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Do we have to worry about the 'new' solo self-employed?

Selfsufficiency and precariousness among workers with different types of contract : Host Country Discussion Paper – The Netherlands

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Mutual Learning Programme

DG Employment, Social Affairs and Inclusion

Host Country Discussion Paper – The Netherlands

Do we have to worry about the ‘new’ solo self-employed?

*Self-sufficiency and precariousness among workers with
different types of contract*

**Peer Review on “The rise of precarious
work (including some forms of solo self-
employment) – causes, challenges and
policy option”**

The Netherlands, 19–20 April 2018



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Executive summary

Over the past decades, the Dutch labour market has become more flexible and is now among the most flexible labour markets in Western Europe. The increase in flexible employment is especially marked among solo self-employed and on-call workers. Transitions into permanent contracts have been decreasing and hybrid employment forms seem on the rise. The growth in flexible employment has been attributed to a mixture of underlying mechanisms; the current debate focuses largely on the impacts of globalisation, technological developments and institutions.

In this paper, the main challenges faced by flexible workers are analysed on three dimensions of precariousness: 1) income adequacy, 2) regulatory protection and social benefits and 3) certainty of continuing work. In terms of income adequacy, flexible workers in the Netherlands are more vulnerable to poverty than workers on permanent contracts; especially solo self-employed and temporary agency workers relatively often seem to experience (long-term) income inadequacy. A pressing dimension of precariousness is the difference between employees and solo self-employed in terms of social protection - especially in terms of risk of sickness and disability. Regarding certainty of continuing work there seems relatively broad consensus that training and employability of flexible employees and solo self-employed should be organised either universally or at the level of the individual worker, as the danger of substantial underinvestment currently looms among these groups.

Thus far, policies have been mainly aimed at reducing the rift between permanent and flexible employees by trying to simulate the 'stepping-stone' function of flexible employment towards permanent employment and trying to combat bogus self-employment; whether the respective acts have been successful or have the potential to become successful is still debated. Considerations for future policies may include reflections on how to push back the higher levels of income inadequacy among flexible workers as compared to permanent workers, how to induce training among flexible workers and, perhaps most urgently, how to design adequate and desired forms of social protection for the solo self-employed.

1 Introduction

Over the past decades, major changes have been taking place in the labour market. The nature, structure and organisation of work transformed as a result of – amongst others – technological developments and globalisation and European labour markets have become more flexible.

Various forms of 'non-standard', 'a-typical' or 'contingent' work arose and since the 1970s the long-term historical decline in self-employment has slowed in many European economies and in some countries even reversed. Yet, the rise in flexible employment and the timing and occurrence of a "renaissance" of self-employment differs considerably between countries (OECD, 2000; Broughton et al., 2016; Eurofound, 2017a, 2017b). There is widespread agreement that work and employment relations have changed in important ways since the 1970s, but there is still disagreement as to the specifics, impact on income and social security and adequate policy responses (Kalleberg, 2009; Spasova et al., 2017).

This host country discussion paper portrays a) developments in flexible employment in the Dutch labour market; b) whether and how flexible forms of employment are related to different dimensions of precariousness; c) how developments have been captured in national level policy measures thus far and the paper concludes with d) considerations for future policies.

2 Situation in the host country

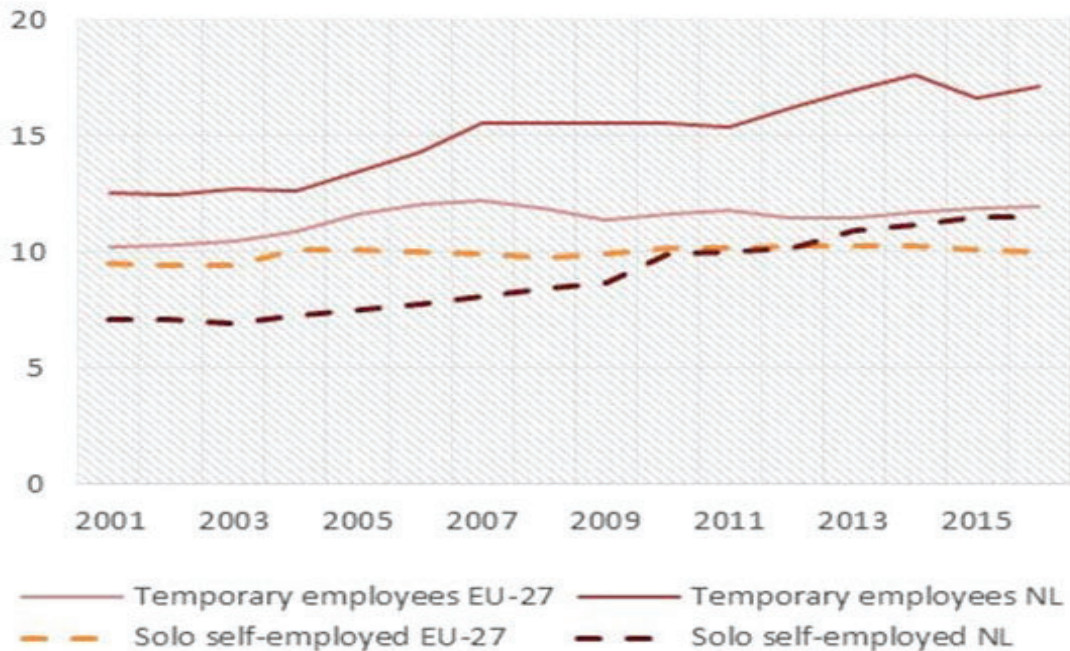
2.1 National labour market trends

Nowadays, flexible employment is widespread in the Netherlands and the Dutch labour market is among the most flexible labour markets in Western Europe (Kösters and Smits, 2015; Hoekstra et al., 2016; Kremer et al., 2017). Figure 1 shows developments in temporary employment and solo self-employment as a share of total employment in the Netherlands and EU-27 between 2001 and 2016. Panel a shows that temporary employment is above EU-27 average during the whole period and increased steadily between 2001 and 2016. The rise in temporary employment was not continuous over the whole period, but stagnated during the economic crisis (between 2008 and 2011). Solo self-employment was below EU-average at the start of the century, but increased substantially to nearly 12 per cent of total employment in 2016, which is well above EU average. Panel b shows that the rise in solo self-employment and temporary employment seems not unique for the Netherlands; various other EU countries witness an increase in one or both forms of flexible employment as well¹.

