work has gained importance, some large union confederations have opened their doors to include online platform workers.

“Europe already has come forward regarding the social limits of platform work, and the cohesion of platform workers across Europe should be developed. This is because platform work is international in concept, due to the ‘sharing’ nature of it and how quickly it spreads.” (Representative of platform workers – CLAP)

3.2 Discourse, perceptions and experiences of the platform economy among public authorities

As the next step of the qualitative research looking at the various perspectives of different stakeholders concerned with social dialogue and platform work, we talked to several members from different establishments forming part of public authorities. In particular, we talked to two interviewees from France Stratégie (one of the interviewees previously worked for the Ministry of Labour) as well as one interviewee from the General Inspectorate of Social Affairs (*Inspection Générale des Affaires Sociales* – IGAS). France Stratégie is an organisation that publishes studies, evaluates public policies and proposals, and is linked to the Prime Minister. It is also a place for debate and consultation, whereby social dialogue with social partners and civil society is sought to enrich the analysis conducted so as to better inform policymaking.¹⁰ IGAS carries out monitoring, audit and evaluation missions, advises public authorities and assists in the design and conduct of reforms.¹¹ IGAS intervenes and conducts analysis at the request of the ministers, but also based on its work programme, on issues affecting the lives of all citizens ranging from employment, work and health to social inclusion and social protection.

Perceptions of the platform economy. In the department of work and employment of France Stratégie, the focus is on what is referred to as the ‘platform economy’, arguing that the platforms they wish to study do not fit under the ‘collaborative economy’ label. Platforms in the ‘collaborative economy’ involve merchant and non-merchant actors and processes, while platforms that intermediate work online often do not operate in the same manner. While France Stratégie does study platforms that could be considered collaborative, such as BlaBlaCar and Airbnb, they focus on the fiscal problems related to them (which are not exclusive to platforms), while their work on Deliveroo, Mechanical Turk, Uber, Upwork, etc. focuses on labour law issues.

The interviewees explained that a distinction between ‘collaborative’ platforms and platforms that intermediate work is that the former exchange goods while the latter are platforms that exchange work, although work platforms can be collaborative and some platforms that exchange goods are simply bartering platforms. Work platforms are heterogeneous, but they tend to bring up issues

¹⁰ <https://www.strategie.gouv.fr/>

¹¹ <http://www.igas.gouv.fr/>

concerning labour laws and forms of employment, which is the field of interest of the interviewees' department. Moreover, the two types of platforms do not want to be categorised under the same label; mostly those who freely exchange goods (e.g. Wikipedia) and services feel as though they do not belong in the same category as those who monetise those exchanges.

On the side of IGAS (and similar to France Stratégie), acknowledging that there are many employment platforms in operation in France (e.g. Malt, SuperMano, Uber, Chauffeur Privé, Allocab, etc.), the labour inspectorate focuses on platforms that deal with financial transactions on some level, since those platforms impact legislation on the social and fiscal dimensions, such as labour rights, employment rights, and rights to on-the-job/vocational training. Platforms such as Wikipedia, which strictly share only content, are not the priority for IGAS. On the other hand, since IGAS works on financing welfare, regulation on employment, regulating the labour market, or policy on fighting against poverty, they do not tackle issues centred on the right to competition, the right to consumption, nor the right to criminal responsibility.

The general situation of the platform economy in France. There is a tension in law-making between giving more rights to platform workers – by making them closer to the status of 'salaried employees' – and obliging platforms who do not want to take the burden of labour laws associated with salaried employment. This tension underpins the debate in France. Member of IGAS explained that platforms facilitate access to employment, have a greater freedom of working hours and facilitate finding clients. However, for certain demographics, it can increase competition and thus lower prices, which in turn lowers worker revenues (although this is advantageous for consumers). Ultimately, the interviewee argued that each disadvantage has to be dealt with appropriately in order to create the best possible framework that can both protect platform workers and still foster the platform economy.

According to interviewees from France Stratégie, the substitution of salaried employment for 'independent' work is problematic in France, where the social model has been built around salaried employment providing workers' rights, such as the right to on-the-job training, welfare protection and retirement. It is difficult to establish equality between workers of different status in terms of social protection. More specifically, workers under the 'independent' status are labelled as *micro-entrepreneurs* and benefit from very limited social security rights due to their low social security contributions. This means that, for example, their pension barely increases during their time as micro-workers. The lack of social protection can be especially problematic for risky jobs – for the workers and their clients – where workplace accidents are not covered, e.g. the situation of coders. Another issue is that the platform economy is extremely fragmented, especially in the case of micro-taskers. This leads to a problem of representation, since they operate in different sectors, with varying levels of qualifications, are poorly inserted in professional networks (due to the nature of platform work) and, of course, are not affiliated to a sector branch allowing for collective representation and social dialogue. Being part of a sector of activity also guarantees set prices, which platform workers thus lack.

State of laws on platforms. The government takes two main positions regarding platforms. The first focuses on clarifying taxation on platforms; for instance, certain conditions need to be established for a collaborative platform (such as carpooling) and its contributors to be taxed less, such as when revenues are under a certain threshold. The second involves extending social protection to platform workers, notably through the evolution of labour law or by expanding welfare coverage. For example, the right to vocational training has been acknowledged for platforms that impose prices and have workers earning above a certain threshold – as well as other conditions, making the latter

contribute to the training of their worker. In particular, the *Loi El Khomri*, a global labour law in application since 2017 includes a section for platforms that intermediate work and set prices and the way the service is delivered. This targets platforms such as Uber, Deliveroo, Foodora or Stuart. Such platforms are obliged to cover insurance for workplace accidents, which is then made optional for workers who earn above a certain threshold. On the other hand, there is also a parliamentary amendment currently being discussed regarding the security of career paths and a law on unemployment insurance. This amendment would lead to a charter whereby platforms would offer various protections to independent workers in exchange for not requalifying their workers as salaried employees. Overall, France has relatively extensive social protection coverage compared to other countries, even for independent workers. The main difficulties lie in providing coverage for certain risks, such as complementary healthcare or occupational accidents.

In order to placate both platforms and workers – opposed in how they wish workers to be labelled – the current approach is to establish a more hybrid status that is explicitly not that of a salaried employee. It is a step-by-step process, moving rather slowly and cautiously. Finding the appropriate political solution is further slowed by the fact that the situation varies considerably between platforms, with some wanting to be independent and some denouncing the hidden salaried form of employment. Moreover, there is currently little jurisprudence on the legal status of platform workers, with many trials under way, even at the European level. Only following judicial clarification does the government plan to move accordingly. On the other hand, the government uses the labour inspectorate to track eventual fraudsters in fragile professions – babysitters, house cleaners, etc. – and bring their legal status closer to that of salaried employment, as they are easily taken advantage of under the *auto-entrepreneur* status.

Role of social dialogue. As already described, the 2016 reform of the labour law gives the right to platform workers to organise themselves in unions and negotiate their rates collectively. This made it so their collective negotiations would no longer clash with the right to free competition, making them more legitimate. This means that platform workers can now make judicial demands in court. However, evidence so far shows that the only ones who are truly organising themselves are drivers and cycle couriers, with some relying on traditional unions.

On the government side, the interviewees from France Stratégie explained that they are currently trying to co-create the landscape for social dialogue with emerging organisations as well as established social partners through working groups. In particular, France Stratégie is also part of the Sharers & Workers network. However, overall, social dialogue in this context appears to be difficult. The only real, formalised example of industrial relations or social dialogue was between drivers – supported by traditional unions – and transport platforms, mediated by the government in 2017. The whole process of this social dialogue led to the *Loi Grandguillaume*. According to the interviewee from IGAS, such current actions that have been taken were episodic (such as protests), and social dialogue has still not matured. This is partly because representative organisations have not yet been properly institutionalised, because the interests of the parties involved are extremely antagonistic, and because platforms – specifically foreign ones – seem to be strongly reticent to accepting social dialogue, making negotiations challenging. Regarding the rest of the platforms, the interviewees said that there has not been any real negotiation between the actors yet.

