

New forms of employment



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Executive summary

Introduction

Societal and economic developments, such as the need for increased flexibility by both employers and workers, have resulted in the emergence of new forms of employment across Europe. These have transformed the traditional one-to-one relationship between employer and employee. They are also characterised by unconventional work patterns and places of work, or by the irregular provision of work.

However, little is known about these 'new forms of employment', their distinctive features and the implications they have for working conditions and the labour market. To fill this knowledge gap, Eurofound conducted a Europe-wide mapping exercise to identify the emerging trends. This resulted in the categorisation of nine broad types of new employment forms. On the basis of this, the available literature and data were analysed; 66 case studies were also conducted and analysed to illustrate how these new employment forms operate in Member States and their effects on working conditions and the labour market.

Policy context

Across Europe, policy discussions on new forms of employment are taking place. They revolve around the issue of how to make the labour market more flexible and inclusive; how to legalise undeclared employment practices; how to ensure sound social protection and working conditions; and how to avoid the replacement of standard employment by employment forms that are less favourable to workers.

Discussions mainly deal with labour markets and social policies. However, the debate is largely between the social partners, and governments, on the whole, do not seem to be taking an active role. Employers' representatives defend their need for flexibility, and employees' representatives raise concerns about social protection, employment rights and working conditions. Flexicurity, once a prominent focus of debate among EU Member States, no longer seems to figure strongly in most countries.

Key findings

This project identified the following employment forms as new or of increasing importance since around the year 2000:

- employee sharing, where an individual worker is jointly hired by a group of employers to meet the HR needs of various companies, resulting in permanent full-time employment for the worker;
- job sharing, where an employer hires two or more workers to jointly fill a specific job, combining two or more part-time jobs into a full-time position;
- interim management, in which highly skilled experts are hired temporarily for a specific project or to solve a specific problem, thereby integrating external management capacities in the work organisation;
- casual work, where an employer is not obliged to provide work regularly to the employee, but has the flexibility of calling them in on demand;
- ICT-based mobile work, where workers can do their job from any place at any time, supported by modern technologies;

- voucher-based work, where the employment relationship is based on payment for services with a voucher purchased from an authorised organisation that covers both pay and social security contributions;
- portfolio work, where a self-employed individual works for a large number of clients, doing small-scale jobs for each of them;
- crowd employment, where an online platform matches employers and workers, often with larger tasks being split up and divided among a ‘virtual cloud’ of workers;
- collaborative employment, where freelancers, the self-employed or micro enterprises cooperate in some way to overcome limitations of size and professional isolation.

These wide-ranging new employment forms have an equally wide range of implications for working conditions and the labour market.

- Employee sharing, job sharing and interim management seem to offer beneficial working conditions, combining enhanced flexibility for workers with a good level of job security.
- ICT-based mobile work offers some flexibility, autonomy and empowerment, but also incurs the danger of work intensification, increased stress levels and working time, and blurring of the boundaries between work and private life. It may also outsource traditional employer responsibilities, such as health and safety protection, to workers.
- For freelancers and the self-employed, portfolio work, crowd employment and collaborative employment may enrich work content through diversification.
- Voucher-based work entails some job insecurity, social and professional isolation, and limited access to HR measures and career development, but offers workers the opportunity to work legally, better social protection and perhaps better pay.
- Casual work is characterised by low income, job insecurity, poor social protection and little or no access to HR benefits. The high level of flexibility might benefit some workers, but for most it is too much and they would prefer more continuity.

Those forms that seem most likely to be beneficial to the labour market are employee sharing, job sharing and interim management, while casual work is likely to be the most disadvantageous. All of the new employment forms have the potential to aid labour market integration of specific groups of workers, but their job creation potential is rather limited.

Most of these employment forms contribute to labour market innovation and make it more attractive to both employers and a wider range of potential workers. However, there is a danger of labour market segmentation, particularly from casual work and voucher-based work, if the result is a widespread acceptance of fragmented jobs that are inherently linked to low income and limited social protection.

Policy pointers

- The heterogeneity of the new employment forms identified suggests that general discussions or policy recommendations for ‘new forms of employment’ are of little use. More specific and tailor-made approaches are needed, and these should be based on a joint understanding of what the individual employment forms are and national and cross-national exchange of information and experience.
- To increase the use of new employment forms that have been found to have positive effects on working conditions and the labour market – employee sharing, interim management and job

sharing – steps need to be taken to raise awareness of them among both employers and workers. If public budgets allow, financial incentives could be considered.

- Safety nets are needed for some of the new employment forms, notably casual work, but partly also ICT-based mobile work and crowd employment. The findings of the current research show that balance is needed between the protection of workers and the need to make these new forms easy for employers to use. This could be achieved either by legislation or collective agreement.
- Regulation of new forms of employment should be clear and concise and not continuously changed; monitoring should be put in place to ensure compliance.
- Finally, it is recommended that discussion of new employment forms should be included in policy areas other than labour and social protection, such as regional development, sectoral development and business development.

Introduction

Background and objectives of the project

Societal and economic developments are giving rise to new forms of employment. These developments include the need for increased flexibility by both employers and workers, the broader use of advanced information and communication technologies (ICT) and the enhanced importance of specific business activities and occupations.

The current economic climate has led to a strong focus at European and Member State level on how to decrease unemployment and create jobs in the aftermath of the recession. In these circumstances, new forms of employment should be explored because their specific characteristics might be an attractive option for employers and employees alike. However, little is known about what the new emerging forms of employment are, or about their implications for job creation, labour market integration and working conditions. The issue of working conditions was, for example, raised in the European Commission's background note for the Tripartite Social Forum in 2011 on the implementation of the Europe 2020 flagship initiative the 'Agenda for new skills and jobs' (European Commission, 2011).

Against this background, and in line with the European Commission Communication 'Towards a job-rich recovery' (European Commission, 2012), a project to map new forms of employment across the European Union and Norway was established in Eurofound's *Annual work programme 2013* (Eurofound, 2013a) and continued in its *Annual work programme 2014* (Eurofound, 2014). The project also aims to explore the policy responses to these developments in the employment structure, to support employers and employees, with the overall objective of sustainable employment retention and job creation. Finally, possible implications for working conditions and the labour market have been investigated.

Methodology

Bearing in mind the heterogeneity of Europe's economic and labour market frameworks, situations and developments as well as institutional settings, there currently is no shared understanding of what constitutes 'new forms of employment'. What is new in one country might be well-established in another and not exist at all in a third. To allow for the consideration of these differences among countries, Eurofound has applied a national perspective in this project, taking into account those employment forms that are considered as new in the national context, irrespective of whether or not they are 'standard practice' in other countries.

Nevertheless, to ensure some level of comparability across the findings of this explorative research, some guidelines have been developed to steer the national input. Accordingly, employment that falls into one or more of the following categories qualified for consideration.

- **Relationships between employers and employees that are different from the established one-to-one employment relationship.** Consequently, employment relationships involving either multiple employers for each employee, one employer for multiple employees, or even multiple employer–multiple employee relationships are relevant. However, temporary agency work, which could also qualify under this definition, was not considered as new for the purpose of this project.
- **Provision of work on a discontinuous or intermittent basis or for very limited periods of time rather than on a continuous or regular basis.** Conventional part-time work and seasonal work were not considered as new unless there were other features that made the employment relevant to this project.

- **Networking and cooperation arrangements between the self-employed**, especially freelancers, going beyond the usual types of relationships along the supply chain, the sharing of premises or the traditional conduct of project work.

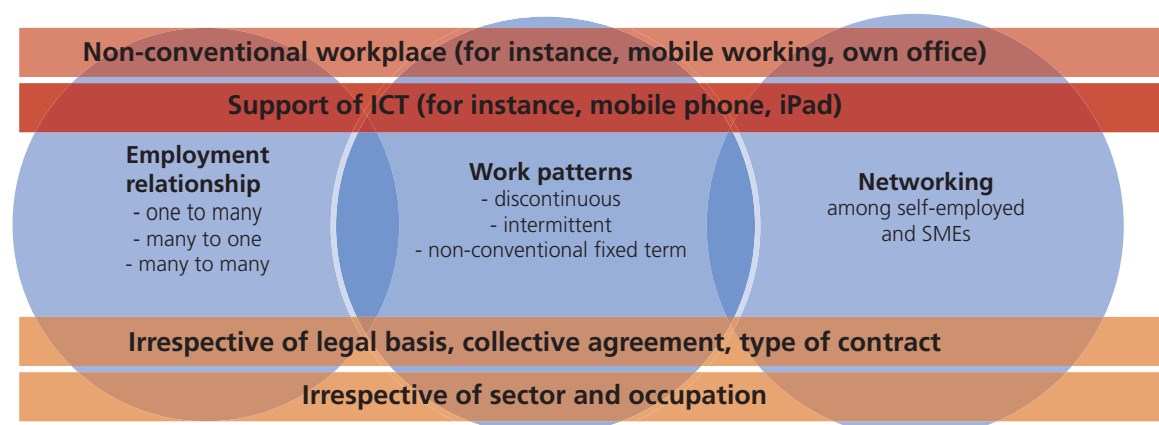
In addition, the relevant forms of employment could be, but did not necessarily have to be, characterised by:

- a place of work other than the premises of the employer, where the employee is mobile and works from multiple locations, possibly including their own office (traditional teleworking was not considered);
- strong or prevalent support of ICT, including mobile phones, personal computers (PCs), iPads or similar, where this technology changes the nature of work relationships or work patterns.

It did not matter whether the new employment form was subject to general labour law or specific regulation, regulated on the basis of collective agreements, or not regulated at all. If it had emerged as practice and qualified under one or several of these categories, it could be considered for analysis. Accordingly, employment forms based on all kinds of contracts were accepted.

Similarly, the project considered employment forms that are or could be used in all sectors and occupations as well as those that are limited to individual industries and occupations.

Figure 1: Framework for identifying new forms of employment



Source: Eurofound

For the purpose of this project, Eurofound focused on forms of employment that have either emerged since around the year 2000 or that existed before but have become more common since then.

Based on these guidelines, in spring 2013, Eurofound conducted a mapping exercise with the assistance of the national correspondents of its Network of European Observatories (see the annex for details). The correspondents were asked to identify and describe the new forms of employment apparent in their country, and to provide any available information on their implications for working conditions and the labour market. Furthermore, they were asked to identify and summarise available research studies and secondary data, and to give an overview of the public and policy discussion on the topic.

The individual new employment forms reported by the national experts have been categorised according to similarities. As several of the employment forms identified are very recent in all countries, with little public debate and research about them, they cannot at this point be considered

to be established models in their labour markets. In some cases, the employment concepts do not even have a commonly recognised name. Consequently, Eurofound had to coin terms for several of the employment forms discussed in this report.

The characterisation of the new employment forms is the result of a combination of literature review, data analysis and qualitative case studies. Case studies were required due to the newness of the employment forms and the consequent scarceness of secondary sources across Europe.

Between autumn 2013 and summer 2014, a total of 66 case studies, based on semi-structured interviews, were conducted across Europe, covering the various employment forms. Cases were selected on the basis of those employment forms that were identified as increasingly important in several countries; hence, not each and every one of the identified forms was considered because some are emerging in only one country or a small number of them. For instance, in Spain, the legal form of ‘economically dependent self-employed worker’ provides the self-employed with some characteristics of traditional self-employment (autonomy, entrepreneurial risk) and some of traditional employment (particularly in matters of social protection and taxation). This was omitted from the analysis because of its relevance to just one country.

As a second step, some degree of country spread was aimed for; however, again, because these are new forms of employment, they are not present in all countries and so not all countries could be covered.

The case study research was done by a team of national experts (listed in the annex) under the coordination of the Public Policy and Management Institute (PPMI). The cases either deal with an individual employment relationship or the national framework conditions related to it (for example, legal regulation, collective agreement or public support instruments). The individual case studies are illustrative, exploratory and descriptive, and there is no claim for representativeness. Nevertheless, due to their large number they allow for cross-national comparative analyses and some generalisation of findings.

The case studies are listed and described on Eurofound’s website. They can be found in the EMCC observatory, under the ‘Labour market research’ section, at <http://eurofound.europa.eu/emcc/labourmarket/newforms>.

Report structure

The findings of the mapping exercise are summarised in Chapter 1 and form the basis of the more in-depth analysis of the individual employment forms presented in Chapters 2 to 10. Each of these chapters discusses the definition and general characteristics of an employment form and its spread across Europe. The characteristics of employers and workers, as well as their motivation to engage in this new form of employment, and the implications for working conditions and the labour market are examined. The level of detail that can be provided for each of these employment forms varies depending on the information available.

Chapter 11 summarises the public and policy discussion on new forms of employment in the Member States and Norway. It draws on the mapping completed by Eurofound’s network of correspondents in spring 2013 and is supplemented by case study information.

Finally, Chapter 12 derives conclusions about the emergence of new forms of employment in Europe, their contribution to the labour market and their implications for working conditions, and ends with a number of policy pointers.

New forms of employment in Europe – An overview

Nine broad new employment forms were identified in this project using the working definitions adopted (see Figure 2). They can be classed in two groups, which are sometimes interlinked:

- new models of the employment relationship between employer and employee, or client and worker;
- new work patterns – in other words, new ways in which work is conducted.

At the same time, the employment forms can be differentiated by whether they pertain to employees or to the self-employed and freelancers; they might also apply to both groups. Overlaps between these nine types are possible, and an individual employment can fall into more than one category.

In relation to new employment relationships that differ from the traditional concept of one employer and one employee, two new employment forms are emerging across Europe: employee sharing and job sharing. **Employee sharing** means that an individual worker is jointly hired by a group of employers (who are not clients of a traditional temporary work agency). Such workers rotate between the different companies. In contrast to this is **job sharing**, in which a single employer hires two or more workers to jointly fill a specific job.