¹ Countries may however differ in their *timing* of events; perhaps in some countries changes already took place at an earlier time, whilst others are in the middle of a process of change; changing the time frame may therefore lead to a different picture

Figure 1. Developments in temporary employment and solo self-employment as a share of total employment in the Netherlands, compared to EU-27*, 2001-2016 (*Data for Croatia was not available)

Panel a



Panel b

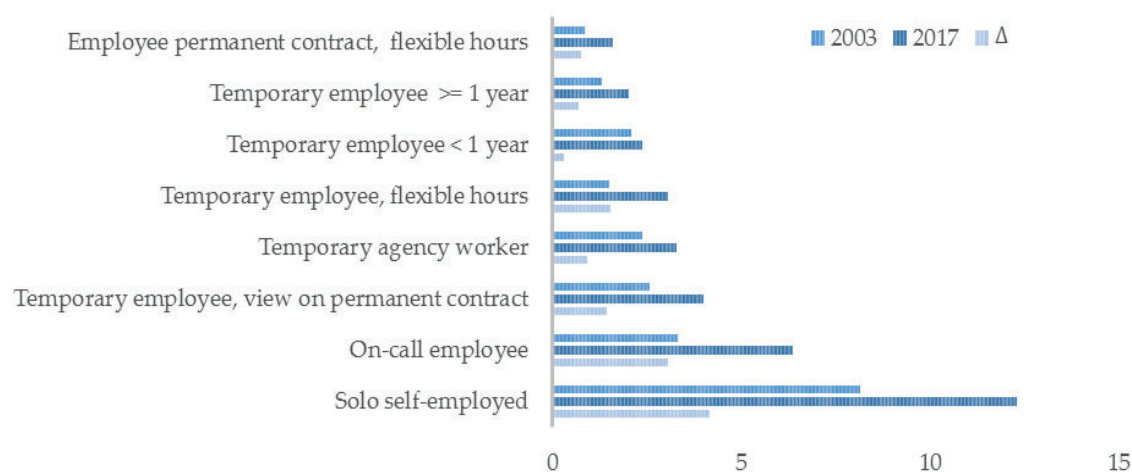


Source: Eurostat/ Labour Force Survey, 2018

Exact numbers and trends of individuals working in flexible employment relations depend on the used definition of flexible work. Dutch census data distinguishes between two categories of flexible workers: flexible employees and solo self-employed. A flexible

employee is defined as an employee with an employment contract for a limited period and/or a flexible number of hours. Solo self-employed are defined as persons working for their own account and risk, who work a) in an own company or practice, b) as owner-manager or c) as another self-employed person (e.g. in an independent profession); and he/she has no employees. In case a person has more than one job or position, the job or position in which most hours are worked, is used (main job) (Statistics Netherlands, 2018a). Figure 2 shows the share and growth of the various forms of flexible employment between 2003 and 2017. The figure shows that all forms of flexible employment have increased in the Netherlands. The increase is especially marked among solo self-employed (rising from 634 000 to 1 055 000 workers, corresponding to 8 to 12 per cent of total employment) and on-call employees (rising from 258 000 to 546 000 workers, corresponding to 3 to 6 per cent of total employment).

Figure 2. Developments in various forms of flexible employment as a share of total employment in the Netherlands, age 15-75 years, 2003-2017

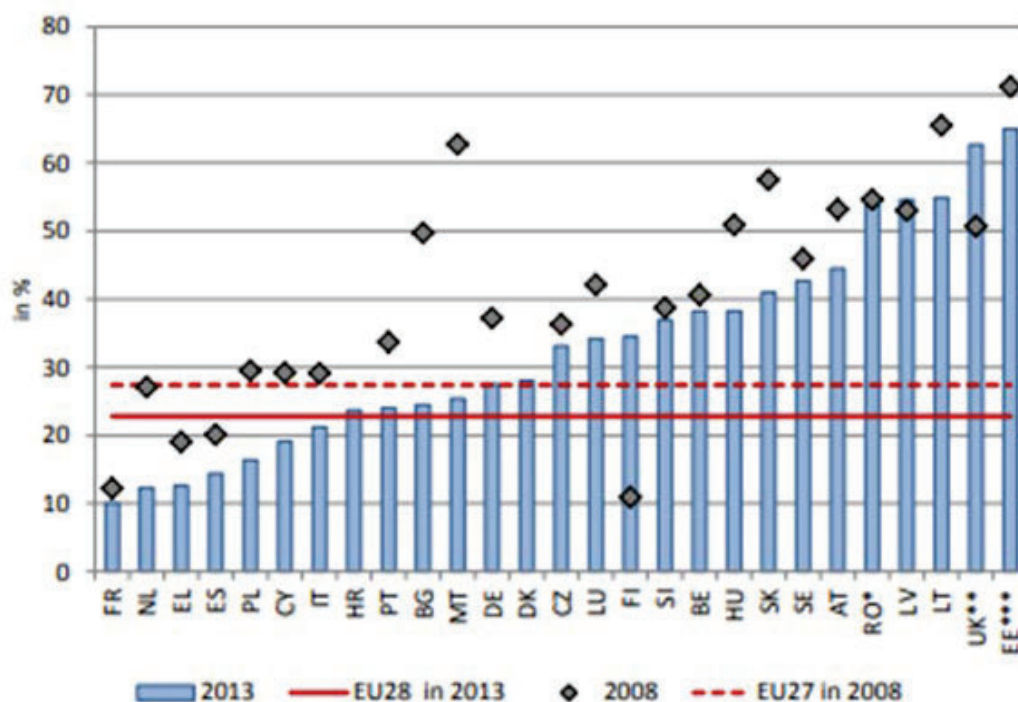


Source: Statistics Netherlands, 2018a

Flexible employment in the Netherlands is marked in terms of age distribution and educational attainment level. In the group of young workers (between 15 and 25 years) 65 per cent works on a flexible contract (often as on-call worker or temporary employee with flexible hours) and 25 per cent of workers between 25 and 34 years works on a flexible contract. These groups (between 15 and 34 years of age) also had the largest increase in the share of flexible employees over the past decade. Solo self-employed workers are typically older (mostly between 35 and 64 years of age) and growth has been relatively evenly distributed among the different age groups. A segregation by educational attainment level shows that among workers with lower levels of education 31 per cent works on a flexible employment contract, as compared to 15 per cent among highly educated workers; differences are particularly marked among on-call workers and temporary workers with flexible hours. Solo self-employed on the other hand are relatively highly educated (Bolhaar et al., 2016; Statistics Netherlands, 2016).

Whereas a job in flexible employment in the past often led to a permanent job ("stepping stones"), transition rates into a permanent job seem to be decreasing (European Commission, 2016). Figure 3 shows a substantial decrease in the transition rate from temporary to permanent job in the Netherlands between 2008 and 2013. Temporary jobs are sometimes viewed as "dead ends" when they lead to either unemployment or inactivity, but this does not seem to adequately reflect the Dutch situation. In the Netherlands, workers in flexible employment increasingly seem to transit between temporary jobs, a phenomenon for which the term 'structural temporariness' has been introduced.