“Another issue with developing social dialogue is that worker representatives (mostly unions) are approaching the issue of workers’ rights with the social norm of ‘CDI’ (contrat de travail à durée indéterminée – indefinite duration employment contract) in

mind, comparing the current situation to this very specific norm and demanding platform work conform to it, making it difficult to innovate.” (Interviewee from IGAS)

There is much uncertainty regarding the possibility and shape of future social dialogue in the platform economy due to the legal definition of platform workers and because platforms have not come forward to initiate social dialogue themselves. Interviewees from the public sector generally argue that platforms need to realise that the quality of the work they intermediate is important to the customers in the long term, and they must obtain this quality by training workers and offering better working conditions. Moreover, platforms can only thrive and compete with the traditional market if there are adequate numbers of workers to quickly respond to customer demand, so they need to make their work attractive enough for workers, too, through collective insurance, training, etc. Finally, once platforms become more standard and the legislative environment becomes less flexible, they may find it in their best interests to turn some of their work into salaried employment. The interviewees conclude that platforms are no longer in their infancy and do not need to be protected so much in order to grow. It could also simply stay as a new form of intermediation of work and have new regulation set up for it, similar to how temporary work was legally framed over time.

Role of EU. According to the interviewees both from France Stratégie and IGAS, Europe has a significant role in defining how platforms operate, be it in terms of fiscal rules or labour laws. The EU decides whether a platform can be deemed a “hosting platform” or a “dedicated platform”, with the former benefiting from less responsibilities. There are still many variations in the situation of platforms in different countries – e.g. UberPop (non-professional drivers) has been forbidden in quite a few countries and all Uber services have been banned in London – because labour laws and social protection are still under national authorities. If the EU clarifies the legal status of platforms at the international level in terms of employment, social protection, and taxation, ruling on whether certain types of platforms are hosts, editors, or a new category of enterprise, this would then allow member states to apply their national social laws accordingly, such as when the Court of Justice recognised the right for member states to place regulations on Uber as a transport company by classifying the legal status of Uber. The legal status is key to knowing when and how social laws can be applied.

“There could be two possible courses of action for the EU: it can either impose a unique European status directly, which would then dictate the rights and obligations to be followed at the national level (this, the interviewee argued, would be extremely complicated), or it could give a typology of platforms and allow member states to make their regulations from there on, deciding on which rights and obligations can be imposed (similar to the case of Uber).” (Interviewee from IGAS)

European competence lies in the market (e.g. right of competition), so it is less qualified or legitimate to rule on labour laws and social protection, in which the role is more hybrid. Europe will have to choose between prioritising competition and a unified market or recognising the need to address labour law issues.

Perspectives for the future. The interviewee from IGAS argued that the platform economy will not grow in a large wave, since sectors, where access to resources, different competences and direct interaction with colleagues is necessary, are not compatible with the platform model. Put differently, certain sectors are more prone than others to be captured by the platform economy. This argument is backed up by the fact that no major platform has broken through into a new sector over the past 2 years. For example, interim agencies, home tutoring agencies, agencies providing services to

individuals and the like have the potential to become more ‘platformised’, since these agencies already resemble the platform model, but they were simply lacking the technology before platforms arrived. Moreover, platforms can help the growth of freelance work as a whole – specifically highly-qualified freelancing – since they facilitate finding clients. This growth is, however, different from the process of *uberisation*, where work is by the task and lowers qualification standards. In conclusion, the interviewee from IGAS argues that, in terms of quantitative impact, *automatisation* is a phenomenon that causes more worry than *uberisation* for the future of the labour market.

3.3 Discourse, perceptions and experiences of platform economy work: perspectives from academics

In this section, we summarise the perspective of an academic expert with a background in sociology researching the issues of platform work and industrial relations with a team of researchers from a university in Paris. The interviewee explained that in their research team they use the term ‘platform capitalism’ rather than ‘collaborative economy’, because very few platforms can claim this as an accurate qualifier of their business model, and those that can are not problematic and thus are not source of much debate. The interviewee argued that only agents (mostly platforms) who want to talk positively about platforms use the term ‘collaborative economy’, even though the term is contradictory to how platforms actually operate. The research team decided to focus on platforms seeking profit as their main goal and their research aims to assess how new company organisation and labour management models are evolving with the new forms of employment and types of work emerging from such platforms. They are mainly concerned about the status of workers in this form of economy in their research.

Sectoral focus in platform work. The research team is split into platform economy sectors. The interviewee focuses on VTC chauffeurs (Uber), while other examples in the wide range of fields include bicycle couriers (Deliveroo, Foodora), microwork and crowdsourcing (e.g. Foule Factory, Upwork), online goods selling platforms (Etsy), chef on-demand platforms, services to individuals, and even a more ‘collaborative’ platform named *La Ruche Qui Dit Oui*. The common factor they stipulate is that all platforms externalise their labour force by working with people under the status of independent worker. This also correlates with a lack of direct supervision by the platforms, which is instead done by customers, for example, through ratings and reviews. Moreover, the interviewee mentioned that people involved in such platform work are not necessarily professionals, or are in-between being amateurs and professionals.

Main problems from a researcher’s point of view. The researchers focus on worker protection and workers’ rights issues in the platform economy, as well as on the survival of a social model based on salaried work and organised status in the labour market with the emergence of on-demand work and hourly versus task payment. They are dissatisfied by the disparity in profits earned by platforms and those earned by its workers. Moreover, they argue that platforms are making large profits by taking advantage of workers who, through the lack of regulation, find themselves in difficult situations, where all risk is placed on the worker, workers have to invest in their tools, and workers are subject to fluctuating prices.

State of laws on platforms. For the interviewee, the government has a very different hierarchy of priorities regarding the development of platforms, which is why their responses towards them are more positive than those of the research team.

“The (French) government has allowed the arrival of platforms in France, since it gave jobs to more people who had difficulties in getting access to work. Overall, it is considered as a net positive that (mostly young) people are working and contributing to society rather than waiting to find a job – often also getting involved in illegal activities – even if that means they are working 60 hours per week and make very little money. It is politically efficient in keeping social peace.” (Academic expert)

In terms of promoting platforms, the government has opened the taxi sector to competition by lowering regulations, which allowed platforms, such as Uber to expand in France. As for laws protecting platform workers’ rights, the interviewee mentions two of them: the *Loi El Khomri* and the *Loi Granguillaume*, neither of which is in full effect yet. The first law, they explain, is supposed to give some rights to platform workers, such as the right to strike and to form trade unions. In terms of social protection, however, the interviewee is only aware of vague talk about extending unemployment protection to platform workers, and even those talks seem to suggest private welfare solutions rather than including them in the public system. This, the interviewee deduces, shows that the state does not wish to implicate itself too deeply in platform worker matters, leaving them to private actors.

The *Loi Grandguillaume*, for its part, explicitly excluded *capacitaires* (from the previous law, *Loi LOTIS*, in the 1980s) from working in the platform economy. *Capacitaires* are allowed to employ people without permits, which meant that drivers only needed a driving licence to work on platforms, leading to a large part of the transport sector operating illegally. Moreover, since they did not have a permit to work as drivers nor a contract, it was difficult to identify and supervise them. Excluding *capacitaires* from working in towns larger than a certain population size meant that the sector had overall higher entry barriers, since all major platforms are larger than the limit established by the law. This was welcomed by unions, who were displeased with the overabundance of drivers and imbalances in the market with illegal workers lowering prices considerably. However, the law is yet to come fully into effect, as the government declared a transitory period, which may continue to be extended.