A third employment form that redefines the employment relationship is **voucher-based work**, in which the employment relationship and related payment is based on a voucher rather than an employment contract. In most cases, the workers then have a status somewhere between employees and self-employed.

As regards new work patterns, these include interim management, casual work, ICT-based mobile work, crowd employment, portfolio work and collaborative employment. **Interim management** is a new work pattern among employees and describes situations in which a worker – usually a highly skilled expert – is hired for a temporary period of time by an employer, often to conduct a specific project or solve a specific problem. In contrast to traditional fixed-term work arrangements, interim management has some elements of consultancy, but the expert has employee status rather than that of external advisor.

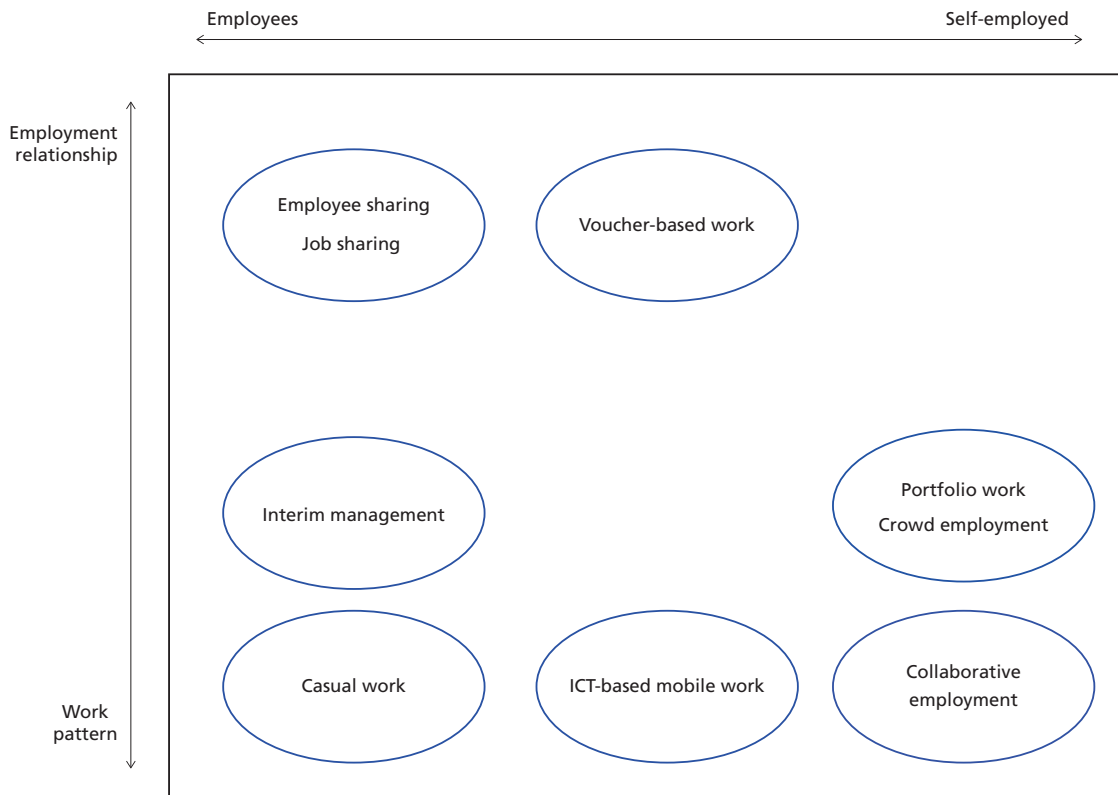
Casual work is also employee-oriented. Here the employer is not obliged to regularly provide the worker with work, but has the flexibility to call on them when needed.

ICT-based mobile work refers to work patterns characterised by the worker (whether employee or self-employed) operating from various possible locations outside the premises of their employer (for example, at home, at a client's premises or 'on the road'), supported by modern technologies such as laptop and tablet computers. This is different from traditional teleworking in the sense of being even less 'place-bound'.

For the self-employed and freelancers, **crowd employment** is a new option; this is also characterised by not being place-bound. Virtual platforms match a large number of buyers and sellers of services or products, often with larger tasks being broken down into small jobs. In a similar way, **portfolio work** done by the self-employed refers to situations in which they work for a large number of clients, providing just small amounts of work for each of them.

Finally, new patterns of self-employment in the form of new **collaborative models** that go beyond traditional business partner relationships were found in a variety of countries.

Figure 2: Classification of nine new forms of employment



Source: Eurofound

Interestingly, there is not much difference in the number of countries in which each new employment form was reported, many being found in around 10 countries (Table 1). Interim management and voucher-based work were less common, and ICT-based mobile work was the most common.

Table 1: New forms of employment identified in European countries

| | Employee sharing | Job sharing | Interim management | Casual work | ICT-based mobile work | Voucher-based work | Portfolio work | Crowd employment | Collaborative employment |
|----------------|------------------|-------------|--------------------|-------------|-----------------------|--------------------|----------------|------------------|--------------------------|
| Austria | X | | | | | X | | | X |
| Belgium | X | | | X | X | X | | X | X |
| Bulgaria | X | | | | | | | | |
| Croatia | | | | X | | | | | |
| Cyprus | | | | | X | | X | | X |
| Czech Republic | X | X | X | | | | | X | |
| Denmark | | | | | X | | X | X | |
| Finland | X | | | | X | | | | |
| France | X | | X | X | X | X | | | X |
| Germany | X | | | | X | | | X | X |
| Greece | X | | X | | X | X | X | X | X |

| | Employee sharing | Job sharing | Interim management | Casual work | ICT-based mobile work | Voucher-based work | Portfolio work | Crowd employment | Collaborative employment |
|-------------|------------------|-------------|--------------------|-------------|-----------------------|--------------------|----------------|------------------|--------------------------|
| Hungary | X | X | X | X | X | | X | | X |
| Ireland | | X | | X | | | | | |
| Italy | | X | | X | | X | X | X | X |
| Latvia | | | X | | X | | X | X | |
| Lithuania | | | | | X | X | X | X | X |
| Luxembourg | X | | | | | | | | |
| Netherlands | | | | X | X | | X | | X |
| Norway | | | X | | X | | X | | |
| Poland | | X | | | | | | | |
| Portugal | | | | | X | | X | X | |
| Romania | | | | X | | | | | |
| Slovakia | | X | | X | | | | | |
| Slovenia | | X | | X | X | | | | |
| Spain | | | | | X | | | X | X |
| Sweden | | | | X | X | | | | X |
| UK | | X | X | X | | | X | X | |

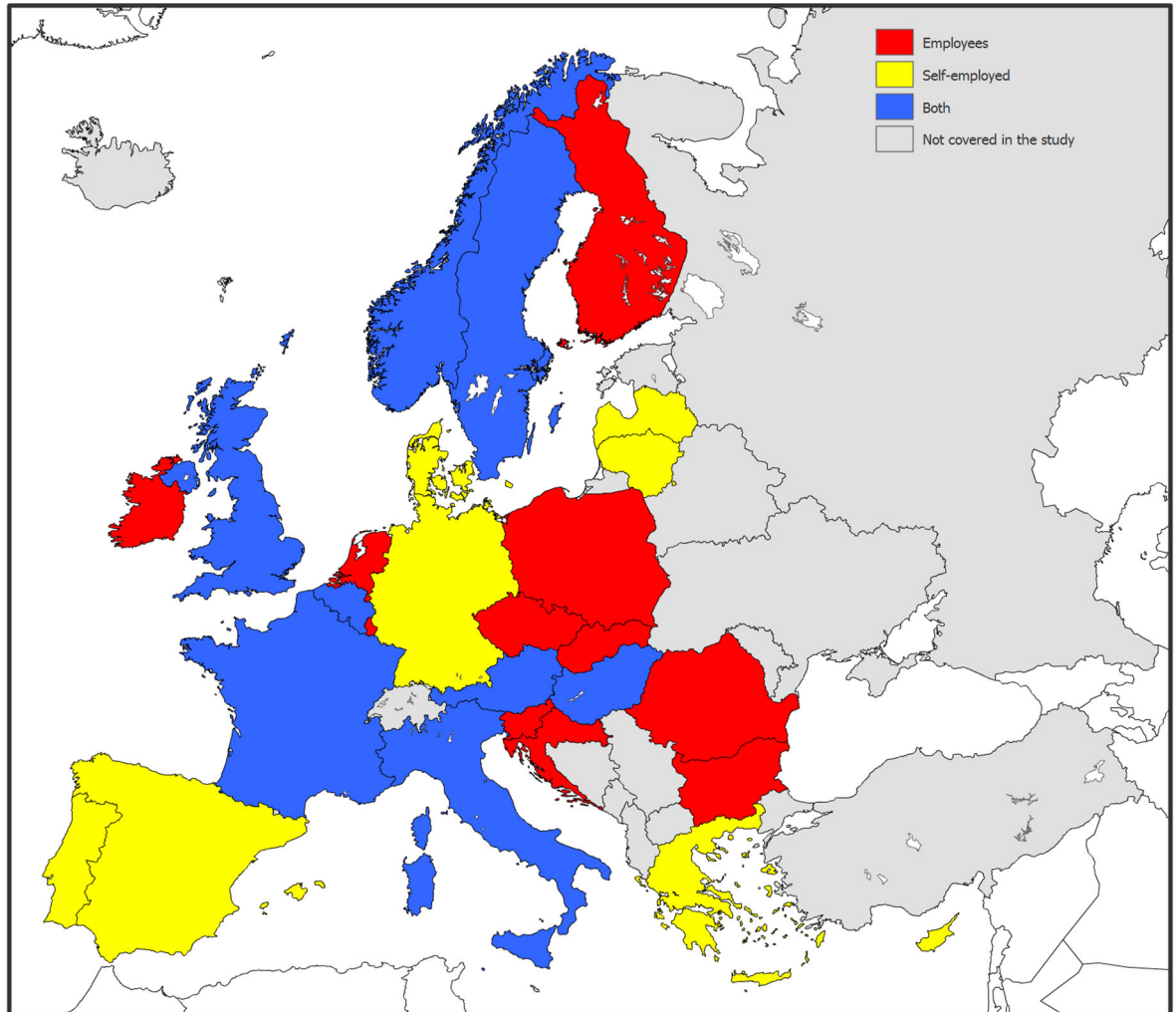
Note: For Estonia and Malta, no new employment form corresponding to the working definitions of this project could be identified.

Source: Eurofound, based on national contributions

In most EU Member States and Norway, more than one new employment form was identified. Only in Bulgaria, Croatia, Luxembourg and Poland was just one emergent employment form identified, while in Greece and Hungary seven were found.

In many of the eastern European Member States (Bulgaria, Croatia, the Czech Republic, Poland, Romania, Slovakia and Slovenia) and also in some northern European countries (Finland, Ireland, Luxembourg and the Netherlands), the new employment forms identified mostly concern employees, while those found in most southern European countries (Cyprus, Greece, Portugal and Spain), the Baltic states (Latvia and Lithuania), Denmark and Germany generally involve the self-employed (Figure 3). New employment forms for both employees and self-employed have emerged in several central and northern European countries (Austria, Belgium, France, Hungary, Italy, Norway, Sweden and the UK).

Figure 3: New forms of employment, by categorisation (pertaining to employees or self-employed) and country



Source: Eurofound, based on national contributions

Most of the new employment forms are based on traditional employment or service delivery contracts; in very few cases has a separate legal basis been created. Operating outside a specific legal or collectively agreed framework can be somewhat problematic. For example, Czech research suggests that employment relationships not defined by legislation are usually characterised by lower levels of employment protection and less advantageous working conditions, particularly as regards pay, social protection or liability for harm from work-related injuries (Nekolová, 2010; RILSA, 2012).

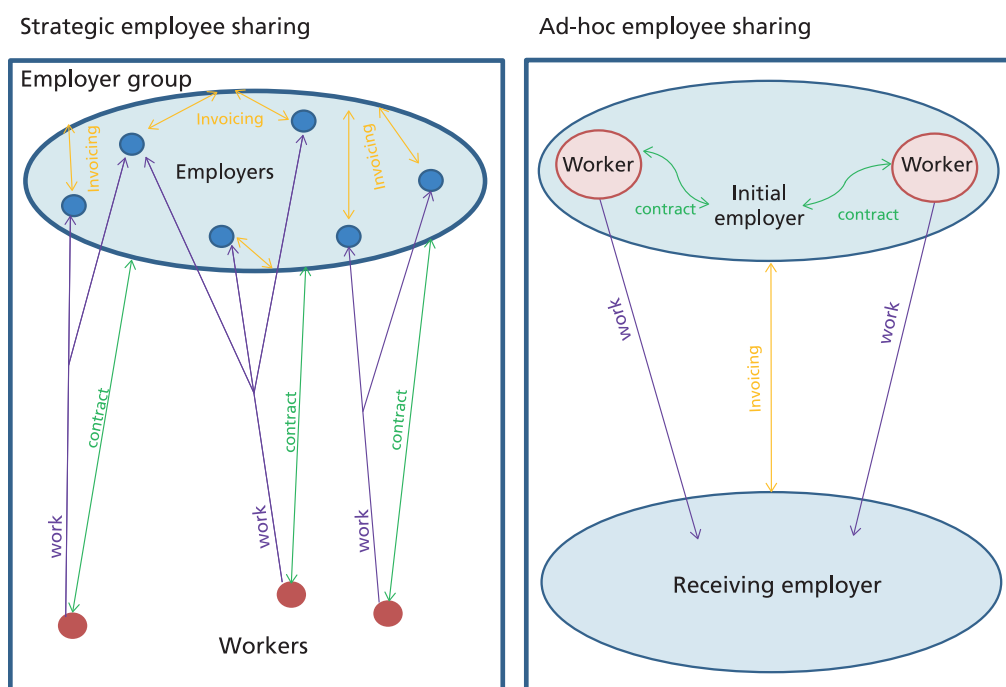
Most new employment forms generally cover the whole economy and all occupations, even if in practice specific sectors or occupations dominate.