Figure 3. Transition rates from temporary to permanent jobs, 2008 and 2013

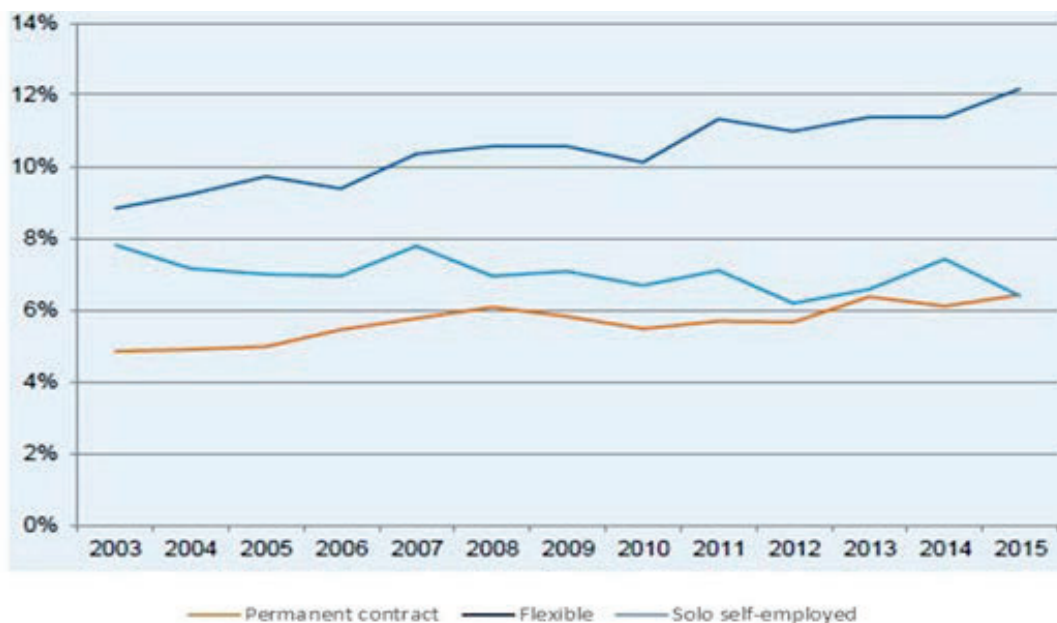


Source: European Commission, 2016

In the Netherlands, flexible employment is increasingly related to what has been called 'multiple', 'plural' or 'hybrid' employment, which refers to either a parallel existence of several dependent employment relationships at the same time (e.g. fixed-term or permanent contracts, temporary employment agency work, zero-hour contracts), or a combination of dependent employment and self-employment activities at the same time. Terms like multi-jobbing (holding multiple paid jobs at the same time) and side jobs (a relatively small job 'on the side' which is independent of labour market status²) seem increasingly applicable to the Dutch labour market. Figure 4 shows that the share and increase in workers with a second job is highest among workers with a flexible contract (from 8,8 per cent in 2003 to 12,2 per cent in 2015). Among workers with a permanent contract and solo self-employed 6,4 per cent have a second job in 2015. Not a negligible share of flexible workers in the Netherlands have other sources of income at individual level (such as second jobs, pensions) or at household level (e.g. income from a spouse). Figure 5 illustratively shows the breakdown by types of income for Dutch solo self-employed (Bolhaar et al., 2016; Conen et al., 2016; Statistics Netherlands, 2016; Kremer et al., 2017).

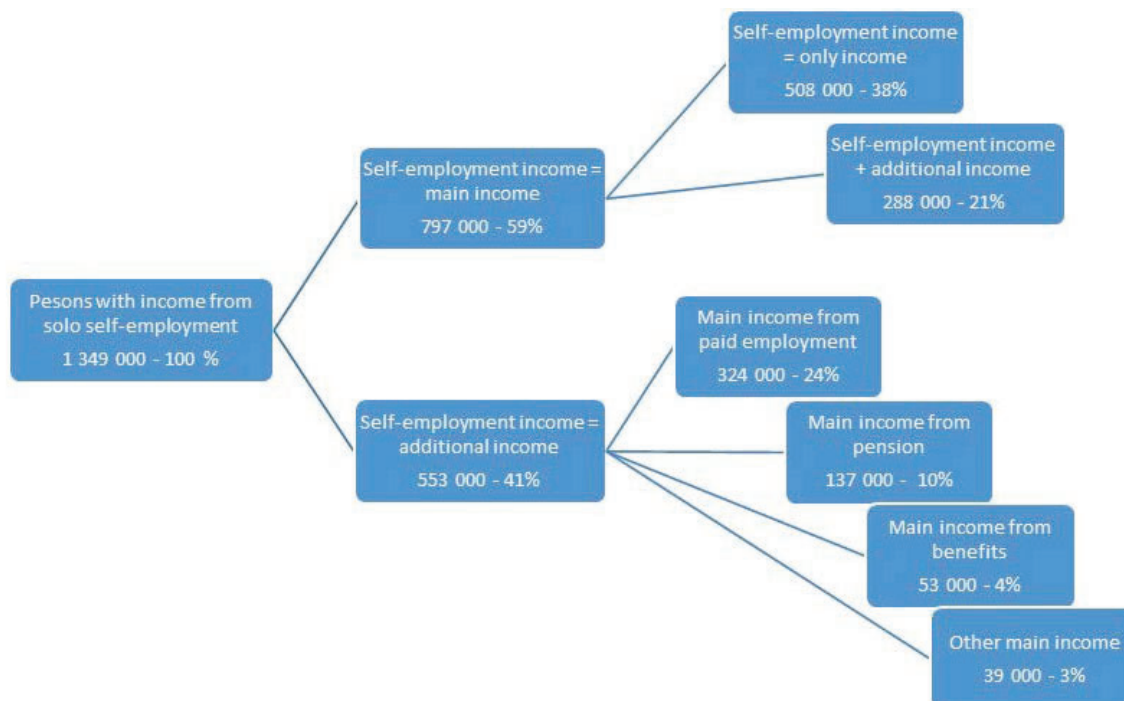
² For instance a job besides one's regular job, but the term is also applicable to homemakers or students with a job on the side

Figure 4. Workers with different contract types having a second job, percentage, 2003-2015



Source: Bolhaar et al., 2016, pp. 15

Figure 5. Solo self-employed, breakdown by type of income, 2014



Source: Statistics Netherlands, 2016

The increase in flexible employment has been attributed to a mixture of underlying mechanisms, including the growing importance of new business models and changes in the organisation of work, organisational decentralisation with increasing outsourcing activities by companies, changes in the institutional environment, and socio-cultural trends such as social norms regarding work and self-employment and work-life-balance

(Arum and Müller, 2004; European Commission, 2010; Torrini, 2005; Van Es and Van Vuuren, 2011; Kremer et al., 2017). In the Netherlands, a central issue of this largely unsettled debate is what factors are the 'main' drivers behind labour market flexibilisation, although it is widely acknowledged that various actors and institutions play a role at the same time and factors may be difficult to disentangle.

A first factor that is often addressed concerns the impact of globalisation, leading to increased competition and even destructive competition (a form of competition making (self-) employed not earning enough money to cover their costs). In this highly competitive global environment, companies have an advantage by adopting flexible lean and mean strategies. Although the Netherlands has an open economy, a large share of work is not directly exposed to global competition. The recent growth in flexible employees mainly took place in the sectors Trade, Transportation and storage, Accommodation and food service activities and Other business services; sectors already having a relatively high share of flexible employees. Solo self-employment mainly increased in Construction and Information and communication (Scheer et al., 2016). Some studies find that in Dutch sectors operating internationally and/or with strong export orientations, there seems to be large within-group variation or even less flexible contracts than sectors that are oriented towards the own economy (De Haan and De Beer, 2016; De Beer, 2018). Others find globalisation to be positively related to growth in flexible employees, but not related to growth in solo self-employment (Scheer et al., 2016) Furthermore, it has also been argued that globalisation may have played a role for particularly the low educated, for instance because they are relatively often employed in sectors that compete on price (wages) and in areas that have been increasingly outsourced (De Graaf-Zijl et al., 2015).

Technological developments are another frequently mentioned explanatory factor, leading to new business models and changes in the organization of work. 'Bundles' of tasks can be substituted by IT or robots and organizational processes can be divided in separate tasks and partly outsourced (in person or via online platforms) (Went et al., 2015). Technological developments may change the Nature of the firm (Coase, 1937), as transaction costs have decreased as a result of technological developments. Whereas in the past search costs and contract negotiations could lead to substantial transaction costs, the rise of developments in for instance IT has led to a shift in boundaries of what organizations can adequately and cost efficiently achieve with temporary employees and outsourcing activities. The impact of various technological developments on flexible employment, sectors, occupations and 'bundles of tasks' is a central matter of debate, leading to contradictory findings (cf. Scheer et al., 2016; De Beer, 2018).