Role and state of social dialogue. The interviewee argued that, so far, the closest attempt at social dialogue of which they are aware was carried out by France Stratégie, though the interviewee comments that this organisation does not have the power to conduct true social dialogue. They organised discussions over the course of several days between platform workers and platform representatives. This raised the issue of representability of platform workers, due to their ‘independent’ status, even though leaders of UNSA and VTC attended the meeting.

The academic expert also noted that, following up on the issue of representation, consultative commissions formed by platform workers held elections for their representatives in order to settle internal conflicts. The interviewee commented that such organisations in the transport sector were becoming more and more structured, with the VTC movement becoming affiliated with large unions such as UNSA, CFTD or FO (in FO CAPA, which will be excluded as it deals with *capacitaires*) and conducting traditional and strong forms of challenge; nevertheless, not all have joined established unions (e.g. SCP VTC). As for other sectors, only bicycle couriers have begun to organise themselves as far as the interviewee is aware. Bikers have chosen a different path from traditional unions, creating cooperatives focused on obtaining alternative structures for delivery (e.g. platform cooperatives) that differ from the current and dominant delivery platforms. In other sectors of the platform economy organisations dealing with social dialogue are either less structured or less visible.

Perspectives for the future. The expert expressed concerns for the future of France's social structure, since the economic actors involved in the platform economy are large and will continue to grow. The interviewee explained that France's ambition over the past few decades has been to distinguish 'work' from 'employment' in its institutions and society, which means that even when people are not actively involved in work they can be paid and protected through their employment. However, platforms challenge this social structure by offering work that is paid by the task, rather than via a contract and stable employment. This on-demand involvement with work is reminiscent of the 19th century, where security and stability were also lacking and pay was hourly or by task. The academic expert mentioned that platforms, by sidestepping many aspects of labour laws, such as working hours and workers' protection, question what models can work 'socially' in France.

Even though the platform sector is growing quickly, the interviewee argued that the overall social structure will not change dramatically over the course of the next five years, although the numbers of platform workers currently known may be misleading since many people engage in platform work in addition to their traditional work. Overall, the numbers are nevertheless non-negligible, and platform work is giving way to a new mental universe – or a paradigm shift – where people think about how to benefit from as many of their activities as they can, monetising their actions as much as possible, e.g. renting out apartments through Airbnb, using BlaBlaCar to monetise routine journeys.

Role of EU. The academic expert thinks that the EU has a significant role to play in the future of platform worker rights, since platforms operate on an international scale. The integration of the European level into the process of regulating platforms is necessary so that platforms cannot easily shift from a country whose laws have become unfavourable to them, making them more likely to comply. The interviewee mentioned the case of the decision of the European Court of Justice on Uber, whereby the Court ruled Uber as a transport company, and not simply an intermediary. This could mean that the platform would have to take more responsibility for its workers, though it could also strengthen its hold and authority over them.

4. Discourse, perceptions and experiences of platform work among platform owners and their workers

In this section, we summarise the discourse, perceptions and experience of the platform economy among platform owners (or managers) as well as platform workers. Given the timeframe of the report (until early July 2018) and the availability of interviewees, we were able to interview only one owner of a platform connecting high-skilled programmers. For that reason, we are aware of the limitation of our study in covering the perspectives of other large platforms, particularly in the personal transport and delivery sectors.¹² The reader should keep this limitation in mind when reading this report.

In contrast, we were able to contact more workers engaged in platform work from various sectors. The platform workers we listened to are either interviewed individually (mostly over the phone) or participated in the worker-specific focus group that we organised in Paris in November 2017. We managed to talk to ten platform workers overall. For this reason, we note that in the following parts of this section, there is more content devoted to worker perspectives than platform owner perspectives.

¹² However, this limitation is not unique to this report: the difficulty in reaching out to large platforms to conduct interviews has been evident in the experience of other researchers in this project and elsewhere.

4.1 Discourse, perceptions and experiences of platform work among platform owners

As mentioned above, we interviewed one of the main managers of a platform, called Happy Dev, which connects coders, web designers or computer programmers with clients. Given this context, this platform consists of highly-skilled freelancers.

Perceptions of the platform economy. The interviewee mentioned that they are heavily involved with the topics of collaborative or platform work – especially with platforms that provide numerical services – and that they believe that the use of the collaborative economy is a useful term to describe the change in organisations operating in the market, but that it does not adequately represent the different realities experienced by the people within it.

For the interviewee, as hierarchical organisations have reached their limits due to advances in technology, platforms are a step towards a new form of organisation. People can now connect to a greater number of people at once, and regardless of the parties' geographical location. Open source projects such as Wikipedia and WordPress are examples of where technology can push new forms of organisation. Platforms are also taking advantage of technology, but are still using traditional forms of organisation. Thus, the interviewee argues that the next step in creating new organisations is to have workers use the tools of organisation themselves, with organisations as concrete entities being less important than how workers operate within them and across them.

Main issues in platform economy. According to the platform representative of Happy Dev, platforms have given ease of access to both clients and workers, and many platform workers were able to find work there since there tends to be less discrimination on platforms. Moreover, platforms tend to be attractive for freelancers in particular, as increased visibility is crucial to such work. However, quality of results is not guaranteed for clients, while proper commission details are lacking for freelancers. Moreover, prices are being pulled downwards, and the largest platforms have achieved a monopoly in their sectors (Airbnb, Google). This means that start-ups need to start big and require significant further investment, which pushes them to maximise the margin they make on workers in order to break even and pay back their sponsors (or even just show growth on their reports). This is an unsustainable model that ends up exploiting the workers, the interviewee argues. Because of the way current platforms are structured, the realities of the worker and the (economic) realities of the platform are drastically different; therefore, their respective goals or objectives inevitably clash, which greatly limits platforms. The interviewee argues that workers should be involved in the governance of platforms so everyone's needs can be aligned.

Last but not least, the interviewee mentioned that in France, subcontractors – freelancers, in this case – are prohibited from conducting more than 30% of their activities with only one source (one platform) – meaning that they cannot depend too much on one place. This is problematic as many freelancers depend on one platform such as Happy Dev for most of their activities, even bringing contractors from outside the platform into it to ensure a contract can be fully implemented.

Role of social dialogue. The interviewee reported that they were not aware of many representative actors, and that the few they did know of tended to take a rather defensive stance, making them less appealing to them as a platform. Moreover, the interviewee argued that most actors that have come forward have a political agenda behind them, hoping to make a political career by representing platform workers. As such, trade unions and others tend to compete for dominance in representation, which causes the interviewee to question whether the needs of freelance workers

such as themselves can truly be achieved by associating with unions. They reason that the only substantial advantage they could gain from it is an increase in media coverage of their issues. On another note, the interviewee points out that not many organisations are currently structured formally, or are recognised as legitimate forms of representation. This is because they have only recently appeared, and are still at the stage of informal discussions.

Other than unions, the interviewee cited *Wemind* and *Ouishare* as actors seeking to represent platform workers. Moreover, Happy Dev was also used as the main source of explanation for how freelancers wish to be represented. Their main preoccupation is to make sure that the political debate in France does not result in a negative impact on the day-to-day work of freelancers. The interviewee explained that freelancers would feel better represented by running the platform themselves than by associating with unions. Their main goal is thus to secure their working conditions rather than seek representation. In other words, they are less concerned about the concept of representation because the freelancers themselves run the organisation, so the platform is already more tailored to their needs. The interviewee explained that Happy Dev aims to provide a company through which they can easily find clients and reap economic benefits without being employed by the company and thus bound to it. Thus, they prefer to seek financial tools that can help protect workers, aiming for practicality. Complementary to that is their goal of setting a clear value for freelancers, which would stabilise their income. The interviewee also mentioned that more and more gatherings are done through social media, both at Happy Dev and elsewhere.