General characteristics

Employee sharing is an employment form in which a group of employers hires workers jointly and is jointly responsible for them. In the framework of this project, two different types of employee sharing were identified.

- **Strategic employee sharing:** A group of employers forms a network that hires one or several workers to be sent on individual work assignments with the participating employer companies. The structure is similar to temporary agency work, with the difference that the workers regularly rotate among the participating employers and work exclusively for these employers, and the network itself does not aim to make a profit.
- **Ad-hoc employee sharing:** An employer that temporarily cannot provide work for its staff sends them to work at another company. The employment contract between the initial employer and the worker is maintained while the worker is incorporated into the work organisation of the receiving employer. Again, the structure is similar to temporary agency work, with the difference that the initial employer is not in the business of placing people in work, and the intention is that the placement is temporary and the worker will return to work with the initial employer.

Figure 4: The mechanics of employee sharing

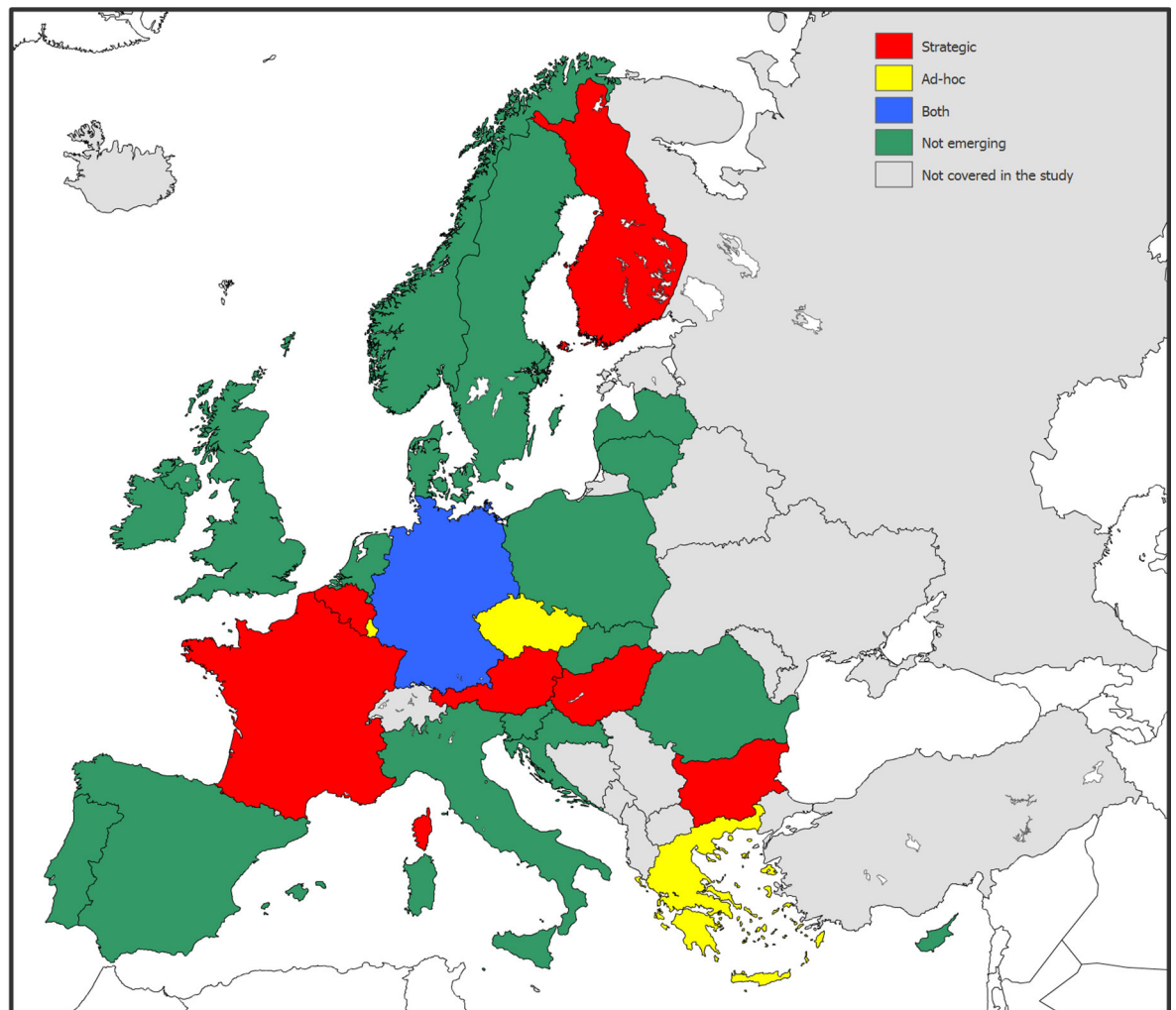


Source: Eurofound

Strategic employee sharing was identified in Austria, Belgium, Bulgaria, Finland, France, Germany and Hungary, and the option of temporarily assigning employees to other companies was found to be new or emerging in the Czech Republic, Germany, Greece and Luxembourg (Figure 5).¹

¹ Hungarian legislation allows the temporary assignment of workers from one company to another for economic reasons, if the two companies are connected by ownership; Belgian legislation provides for secondment and co-sourcing of permanent workers to another employer for a limited period, although only with the explicit authorisation of the Social Inspection Department and with the agreement of the company's employee representatives. However, these are not new regulations and these practices have not become increasingly common, and so they are not discussed further in this report.

Figure 5: European countries in which employee sharing is new or of increasing importance



Source: Eurofound, based on national contributions

Strategic employee sharing

Strategic employee sharing was initially established out of the economic and social necessity to create a sustainable relationship between companies and workers, even if an individual employer could not provide sustainable work (CERGE, 2008). While in the beginning the intention was to give contractual security to involuntarily mobile workers (such as seasonal workers), it has come to be considered as a model that can offer voluntary flexible work and also retain employees.

Several companies, mainly small and medium-sized enterprises (SMEs) located in the same region, jointly establish a legal entity to hire workers and make them available to the member companies – and exclusively to them – to cover the regular human resource (HR) needs of the members where there is insufficient work in each individual organisation to justify full-time employment. This is, therefore, a form of cooperative HR management (CERGE, 2008; Wölfing et al, 2007; Osthoff et al, 2011; Baumfeld and Fischer, 2012; Baumfeld, 2012). Instead of offering individual fixed-term contracts, the group can offer permanent employment to its jointly hired employees. The employment risk is shared among the member companies (following the principle of solidarity and mutuality), while the workers have a single employer. The aim is to create a ‘collective staff’ shared across companies.

For staff, this arrangement may lead to their integration in the various companies they work for and give them a sense of belonging and commitment. Wölfling et al (2007) identify the following types of HR needs that a grouping of employers could meet.

- Seasonal work such as agriculture, construction, tourism or food processing; if combined with counter-cyclical or more continuous HR needs of other industries, permanent employment can be created.
- Combined part-time work where companies' HR demand for certain tasks fluctuates daily or weekly (for example, in the retail trade, security services and cleaning services).
- To share specialisms for which there is a demand, but not sufficient to justify full-time employment, particularly in SMEs; examples are quality assurance and IT services.
- Occasional jobs that are difficult to anticipate, mainly in industry; it is generally thought, however, that employee sharing is not effective if it is solely based on occasional jobs, as continuity is difficult to achieve due to their strong fluctuation.
- Dormant projects and new developments: SMEs particularly lack the resources to develop new strategic pathways; employee sharing reduces the risk of having to cover HR costs before the anticipated increased revenue is realised.

The following preconditions have been identified as essential for the sustainable implementation of strategic employee sharing.

- The legal framework allows for the straightforward establishment of strategic employee sharing.
- The HR demand in the participating companies reoccurs regularly, is known in advance and reaches a critical mass to justify the shared full-time employment of workers.
- The individual demands of the participating companies can be combined into joint full-time employment, both in terms of timing – so that there are neither overlaps nor off-work periods – and in making sure that the necessary skills and expertise are available to all member companies.
- Regional companies that participate have some awareness about the necessity of strategic HR planning, show responsibility for the regional economy and labour market, and are open to cross-company cooperation. Mutual trust among the employers, and between employers, workers and the group management are essential (Delalande and Buannic, 2006).
- The geographic distance between the participating companies is a distance that workers are able and willing to cover in their commute to work.
- If collective agreements are applicable, the core workers of the participating firms and the shared employees have similar wage and working conditions, to avoid social dumping and negatively affecting the working atmosphere.

The following steps in the establishment of strategic employee sharing are recommended (progressNETZ, undated).

1. Analysis: A feasibility study has to clarify whether there is sufficient demand for seasonal or part-time workers among a group of regional employers, whether this demand can be combined into full-time jobs, and whether the regional employers are willing to establish strategic employee sharing.
2. Start-up: This includes the choice of a suitable legal form (in those countries where more than one option exists), the formal establishment of the group and the design of management roles and

tasks. Preparations for the operation of employee sharing are made, such as the establishment of quality standards and working procedures. Employees are recruited and employed.

3. Operation: It should be made clear to all parties involved that the first phase of strategic employee sharing, particularly, is characterised by consolidation and additional effort, and the burden of this should be jointly borne by all member companies.

These steps illustrate that strategic employee sharing involves a structured approach even in the pre-start-up and design phases. In practice, the establishment of strategic employee sharing is usually driven by a regional actor detecting the benefits of the model both for companies in the area and the workforce, and making a decision to check its feasibility and push for its realisation (Osthoff et al, 2011; Hertwig and Kirsch, 2012). Such regional actors could be agencies and consultants in the field of regional development, employers' representatives such as chambers of commerce or, more rarely, individual companies. From the case studies, it can be seen that it is important that such regional actors take the initiative. Success is more likely if they are well anchored in the region with well-established networks and regarded as trustworthy.

Regional initiators of strategic employee sharing

In Belgium, Job'Ardent was created jointly by the Lentic research institute and the local chamber of commerce and industry (CCI). The institute has a long-standing tradition of initiating action research with private and public sector employers in the sphere of organisational innovation, particularly human resources management, including employee sharing. Lentic approached the CCI, and it agreed to investigate the feasibility of setting up a strategic employee-sharing model. Together they launched a marketing campaign, organising a series of seminars and presentations for regional and local companies. The involvement of the CCI is seen as a key element in Job'Ardent's success since it not only has a very broad network of companies in the region, but also deep knowledge about the local economic situation and its strengths and weaknesses.

In the early 2000s, the regional government of Brandenburg in Germany enlarged its SME support by commissioning feasibility studies on strategic employee sharing from tamen, a private organisation that supports development programmes in rural areas. This organisation approached the current manager of an established employers' alliance, AGZ Südbrandenburg. He knew the economic and labour market characteristics of the region well, since he was working on regional labour market promotion and integration measures and economic activities that were strongly based on regional networking (including among companies). He had succeeded in building up networks with regional firms characterised by mutual trust, and this relationship persuaded several of the companies to participate in the employee sharing project.

The employer group becomes the legal employer of the shared workers, while the participating companies are responsible for work organisation, including matters such as health and safety measures.

The group is responsible for the assessment of the cross-company HR needs, HR management (including matching the supply of and demand for workers in terms of time, numbers and qualifications), hiring, concluding employment contracts, fulfilling all administrative and social obligations of employment contracts, invoicing the participating companies, and induction and

training of workers. The group management also defines the terms and conditions of the employee-sharing arrangement, including codes of conduct, and the rights and duties of companies and workers, although in practice this is done in close cooperation with the participating companies at start-up. This includes, for example, issues of confidentiality, discretion, mutual consultation, and just and equal treatment of the shared workers. The group management also regulates situations such as how new companies may join the group, or the transition of a shared worker into the core workforce of one of the participating firms.

Voluntary codes of conduct in strategic employee sharing

The Federal Association of German Employers' Alliances (Bundesverband der Arbeitgeberzusammenschlüsse Deutschland e.V.), in cooperation with regional actors such as the trade unions, developed the following quality standards for employer groups (*Arbeitgeberzusammenschluss, AGZ*) (Hartmann et al, 2008).

- The AGZ has a legal form making it capable of acting and entering contracts related to its objective.
- The AGZ offers permanent jobs, with alternating assignments in the member companies. It aims to provide indefinite full-time employment while in the start-up phase and in economically difficult times; fixed-term contracts also need to be considered.
- The participating companies have shared responsibility for the employees and the management of the AGZ.
- Only member companies can benefit from the services provided by the AGZ. All member companies must be informed about who the other member companies are, to foster transparency and trust.
- Employment contracts take account of the principle of solidarity and joint responsibility of the member companies. Each individual employment contract has to regulate the working time and schedule, the duration and period of work in each company, the notice periods before changing between companies, the geographical distance between companies, the content and type of tasks, and access to induction and training.
- The AGZ provides, as a minimum, equal payment and working conditions to comparable core staff in member companies ('equal pay – equal treatment').
- The AGZ safeguards the required competence development of the workers. At least once a year, a training plan is developed, and internal agreements between the AGZ, member companies and its workers govern access to, financing of and organisation of induction and training. Formal and informal forms of learning need to be considered.
- The member companies integrate the AGZ workers in all relevant activities, including working conditions, health and safety, and training measures.
- The AGZ needs to become a member of the Federal Association of German Employers' Alliances, which is responsible for safeguarding the quality of work in AGZ.
- The management of the AGZ develops an organisational structure and internal procedures to safeguard proper and professional activities depending on the size and organisational form of the AGZ.

While larger groups have a specific management body, smaller ones are organised by one of the participating companies on top of their normal workload. Annual meetings between the group management and the participating companies set joint objectives and expectations and facilitate the coordination of the operational assignment of workers (Osthoff et al, 2011). Anticipated HR demand is discussed in the development of an annual plan, and on this basis, the member companies guarantee the employment and payment of the workers for their agreed assignments.