In the Netherlands, most attention has perhaps been paid to institutions and how they affect workers' and employers' behaviour. Van Es and Van Vuuren (2011) were among the first to express the notion that generic policy effects seemed the most important causes of the increase in self-employment in The Netherlands. In the past decade, various institutions have been analysed in their effects on flexible employment. Institutions that are considered to have had a substantial effect are for instance the relatively high protection against dismissal for employees and the internationally unique regulation that employers are obliged to continued payment of wages during illness for two years, which are considered to induce employers to hire more flexible staff and 'circumvent' these regulations (OECD, 2013; Brummelkamp et al., 2014). The generous tax facilities for entrepreneurs (including the small business tax deduction and profit exemption for small and medium-sized enterprises) are considered to have stimulated the increase in solo self-employment (Rijksoverheid, 2015). Long-term institutional changes may have led to a Dutch context in which flexible has become an accepted phenomenon among both workers (Remery et al., 2002) and company cultures (De Beer, 2018).

2.2 Challenges faced by workers in flexible employment

An underlying concern with nonstandard work arrangements are claims that these jobs are 'worse' on various dimensions than regular full-time jobs. This section zooms in on the subject of precariousness and self-sufficiency³ among workers with different types of contract by addressing a) income adequacy; b) regulatory protection and social benefits and c) certainty of continuing work.

2.2.1 Income adequacy

Broad consensus exists that earnings or income adequacy are a fundamental dimension of precariousness. Over time, a large literature has emerged on various concepts regarding income (including earnings, in-work poverty, low-income households, material deprivation), covering different units of analysis (job, individual, household) and mostly addressing distributions among paid employees. Unfortunately, self-employed are left out of empirical analyses in a large majority of studies in this area (e.g. Parker, 2004; Crettaz, 2013). One of the main reasons probably is that particular problems arise with income from self-employed, which is notoriously hard to measure and compare⁴. Nevertheless, some methods have been used to also compare payoff from self-employment⁵.

Low pay, in-work poverty and long-term low-income households

Studies addressing earnings among workers on different types of contract tend to find considerable differences. Workers in flexible employment earn substantially less than workers on permanent contract in the Netherlands (€19 000 and €49 900 respectively in 2014) (Statistics Netherlands, 2016); workers on short-term contracts or with flexible hours in particular. Dutch solo self-employed earn on average 10 per cent less than employees. Solo self-employed tend to have lower median net hourly earnings than employees and their earnings also are more polarized (Table 1).

Table 1. Net hourly wage, solo self-employed and dependent employees, 2000-2010

	10%	25%	Median	75%	90%	Arithm.M.
Solo-self-employed	€ 4,04	€ 6,79	€ 10,30	€ 17,46	€ 35,00	€ 21,11
Dependent Employee	€ 7,06	€ 8,65	€ 10,72	€ 13,28	€ 16,67	€ 12,32

Source: own calculations, based on DLSP (the figures are averages from the period 2000 to 2010, 10% and 25% respectively are the lowest decile or the lowest quartile)

However, "because more and more individuals hold multiple jobs, and because people reproduce themselves in households, a focus on a main job does not capture fully the

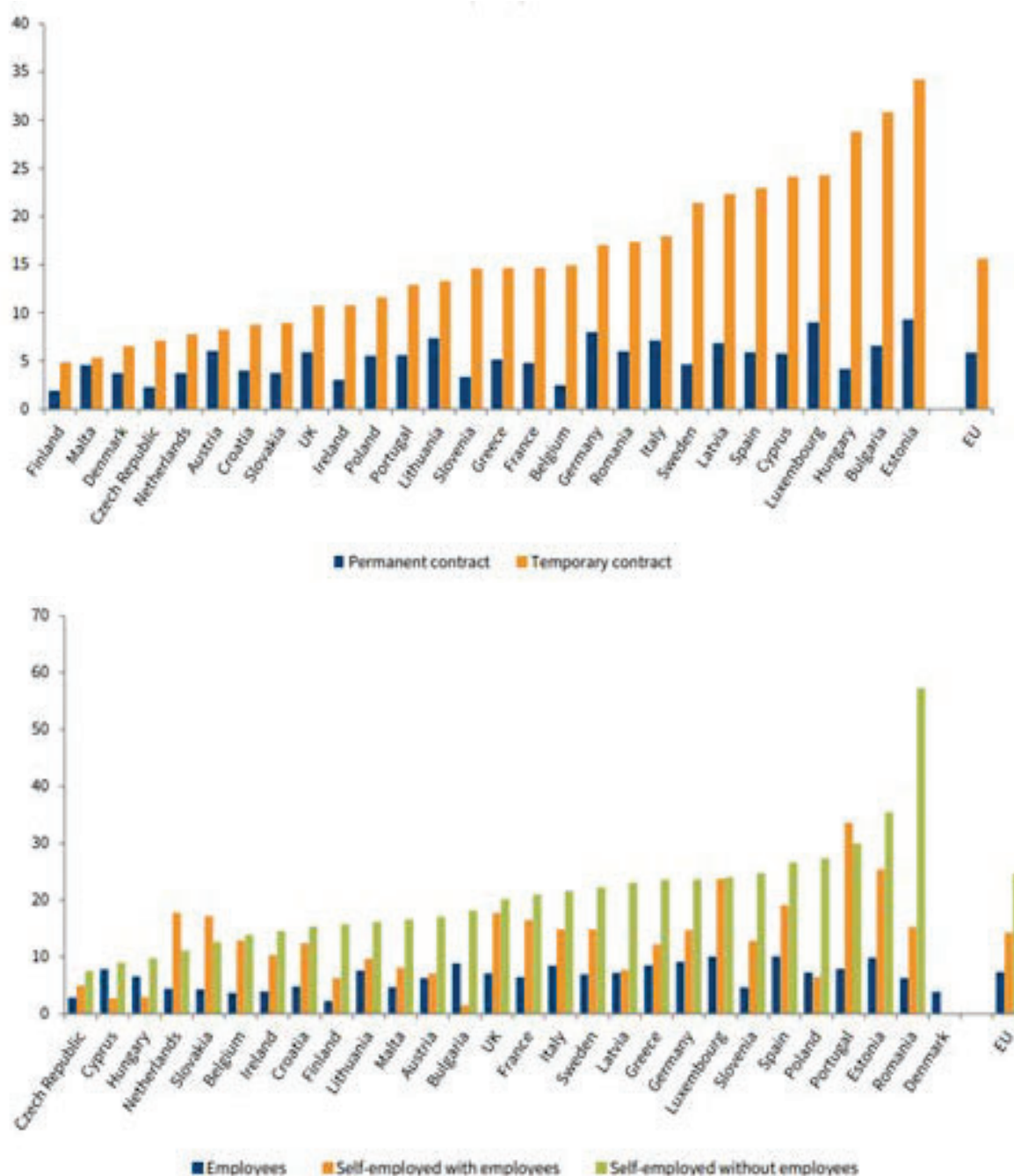
³ Precariousness of work has been defined, conceptualised and examined in several ways, encompassing various dimensions; see for instance D'Amours and Crespo, 2004; Kalleberg, 2011; Scott-Marshall and Tompa, 2011; Stone, 2006; Vosko, 2006; OECD, 2014; Eurofound, 2015; Broughton et al., 2016; OECD/ European Union, 2017.