In terms of social dialogue as we know it, Happy Dev has been involved in consultations regarding legislation on welfare and the overall financial situations of platform workers. The interviewee mentioned that platform worker representation is becoming a trending topic, which also goes to explain why some people want to build a political career from it. Nevertheless, the interviewee believes that social dialogue is possible, but that an aggregation of workers' needs to be embedded into how decisions are made, making it more cooperative and inclusive even if workers and platform managers cannot be united in one group. Representation should be done by the masses, using online tools to run 'online democracies'.

Furthermore, the interviewee explained that the W3C – that creates standardisations for web standards – released new standards in 2015, which allow data sharing across apps and other data collectors, breaking the monopoly on data. This, they argue, is a tool that can solve anti-trust issues and can reconcile the various unions vying for representation dominance. Through data sharing, each union could access data and follow public debates from across all unions, regardless of their own member count. This would create a multiplicity of unions that can greatly improve social dialogue – Happy Dev plans to give unions the necessary tools for data sharing and contribute to the growth of social dialogue in that way.

Perspectives for the future. Data sharing will cause a paradigm shift in how we view competition, and open organisations will rise to prominence as the next step. The interviewee believes that small contributions of many individuals acting when and how they want, unfettered by conventional and clear-cut roles within an organisation, are ultimately more valuable and efficient than those run by a few experts making all important decisions and contributions. Therefore, platforms should open their governance to freelancing and self-organisation created by mass contribution.

Role of EU. The interviewee from Happy Dev foresees two roles for the EU. Firstly, it can promote the growth of cooperatives by giving them more exposure and showing the potential of this kind of organisation. Then, the EU can push for the spread of the new web standards (data sharing) by either

giving economic incentives to those who apply them, or, more straightforwardly, imposing them. This could be problematic due to the General Data Protection Regulation (GDPR); however, the interviewee believes that data sharing is, in reality, the solution to data protection. The interviewee argues that the EU is the only actor capable of solving current platform issues, since the sheer size of platforms involves everyone, and country-level regulations and the like have too little restraining power as a result. Countries on their own do not have the means to deal with such issues.

4.2 Discourse, perceptions and experiences of platform economy work among platform workers

In this part, we present the perspectives of the platform workers on platform economy work and possible social dialogue. We first describe the points raised by platform workers in the semi-structured one-on-one interviews as these contain explanations that are more detailed by individual workers. Then we summarise the findings based on the perspectives of the workers who participated in the focus group discussion moderated by an external person. The difference between the individual interviews and the focus group is that in the latter, eight platform workers from various sectors *jointly* discussed the main questions of interests for this qualitative research of IRSDACE project and heard each other's responses to questions during the meeting, which might influence their perceptions when recounting their experiences. We also note that while the interviews covered the delivery service and personal transport sectors, the focus group included individuals engaged with accommodation platforms as well as microwork platforms, hence covering workers from the three main sectors of IRSDACE project.

4.2.1. Perspectives of platform workers: findings from semi-structured interviews

Workers' background. The first interviewed worker is a 31-year-old man, living and working in Paris. He currently lives with his partner, attended law school and previously worked as a Public Affairs Officer. His legal status is an independent worker, or *micro-entrepreneur*, and has worked as a bicycle courier for Deliveroo for a little over a year and a half. He is also registered at *Pôle Emploi* (public employment office for unemployed individuals) and hopes to start a new career as a Personal Data Consultant.

The second worker is a 26-year-old single man, living in the suburbs of Lyon with his parents. He has a high school diploma and dropped out of university. He has been working as a VTC driver under *auto-entrepreneur* status for four years. He mentioned that he was interested by Uber's promise of independence, high revenues and freedom, and underwent the training proposed by the platform. He also followed the platform's recommendation of an accountant, becoming both a VTC driver and a company director of a VTC enterprise, comprising only of himself. He said in the interview that after being disappointed by Uber, he has tried other platforms, such as *ChauffeurPrivé*, *AlloCab*, *LeCab*, but he has found that they are even more limiting and are less transparent. Currently, he makes 90% of his revenue from Uber and 10% from *Heetch* – another personal transport platform active in France.

Details of working conditions. The bicycle delivery worker at Deliveroo explained that workers have to register for the hours they would like to work, which means that the initiative on working hours still lies with the platform, as they dictate the chunks of hours workers can register for – mostly concentrated around lunch and dinner times. The platform does not provide any tools, so the worker has to bring his own bike, phone, lights, helmet, etc. In terms of difficulties on the job, the

interviewee explained that it can be difficult to maintain the high level of concentration necessary when keeping track of traffic while riding as fast as possible, which can make the job stressful and increase the risk of accident or illness from pollution. For example, the interviewee had a double lung infection. The platform also has mechanisms in place to encourage fast delivery, which further increases the stress of workers; for example, workers are paid by the task, so the more tasks can be completed within their working time frame, the better. The interviewee raised the issue that platforms have a lot of control over the workers, since they control prices unilaterally, can dismiss workers if they refuse too many orders and have access to a lot of information about the workers through their phones. These are all problematic in their own respect according to the bicycle courier worker. He thinks that by controlling prices, platforms create an economic dependence for the workers, especially since, as micro-entrepreneurs, they have to deal with high taxes, which platforms do not have to pay.

Moreover, the interviewee mentioned that there is an issue with the way Deliveroo dismisses workers because of how the platform operates: workers select an area within which they deliver, but Deliveroo sometimes sends requests outside that zone, and refusing such an order still counts towards the threshold of refusal. Lastly, because workers are using their personal phones and deliveries are tracked, the platform can closely monitor the movements of the workers, has access to their bank codes, passwords, etc. The GDPR, which should guarantee the protection of personal data of citizens, is also slow on the uptake regarding platforms. In conclusion, the interviewee feels that platform work is disguised salaried employment, with only 'pseudo-freedom' as an advantage. The interviewee also referred to the lack of insurance, or the strange insurance that does not cover the courier's torso in case of accident.

The interviewee has not considered other forms of work, because he feels that, if one has to do an unpleasant job to survive, then it is best to avoid having to also deal with unpleasant relationships with co-workers and superior. The interviewee felt that he shared this distaste for subordinate relationships with his (cohort) generation and younger generations. He believes that platform work can be a blessing for people without educational qualifications.

The other worker interviewed, said that from the first day working for Uber, he was severely disappointed by the platform and felt that he had been cheated. For example, he realised that ride notifications would only give the starting address, omitting the length of the ride and the price for it. He found that the price of ride is only given once the ride is completed, and was much lower than what he had expected. Similar to the perception of the Deliveroo bicycle courier, he also expresses his disbelief at being called an independent despite lacking so much information, and does not believe that they are truly their own bosses, as was promised by Uber. Moreover, while drivers may choose when to be active, the reality of the market pushes them to work at certain hours: from 6:00-10:00 and 18:00-20:00 on weekdays and at opening/closing times of nightclubs on Friday and Saturday. The interviewee then likened Uber to a cartel controlling 15,000 enterprises (since drivers are self-employed) and fixing a set price per minute for all of them. Thus, since they cannot choose their working hours nor their rates, they cannot consider themselves independent, but only as an employee, yet without rights and without a fixed salary.