Role and duties of an entity administering strategic employee sharing

The organisation implementing the first strategic employee sharing in an agricultural area in Austria undertook the following activities in the pre-start-up phase (Vötsch and Titz, 2011):

- establishing a system for payroll calculation and administration, and for invoicing the participating companies;
- clarifying which collective agreement is applicable;
- drafting a template for the employment contract;
- drafting a cooperation agreement;
- dealing with legal issues (for example, the legal form and trade law);
- identifying and mapping the HR demands of the companies to ensure longer-term employment relationships.

Later on, when employee sharing was under way, it provided the following services:

- recruiting of staff;
- management of the workers' induction;
- coordination of the employee sharing;
- education and training measures;
- continuous contact with the employers.

An employer group is not supposed to make a profit from its activities; it is meant just to cover its costs. It is financed by a management fee charged to the participating companies, generally about 10%–15% of the wages the companies pay to the workers. For that reason, a management team of one or two staff is only feasible if a critical mass of workers is coordinated by the group. In Germany, for example, this is about 35–40 workers (Hartmann and Meyer-Wölfing, 2008). The managers need to be very familiar with the region, the participating companies and the workers to provide effective services. Empathy, communication, listening and mediating skills are essential (Wölfing et al, 2007; Baumfeld and Fischer, 2012). Interestingly, in France, there is now a university degree course to train strategic employee sharing managers at the University of Nantes (*diplôme universitaire manager de groupement d'employeurs*). This unique initiative arose from the observation that directors and managers were lacking some of the essential tools to professionalise their practices.

Implementation in France

The most well-established model of strategic employee sharing can be found in France (*groupement d'employeurs*), where it is based on a law enacted in 1985. Initially, it was limited to agriculture and to micro enterprises, but it is now used by employers in all sectors and size classes. In France,

employee sharing must be constituted under the legal form of an association or a cooperative (hence a non-profit organisation), and no particular prior authorisation is required.

Since 2011, legal requirements ensure that the employment relationship between the group and the worker is based on a written contract, specifying employment and pay, the professional qualification of the worker, the list of potential companies the worker may be placed in and the location of places of work. It also requests equal treatment, compared with core staff, of shared workers in pay, profit sharing, participation and savings.

There are three different types of employer groups in France:

- agricultural employer groups;
- single-sector or multisectoral employer groups (other than agriculture);
- employer groups for integration and acquisition of qualifications (*groupes d'employeurs pour l'insertion et la qualification*, GEIQ), which support those who have difficulty in accessing the labour market find placements and gain qualifications.

Participating companies make up the membership of the management board of the employer group and determine the charges for using shared staff, and matters such as their placement and pay. Individual work placements (the 'where and when') are discussed with the worker. While the joint and several liability of the participating employers is a key characteristic of employee sharing, since 2011 the French legislation has allowed each group to individually define rules about how employee sharing companies might pay debts, using objective criteria such as how often they use the group's shared employees (Fadeuilhe, 2012).

It is estimated that, in January 2014, there were about 4,000 agricultural employer groups, 100 GEIQs and 300 single-sector or multisector employer groups in France.

Implementation in Belgium

In Belgium, the legislation since 2000 has made it possible for the ministry of labour to grant permission (initially for one year, then on a permanent basis) for the establishment of strategic employee sharing (*groupement d'employeurs/werkgeversgroeperingen*) if the following conditions are met.

- A separate legal entity must be established by several companies.
- This legal entity has to be a non-profit organisation of economic interest with its exclusive objective being the sharing of employees. It becomes the employer of the shared workers, pays them and invoices member companies according to the actual working time of the shared workers.
- The member companies are jointly liable for its funding and are represented on its board of directors.
- Each member company has an equal voting right and decisions are taken by consensus.

Employee sharing in Belgium can involve only the following types of workers:

- the long-term unemployed with otherwise limited labour market opportunities (particularly the low-skilled);
- recipients of the minimum subsistence allowance;
- recipients of social financial aid.

The shared workers must be hired on a full-time basis on a permanent contract. The ministry also decides under which sectoral committee the employee-sharing arrangement falls, thereby making it subject to specific employment conditions, including wages and social benefits, working time and training provisions, all settled by collective agreements between the social partners at the sectoral level. In multisector employee-sharing arrangements, working conditions for shared and core workers of specific firms may differ.

The law guarantees the same employment and social protection rights as for any other employment. However, shared workers are not covered by the participating company's works councils, and there are no specific councils for shared employees.

In Belgium, employee sharing is uncommon. The Research Centre on Employer Groups (Centre de Recherche sur les Groupement d' Employeurs, CRGEW) counts only four groups, with a total of about 60 companies (about 40 being active users of employee sharing), and some schools employing about 25 shared workers. The main reason for the limited adoption of employee sharing is that it does not have a strong legislative basis. Recently, however, demand has increased because strategic employee sharing is increasingly seen as one way to approach restructuring of major corporations. This has led to the creation of employer groups administered by a third party, including the local Chamber of Commerce and Industry. During 2014 there was a change in the legislation on strategic employee sharing to overcome the major limitations of the law that prevent the wider use of employee sharing, including the requirement to recruit workers from specific vulnerable groups and to offer full-time employment and a permanent contract.

Implementation in Hungary

In Hungary, employee sharing (*több munkáltató által létesített munkaviszony*) was included in the Labour Code in 2012 with the aim of creating a practical and flexible employment form for a group of employers, rather than with the intention of job creation or labour market integration. It could be applied, for example, to receptionists in an office block occupied by several companies, or to the exchange of workers within a group of companies connected by ownership or a close business relationship, or to micro enterprises with a demand for a specific worker that they could not otherwise afford.

The legislation sets out some basics, leaving the operational details to the parties involved. It allows a group of employers to jointly hire a worker for tasks listed in a mutually agreed work contract and job description. This means that the worker is supposed to conduct the same job for all employers. The contract has to specify the pay and who is responsible for paying it, while all participating employers have joint and several liability for the worker's labour-related claims. No authorisation or registration is required, and so no data about the use of this legislation is available. However, it is assumed that it has not been used much since its introduction.

Implementation in Germany

The French model of strategic employee sharing was 'exported' to Germany in the early 2000s in the form of the Arbeitgeberzusammenschluss (AGZ). However, in contrast to the situation in France, a specific legal basis does not exist. Employee sharing in Germany has to be legally established as a form of temporary work agency, with all that implies in terms of the legislation and collective agreements related to this sector. While this provides good protection for the employees, it does not establish joint responsibility of the member companies for the shared workforce (Hartmann, 2012). In practice, this has caused several problems.

- There has been scepticism from trade unions, for example, about working conditions since temporary work agencies tend to have a bad reputation on this issue.
- There have been difficulties in creating a feeling of joint responsibility and commitment among the participating companies as, in practice, they are 'just' borrowing staff from the group, and the legal forms do not fully support intensive involvement of the member companies.
- Collective agreements or legal regulations set minimum wages for temporary agency workers that are higher than minimum wages in the sectors engaged in employee sharing. This makes it difficult for participating companies to finance such arrangements, and it may worsen the working atmosphere if the shared workers are treated better than core staff.
- The authorisation for temporary work agencies requires a deposit of €2,000 per worker, which is often a high barrier for the participating firms. Temporary work agencies also have to charge VAT for the services provided to the member companies. For many agricultural companies that cannot deduct VAT from their taxable turnover, this is a significant additional cost. Another sectoral consideration is the construction industry, for which the law allows the use of temporary agency work to a very limited extent, and this means the AGZ system is not likely to be used by the sector.

Consequently, the number of German AGZ is limited. There are seven in Germany, with about 110 participating firms and about 100 workers. A legal study established that any legal form other than an association could be chosen and concluded that ideally an AGZ should be organised as a cooperative (Hädinger, 2006).

Implementation in Austria

Based on the experience of Belgium, France and Germany, strategic employee sharing has recently been piloted in Austria, also under the name of AGZ. As in Germany, it has to be organised as temporary agency work and this has led to similar challenges. The requirement to charge VAT hinders the participation of public employers, there is limited access to labour market support instruments, and it is impossible to offer apprenticeship training.

A feasibility study established that associations, cooperatives and private limited liability companies were the most suitable legal forms (Baumfeld and Fischer, undated). Associations are seen to be most attractive as they are easy to establish and cheap to organise, administer and run. They also make it possible for both public and private sector organisations to join (Baumfeld and Fischer, 2012; Haubenberger, 2012).

Blue-collar workers acting as shared employees in an AGZ are subject to the collective agreement for temporary agency work, while white-collar shared employees are subject to the collective agreement for crafts, services, information and consulting (Baumfeld and Fischer, undated). Consequently, different regimes cover the minimum working time and pay requirements of the shared employees and the core staff of participating firms, who are covered by the firm's sectoral collective agreement. However, the company must give its shared workers the same pay, working time and holiday entitlements as its own workers if their collective agreement is more favourable than the temporary work agency collective agreement.

In 2010, a pilot employer group was established among 23 agricultural companies sharing three workers. It initially worked well, when public support was provided, but stopped its activities as soon as the public funding ended because the farmers involved could no longer afford the workers.

In April 2014, another employer group was established with nine participating companies, which was recruiting 12 shared workers in mid-2014.

In spite of its novelty, activities around strategic employee sharing in Austria have given rise to the development of a tool to assess whether a ‘collective workforce’ would be suitable for individual situations (Baumfeld and Fischer, 2012; Baumfeld, 2012). This value-added check for employee sharing (*AGZ Mehrwert-Check*) estimates the value-added of each job created by an AGZ compared to other employment forms against five criteria – costs, productivity, cost reduction through flexibility, retention of skilled labour and employer branding. For each job under consideration, each of these five aspects is given a score in the centre of the range, and an assessment of the scores for an AGZ job against each aspect is reached in discussion (one to two hours) with participating companies and external experts. The result is a scored estimate of whether an AGZ job could achieve a better or a worse result than the alternative employment form.

Implementation in Finland

In Finland, there is no specific legal basis for strategic employee sharing (*työpooli* or *työvoimapooli*). It has received attention since the early 2000s, however, as a way of creating more stable careers from seasonal work, and of providing pathways to employment for the long-term unemployed or those with reduced work capacity. Anecdotal evidence shows that employee-sharing contracts are established between the worker and each company rather than with the group as such. The group takes on the mediating role. For example, it organises recruitment and tries to find subsequent employment for workers with other participating companies if their fixed-term contract with one firm ends. It is therefore more an alternative recruitment and matching channel than ‘real’ employee sharing as described in other countries.

Cross-country summary

Table 2 summarises the implementation of strategic employee sharing in different Member States.

Table 2: Overview of national models of strategic employee sharing

| Name | |
|----------------------------------|---|
| Austria | <i>Arbeitgeberzusammenschluss (AGZ)</i> |
| Belgium | <i>Groupement d'employeurs/werkgeversgroeperingen</i> |
| Finland | <i>Työpooli or työvoimapooli</i> |
| France | <i>Groupement d'employeurs</i> |
| Germany | <i>Arbeitgeberzusammenschluss (AGZ)</i> |
| Hungary | <i>Több munkáltató által létesített munkaviszony</i> |
| Is there a specific legal basis? | |
| Austria | No |
| Belgium | Yes |
| Finland | No |
| France | Yes |
| Germany | No |
| Hungary | Yes |

| Legal or organisational form | |
|---|--|
| Austria | Temporary work agency; association |
| Belgium | Non-profit organisation of economic interest |
| Finland | No limitations |
| France | Association or cooperative |
| Germany | Temporary work agency; all legal forms except associations (ideally cooperatives) |
| Hungary | No limitations |
| Relationship between the actors involved | |
| Austria | Employment contract between the group and the workers; civil contract between the group and the companies; membership of the companies in the group |
| Belgium | Employment contract between the group and the workers; civil contract between the group and the companies |
| Finland | Employment contracts between each employer and the worker |
| France | Employment contract between the group and the workers; civil contract between the group and the companies; membership of the companies in the group |
| Germany | Employment contract between the group and the workers; civil contract between the group and the companies; membership of the companies in the group |
| Hungary | Employment contract between the group and the workers; civil contract between the group and the companies |
| Is equal treatment of shared workers and core staff required? | |
| Austria | Yes, on the basis of voluntary standards set for all AGZ |
| Belgium | Shared workers are to be treated on the basis of sectoral collective agreements, which are chosen by the ministry of labour; in multisector employee-sharing models, this might result in differences for shared and core workers. |
| Finland | Not specified* |
| France | Yes, by law |
| Germany | Yes, on the basis of voluntary standards set for all AGZ |
| Hungary | Not specified in the law |

* In the case study analysed, equal treatment between the shared workers and the core staff of the participating companies was agreed, and wage levels of the shared workers are based on collective agreements each employer is subject to.

Source: Eurofound, based on national contributions

Ad-hoc employee sharing

Ad-hoc employee sharing is the practice of one company (which is not a temporary work agency) temporarily assigning one or more employees, when it has an excess of labour resources, to work in another company.

Implementation in Luxembourg

In Luxembourg, the Labour Code (Article L. 132-1 ff) has, since 1994 (with modifications in 2006), allowed employers to temporarily 'lend' workers (*prêt temporaire de main d'œuvre*) to other employers after authorisation by the ministry of labour and on the advice of the public employment service. The law specifies that this should be for a limited period of time, but does not specify any maximum duration.