⁴ These difficulties stem for instance from the lack of clear distinction between the (incorporated) business income and the personal or household consumption; because self-employed have incentives to define their income in a way that minimises taxation; because self-employed are – probably more often than among paid employees – not 'in it for the money'; and because self-employed have large variation in their income flows (in year a they may earn a negative income, whereas in year b they earn high profit).

⁵ In general, all concepts and measurements have their own merits and drawbacks and future research may want to combine objective and subjective measures on income adequacy.

ways in which people piece together a living" (Vosko, 2006). In other words, earnings at the job level do not capture whether one's job in self-employment is related to an overall precarious or self-sufficient household situation. In that light, the concept of in-work poverty has evolved rapidly and various approaches have been introduced; according to the Eurostat indicator individuals are considered to be at-risk of poverty when their annual equivalised household disposable income is below 60% of the national median, and individuals are considered to be 'in-work' when they declare to have been 'employed' for more than half the income reference period of one year (Horemans and Marx, 2017). Horemans (2017) finds that temporary and part-time workers tend to be 'protected' against poverty differently, as government transfers seem particularly important for temporary workers (compensating periods out of work) and part-timers are more likely to rely on the earnings of other household members to avoid poverty (albeit to varying degrees in various countries). Horemans and Marx (2017, pp. 16) find that solo self-employed in Europe generally face significantly higher in-work poverty risks than contracted workers. From an international perspective, the in-work poverty rate among Dutch temporary and solo self-employed seems rather 'modest' (see also Figure 6).

Figure 6. In-work poverty risk (%), by contract type, EU Member States, 2014



Source: Eurofound, 2017c

Given that self-employment includes the opportunity of success as well as the risk of misfortune with your business and the potential large variation in income flows also between years, the question arises whether it is not only natural to see more polarized annual earnings and annual in-work poverty among these entrepreneurs. To take such considerations into account, the indicator of individuals in long-term low-income households may be particularly relevant. Table 2 shows that 0,6 per cent of the Dutch working population were in low-income household for at least four years in a row in 2015; with 1,9 per cent solo self-employed turn out to be a particularly vulnerable group among Dutch workers.

Table 2. *Individuals with main income from work in low-income and long-term low-income households in the Netherlands, 15-74 years, 2015*

	Individuals, total	In low-income household		In long-term low- income household	
	x 1000	x 1000	%	x 1000	%
All workers	7214	212	2,9	40	0,6
Employees	6065	116	1,9	22	0,4
Self-employed, with personnel	282	16	5,8	2	0,9
Self-employed, without personnel	867	80	9,2	15	1,9

Statistics Netherlands, 2018b

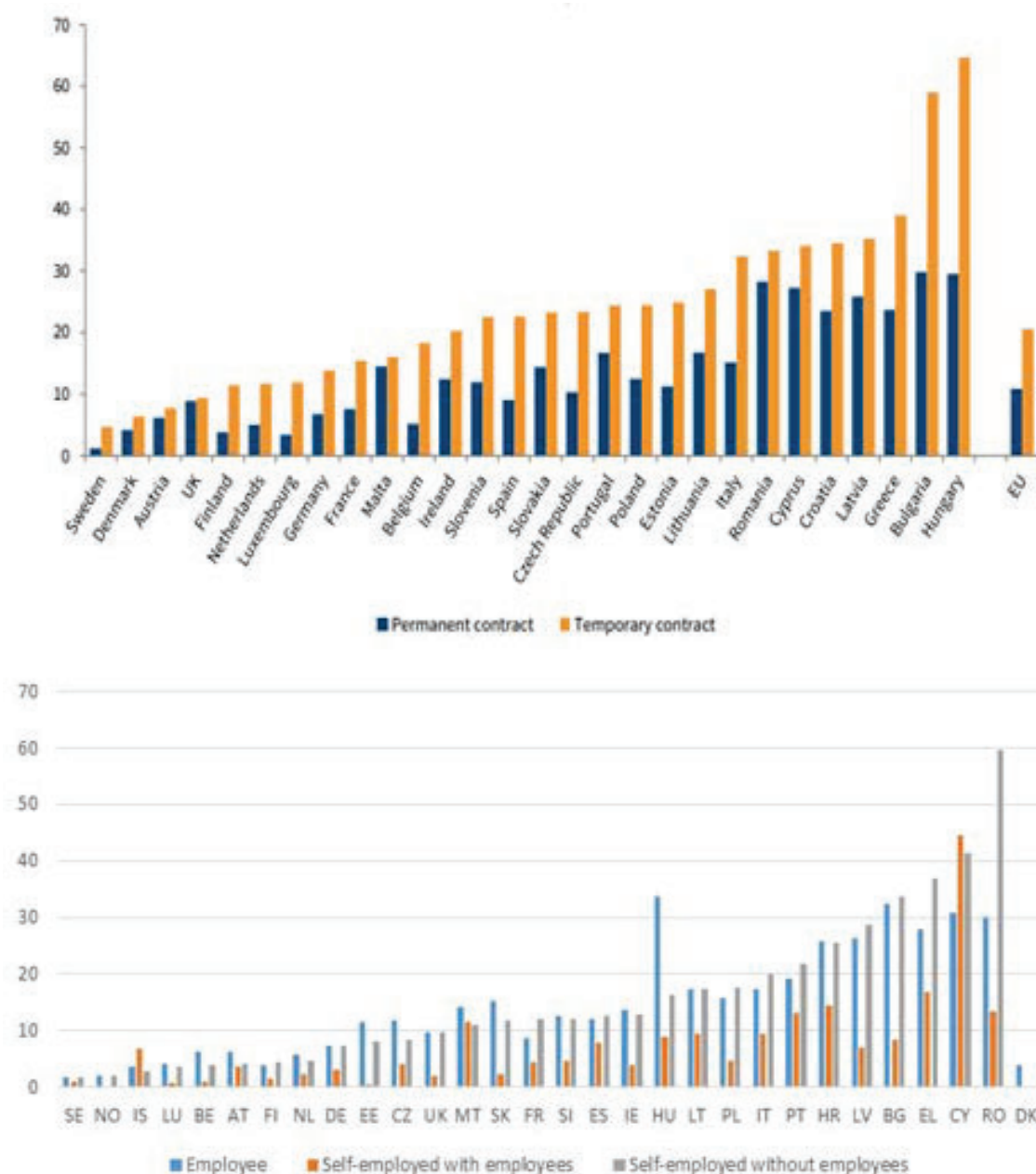
Material deprivation

Given the particular difficulties that arise from analysing income data for self-employed the concept of material deprivation is sometimes adopted as a complementary measurement to capture the multidimensional aspects of poverty (Parker, 2004; Nolan and Whelan, 2010; Crettaz, 2013; Horemans and Marx, 2017). Material deprivation refers to the inability for individuals or households to afford those consumption goods and activities that are typical in a society at a given point in time⁶. Horemans and Marx (2017) draw on the measurement as adopted by the European Commission and member states, which is that someone is considered materially deprived when living in a household that lacks 3 out of 9 items⁷. The picture on poverty among employees and self-employed changes drastically when this concept is taken as a starting point; in various countries (including the Netherlands) employees and solo self-employed do not significantly differ in their level of material deprivation. In the Netherlands, the proportion of workers experiencing material deprivation has increased between 2007 and 2014 (Eurofound, 2017) and the in-work material deprivation rate is substantially higher for workers on a temporary contract than among those on a permanent contract (see also Figure 7).