Perceptions of the platform economy. Both workers interviewed consider 'collaborative economy' to be a problematic term, since not all platforms are collaborative. They refer to Airbnb, Drivy and other small-scale platforms that put locals in contact with each other for odd jobs (e.g. Staff Me) as truly collaborative platforms. In other words, when people exchange goods between themselves (between individuals), it is 'collaborative' – e.g. renting cars, Airbnb. However, the interviewees

stressed, when services are proposed, and hours and minutes of work are exchanged, it becomes a 'working platform'. Therefore, platforms such as Uber and Deliveroo are more like companies, working with trading partners rather than private individuals, since there is a real contract. However, as mentioned by the bicycle courier, no negotiation of prices and benefits is possible with such platforms, whereas in other self-employed work, *auto-entrepreneurs* do have some say in those (i.e. prices, benefits etc.).

State of laws regarding platforms and the amendment to Article 40. The interviewee from the food delivery sector raised a particular issue that is currently being examined by the Senate after passing through the National Assembly. This relates to an amendment to the Article 40 of the new vocational and professional law stating that it would grant a 'social charter' for platforms, according to which they must provide workers with some more protection and on-the-job training – which workers do not care for, according to the interviewed platform worker of Deliveroo – in exchange for the charter not being able to be used as evidence in court to prove that there is a subordinate relationship within the platform. In this way, the contract of provision of services *cannot* be requalified as a contract of employment, since subordination is the main identifier in determining if work is salaried employment or not.

"...this [the amendment of Article 40] would turn platforms into something similar to a new and futuristic Pôle Emploi, and is problematic since it [the social charter] is not a legally binding document and it could encourage other companies to become 'platformised' so that they could reduce the social protection of their employees. Overall, the amendment helps the 'uberised' a little, but helps 'uberisers' a lot. Last but not least, the unions were not invited to the talks between platforms and the relevant Ministries." (Bicycle courier)

Involvement in social dialogue in the platform economy. The interviewee working for Deliveroo explained that representative associations are active in the platform economy. In particular, the collectives for couriers have carried out protests, often met up and kept in contact with each other through social media. Social media has become an important tool for informing platform workers in general, and the interviewee explained that they have put together numerous reports, both written and in video format, in the press and on social media. Moreover, they have established public relations with the media and even attempted to negotiate with Deliveroo, though the talks did not lead to anything, and the platform refused to cooperate.

"At the time, the idea of a 'social charter' had taken hold and Deliveroo wanted workers to write it. However, this was the platform trying to buy time, since couriers are not qualified to write a charter and they have no legal training. Another example of Deliveroo doing too little and pretending otherwise is how they provide extremely cheap and incomplete insurance for accidents." (Bicycle courier)

Relations with existing organisations. As regards the delivery sector and platform work, the bicycle courier explained that traditional unions such as the *CGT* and *Sud Commerces et Services* have poured some resources into and assisted the collective with negotiations regarding the law, notably in funding the travels of platform workers across France and resisting the Article 40 Amendment. Furthermore, the union *REACT*, which aims to help new causes, has also assisted the bicycle courier collectives. The interviewee admitted that structuring an association is complicated, and that they fall under the 1990 law. Furthermore, he noted that the collective would need to start employing

their workers as dedicated representatives, since workers cannot pour more time and effort into it with their current work arrangements.

The Uber driver interviewed is also aware of driver unions that have called for contributions and attempted to organise protests. However, in his opinion, the most representative unions are pushed away by public authorities, who prefer to deal with more traditional unions such as the *CFDT* and *CGT* – who, in his opinion, know nothing of the sector and do not have representatives for independent workers – these organisations deal with issues of salaried employees and not with the self-employed. Instead, the interviewee argued that professional organisations such as *L'Ordre des Experts Comptables* (institute of chartered accountants) or *MEDEF* (employers' federation) are more appropriate. Moreover, the interviewee feels that some traditional unions are purposefully hindering the emergence of new unions trying to represent drivers, in order to maintain their monopoly. The interviewee believes that it is more advantageous for platforms to have traditional unions involved in social dialogue, as they are involved in other negotiations elsewhere and could use the collaborative economy/VTC as leverage in those negotiations.

Feasibility of social dialogue. The bicycle courier interviewed believes that collective representation in its traditional form cannot work in platform economy, because unions in France are not able to keep up with current issues and because of the nature of most platform workers. They argue that the union movement needs to change, since platforms involve a new form of work, but traditional unions cannot adapt to the new types of disputes. On the other hand, workers in this economy are mostly part-timers, students, who do not have university degrees (or not yet), or a combination of those; therefore, they are not interested in investing time and effort in representation, since it is only temporary or because they focus purely on surviving financially. Thus, raising awareness will take time and effort for social partners, especially since they are so numerous, according to the platform worker. However, especially if conditions continue to worsen, the interviewee believes that it will eventually happen.

In addition, the bicycle courier interviewed mentioned that most of the representative initiatives in the platform economy do not have enough budget, time or manpower to unionise workers, lobby in Brussels, and engage in other important activities. Those involved are sacrificing their income, since they are not paid while they do the representative work, as they are only paid for their work (or task), not for the hours. On the other hand, the interviewee argued that unions are necessary to defend workers' rights, but that reform is complicated in France. This is both because there is no appropriate point of contact with the government and because unions take a very antagonistic stance at the mention of any reform, raising their guard and appearing as being simply opposed.

On the side of employer representatives, the interviewee from the delivery sector commented that this type of organisation is only cooperative if their interests converge with those of workers; otherwise, their involvement is of little help, complicated and ambiguous.

As opposed to the previous platform worker, the interviewee from the personal transport sector believes that there should be *no need* for social dialogue, since there are no employees and no employers involved. On the other hand, the basic laws of competition are not being respected, and public authorities are not ensuring that they are respected. The main issue, the interviewee argued, is that prices are set by the platform instead of the enterprises that use it.

“For example, it would not make sense for Expedia to set the prices of airplane tickets (and under market value, at that) for every airline company – Air France, KLM, etc. –

and keep a percentage of the price for themselves. Thus, public authorities should focus on breaking the ‘cartels’ and on the right balance of competition, rather than establishing social dialogue. This is why there is no need for social dialogue at Airbnb, since they set their own prices.” (Driver)

Personal involvement in representative actions. The driver interviewed has been involved in protests, and was in a meeting with union adherents. The interviewee explained that many things happen through social media (Facebook groups), and they thus do not need to meet up in person. He has not been contacted by unions personally, and has no knowledge of unions acting in the field even though they present themselves as representatives of drivers. Smaller organisations that are much more in contact on social media and are actually organised do exist, but they are not listened to by public authorities, and the interviewee wishes that would change.

The bike courier interviewed is part of CLAP, which defends the rights of ‘uberised’ workers – specifically, bicycle couriers who do home delivery of food. He is in charge of public and institutional relations, which mostly entails informing couriers about the legislation and legal procedures that concern them. The interviewee thus witnesses first-hand how complicated it is to raise awareness among workers, as it is already difficult enough to keep them informed of the current state of affairs, often having to simplify explanations of legislation and taxes. The collective is currently both informing workers of and fighting against the amendment to Article 40, hoping to prevent it from coming into force or obtaining concessions by lobbying the Senate.

Perspectives for the future. Ultimately, the interviewee explained that they preferred being represented in their own way, through the collective, which they believe does things differently, and by having financial backing from traditional unions such as the *CFDT*, but not depending solely on them, as they have a bad reputation that scares independent workers away and are not best equipped to deal with their issues.