To be accepted, the authorisation has to be jointly applied for by the initial and receiving employers and accompanied by the opinion of the employee representatives in both firms (if

such representatives exist). (However, if the assignment of workers is planned for no longer than eight weeks within a six-month reference period, no permission is needed, and the public employment service must simply be notified.) In practice, authorisation is granted within about a week and is hardly ever refused. The law sets out the circumstances in which employee lending can be used:

- where there is a danger of job loss or partial unemployment;
- where the receiving company needs a worker to do certain specialised tasks for which the creation of a permanent post cannot be justified (the initial employer and the receiving company have to belong to the same sector);
- where there is restructuring in the same group of companies;
- if an employment retention plan is approved by the ministry of labour;
- in exceptional cases where the public employment service is favourable and there is agreement between social partners;
- in case of joint demand by the two companies, supported by the favourable opinion of both firms' employee representatives.

The main aim of this instrument is to cushion the negative social effects of restructuring. Receiving employers can be either private organisations or public authorities. The cooperation between the initial and the receiving employer is often based on a long-standing business relationship and an informal exchange of information about how excess and lack of human resources can be matched. Between the initial and the receiving employer a 'sublease agreement' is established, making it clear that the worker remains employed by the initial employer but is subject to the receiving employer's authority, work organisation procedures and holiday provisions. The initial employer charges the receiving employer based on the agreed salary and social contributions.

Employer diversity in ad-hoc employee sharing

As part of a restructuring plan that involved closing a plant in Luxembourg, the global steel company ArcelorMittal subleased 89 workers to other employers. Of these, 46 were seconded to the public employment agency, 4 to ministries, 11 to municipalities, 2 to public research centres and 3 to other public facilities. A further 6 have been temporarily assigned to ArcelorMittal's subsidiaries in the private sector, and 17 were taken on by private companies from profit and non-profit sectors.

Luxembourg's legislation establishes that the working conditions and wages of subleased employees are to be maintained, and that their wages cannot be lower than those of comparable core staff in the receiving employer. In practice, the wage will be consistent with the position filled in the receiving company. Workers have to have full access to the infrastructure and services of the receiving company (for example, the canteen). The receiving company is responsible for all working conditions and health and safety measures.

Implementation in the Czech Republic

In the Czech Republic, the freedom to assign employees to another company for a specified period of time (*dočasně přidělení zaměstnance k jinému zaměstnavateli*) where there is a temporary shortage of work was legally (re)established in 2012 (Section 43a (Act No. 262/2006 Coll.) of the Labour

Code).² It is mainly seen as a flexible instrument to address businesses' structural problems in times of economic crisis. The initial employer is not allowed to make any profit out of placing the worker with another company. The receiving company has the authority to assign the workers' tasks and to manage them.

The employment contract between the initial employer and the worker is maintained. This means, for example, that the worker has access to training measures and fringe benefits offered by the initial employer. Only the initial employer is able to dismiss the worker and, if this happened, would be responsible to cover severance pay. The receiving employer is responsible for work organisation, appropriate working conditions, and health and safety measures, and these must not be of a lower standard than those of comparable core staff in the receiving employer. The salary (which also has to be comparable to core staff in the receiving company, although it may be lower than the wages of the initial employer) is paid by the initial employer unless the companies agree otherwise. The initial employer is reimbursed by the receiving employer.

Ad-hoc employee sharing in the Czech Republic is open to all employers and employees irrespective of their sector, industry, discipline or occupation. However, to be eligible, the worker must have worked with the initial employer for at least six months.

The employer can apply ad-hoc employee sharing without any public authorisation, as long as the employees consent. While the labour inspectorate generally monitors compliance with the Labour Code, there is no specific focus on ad-hoc employee sharing.

Implementation in Germany

In Germany, ad-hoc employee sharing (*kollegiale Arbeitnehmerüberlassung* or *tarifvertragliche Arbeitnehmerüberlassung*) has grown out of collective agreements at regional level since the mid-2000s, and it has been noted that it was also used during the recession (Hertwig and Kirsch, 2013). The temporary work agency legislation (*Arbeitnehmerüberlassungsgesetz, AÜG*) explicitly provides that temporary assignment of labour is not subject to these regulations if it is based on collective agreements with the intention of avoiding short-time working or dismissals (Hertwig and Kirsch, 2013). Companies covered by these agreements are allowed to send their workers to cooperating firms in the region and do not need to apply for authorisation from the public employment service. The collective agreements that cover such contingencies are brief and share the following elements (Hertwig and Kirsch, 2013).

- The worker remains the employee of the initial employer, but the receiving employer is allowed to instruct the worker.
- The worker receives the same wage as before their assignment, and this is payable by the initial employer. Additional payments, for example for shift work that is not usual in the initial company, are to be paid on top of the usual wage and can hence increase the worker's income.
- The works council and partly also the workers themselves are to be involved in the decision to implement employee sharing, and often have a veto. No worker can be forced to work at another company.

The duration of the assignment varies considerably (for example, from one day to 18 months in an ad-hoc employee-sharing model ('KIM') in the German machinery sector) (Hertwig and Kirsch, 2013).

² The legal possibility had already existed before, but it was replaced in 2004 by the introduction of temporary agency work, an attempt by the government to prevent abuses and to control the working conditions of all temporary workers. In 2012, the assignment of workers from one employer to another (if neither was a temporary work agency) was reintroduced as a measure to cope with the recession.

Cross-country summary

Table 3 summarises the implementation of ad-hoc employee sharing in different Member States.

Table 3: Overview of national models of ad-hoc employee sharing

| Name | |
|-----------------------------------|--|
| Czech Republic | <i>Dočasné přidělení zaměstnance k jinému zaměstnavateli</i> |
| Germany | <i>Kollegiale or tarifvertragliche Arbeitnehmerüberlassung</i> |
| Luxembourg | <i>Prêt temporaire de main d'œuvre</i> |
| Basis | |
| Czech Republic | Legislation |
| Germany | Collective agreement |
| Luxembourg | Legislation |
| Eligibility | |
| Czech Republic | Temporary shortage of workload; the worker must have worked with the initial employer for at least six months |
| Germany | Potential job loss |
| Luxembourg | Threat of dismissal or partial unemployment; carrying out of specific tasks the receiving company cannot cover through a permanent job; restructuring; plan for the preservation of employment |
| Is authorisation required? | |
| Czech Republic | No (but consent of the employees required) |
| Germany | No (but consent of the works council and, in part, employees required) |
| Luxembourg | Yes (unless it lasts less than eight weeks) |
| Working conditions and wage level | |
| Czech Republic | Comparable to core staff of the receiving employer |
| Germany | To be maintained at the level of the sending employer |
| Luxembourg | To be maintained at the level of the sending employer, but cannot be lower than for the core staff in the receiving employer |

Source: Eurofound, based on national contributions

Characteristics of employers and employees

Employers

Almost 90% of the French strategic employee sharing takes place in agriculture, according to the Union of French Employer Groups (Union des Groupements d'Employeurs de France, UGEF). Agriculture is also the dominant employee-sharing sector in Germany, while the Finnish published examples come from the manufacturing sector. Ad-hoc employee sharing in Luxembourg is most prominent in manufacturing, particularly in the metal-working industry, and in construction and retail.

The few available employee-sharing models in Belgium involve diverse sectors (one being multisectoral, the others in food, agriculture and education). Among the case studies conducted for this project, there is a rather broad heterogeneity of sectors. In practice, a mix of sectors in a strategic employee-sharing model makes sense, to balance out fluctuations in HR needs in participating firms. While, in theory, participants in strategic employee sharing in Austria could

be all types of employers, in practice the current regulatory environment implicitly disqualifies public organisations. In a feasibility study for Lower Austria, municipalities were found to be very interested in and willing to engage in strategic employee sharing. However, the taxation issues in particular would not allow them to participate because of the considerably higher cost compared to other employment forms.

Employer diversity in strategic employee sharing

The employee-sharing arrangement on the French islands of Île de Noirmoutier and Île d'Yeu consists of 35 participating employers and about 50 workers who have full-time equivalent employment contracts. Members are primarily SMEs because the islands' economic activity is mainly agriculture and crafts, but there are also some subsidiaries of larger groups on the islands that use employee sharing. Local authorities and public institutions, including local municipalities, have also joined the group.

Companies of all sizes participate (and there is an argument for a combination of large and small employers because this can help achieve an efficient matching of HR demand and supply, through a combination of stable and fluctuating demands). Nevertheless, strategic employee sharing can have particular advantages for SMEs as it enables them to recruit skilled or professional employees on a stable and long-term basis who they might not be able to attract or afford on their own.

Czech ad-hoc employee sharing is most commonly used in activities with seasonal fluctuation (such as agriculture) and in professions where the temporary assignment serves training purposes (such as healthcare). Collectively agreed ad-hoc employee sharing has been used in Germany in the metal and machinery sector.

Employees

Anecdotal evidence from Finland points towards employee sharing involving jobs that require little training, making it easier to switch between jobs. While similar needs for lower or more generic skills are also observed in Germany, at the same time there is also need for specialised workers with expert knowledge, although not full-time – people such as IT network administrators and quality managers. Similarly, the information available on Hungary suggests that shared employees mainly work in accounting, administration and counselling positions.

Occupational diversity in strategic employee sharing

In Belgium, Job'Ardent is a multisectoral strategic employee sharing group. It consists of 52 SMEs from different sectors, of which 33 were active users in January 2014. It shares eight employees: five graphic and web designers, two secretaries and one quality manager.

In Germany's AGZ Südbrandenburg, seven companies share nine workers. The two women and seven men have a range of occupations (for example, forester, gardener, blacksmith, locksmith, carpenter, miller and plumber) and are aged from younger than 25 to older than 55 years (MLUV, 2005).

Ad-hoc employee sharing in Luxembourg is mainly used for workers close to statutory retirement age. This is explained by the fact that the public subsidy for wage maintenance (see Chapter 11) is provided for a maximum of four years.

Drivers and barriers

The main reason for employers to engage in strategic employee sharing is the need for specific human resources, either for certain skills or at a specific point in time, and yet who could not be hired on a permanent full-time basis because there is no certainty that the workload justifies a full-time job. Compared with temporary agency workers, casual workers (see Chapter 5) or outsourcing the tasks to external subcontractors, employee sharing can be cost-effective and time-saving (because recruitment and employment administration is conducted by a separate legal entity). Since the same workers repeatedly come to work at member firms, they become familiar with the work organisation and procedures, and need induction only once. The need for supervision may also be less compared to that for a continuously changing workforce.

Employers' motivation for sharing employees

The employers in the Finnish employee sharing group Andelslag aimed to benefit from having familiar workers who did not need to be trained each season. The companies in the group that mainly needed production labour also aimed to liberate the production foremen from recruitment and supervision of the production process.

Ad-hoc employee sharing is mainly driven by a wish to keep an employment relationship with a workforce in spite of a temporary lack of workload.

In Belgium, the legislative basis for strategic employee sharing specifies that only long-term unemployed workers can be hired. This can prevent employers from getting involved because such workers are perceived to be insufficiently qualified and not easily integrated into a system where they would have to work for different companies. Similarly, in Austria and Germany, as already outlined, the legal requirement to establish strategic employee sharing groups as temporary work agencies hinders specific types of employers from participating for cost reasons.

Workers are willing to join employee sharing for job retention considerations (in the case of ad-hoc employee sharing) or to have stable full-time employment within a region if that is not available with a single employer (in the case of strategic employee sharing). However, the perceived uncertainty of their situation (particularly in ad-hoc employee sharing where they might be 'in between' two employers) might make them reluctant to participate.

Perceived uncertainty in ad-hoc employee sharing

The restructuring of an ArcelorMittal steel plant in Luxembourg was described by workers interviewed as a period of high uncertainty and stress. The employees knew their jobs were in danger but had no idea whether the plant would eventually be shut down. This appears to be a key reason why some employees were initially hesitant about being temporarily assigned to other employers. The lack of long-term provisions and guarantees was seen as a significant risk by some employees.

Implications for working conditions

Strategic employee sharing contributes to job stability, creating permanent full-time jobs rather than short-term and part-time employment. Estimates from France's UGEF, for example, show that 65% of the workers in employment groups have long-term contracts and 78% are employed full-time.

Being employed by a single employer – even when operating in different companies – makes negotiations on working conditions easier for the worker, increases transparency about responsibility and makes it possible to align work assignments in different firms (Antoine and Rorive, 2006; Vötsch and Titz, 2011).

In Austria, France and Germany as well as in the Finnish case study, the legal basis, collective agreements and codes of conduct ensure equal treatment of shared workers compared with the core staff of the company where they work, giving them the same working conditions and social protection. In France, this also includes access to profit-sharing schemes and savings plans in the employer companies. Similarly, the Czech regulation on ad-hoc employee sharing requires that assigned employees have the same working environment, salary, benefits and training as the core staff of the receiving company. This, however, could leave them with a lower wage than that paid by their initial employer, but employees have to consent to any assignment and would not be forced to accept a less-advantageous job. Reimbursement of travel expenses by the initial employer is mandatory if a worker has to commute to their new employer. In the case of ad-hoc employee sharing in Luxembourg, the legislation stipulates that the wages and working conditions of the workers are to be maintained.

In Hungary, the employer whose responsibility it is to pay the wage, income taxes and social insurance contributions of a loaned worker can be switched by agreement among the participating employers. In practice, this might disadvantage the worker who could find that a different collective agreement, and hence a different wage level, applies. In social protection terms, this might be considered the end of one job and the start of a new one, influencing the worker's benefit levels.

Employee sharing can contribute to workers' skill development. They may benefit from varied experience with a range of employers and from any training they might be offered (Antoine and Rorive, 2006; Hertwig and Kirsch, 2013; Vötsch and Titz, 2011). It has to be noted, however, that the provision of formal training depends on the size of the employee sharing group, and it is feasible only if a certain critical mass of workers is achieved.

Skill development

In Finland, during the first years of the employee sharing pool Andelslag, training was given to those shared employees whose work contract had ended and for whom there was no immediate new job opportunity with the participating companies. This training included coaching in work life skills. The courses were financed by the public employment office. In December 2013, the group had largely put such training on hold, mostly due to financial shortages.