⁶ One problem with this concept is that little consensus exists as to which items should be included and why (Guio et al., 2016; Nolan & Whelan, 2010). In case of self-employed, it is sometimes considered to underestimate poverty as business income may increase spending power and limit material deprivation (Eurofound, 2017c).

⁷ (1) afford one week annual holiday away from home; (2) face unexpected expenses; (3) avoid arrears (mortgage or rent, utility bills or hire purchase instalments); (4) afford a meal with meat, chicken, fish or vegetarian equivalent every second day; (5) afford to keep their home adequately warm; (6) afford to have a car/van for private use (if wanted); (7) afford to have a washing machine (if wanted); (8) afford to have telephone (if wanted); (9) afford to have a television (if wanted).

Figure 7. Material deprivation (%), by contract type, EU Member States, 2014



Source: Eurofound, 2017c; Horemans and Marx, 2017

Self-assessed financial situation

Another way of addressing income adequacy and poverty among self-employed workers and workers in standard and other non-standard employment relations contracts is to ask for self-assessed evaluations of the financial situation of the household. Table 3 shows results from the European Working Conditions Survey, indicating that five per cent of solo self-employed in the Netherlands report to face 'difficulty' or 'great difficulty' to make ends meet with the household's total monthly income. Conen et al. (2016) find, based on a survey among 793 solo self-employed in the Netherlands, similar shares of income inadequacy among solo self-employed: five per cent indicates to face a 'large deficit' in their financial situation of the household and four per cent lives from a gross yearly household income that may be considered 'below minimum'.

Table 2. *Self-assessed financial situation of the household in the Netherlands, 2015*

	Individuals, total	'Difficulty' or 'great difficulty' to make ends meet*
	N	%
Employee, contract of unlimited duration	602	2,8%
Employee, contract of limited duration	177	2,8%
Temporary employment agency contract	35	7,5%
Solo self-employed	102	5,2%

* A household may have different sources of income and more than one household member may contribute to it. Thinking of your household's total monthly income, is your household able to make ends meet?

Source: European Working Conditions Survey, 2015 [own calculations]

Voluntary versus involuntary: impact on income adequacy

Traditionally, self-employed have been treated as 'insiders' on the labour market, fitting the category of independent entrepreneurs who voluntarily seek to gain higher utility from income, autonomy, flexibility and other working conditions attributed to a job in self-employment. However, the group of solo self-employed is also increasingly associated with involuntary self-employment (Kautonen et al., 2010; Schulze Buschoff and Schmidt, 2009; Stone, 2006; Westerveld, 2012). Involuntariness of the employment relation may be a relevant predictor of precarious employment. Conen and Schippers (2017) show that self-employed who start their business from push motives are not only less successful in running their businesses, but also more likely to live in households running a deficit. In the Netherlands, nine per cent of solo self-employed indicated to start as a self-employed mainly from negative motives in 2017 (Statistics Netherlands, 2017) and about a quarter of Dutch solo self-employed indicate that items such as 'I could not find a suitable job as an employee' and 'self-employment was my last resort to gain income' applied to them to 'some' or a 'high extent', indicating at least some elements of a 'push' into self-employment. The same applies to flexible employees: while some flexible employees choose this form because they appreciate the flexibility, employees also often are involuntarily active in flexible employment contracts (especially temporary agency workers and temporary employees) (Statistics Netherlands, 2016).

2.2.2 Regulatory protection and social benefits

Labour law and social security law

Employment status often determines the applicability of labour legislation and insurance against social risks within the framework of statutory insurance systems. Dutch solo self-employed are typically not protected under labour law. False or bogus self-employment refers to the situation when workers register as self-employed but de facto qualify as employees, carrying out work under authority or subordination; for instance because their former employer 'force' them to. This form of self-employment is not seldom a way to circumvent for instance employment legislation, income tax contributions and/or employers' social security contributions. False self-employment not only has negative effects for the position of relatively vulnerable workers, it is also considered to contribute to the crumbling of the welfare state, as employers underplay their tax and contribution liabilities. Thus far, the share of bogus self-employed in the Netherlands – in the sense of solo self-employed being forced by their former employer – seems to be a fringe group; recent research shows that 2-3 per cent of Dutch solo self-employed indicate their employer wanted them to work as a self-employed (Ybema et al., 2013; Janssen et al., 2015; Conen et al., 2016; Lautenbach et al., 2017).

Table 4 provides some insight into differences and similarities in the social security framework between employees and solo self-employed in the Netherlands, categorised by type of social risks. The Netherlands has a mixed system of national insurance schemes covering the entire population at a minimum level (e.g. risk of old age, children and special medical expenses) and employee insurance schemes providing income maintenance for wage earners (e.g. unemployment, sickness and incapacity for work). In terms of basic universal coverage, all Dutch residents – including self-employed – are entitled to a basic pension after retirement age; the amount of benefits of this retirement pension is poverty-avoiding. Social health insurance is compulsory, contribution-based and based on residency. Whereas wage earners are covered by employee insurance schemes and occupational pension plans, self-employed are supposed to cover social risks such as unemployment, sickness and disability themselves. Solo self-employed are partly compensated through fiscal facilities for entrepreneurs, including the small business tax deduction and profit exemption for small and medium-sized enterprises, lowering the taxable income of self-employed. Dutch employees enjoy relatively high protection levels in terms of continued payment of wages during illness and protection against dismissal (OECD, 2013; Brummelkamp et al., 2014). Self-employed are traditionally seen as workers embodying an individualized type of risk management and autonomous actors in their decision on whether or not to engage in social insurance (Dekker, 2010; SER, 2010; Vonk and Jansen, 2017).

Three types of risks that all solo self-employed face and are not covered in the current framework are thus the risk of unemployment, sickness and disability and poverty in old age, on which is being elaborated below.

Table 3. Social security for employees and solo self-employed in the Netherlands

	Employees	Solo self-employed
Unemployment	<ul style="list-style-type: none"> • Unemployment Insurance Act (WW) • Transition allowance via Work and Security Act (WWZ)(Civil Code) 	<ul style="list-style-type: none"> • No access to WW • (WW-rights can be 'revived' if self-employed stop within certain time frame)
Health	<ul style="list-style-type: none"> • Healthcare Insurance Act (ZVW) <i>Compulsory social insurance based on residency, contribution based</i> 	<ul style="list-style-type: none"> • Healthcare Insurance Act (ZVW) <i>Compulsory social insurance based on residency (including all self-employed), contribution based</i>
Sickness and Disability/ Invalidity	<ul style="list-style-type: none"> • Sickness Benefits Act (ZW)/ Act on wage payment in the event of sickness during two years (VLZ) • Work and Income according to Labour Capacity Act (WIA) 	<ul style="list-style-type: none"> • Insurance via 'Broodfonds' (sickness) or private market/ AOV (sickness and disability) • Self-employed have the option to remain in a collective insurance within 13 weeks after becoming self-employed
Poverty in old age	<ul style="list-style-type: none"> • General Old Age Pensions Act (AOW) 	<ul style="list-style-type: none"> • General Old Age Pensions Act (AOW) <i>Basic universal coverage for all residents (including all self-employed)</i>