“I am worried that, under the current government and for the sake of reducing unemployment, payment by the task will become completely legalised and generalised, which would make every job more precarious and take us back towards the state of labour and society in the 19th century – paradoxical as platforms use modern technology to achieve that. I fear losing our social rights (right to retirement, unemployment benefits), that we fought for in the 19th-20th centuries. Lastly, I believe that platforms are not a viable business model, because they rely on a large initial capital/investment to start off, which would take years (5-6) of being operational before profits start being made. Investors for these tend to be large corporations and banks, which have a part in governing the world and which shows their greed and reflects poorly on them, who put economic growth above all else. In my opinion, platforms are not the economy of the future – at least not the way they are today. Last but not least, just because platform economy provides jobs, it doesn’t mean that it takes people out of precariousness; the public authorities, therefore, should be careful about it.” (Bicycle courier)

4.2.2. Perspectives of platform workers: findings from the focus group

In this part, we summarise the discussion resulting from the focus group exercise bringing together eight platform workers working for different sectors including accommodation, personal transport, delivery of goods and other freelancing services and microwork. Table 3 in the Appendix lists a short

overview of the participating individuals' profiles and sector of activity. Almost all of the individuals who participated in the focus group said that they do the platform work to complement their income, rather than being solely dependent on platform work.¹³

Overall views on the term 'collaborative economy'. The discussion began by gathering broad views on what the participants considered 'collaborative economy' meant. They responded with overall positive views, focusing on the ideals and principles on which they believed collaborative economy is built, such as "solidarity", "humanism" and "ethical". They emphasised the concept of mutual help, cooperation and human contact/proximity. In more concrete terms, they described the collaborative economy as one where people were more "independent" and had the "initiative", likening it to an "adventure", suited to people who were autonomous, entrepreneurs and risk-takers, as the collaborative economy centred around "new technology", "freedom of entrepreneurship" and "co-working". Participants involved with delivery and transport platforms (e.g. Deliveroo, Uber) stressed the adventurous and entrepreneurial aspect of the collaborative economy, while those renting out their housing through Airbnb focused on the cooperative side and the importance of helping others.

Views on how the collaborative economy rose in prominence. When asked why the collaborative economy came to be, participants doing freelance argued that some forms of collaborative economy already existed at a much more localised level, through local newspaper or other small advertisements for traded services, and every participant agreed, that through the age of digitalisation, smart phones and apps, it expanded greatly and became more 'official'. Some bicycle courier participants also argued that the dependence on American groups using business models corresponding to the collaborative economy (platform work) is what made it more widespread.

Characteristics of the collaborative economy. Participants were then asked what characterised a collaborative economy, and the two main arguments made were that entry barriers for workers were lower in this type of economy (although this was contested, as membership fees can be high on certain platforms), and that business relationships in such an economy were different compared to the traditional, vertical ones. Moreover, they argued that a collaborative economy allows ease of access to the goods and services required through the use of technology, and that the sharing principle permeating this type of economy helped integrate other business philosophies such as sustainable development. Participants mentioned the world-changing potential of the collaborative economy, also noting that they have benefitted from it as consumers, notably in transport (BlaBlaCar, Uber, Chauffeur Privé), food catering (Kelbongoo, resto.fr, Allo Resto, shared gardens) and service towards individuals (plombier.com). When prompted to compare 'collaborative economy', 'sharing economy' and 'platform economy', they argued that those three terms were not synonymous; however, they could only provide a definition for 'platform economy' as distinct from 'collaborative economy'.

Defining the platform economy. Participants defined this term as an economic exchange through the intermediary of a digital platform, stressing the non-professional aspect of platforms in that they allowed individuals to sell their services without making it their full-time job while still obtaining much greater visibility than by using more localised/personal means. Thus, the platform economy is more about facilitating exchanges between people, and focuses more on advertising and subscriptions than the collaborative economy. Moreover, participants argued that the platform economy aimed at filling market gaps and undermining monopolies by seeking customers out

¹³ Note that as the focus group was done at an earlier stage of the project – in particular, before semi-structured interviews were conducted – most of the discussions with focus group participants used the 'collaborative economy' terminology.

directly and breaking both the traditional hierarchy and economy, stressing the innovative (even avant-gardist) and entrepreneurial spirit over cooperation as in the collaborative economy. They also distinguish the platform economy from the collaborative economy in that the former resembles normal salaried work more than the 'pure' collaborative economy as workers go through an intermediary (the app/platform) that leaves them with little decision power other than their working hours, lessening the auto-entrepreneurial dimension. Participants argued that the platform economy was conducted by giant businesses (mostly American) and start-ups, people who had the right idea at the right time in the technological field. They identified Airbnb, Uber, BlaBlaCar, Le Bon Coin, Deliveroo, Upwork, Codeur and Stuart as some of the biggest platforms and BedyCasa, Roomlala, La Conciergerie, KissKissBankBank and Take Eat Easy as lesser-known ones, showing that, despite identifying them as different entities, participants often confused the two.

Attitudes of workers towards platform work. Most participants argue that platform work has been a net positive for society as a whole, with some appreciating the ease of access to various services through platforms while others have seen many relatives get jobs through delivery services (e.g. Deliveroo, Uber). However, some argued that platform work sometimes created unfair competition due to the lack of regulations, even within the platforms themselves, where individuals sometimes work illegally and reap certain benefits from it, particularly through tax evasion in the case of freelancers. The issue of taxes and insurance is a deciding factor for participants, arguing that if you have the ACCRE – tax reduction for entrepreneurs/independents – platform work may be worth the disadvantages; they also agreed that the taxation system being at a loss as to what to do regarding platform work was a significant disadvantage for platform work. Overall, participants who considered platform work as a supplement to their regular income, particularly those involved with Airbnb, were very satisfied with platform work – while admitting that it was because of their relative lack of involvement, while those who relied more heavily on it (e.g. bicycle couriers and drivers) were very critical of working conditions and the lack of social protection.

Attitudes needed for platform work. When prompted to give advice on how to operate within platform work, participants stressed the need to carefully consider doing so in the first place, as people need to invest some capital to get started and there are various precarious facets to platform work; specifically, the lack of regulations both allows anyone to sign up to platforms and leads to little or no social protection. Thus, the participants agree on the fact that people should have back-up plans and not run headlong into platform work. They also warn that platform work is becoming more and more taxable – a recurring theme throughout the discussion – so people should not expect to work tax-free despite being in a 'collaborative economy', and they also should not forget to declare their taxes properly either. Lastly, participants mentioned that platform work is hard work, so workers should be self-sufficient, dynamic, proactive, and should advertise themselves if they are more freelancer-style.

Advantages of platform work versus traditional work. The biggest advantage of platform work put forward by participants was the freedom to choose working hours, managing one's own time and getting immediate returns for their work. They also put forward how platform work can expand one's network and allows for more mobility and virtual accessibility. Also, despite the drawbacks, when work goes well it can feel truly rewarding. Lastly, the lack of direct or clear superiors was a strong advantage of platform work mentioned by participants. In contrast to platform work, participants stressed the benefit of having overall security and stability through social protection, steady income, unemployment insurance and a clear contract as the main advantages of traditional work. They also mentioned both paid and unpaid holidays as a clear advantage of traditional employment contracts over platform work.

Disadvantages of platform work versus traditional work. When discussing working conditions of platform workers, participants mostly cited the disadvantages of platform work, especially those for whom it was a full-time job (e.g. mainly bikers and drivers in the group). They describe platform work as precarious – a recurring theme throughout the discussion – due to the lack of social protection. Furthermore, they expressed frustration with decentralised administrative offices, making it difficult and confusing to manage paperwork. Later on in the discussion, they also brought up a need for a specialised bank for platform workers, possibly also following the collaborative economy philosophy. Added to that was the unclear legislation on platform work, which could also result in what freelancers felt were excessive taxes and lack of compensation for entrepreneurs. Another drawback was the messy administration, especially if a worker wanted to move to a different region, and overall they expressed the feeling that many platforms were either ignorant of or disregarding when and how to apply the law. Moreover, the workload can be heavy for those who rely on platform work as their main source of income, citing a 45-hour week or even heavier weeks at certain periods for certain jobs. Additionally, there are often last-minute adjustments to the workload, and no guaranteed or fixed income at the end. Participants argued that they felt as though platforms were trying to apply pressure on workers, such as through customer reviews, though none report feeling too much stress from it. Some bicycle couriers even argued that performance evaluations could be a useful tool for workers.