In the employee sharing group based in the French islands Île de Noirmoutier and Île d'Yeu, the seasonality of jobs requires workers to perform a wide range of tasks and possess a wider range of skills. Tailored training of employees makes this possible, and the group has been making a particular effort in this area. For instance, it organises training on office automation and computer science, security and prevention, communication, and management. These training activities are open to all workers, including those who are working in member companies but are not shared employees. These activities are financed through mandatory employers' contributions and are organised in response to the needs and demands of workers and companies. They take place during and outside working hours.

Due to the rotating character of work placement, there is some danger that shared workers are less well embedded in the organisational structures and communication flows of the participating companies. These workers may, as a result, have poor working relationships with management and coworkers and less representation of their interests. In Germany, for example, it was found that none of the existing strategic employee-sharing models had established a works council even though it was legally possible to do so. The reason, experts suggested, was that this would have had to be initiated by the shared workers themselves and they do not show much interest in doing so. In France, it is made clear that shared workers are represented by any works councils established for the group, not by those in the participating companies. Similarly, in Luxembourg's ad-hoc employee-sharing model, shared workers do not have access to representation at the participating company; instead, workers are represented only in their initial employer company.

Specialist staff within a strategic employee-sharing arrangement may suffer from professional isolation, having limited or no opportunities for exchange of experiences with peers. Career development, in terms of hierarchical progress, is likely to be limited.

Workers in this form of employment are required to show a comparatively high level of flexibility and adaptability to their different work environments. This might be exciting for some, but stressful for others who experience work intensification due to the combination of different part-time jobs. In some models, pay and working conditions may differ across the individual companies the worker is seconded to, resulting in some income instability.

As the necessity to commute might negatively affect workers' work-life balance, some of the strategic employee-sharing models limit the assignments workers are offered to companies based within a specific distance from their home. The feasibility study for the AGZ in Lower Austria, for example, recommended that the maximum commuting distance should be related to how often a worker had to change location; this should be no more than 20km for those changing location daily, 45 km for those changing weekly or 80 km for those changing monthly (Baumfeld and Fischer, 2012). In Germany's AGZ Südbrandenburg, there is an informal, internal rule that workers should not commute more than 50 km to their work assignments.

Implications for the labour market

Whether or not strategic employee sharing results in a win-win situation for both employers and employees, and for their region, depends on:

- the variety of member companies (for example, whether their production is seasonal or continuous, the company size);
- the ability of the member companies to agree upon joint objectives;
- the creation of a new form of social dialogue;
- the consideration of regional circumstances;
- participation in regional networks (CERGE, 2008).

Strategic employee sharing provides companies with access to human resources that they would not or could not otherwise have, or at least not at an affordable cost (Wölfling et al, 2007; Antoine and Rorive, 2006). This is particularly beneficial for SMEs, reducing administrative and labour costs. Participating companies also benefit from the cross-company work experience of the shared worker,

which might result in efficiency and productivity gains. There is some indication that employee sharing fosters regional cooperation in other business areas, benefitting local economic development.

The concept contributes to labour market stability in the region by providing permanent full-time jobs that might otherwise have been precarious employment, have caused work intensification for core staff (CERGE, 2008; Delalande and Buannic, 2006), or have resulted in reduced working time or dismissals in the case of ad-hoc employee sharing (Hertwig and Kirsch, 2013). Employee sharing can also help improve working conditions in a region through employers' multilateral influence on each other and the implicit obligation of all employers to provide similar working conditions so that they remain attractive as an employer within the employee-sharing group. This can also make a region more attractive for skilled workers, who might otherwise move elsewhere. Working in different companies could also create a pool of workers with a broader range of competences, able to cope with diversified tasks and work organisation, and hence deliver regional upskilling. This, in turn, might attract new companies to the area, creating additional jobs. As a consequence, strategic employee sharing has the potential to contribute to regional revitalisation.

At the same time, there are workers who prefer a traditional employment relationship. This might lead to competition among employees, and some may be disappointed and demotivated if they cannot secure a permanent post (Näppilä and Järvensivu, 2009). It may also undermine the cohesion of the group if one of the participating companies takes skilled labour from it by giving a worker a permanent post. Nevertheless, employee sharing can also be a stepping stone into standard employment for those who want it and who are able, through their various assignments, to prove their capabilities to a number of employers (Antoine and Rorive, 2006).

Employee sharing can contribute to labour market integration. Joint responsibility might reduce companies' reluctance to recruit from among disadvantaged groups, for example, when demand is unstable or the economic climate is challenging. In Belgium, strategic employee sharing is considered less as an innovative tool to match labour supply and demand and more as an instrument to promote labour market inclusion of vulnerable groups. However, the obligation to hire disadvantaged workers can be problematic as these employees are often considered insufficiently qualified or unattractive in other ways by employers. In practice, these disadvantaged groups require specific guidance and support that cannot be provided by most employee-sharing arrangements.

Labour market integration effects

The employee sharing pool *Andelslag* in Finland employed about 1,500 people from 2002 to 2013. About 50% had no occupational education, 14% had the level of education required for the task they were selected for, and a little more than one-third had some other form of education. Just under half (49%) were younger than 25 years old, 46% were 25–49 years old, and the remaining 5% were over 50 years old. Four-fifths had been unemployed for less than a year. The circulation of employees through companies usually does not last long, and in practice competent employees soon get hired for a permanent job. Around one-quarter of all those employed have found a permanent job through *Andelslag*.

In the strategic employee-sharing group in the French islands *Île de Noirmoutier* and *Île d'Yeu*, a company sometimes repeatedly asks for the same workers, to the point where the worker is working almost exclusively for one company. If the company develops the

capacity to hire the worker, they leave the group and join the company on a permanent employment contract. Other employers do not need to agree to this integration as they do not directly employ the workers. Since the foundation of the group about 20 years ago, slightly more than 100 workers have found a position in a member company.

Ad-hoc employee sharing results in job security for the employee and retention of skills and experience for the employer, even in temporary crisis situations. It helps avoid unemployment and can be a restructuring tool for the initial employer company. In some cases, it might also upskill the workforce when placement in another company stimulates learning. However, where large numbers of workers with similar skills need to be reassigned to other firms in the region, the possibilities could be quite limited if there is little demand for extra workers. In many cases, there is not much awareness of employee-sharing mechanisms. Experts in the Czech Republic agree that ad-hoc employee sharing is rarely used and does not have any particular impact on overall employment and the labour market. While it is an instrument appreciated by both employers' and employees' representatives, many point out that it is just one of a variety of measures to avoid unemployment in economically difficult times.

Limited HR demand for ad-hoc employee sharing at regional level

Textilcord, a supplier for tyre manufacturers in Luxembourg, opted for ad-hoc employee sharing when they experienced a sudden 50% drop in production. There was a limited number of companies for which their workers' skills and experience would be highly suitable. In any case, during the economic and financial crisis of 2009–2010, only a few companies were able to increase their workforce. It was therefore difficult to find firms that would temporarily provide work to Textilcord's staff, particularly since the possibility of ad-hoc employee sharing was not widely known. Textilcord's management felt it would be useful to increase awareness of subleasing of employees and to build a recruiting and subleasing network between companies to speed up the process of finding receiving companies.

General characteristics

Definition and regulation

Job sharing refers to employment relationships in which one employer hires several workers, but normally just two, to jointly fill a single full-time position. It is a form of part-time work, whose purpose is to ensure that the shared job is permanently staffed. The job sharers are a group formed by the employer rather than a self-constituted employee group.

In some countries, job sharers have their own individual contracts of employment while sharing the pay and benefits of a full-time job on a pro rata basis (Eurofound, 2009). In other countries, job sharing is based on a single contract including two or more workers.

According to Messenger and Ghosheh (2013), job sharing should not be confused with work sharing. Work sharing corresponds to the short-term reduction in working hours to spread work among workers, often used as an alternative to job losses.

While in some European countries job sharing is already a common employment form, it has been recently emerging as a company practice in the Czech Republic (*sdílení pracovního místa*) and Poland (*podział* or *dzielenie stanowiska pracy*) without being specifically regulated. The practice has been adopted from other countries and is applied using the existing general labour law provisions. Standard part-time contracts are used, and the implicit job sharing is agreed upon informally by the employer and the employees. It is aimed at workers who cannot or who do not want to take up full-time employment (for example, due to care obligations, engagement in education or training, or limited ability to work). The employer and the employees jointly agree on the extent of each worker's contribution, work schedules, substitution mechanisms and so on. Two practices can be observed:

- two or more part-time positions are created from the start at the request of the employees or the employer;
- a previous full-time job is transformed into a shared position to be jointly filled by two or more workers.

In contrast to this, specific legislation differentiates job sharing from other part-time work in Hungary, Italy, Slovakia, Slovenia and the UK. Most of these laws specify that whenever one of the workers is not available, the fellow job sharer is obliged to fill in and perform the job as required. Wages, leave and allowances are proportionally distributed by an employment contract (and collective agreement if applicable). The distribution of tasks is based on mutual agreement.

Hungarian law specifies that the employment relationship ceases if the number of employees is reduced to one. The employer has to give the same paid notice as for regular dismissal. Rules on severance pay also apply. In Slovakia, it is assumed that if one of the job sharers leaves the company, the other has to be offered a full-time position that covers both job sharers' posts. If more than two employees share the job, each is entitled to the proportional share of the equivalent working time and the tasks and responsibilities set out job description (Labour Code, § 49a, (7)).

In Slovenia, the Employment Relationship Act has no specific provisions on job sharing, but at the same time does not prohibit it. However, the Labour Market Regulation Act of 2011 specifically describes job sharing as a new active labour market policy measure that is to be used to reduce the number of unemployed people, with subsidised unemployed being used to replace employees.

Hence, it does not address job sharing as a form of employment for workers who already have jobs. Funds were to be allocated to job sharing only from 2014 onwards.

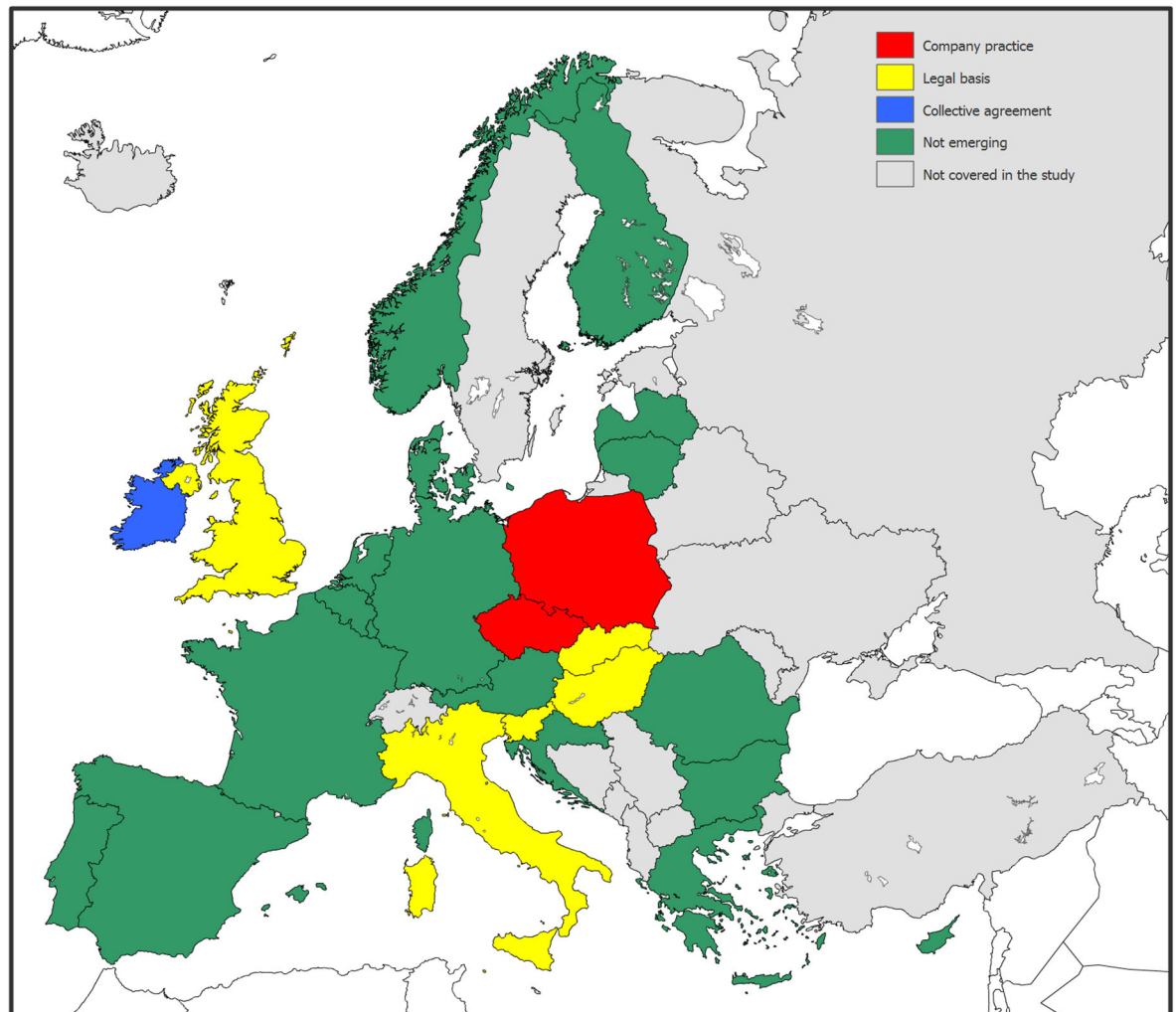
In Italy, job sharing is defined as part-time work where two workers share the responsibilities and tasks of one job over a fixed period of time, negotiated with the employer. The contract must set out the percentage of working time of each worker.