	<ul style="list-style-type: none"> • Second pillar occupational pensions (coverage of over 90% of employees) • Third pillar voluntary private pensions 	<ul style="list-style-type: none"> • Usually excluded from second pillar occupational pensions • Third pillar voluntary private pensions
Pregnancy and childbirth	<ul style="list-style-type: none"> • Work and Care Act (WAZO) <i>Employees receive 100% of the (maximum) daily wage for (at least) 16 weeks</i> 	<ul style="list-style-type: none"> • Self-employed women receive at least the minimum wage for 16 weeks (WAZO) • As an alternative to the childbirth benefit the woman can opt for a benefit that is used to hire a replacement during her antenatal and childbirth leave. Replacement should be appointed by a professional agency
Working conditions	<ul style="list-style-type: none"> • Working Hours Act • Labour Conditions Act 	Some regulations apply to solo self-employed as well, but for instance some measures to restrict physical and psychological workload do not apply
Business risks	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Fiscal facilities, such as start-up allowances and SME profit exemption

Sources: SER, 2010; MISSOC, 2016; Vonk and Jansen, 2017

Risk of unemployment

Coverage of the risk of unemployment does not seem to be an issue for debate among solo self-employed in the Netherlands. Based on a qualitative study among Dutch self-employed Dekker (2010) finds that the self-employed seem to have no desire for collective strategies in relation to unemployment risk. This corresponds to survey results presented by Conen et al. (2016), showing that a large majority of Dutch solo self-employed agree to the statement "It is inherent to a self-employment job that individuals bear the responsibility to bridge unemployment spells".

Risk of sickness and disability

Coverage of the risk of sickness and disability of solo self-employed is an issue of debate in the Netherlands. Since 2004, the decision to deal with social risks in this area was transferred to self-employed and from then on they were to take care of this through the private insurance market. This decision was accompanied by a further trend of the restructuring and privatization of the social security system in the Netherlands (Arts 2005; Westerveld 2012). The expectation was that self-employed workers would protect the risk of incapacity for work in the private market, if deemed necessary, but this expectation seems not to have been met. In 2015, only around 20 per cent of solo self-employed with a main income from self-employment had a disability insurance (Statistics Netherlands, 2017), and increasing concerns arise on what this implies for individuals, households, families and society as a whole and how to come to adequate arrangements (Conen et al., 2016; Kremer et al., 2017; Klosse, 2017). Although for some a lack of insurance is a deliberate choice, it leads to substantial insecurity and stress among self-employed involuntarily lacking these provisions (Conen et al, 2016;

Kremer, 2017). Some solo self-employed have chosen to partially cover these types of risks via so-called 'bread funds', which are small self-organised groups of self-employed (maximum of 50) contributing money on a monthly base to support each other when members become temporarily unable to work due to sickness.

Nowadays, a substantial part of the Dutch solo self-employed seems to be of the opinion that risks in this area should not be covered via the private insurance market or on own account. For instance, nearly half of Dutch respondents agrees with the statement that the government should be financially responsible for all employed, including self-employed, who become disabled; a quarter of solo self-employed disagrees (Conen et al., 2016). A Dutch solo self-employed interviewed in the qualitative part of the study formulates it this way:

"Accidents happen. When you are not insured, you automatically fall back on society, one way or another. And it can happen when you are only 21 years old. You get into an accident and you lose two legs; then there is not much work for you anymore if you work in construction. So I think it would be to the benefit of society as a whole to make people insure themselves, or actually to make it a national insurance, in which everybody participates and we can take care of those who strike so unlucky together. ... I think a government should take care of this; I am not a proponent of a free market for something that is so national insurance-like" (Liam, construction, 50-59 years)

The question also remains on whom people fall back in case of severe illness or disability. It is often assumed that those solo self-employed will mainly fall back on society, but it does not seem unlikely that also their households, families and friends will get financially struck by such impactful life events in an effort to see them recovered.

Risk of poverty in old age

Finally, coverage of the risk of poverty seems an issue among solo self-employed in the Netherlands, albeit to a lesser extent than sickness and disability (Conen et al., 2016; Kremer; 2017). Conen and Debets (forthcoming) indicate this may partly originate from both the fact that Dutch solo self-employed know themselves covered against poverty in old age to at least some extent by the basic public pension schemes, and a substantial part seems to have 'additional savings' from occupational pension savings which were build-up during a working history or side job in paid employment. Hershey et al (2017) find that involuntary solo self-employed were found to be less likely to save for retirement than their voluntary self-employed counterparts, and they envisioned a less optimistic future pension scenario for themselves. Research on how much self-employed actually save, also in 'unconventional ways', and whether this is sufficient to live comfortable in old age is still limited. (Mastrogiacomo and Alessie, 2015; Zwinkels et al., 2017; Goudswaard and Caminada, 2017).

Collective bargaining and representation

Opportunities and restrictions individuals face in the labour market are influenced by both public and collective rules and regulations. In the Netherlands, there have been a few cases in which collective labour agreements have been declared applicable to a contract for services and contract for work (by Article 1(2) of the Act on Collective Labour Agreements). However, thus far *only* when self-employed service providers have been shown to be *self-employed workers whose situation is comparable to that of employees*, collective labour agreement arrangements have been imposed; otherwise it has been considered to be conflicting with competition law (Vonk and Jansen, 2017).

Although unions have been increasingly including also temporary employed and solo self-employed in their representational domain, non-standard workers are still substantially less often organised in unions (e.g. Pernicka, 2005; Vandaele and Leschke, 2010). Jansen (forthcoming) observes that on the one hand the interests of employees are represented by trade unions and on the other hand corporatist interests of employers are represented in employers' associations.

Solo self-employed seem to fall in-between the category of employees and employers and may be poorly accommodated by the traditional system.

2.2.3 Certainty of continuing work

Whereas social security seems an important issue for solo self-employed, the uncertainty of continuing work is regarded a stressor for workers on flexible employment more in general, albeit to different degrees among various groups. Uncertainty takes form in various ways (e.g. job insecurity, (lack of) employability, financial unrest) and may have consequences not only in terms of income, but also for individual well-being and family relations. Insecurity in the labour market may furthermore lead to individuals becoming more fearful of long-term plans and commitments in other life domains; couples for instance often find economic stability a crucial condition for taking a long-term decision such as having children. Various forms of insecurity seem more accepted among self-employed, as they consider this to be the 'price' of being self-employed. Especially involuntary solo self-employed and temporary workers seem to experience their uncertainty as troublesome (Scherer, 2009; Conen et al., 2016; Kremer et al, 2017).

Individual flexible employees and solo self-employed often do not have the means, longer-term security and contacts to raise their level of human capital and to learn new skills. For both flexible employees and solo self-employed post-school training is considered an underdeveloped and pressing issue, as training is considered to be an important stimulus to employability, lead to lower levels of job insecurity and enhances prospects for career advancement. Flexible employees and solo self-employees less often participate in both formal and informal ways of post-school learning; an issue that is even more pressing if temporary workers are lower-educated and older (Van Echtelt et al, 2016; Dekker, 2017).

3 Policy measure

3.1 Implemented policies

The Wassenaar Agreement (1982) is considered a landmark in the transformation of the Dutch labour market. "The Wassenaar Agreement was the result of consultations between Dutch employers and trade unions and was supported by the Dutch government... The main terms of the agreement included moderate wage increases (with overall productivity growth as the main guideline), more room for part-time jobs in order to allow for a certain redistribution of jobs among workers and the unemployed, and more labour market flexibility. The government was expected to help increase this flexibility... Throughout the 1980s and 1990s several measures were taken to allow for more flexible labour contracts and gradually flexible workers became an accepted phenomenon in the Netherlands" (Remery et al., 2002, pp. 478). Two Acts that have been implemented in recent years particularly address flexible employment relations.