On the other hand, they argued that lower entry barriers could be detrimental to platform work, as it lowers the reputation of the platforms since no credentials are required. Additionally, platform workers would sometimes face disapproval from some traditional competitors in delivery and transportation services. They concluded that most of the problems faced in platform work were the result of the unclear legal and social status of platform workers.

In contrast, the main complaints against traditional work were a monotonous routine and being subordinate to a vertical hierarchy, as well as the lack of flexibility. However, when participants were asked to choose between only doing platform work or only traditional work, most participants (six out of eight) chose to remain in traditional work, with the ones preferring platform work being the most vocal about their dissatisfaction with their traditional work.

Comparing platform and traditional work. When prompted to explain their choice between platform and traditional work, those who chose traditional work argued that, on top of stability, ultimately, traditional work is something they have invested more in through their choices and studies over time and is more interesting than platform work. They also claimed that, while there may not be a direct superior in platform work in the same way as in traditional work, they found that the concept of subordination could still be felt through customer monitoring, and that the systems put in place in platform work of the transport and delivery type allowed for more arbitrary dismissals than in traditional work, where superiors cannot easily fire an employee they dislike.

On the other hand, those who preferred platform work felt very oppressed and weary in traditional work and would be willing to accept the risks if they could generate enough revenue from platform work alone. The feeling of freedom and relying on their own work rather than on colleagues were strongly emphasised by those participants.

Overall, the group disagreed on whether either kind of work was truly monotonous or interesting, coming to the conclusion that either type had the potential to be extremely varied, with good prospects, or repetitive, monotonous and difficult to escape from, though in different ways. From the discussion, it appeared as though, ultimately, platform work and traditional work were not that different from each other, especially when considering the breadth of possibilities in both types of

work and, much like when choosing between different jobs, they each had advantages and disadvantages, but were both similar in outcomes.

Knowledge of representation for platform workers. When asked whether participants knew of any forms of representation, most replied that there were no unions put in place for platform workers, but that they had heard of strikes for certain platforms (e.g. Deliveroo and Uber), of committees being created, and that some existing unions (VTC) had started to talk about platform work issues in mass media. While they recognised that some representatives existed within some of their platforms, they did not know who they were or how to get in contact with them. Freelance worker participants, who work on platforms that mainly serve as a means to put people in contact, argued that it was also more difficult to have representatives on such platforms. They also recognised that there were forms of representation outside of unions in smaller platforms, where the platform would keep dialogue with their workers open, negotiating and mediating in a less formalised manner.

Evaluation of representation for platform workers. Participants recognised that some form of representation must be taking place if strikes are happening, but argue that most strikes were not overseen by a formal organisation, and that what little social protection – such as insurance – exist were only put in place following accidents. In that case, the platforms had no choice but to implement them, rather than negotiating these terms as a result of social dialogue in the first place. Participants from delivery and transport services also argued that platforms made unilateral decisions regarding working conditions and benefits, which highlighted the lack of unions.

On evaluating the involvement of large, pre-existing unions, participants stated that they were not aware of any extension towards platform work issues. Overall, they argued that representation in platform work was underdeveloped and not very effective, citing the United Kingdom as a contrasting example where Deliveroo were unable to lower wages following worker outrage. They also point out that developing representation and social dialogue for platform work will be challenging, as workers are widely distributed geographically with no common working space for many of them.

Community building on platforms. While there is little contact with upper echelons, with only one cycle courier participant having had regular contact with his superior, the group explained that platforms such as Airbnb, Deliveroo, Uber and Stuart have a community that organises meetings where workers share experiences and advice. Participants who had attended some of these had had pleasant experiences and become more informed on the different aspects of their platform, but they did not feel that this type of meeting could lead to changes in their conditions. Moreover, many of the participants did not attend such meetings, as they did not feel passionate enough about platform work to get more involved, or felt that such meetings lacked focus and would not be very useful.

Future of representation in platform work. When asked whether more and better representation was possible for platform workers, opinions were divided. Some bicycle couriers argued that it was impossible, because the world as a whole was heading in a direction where flexible work is more important than social dialogue. Moreover, they argue that effective social dialogue is already difficult in the traditional economy, let alone the platform economy. Meanwhile, other bicycle couriers and Airbnb hosts argued that social dialogue is necessary due to the bitterness of many platform workers, and should be guaranteed by French law as one of their fundamental rights. They believe that the reason why social dialogue has not yet developed is simply because the platform economy is new and still in the process of being set up properly. For them, social dialogue is a logical and inevitable next step in the progress of the platform economy.

Additionally, some freelancers argued that social dialogue may not be established in a traditional way, as shown by the open dialogue in some smaller platforms, arguing that a new economy should come with new mechanisms. Participants also disagreed as to whether the platform economy promoted communitarian or individualistic thinking, coming to the conclusion that it depended on whether the platform was truly 'collaborative' or not. The group seemed to have shifted their perception of the 'collaborative economy' by this point, relegating the term to a more idealistic form of economy rather than reflecting reality and excluding most platform work from the collaborative economy, especially delivery and personal transport.

Future of the platform economy. When asked about the overall, long-term prospects for the platform economy, some participants argued that it will become the new norm, while others claimed that it will die out due to over-saturation and be replaced with something else. Both sides believed that traditional work will disappear. In the near future, however, participants believed that a proper legal framework will be established over the following decade, with the state becoming properly involved in setting regulations. Thus, platform work will evolve from what it is today, especially regarding competition, as entry barriers will be raised.

Closing remarks. Overall, participants expressed disappointment in the gap between the ideals of the collaborative economy and the reality of platform work, which is why they argue that they should be treated as separate things. In conclusion, freelance participants seemed to be more preoccupied with taxation issues and their unclear legal status, while bikers and drivers were worried about their working conditions and lack of social protection. Lastly, Airbnb hosts did not seem to have many complaints about their own conditions, and in fact appreciated the support platforms gave them through additional income.

5. How do discourse, perceptions and experiences among different stakeholders compare?

In this section, we provide a brief comparative summary of the discourse, perceptions and experiences of different stakeholders based on the information from the desk research, interviews and focus group. We note that while we tried to reach out to more stakeholders, given the timeframe of the project, available funding and availability of interviewees, we were only able to talk to a limited number of stakeholders. Therefore, the findings from this report should be read with this aspect in mind.

Perceptions of the platform economy. The terms used to describe, what we call in this project the 'platform economy', vary across stakeholders. This closely relates to the types of platforms that individuals are engaged with, which differ in the nature of exchange, transaction and cost sharing. Overall, the term 'collaborative economy' appears to be problematic as it does not fit the working of most of the platforms where services are exchanged involving remunerated work. Platform economy, a more neutral term according to most of the individuals interviewed, appears to be a better fit in this context. Moreover, the terms *uberisation* or *platformisation* are also commonly used in the French context.

Main challenges in platform economy work. The challenges and issues raised varied across different actors in platform economy. On the workers' side, there are different concerns depending on the sector of activity. For example, freelancers appear to be more worried about their taxation issues and the unclear employment status, while the bicycle couriers worry more about the working conditions (e.g. stress, risks on the road, lack of control on various parameters leading to lower

performance on which clients rate them) and lack of social protection and security. The drivers' main concern is about the enforced price setting by the platform and the commission that the platforms are taking per ride.