In the UK, job sharing is quite widespread (Branine, 2004; Walton, 1990). It is included in an organisation's policy and can be used at the discretion of individual employees if they find a colleague who also has an interest in sharing a specific job.

In Ireland, specific job-sharing arrangements can be found in collective agreements.

Figure 6 identifies the countries in which job sharing is a new form of employment and the basis on which it has been implemented.

Figure 6: European countries in which job sharing is new or of increasing importance



Source: Eurofound, based on national contributions

Even in those countries in which job sharing is explicitly regulated, the current project could not identify any requirements for central authorisation or monitoring of this employment form. Only in

Slovenia does the newly introduced job sharing measure for the unemployed include monitoring of the number of such contracts, and this is because they are part of the active labour market policies.

Mode of operation

While the legislation or collective agreements available in some countries set out provisions regarding rights and duties of employers and employees in job sharing, they do not contain any guidelines about the design and implementation of this employment form. It is up to the employer and employees to arrange this among themselves. This includes, for example, the choice of contract (permanent or fixed-term), the number of working hours and work organisation (within general legal or collectively agreed frameworks).

Job sharing is not suitable for all types of jobs or positions. It must be possible to divide tasks, either by time or skill.

The case study evidence also shows that careful selection of the job sharers is important. Not only must their skills and competences fit the job in question, but their personalities must be compatible and allow joint fulfilment of the tasks. It is essential that they understand each other and have a friendly, cooperative relationship so that the handing over of tasks is done smoothly and efficiently.

Key strategies include considering employing workers whose skills and qualifications complement each other (Dubourg et al, 2006). In the case studies analysed, there are examples both of job sharers with complementary skills jointly fulfilling all tasks (for example, in Krakow Regional Labour Office, Poland) and job sharers with the same skills who do the same tasks but share the working time (for example, in the Czech local authority of Town District Prague 9 or in the Slovenian University Medical Centre Ljubljana).

The split in working time can be arranged in many ways, depending on the preferences of the employees and the nature of the tasks they perform (Hajn, 2003). Besides the typical 50-50 split, a job can be shared in other proportions, or under various other arrangements (for example, a split working day or alternate or overlapping working weeks) (STOS, 2007).

While in some cases this employment form is put in place through a very formal process that requires information and authorisation from several actors, in other cases it is done informally, based on an agreement between the employer and the workers.

Formalised implementation of job-sharing arrangements

In the Slovenian University Medical Centre Ljubljana, job sharing requires approval from various departments. When a new job-sharing arrangement is required, the direct supervisor informs the HR department about the reasons for using job sharing and what percentage of the job each person will do. The HR department then prepares a contract for part-time employment or a new annex to an existing contract.

The literature also suggests that initial active support of the relationship is necessary, as is defining job allocation to ensure an even workload (Dubourg et al, 2006). The case study evidence hints that practices vary depending on corporate culture, preferences of the line managers and workers' characteristics. In some cases, the superior hands over the tasks to the job sharers and leaves it up to them to arrange how to organise and share their work. In other examples, the manager clearly

assigns tasks to each worker. Similarly, defined working time and duration might be fixed for the job sharers or open to some flexibility as they need it.

Assigning tasks

Job sharing in Krakow Regional Labour Office, Poland was formalised by assignment of the scope of duties in writing. Normally, a job description sets out the range of tasks, duties, responsibilities, permissions and authorisations ascribed to a position, while the scope of duties document ascribed tasks to a particular person, giving the full name of the employee concerned, the name of their line manager and the tasks they should perform. The line manager based the scope of duties on the general job description, tailoring it to the experience and capabilities of the job sharing employees. In this case, the employees had to perform one major task together but divided subtasks and were able to consult each other on progress and completion of work because some of their hours overlapped.

In contrast, the Slovakian Labour Code (§49a (1)) requires job sharers to divide their working time and complete tasks on their own. The employer intervenes only if there is no agreement between the employees. The distinction between job sharing and a part-time employment contract is the ability of employees to arrange working time according to their needs.

As reported earlier on, an important characteristic of job sharing is the shared responsibility of the workers fulfilling certain tasks. This includes the job sharers' obligation to stand in for each other if, for example, their colleague is sick or absent for other reasons. While in some systems this obligation is explicitly stated in the law, in other cases this is an informal agreement or company practice. In the Czech local authority of Town District Prague 9, job sharers are 'expected as a sort of implicit agreement' to stand in for each other when needed.

Also important for successful and efficient job sharing is an extensive and continuous communication flow (Dubourg et al, 2006). Again, practices vary. While some include extensive exchange between job sharers themselves, and between the job sharers and their superior, other models reflect a more bilateral exchange between the manager and the individual job sharers and less directly between the workers.

Irrespective of the design of the individual job sharing model, this type of work always includes some level of self-organisation for task handover. If the role involves autonomous teams or managerial job sharing, some overlap in working hours is recommended for a smooth workflow.

Handover arrangements

The job sharers in the Czech local authority of Town District Prague 9 work every day, one from 8.00 to 12.30 and the second from 12.00 to 16:30. Their working hours overlap for 30 minutes so that tasks, the computer agenda, information on outages of the intranet system and other contingencies can be handed over.

Spread in Europe

Job sharing is relatively limited in those countries where it has been identified as new or emerging. In Slovenia, for example, there was no increase between 2000 and 2010; around 30% of organisations

with 200 or more employees use it, but only for less than 5% of their workforce. Evidence from the Czech Republic suggests that both employers and employees have shown limited interest in job sharing (Nekolová, 2010). A survey by recruitment consulting firm LMC showed that only 13% of companies used job sharing.

Similarly, in Poland, job sharing is one of the least known and least used forms of employment. In one survey, only 6% of companies said they used it (Deloitte, 2011), while in another survey about 8% said they used it and a further 5% were considering using it (Sadowska-Snarska, 2006).

Although job-sharing opportunities are relatively widespread in the UK, it remains uncommon. Recent data show that job sharing has been adopted by around 25% of organisations (Thompson and Truch, 2013). Wheatley (2013a) confirms the marginal take-up of job sharing in the UK: just 2% of employees actually engage in it. However, there is currently renewed interest from employers in this employment form as a way to boost the number of senior women on company boards and in Parliament.

For Ireland, it is estimated that about 9% of employees were job sharing in 2009, up from 6% in 2003 (ESRI, 2010). Using data from the first national survey of employees in Ireland in 2003, Layte et al (2008) show that 30% of workers reported that job sharing was available in their workplace.

Characteristics of employers and employees

In the Czech Republic, job sharing is most commonly used in jobs that do not require specialist skills (such as assistants and receptionists) (Nekolová, 2010). In contrast, a Polish survey found that while job sharing is dominated by manual labour positions, which account for 41% of such positions, 38% are occupied by specialists and 14% are occupied by managers (Sadowska-Snarska, 2006). In UK, job sharers are more likely to be in professional and administrative roles such as administrative and clerical staff, library staff, teachers and health service workers (Wheatley, 2013b; Eurofound, 2009). The case studies also show a relatively high skill level among job sharers.

In Hungary, job sharing is mainly chosen by young mothers returning to the labour market. Other groups where it is more common are older workers (aged 45 and older) and students in further or higher education. Similarly, Wheatley (2013b) finds that in the UK job sharers are mainly women in the middle part of their working lives who are married and have dependent children. In many of the case studies, job sharers are mainly women in their 30s or 40s.

LMC's survey in the Czech Republic showed that 15% of the companies in the public and industrial sectors, 11% of those in the commerce sector and 10% of those in the service sector use job sharing at least sometimes. In Poland, job sharing seems to be most common in healthcare (where it is in place in 20% of organisations), public administration (13%), tourism and education (Sadowska-Snarska, 2006). The data available for Ireland shows that job sharing is more common in the public sector: in 2009, about 13% of public sector employees and about 8% of private sector employees were job sharing (ESRI, 2010).

Data from 2008 for Slovenia show a higher share of large organisations in public services (39%) used job sharing compared with those in private sector services (23%) or industry and agriculture (26%). Some recently adopted legislative acts affect employment opportunities in the public sector and have an indirect influence on job sharing. For example, medical institutions now need to have direct approval from the ministry of health every time they want to recruit a new employee, and public sector employment has become less attractive due to reduced salaries and fringe benefits. In

such circumstances, job sharing is thought likely to become an even more important employment form for the public sector.

By contrast, the prevalence of job sharing in the UK is higher in the private sector (14% of companies offered it in 2010) than in the public sector (9%), and this could be attributed to the finding that it is more likely to be taken up by employees of small businesses rather than larger organisations (Family Friendly Working Hours Taskforce, 2010). However, other sources suggest that it is in fact mainly used in the UK's public sector (for example, health services and education) (Branine, 2004; Walton, 1990; Wheatley, 2013b).

In Slovakia, while the Labour Code does not differentiate between job sharing in the public and private sector, the Act on Civil Service precludes it for civil servants.

Drivers and barriers

From the case study evidence, it seems the main reasons for employers to facilitate job sharing are a wish to offer flexible work patterns to their workforce, ensuring full-time coverage of a job, retention of skilled labour, improvement of their employer branding and a smooth workflow.

Next to such pull factors, the case studies also revealed some push factors. Where there is a legal obligation to provide flexible, part-time work for specific groups of workers (such as disabled people or women returning from maternity leave), job sharing might be a good option to fulfil these and fill a full-time post. Furthermore, some public sector employers confronted with budget cuts or amended employment regulations may be able to use job sharing to continue providing all the services required.

Employers' motivation to offer job sharing

The local authority Town District Prague 9 in the Czech Republic began to consider job sharing when an employee wanted to return to work part time after maternity leave to align work with her family responsibilities. The employer's reasons for offering a job share were:

- to retain a qualified and experienced employee;
- to support flexible work (not yet very prevalent in the Czech public sector);
- to reconcile work and family life for the employee and still fulfil obligations to the public;
- to increase worker satisfaction, which would be reflected in the quality of their work;
- to promote the authority as a good employer.

Employers' concerns focus on the compatibility of job sharers, continuity of work, increased administration, training and other costs such as covering expenses for commuting or meals (Branine, 1998).

Workers mainly opt for job sharing if they need a flexible form of employment (for example, because of care responsibilities, educational needs, or if disability or illness prevents them from working full-time). Indeed, in the case studies, job-sharing arrangements tended to be employee-driven rather than initiated by employers.

Wheatley (2013b) suggests the limitations of job sharing for workers explain its comparative underuse. The challenge of finding a job sharing 'partner', the difficulty assigning and assessing the

contribution of each of the job sharers, the potential negative career implications typical of more conventional part-time work, and low job satisfaction are all factors that reduce the attractiveness of this employment form. However, the most important factor seems to be a general lack of awareness that this employment form exists and could be used.

In addition, in some Member States, particularly those in which flexible employment forms or part-time work are not common, workers tend to be reluctant to reduce their working hours, fearing they might lose their job or have difficulty re-entering full-time work.

National work culture hindering job sharing

Polish interviewees stressed that successful examples of job sharing show employees that it is possible to return to work part time (for example after maternity leave), share the job and do it effectively. One job sharer said that job sharing was a good incentive for women with small children to apply for part-time jobs. Her view was that women find it difficult to fight for their rights in flexible employment arrangements because they fear they will lose their job. Sometimes they dare not even ask whether it is possible to work part-time and share their position with another employee. They may leave work completely because they cannot reconcile their work with family life. Few women return to work part time after maternity or parental leave. When they do, they usually work 75%–80% of a full-time contract, and filling the remaining part of the job becomes extremely difficult.

Implications for working conditions

Job sharing provides workers with a good level of flexibility, allowing them to work part-time and flexibly share work with each other. It is said to be a means of improving the status and career prospects of part-time workers while offering flexibility to employers, resulting in improved work–life balance (Branine, 2003; Guglielmo, 2008). In Hungary, job sharing is more attractive than standard part-time jobs as it ensures the same position, allowances and salary categories as a full-time job, as it generally does in the UK.

Job sharers are generally entitled to the same social protection benefits as any part-time worker.

Hungarian legislation also specifies notice periods and severance payments if the employment relationship ends that match other types of employment contracts. Similarly, if a job share ends, Slovakian regulations entitle the worker to be assigned to work equivalent to the full working time and job description of the original post.

A research report on job sharing at senior level shows other positive aspects, such as making part-time work possible in roles with high responsibilities and potential career progression, and with the potential for job satisfaction, with the advantage of being able to ‘switch off’ knowing some else is doing the job during off-duty periods (Daniels, 2011).

The case study evidence suggests that job sharers have the same access to training as any other core workers have. In addition, job sharing provides learning and exchange opportunities between the coworkers involved in the job share.

Peer learning

The job sharers in the Czech local authority of Town District Prague 9 say they have learned from each other's complementary strengths, especially in dealing with clients. When both are on duty, they not only help each other but also experience first hand the other's working style and communication with customers.

However, there are concerns about the loss of benefits associated with full-time employment, conflict between job sharers and lack of control over the nature and outcomes of work (Branine, 1998, 2003, 2004).

Moreover, if poorly implemented, job sharing can result in increased work intensity, the need to work overtime and work-related stress (for example, if the 'fit' of job sharers is not right). Sometimes it results in job sharers being given less responsibility (McDonald et al, 2009; Wheatley, 2013b). Stress related to job sharing can also have a more emotional dimension, for example if one job sharer does not succeed in finishing work assigned to them and their job-sharing partner or other employees have to cover the shortfall. This might result in discomfort about imposing additional work on their colleagues, or overburdening themselves as they try to catch up.

Work-related stress

Some job sharers with disabilities working in the Slovenian University Medical Centre Ljubljana consider themselves a burden to their colleagues. Consequently, at the beginning of a new job-sharing arrangement, some try to do more than is expected of them and more than they are able to do. They also feel stressed, not only due to the increased intensity of their own work but also because of other overloaded employees. They find that they often cannot do all the work assigned to them yet do not want to leave the tasks undone.