3.1.1 Act on Work and Security

New legislation on flexicurity was implemented in 1999 (Act on Flexibility and Security). However, in the course of time it became apparent that the rules under this 1999 Act could be set aside by collective labour agreements and the 'stepping-stone' mechanism from temporary towards permanent employment contracts did not function as anticipated. Evaluations indicated that although the 'flexibility' part might have been successful and the juridical, political and societal acceptance of atypical contracts had grown, the Act had not been effective in its aims of promoting *security* for flexible worker.

This led to new debates, and ultimately to the Act on Work and Security (WWZ) in July 2015. This act aimed, among other things, to establish a new balance between employees with permanent contracts and the very diverse group of workers on flexible

contracts, embroidering on the themes as set forth in the 1999 Act. The government introduced more restrictions on the use of flexible employment contracts. That is, in 2015, the legislator further strengthened several conditions in the employers' use of fixed-term employment contracts by for instance reducing the maximum period for successive fixed-term employment contracts with the same employer from three (1999) to two (2015) years with a maximum of three consecutive contracts (chain regulation), and made it more difficult and conditioned to set aside rules on the basis of collective labour agreements (Broughton et al., 2016; Vonk and Jansen, 2017).. However, the coalition agreement of the current government has announced a series of new measures, including an *increase* again of the period during which the chain regulation applies (back to three years). The idea is that employers will be less quick to discard temporary employees. Also, the coalition agreement announced the intention to restrict pay-rolling options (Vonk and Jansen, 2017).

3.1.2 Combating bogus self-employment

With respect to the self-employed, policies have been predominantly aimed at combating bogus self-employment. In January 2016 the Act on Combating Sham Arrangements came into force, proposing a more extensive system to the hirers' liability. The act contains various changes. First, in case of multiple customers/contractors the entire chain is liable to make the correct payment of the agreed wage (supply chain liability). Second, if requested employers have to establish the identity of a worker within 48 hours and communicate this to the Inspectorate of the Ministry of Social Affairs and Employment (Inspectie SZW). Third, payslips should be itemised, expense allowances cannot be at minimum wage and a minimum wage is not to be paid in cash. Fourth, the act aims to improve compliance with the collective labour agreement and enforcement (Vonk and Jansen, 2017, pp. 26).

Another initiative in this area concerns a new assessment system established by the Act Deregulating the Assessment of Employment Relationships (DBA) that came into force in May 2016. In order to reduce the uncertainty on the issue of whether or not a person is considered a self-employed worker (or an employee), and the commissioner of the work thus has to pay contributions to the Dutch Tax and Customs Administration (TCA) in case of an employee status, a contract between a self-employed worker and a client or customer could be assessed in advance by the TCA. The TCA thus establishes beforehand whether or not a contract indeed contains a 'self-employment' relation or is rather to be considered (fictitious) employment. The criteria on which the TCA base their assessments can be found in the Guidelines for assessing employment relationships. If there is no evidence of a (fictitious) employment relation the parties involved will not be required to pay any contributions for a period of five years. However, the TCA continues to check whether the work is performed in accordance with the contract. If it becomes apparent that the self-employed worker has in fact performed the work as an employee, the commissioner of the work will still have to pay the required contributions to the TCA. In practice, the new system turned out to be hard to implement and the government decided to suspend the enforcement (Vonk and Jansen, 2017).

3.2 Key findings and conclusions: considerations for future policies

Over the past decades, flexible employment has expanded considerably in the Netherlands, but the once intended accompanying security for workers in flexible employment relations seems to have been lagging behind. Broad discussion have arisen on how to reduce the rift between those in flexible employment and employees on permanent contracts and go towards a situation in which social security becomes more contract-neutral (Asberg, 2017; Kremer et al., 2017; Klosse, 2017;).

3.2.1 Income adequacy

Flexible workers seem to be more vulnerable to poverty; especially solo self-employed and temporary agency workers relatively often experience (long-term) income inadequacy. Social partners and the government may want to take various measures in

the area of labour relations, such as improving collective labour agreements for flexible workers and monitoring and interfere in tenders for contracts. It is sometimes suggested to implement minimum tariffs for self-employed in collective labour agreements, although the question remains whether this can count on much support from solo self-employed themselves, and whether this will be allowed by the Dutch Competition Authority (Conen et al., 2016; Kremer et al., 2017; Vonk and Jansen, 2017). Conen and Debets (forthcoming) find in their qualitative study that control over the day rate or hourly rate is an issue though among solo self-employed. "Sometimes in terms of the role other self-employed play in terms of 'destructive competition' (asking prices that do not cover costs) and the role of consumers or clients who are considered to lack knowledge on what a decent price involves. Sometimes in terms of their individual responsibility, acknowledging that – especially at start-up and in services – it is hard to know what a fair price is. This raises the question whether there may be more awareness and information needed to support solo self-employed in 'asking the right price', or maybe more awareness is needed among customers and clients in terms of 'paying a decent price'". Moreover, the public sector could function as role model in some areas, such as in security, cleaning and catering, which is regularly outsources in government buildings, municipalities and universities (Kremer et al., 2017).

3.2.2 Regulatory protection

At present, the difference between employees and solo self-employed and the urge for adjustments in the social security system is a pressing dimension of precariousness in the Netherlands. Perhaps the most pressing issue concerns coverage of the risk of sickness and disability of solo self-employed. How this should be achieved is at the centre of considerable debate. For instance: the very idea of compulsory insurance tends to encounter fierce resistance from the group of 'autonomous entrepreneurs'. Possibilities to move forward while meeting the criterion of autonomy include the extension or an 'opt-in' system to the Dutch Work and Income (Capacity for Work) Act. However, new forms of voluntary insurance, even when organised collectively, meet doubts on whether it will actually lead to substantial improvements. Another idea is to extend the border of whom is involved in the 'collective', for instance compulsory basic insurance for all workers or even all citizens, instead of for solo self-employed specifically. This broader basis may spread (good and bad) risks, enabling more solidarity (Conen et al. 2016; Kremer et al., 2017). Whereas the previous options are at opposite sides of the voluntary-compulsory spectrum, Conen and Debets (forthcoming) put forward the idea of ending up somewhere 'in-between', for instance with a system more congruent to the Dutch pension pillar system. That is: a compulsory national insurance for all workers to cover basic (poverty-avoiding) universal coverage (first pillar), while preserving the autonomy of self-employed with substantial degrees of freedom for workers on how to deal with additional social risks via a second (occupational) or third (private) pillar insurance. Furthermore, in terms of collective representation a substantial group of solo self-employed currently seem to fall in-between the category of employees and employers and may be poorly accommodated by the traditional system (Jansen, forthcoming).

3.2.3 Certainty of continuing work

Both employers and employees need a certain amount of certainty to be able to move beyond short-term horizons and develop also middle- and long-term perspectives. In economic terms, security may advance investments in human capital and entrepreneurship. At present, lower-educated and flexible employees less often undergo training paid for or provided by employers and also less often participate in other forms of post-school training. For both flexible employees and solo self-employed post-school training is considered an underdeveloped and pressing issue, as training is considered to be an important stimulus to employability, lead to lower levels of job insecurity and enhances prospects of career advancement. Central directions for how to deal with these issues are either universal funds for post-school education or to give workers individual basic rights to further education (WRR, 2013).

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