From the public authority perspective, the main challenges lie in understanding comprehensively the different types of platform and activities as well as the variety of situations the platform workers find themselves in. However, recent developments in labour markets, social protection and issues of social security coverage, taxation, competition and employment generation aspects are on the radar of public authorities and a number of evaluations and research reports have been produced to better understand the realities of the platform economy work acknowledging the complexity of issues. The academic experts also express concerns regarding the established social structures of the country, which has taken decades to succeed in distinguishing work from employment and now the platform economy challenges these social structures by offering work that is paid by the task.

According to the perspective of the platform owner interviewed in this project, there is a clash between the interests of workers and platforms in the current state of platform economy, which is why workers should be more involved in the governance of the platforms. However, such a setting is far from being the usual practice, as evidence shows.

Role of social dialogue. The stakeholders had differing views about the role of social dialogue. As it is their *raison d'être*, the social partners and representatives of platform workers believe in the important role of social dialogue despite the challenges of implementing it in the transformed world of work and with declining interest in unionisation around the globe. The workers representative complained that it is difficult to rally and attract workers to join unions, for unions are often not highly regarded in France. However, new digital tools, such as social media and mobile apps, facilitate communication with workers. They also highlight the lack of interest from the platform side in engaging in direct communication with workers or their representatives, which is related to the issue that most of the platforms do not consider themselves as employers.

The workers had differing views about whether there should be social dialogue or not in this context. The level of interest in social dialogue seems related to their level of engagement with platform work (as supplementary income on an occasional basis or fully dependent on it) and their experience with working conditions.

The public authorities also encourage social dialogue, despite difficulties in bringing together all actors. For example, the recent changes in labour law introducing the right to form trade unions for platform workers are in this direction. The series of working groups launched by France Stratégie, the Sharers & Workers network and Labour Inspectorate also go in the direction of enhancing social dialogue in the platform economy context.

Role of EU and future perspectives. In general, the perception among various actors is that Europe should have a prominent role in guiding member states on how the status of platforms are defined. A salient case is the European Court of Justice Decision on Uber, which leaves the member states to decide on how they deal with the platform. The stakeholders believe that as platforms operate beyond national borders, European integration in terms of regulating the platforms would be useful in requiring the latter to take more responsibility for the workers.

As regards future perspectives for the platform economy, the perception of workers is mixed: there seems to be progress in terms of their working conditions compared to the starting point; however, the rights introduced and other developments are not fully satisfactory for some stakeholders. The

majority of interviewees believe that the platform economy will grow further in the future and more sectors will be become involved. However, no one believes that standard employment types will disappear, suggesting that platform work will still remain as a marginal share of total employment. One interviewee suggested that, even more important than *uberisation* or *platformisation* is the phenomenon of *automatisation*, which could significantly impact labour markets and employment in general.

6. Conclusions and policy recommendations

France is an interesting country to study when it comes to the platform economy. Not only are the issues intensely discussed among platform workers and interest groups, but there is also a significant involvement of the government, which has recently introduced changes in the labour law, updated legislation related to personal transport and is open to discussions on further aspects of platform work. The country has also been a host to new forms of organisations representing platform workers, which attempted direct negotiation with large and widely known platforms. Last but not least, there is an active network (Sharers & Workers) aiming to enlighten/inform those involved on how to act in the transitions underway in these new forms of work and activity as well as to stimulate the network through social dialogue and deepen the production of shared knowledge. Given all these developments, one can conclude that compared to other countries, France has experienced some of the most significant developments in the platform economy in the context of industrial relations and social dialogue in Europe.

For example, the recent labour law (*Loi El Khomri*), passed in 2016, pays particular attention to the work done through online platforms, by aiming to regulate certain aspects of the platform economy and increase the rights of the workers in it. The law requires platforms to provide insurance for accidents at work as well as access to on-the-job training. It also gives platform workers the right to take collective action and constitute a trade union or be a member of it, as is the common right of all salaried employees. However, there has been recent debate on the amendment of this law (Article 40) to give the possibility to platforms to propose a social charter in the public sphere and this appears to create concerns among platform workers. Another recently passed law, looking more specifically at the transport sector (*Loi Grandguillaume*), addresses the issues experienced in that sector and regulates market entry for large platforms.

In the sphere of social dialogue and new forms of organisation, France is host to the first formal example of an organisation of platform workers, called SCP VTC, composed of mainly drivers working for a large platform. Under a mediator appointed by the government, this organisation sought to negotiate price setting and working conditions with one of the largest online platforms, Uber. Other smaller scale examples of new forms of worker organisation (*collectives*) also started emerging in the sector of delivery by bike, where Deliveroo, Foodora and Stuart are the major relevant platforms in France. The major example in that context is CLAP, which rallies independent workers doing delivery tasks for the aforementioned delivery platforms. Finally, there are some initiatives aimed at organising cleaning workers across platforms; however, their existence is not yet formalised as for the former two.

Considering these different developments and perspectives of various stakeholders, the policy implications emerging from this research could be listed as follows:

- There is a growing awareness of actors engaged with platform economy work despite the challenges of mobilising platform workers with various aspirations and situations. This also requires a better mapping of the diversity of actors involved in platform work.
- Ahead of many other European countries, France has introduced concrete labour laws and other legislation impacting platforms and platform workers; however, concerns continue as regards employment status and social protection (e.g. complementary insurance), particularly for those workers who depend completely on this type of work, whether dealing with one or several platforms.
- There are concrete signs of social dialogue in France when it comes to the platform economy; however, this dialogue does not appear to emerge naturally, but rather only emerges after forceful demonstrations by the most impacted actors. Further participatory working groups could be pursued to address the problems more pragmatically.
- Closely related to the different nature of platform work compared to salaried employment, there appear to be differences in the new forms of social dialogue as compared to traditional forms with the established industrial relations actors. Such developments should be further encouraged to evolve together with traditional channels. For example, in other countries, such as Germany, established trade unions opted to represent independent workers along with salaried employees. There are similar developments in France, too.
- Recent forms of unionism also appear to be transformed by digitalisation, whereby social media and other digital means (e.g. mobile app groups) are proving to be common tools of communication and mobilisation and a forum of exchange among platform workers. Similar developments are also underway in other European countries.
- Various other fora are also emerging to support and foster social dialogue involving different representatives from academia, social partners and public authorities (e.g. Sharers & Workers, France Stratégie). More such fora, interactions with relevant stakeholders and working groups bringing all sides together are necessary to cover the perspective of all actors in platform economy work.
- As emerged from such working groups with various stakeholders over the last two years, an Observatory of Platforms and Social Dialogue could be a future next step to collect information, data and evidence, serve as a space for social dialogue between actors and consideration about fair working conditions, minimum standards, etc.

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Appendix

Table 2. List of semi-structured Interviews

Interviewee profile	Gender	Organisation
Expert, academics	Female	Sharers & Workers, IRES
Expert, academics	Female	Université Dauphine Paris
Public authority	Female	France Stratégie, government
Public authority	Male	France Stratégie, government
Public authority	Male	Labour Inspectorate
Platform owner/runner	Male	HappyDev (platform)
Worker (x2)	Male	Deliveroo, Foodora
Worker (x2)	Male	Uber
Social partner	Male	Transport, Sharers & Workers
Social partner	Male	SCP VTC
Social partner	Male	CLAP

Table 3 List of participants in the focus group

Participant	Gender	Age	Main job	Sector of activity in the platform
1	Woman	39	Librarian	Freelancing
2	Man	39	Comedian and producer	Accommodation
3	Man	33	Sport complex director	Bicycle delivery
4	Man	32	Accountant	Personal transport (car)
5	Woman	53	High school teacher	Accommodation
6	Man	36	Police inspector	Accommodation
7	Man	51	Well-being coach	Microwork and freelancing
8	Man	32	Administrative agent	Bicycle delivery