The need to organise the handover and sharing of tasks and the obligation to stand in for each other (which might interfere with other private obligations) can place an increased burden on workers.

Job or employment security varies from case to case, depending on the design of the legal or collectively agreed framework or, in the absence of such specific regulations, on the individual arrangements between employer and employees. It seems from the evidence that job sharers in general seem to have the same health and safety protection and fringe benefits as any other part-time worker.

Implications for the labour market

The implications of job sharing for the labour market relate to integration and job retention rather than job creation. In the Czech Republic, Hungary, Ireland and Slovenia, it was reported that job sharing has the potential to increase the employment of those in disadvantaged groups in the labour market, notably mothers returning from maternity leave, people with care responsibilities, older, disabled or sick people not able to work full-time and people in education. It may also offer lower costs for employers compared to standard part-time jobs (as, for example, only one set of technical equipment or one workplace has to be provided).

Labour market integration

In Slovenia, it is reported that job sharing particularly facilitates the employment of people with a certain degree of disability. The Pension and Disability Insurance Act specifies that people with a certain level of disability may not work full time, but can do part-time work for at least four hours a day. This category also includes people whose ability to work is reduced to no less than 50% and insured people who can still work full-time, but are not able to work in the location provided by employer. In these cases, the employer is obliged to organise work in such a way that the affected person can work part-time. Here, a job share between two or, in rare cases, more people is an effective form of employment.

Wheatley (2013) proposes that job sharing might help tackle the present labour market challenges of youth unemployment and ageing working populations. Job sharing as a mentoring scheme can be used as 'slow exit' from the labour market for older workers and as a form of apprenticeship for young workers. The planned Slovenian model of subsidising the unemployed to share jobs with current employees enables older workers to gradually exit from the labour market while transferring their accumulated knowledge and experience to their younger successors. This may also have the potential to change employers' mindsets about the role of older people in the labour market.

Daniels (2011) suggests that job sharing benefits business continuity and employee engagement, and that two people exchanging information about a job can enhance productivity. Similarly, it is reported in Ireland, the Czech Republic, Slovakia and the UK that, in spite of higher HR costs (for factors such as induction, training and administration), a company's performance can benefit from job sharing that can deliver continuous fulfilment of tasks with consistent quality. This is partly due to the higher job satisfaction of such workers, who appreciate the flexibility of their work, and the greater breadth of innovative and creative capacity brought by two or more people to the same job. Skilled staff can be retained even if they cannot work full time, and the company gains from having a family friendly image.

4

Interim management

General characteristics

Interim management describes an employment form in which a company 'leases out' workers to other companies temporarily and for a specific purpose. Such leasing of workers is the main objective of the employer company, but unlike a temporary employment agency, its staff is limited to highly specialised experts who are sent to the receiving companies to solve a specific management or technical challenge or assist in economically difficult times.

Interim managers' fields of activity

The interim manager recruited by the Czech Sokolov City Hospital is a HR director and is categorised in the hospital's organisational chart as top management. She enjoys the same standing as other directors, but not the same benefits. Her task for the organisation's HR operation is to define processes, formulate policies and prepare the department for the arrival of a new HR director when her contract expires.

The interim manager hired by the Czech branch of personnel services provider Manpower is a strategic commercial director. She has drawn up a strategic plan for the company's management and started up new commercial processes, as part of which she trained the sales team. She has also been asked to mentor and coach the new sales and marketing director and has prepared a strategic plan for his personal use.

In most cases, the interim management work agency has a stronger role as a mediator than a temporary work agency, matching supply and demand for this specialist workforce; under this model, the receiving company becomes the employer. There are, however, also some interim management models that are more like temporary work agency models, where the agency is the employer. In a third type of interim management, the intermediary organisation matches the receiving company and the interim manager, and the manager works for the receiving company on the basis of civil law rather than labour law.³ The choice of model influences both the employer's and the worker's roles, rights and duties, and the worker's social protection level.

Interim management is considered to be a flexible option without any long-term commitment that an enterprise can use in response to a need for expertise, available just when required, for a fixed period (Bruns and Kabst, 2005; Inkson et al, 2001; Isidor et al, 2014; Russam GMS, 2012). This type of external leadership staff, with specific appointed managerial tasks, is different from the provision of consultancy management services, since an interim manager has some authority to instruct (based on the appointed tasks) and is subject to instructions (Bruns and Kabst, 2005). Hence, compared to external consultants, interim managers are to some degree integrated into the workforce of the receiving company, although not usually to the same extent as a manager on the company staff would be.

³ This last type shows some overlaps with the employment form of umbrella organisation as described in Chapter 10.

Interim manager's role in a receiving organisation

When the interim manager hired by the Czech Sokolov City Hospital took up her position as HR manager, she had limited responsibilities, and the CEO kept control over important decisions. However, this changed after about a month when she was delegated a series of additional responsibilities and granted a general power of attorney to authorise employment contracts, business contracts and letters of termination. The CEO no longer interferes with the work of the HR department. The interim manager has 10 subordinates and the same extent of authority over them as would an internal HR director.

When a company has set out its specific needs, the intermediary agency publicises the assignment to its pool of interim managers. Those able and willing to do the job are presented to the company, and the company selects the candidate they consider most suitable, sometimes based on a competition to demonstrate their skills.

Selection process for an interim manager

Suitable candidates for the interim management post at the Czech branch of Manpower were identified using Manpower's business contacts. A total of three candidates were asked to develop strategic plans that would help to restructure the company's retail network. The final candidate was selected by the CEO of Manpower because her plan was the strongest. Given that the interim manager and the sales and marketing director were going to cooperate closely, the latter was also very actively involved in the selection process.

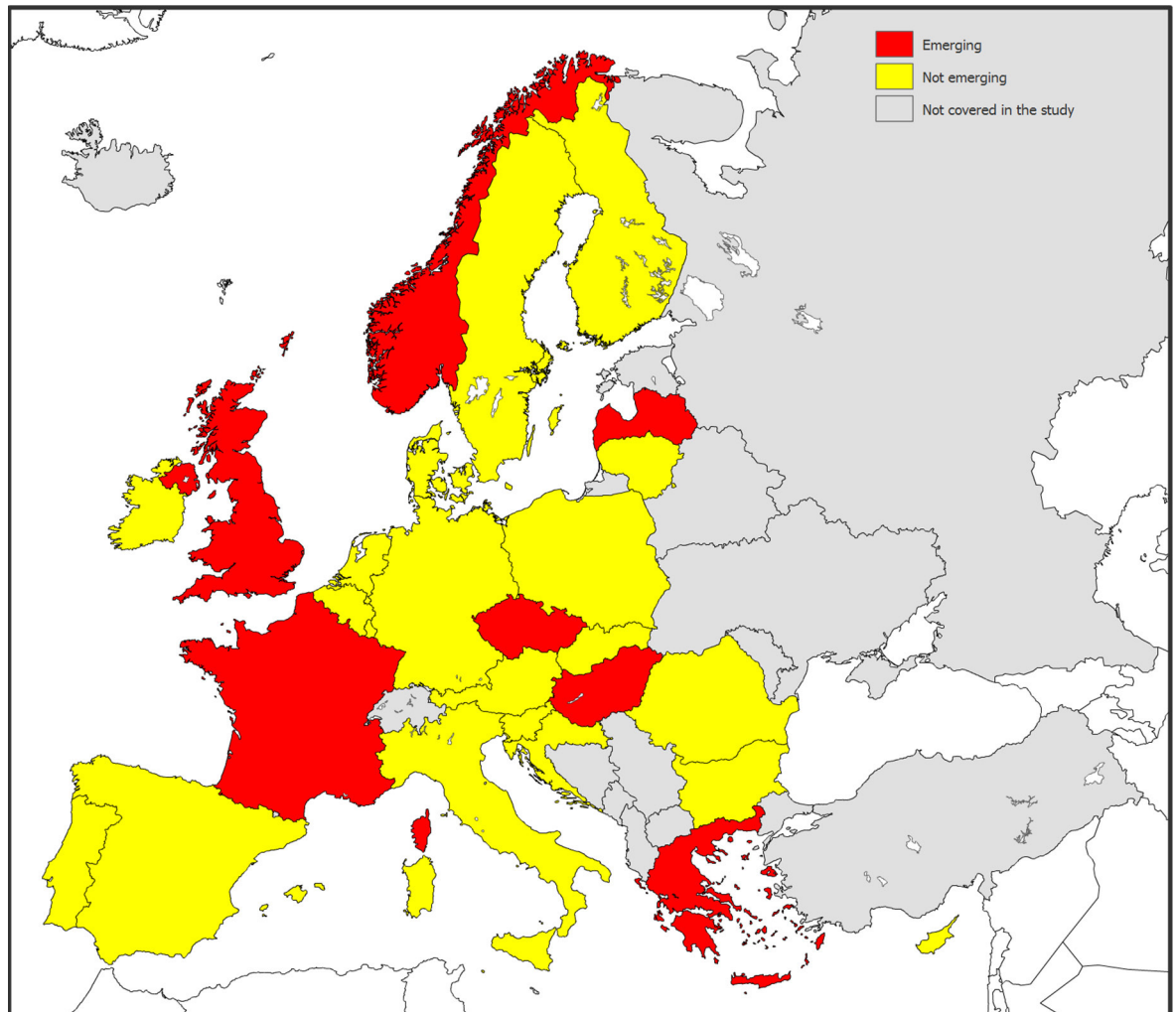
When the final decision is made and the interim manager is chosen, the employer company negotiates the contract length (typically from several months to one or two years), pay and general terms of agreement.

Working arrangements

The interim HR manager's contract at the Czech Sokolov City Hospital clearly defines her objectives, her weekly working time (28 hours), her workplace (on specific days and hours she has to be at the hospital – about half of her weekly working hours) and time of on-call duty. The short-term results of her work are regularly exchanged between the interim manager, the hospital and the agency.

Interim management fills a very specific segment of the labour market and is not a widespread phenomenon. While it has some history in Germany, the Netherlands and the UK (Bruns and Kabst, 2005), the current project finds that it is an emerging or an increasingly important employment form in the Czech Republic, France, Greece, Hungary, Latvia, Norway and the UK during the last decade (Figure 7).

Figure 7: European countries in which interim management is new or of increasing importance



Source: Eurofound, based on national contributions

The current project could not identify any specific legislation or regulation of interim management in Europe, and data on this employment form are almost non-existent. According to a survey, 37% of Czech businesses had had some experience with hiring interim managers by 2010 (BusinessInfo.cz, 2010), but it is assumed that the scale of this occupational group is much lower than in western Europe. An estimate for Scandinavia suggests that there were about 4,500 interim managers available in 2013, and about 20,000–30,000 in France in 2011. Data from the largest company offering interim management in Norway (Interimleder AS) show a steady growth of this form of employment since the company began offering managers for hire in 2001.

Characteristics of employers and employees

Interim managers tend to be in their 40s or 50s (Russam GMS, 2012) since they need to have a high level of skill and experience, particularly in general or crisis management. According to data available for the UK for the fourth quarter of 2013, 33% of interim managers were women and 67% men (Interim Management Association, 2014).

Interim managers' characteristics

The age range of interim managers leased by the Czech firm Human Garden is between 33 and 50 years. They all have college degrees and specialise in human resources and have worked for companies in diverse sectors before joining the agency. The interim manager interviewed for the case study has 20 years of work experience as HR manager, consultant, advisor, mentor and trainer in various national and international companies.

German, Norwegian and UK observations show that this form of employment is most commonly used by companies in the energy, oil and gas, road construction, ICT, manufacturing and banking sectors (Russam GMS, 2012; Isidor et al, 2014). UK data point towards higher frequency of interim management in the private sector (Interim Management Association, 2014). Experts comment that interim management is not only useful for large businesses, but can also bring economic advantages to SMEs, particularly those with structural problems.

A German study showed that between 2000 and 2004, companies used interim management mostly in cases of restructuring, in the areas of management, sales, strategy and assisting the board of directors (Bruns and Kabst, 2005). In the Czech Republic, an unprecedented growth in demand for interim managers was observed during the economic crisis, when they were approached to respond to market changes and to define new management processes in finance and sales.

Drivers

Receiving companies often use interim managers in times of crisis or restructuring (including internal reorganisation) or to strategically prepare for company growth (including internationalisation), innovation or diversification. This means that companies are looking for temporary additional management capacity, either in terms of numbers or competence, to achieve a specific objective. An interim manager gives access to specialist knowledge without a long-term commitment, and introduces versatility and new ideas without having to consider employment issues such as redundancy or suspension often linked with the ending of contracts (Jas, 2013; Inkson et al, 2001).

Another reason for interim management is 'gap management', to temporarily replace a manager who has resigned or is suddenly absent until a successor is in place or the manager returns.

Role as 'gap management'

In 2013, the CEO of the Czech Sokolov City Hospital decided to dismiss the HR director because he was not satisfied with his work. The workload was heavy and required specific expertise, so he could not take on these duties himself. For this reason, he opted for an interim manager until a successor could be found.

Research from New Zealand indicates that those who choose to work as an interim manager do so as a result of redundancy or relocation, or because they have young children. They may also use it as a way of earning extra income with possibility of flexibility, autonomy and skills development, especially where there has been dissatisfaction with previous employment (Inkson et al, 2001). Across the EU, there is little specific information on managers' motivation. In some cases, interim management provides a flexible option that gives women, in particular, a better work-life balance and stimulating work opportunities (Pollitt, 2008).

Workers' motivation to do interim management

The interim manager assigned to the Czech Sokolov City Hospital opted for this position to better reconcile work with family life, as she now has considerable autonomy about when to work. She states that she prefers interim management to a standard job.

Finally, it is to be noted that agencies offering interim management services covered by this project's case studies entered this field because they believed there was potential for growth in this employment form. They offer it as a new and progressive service next to their other activities (consultancy and HR services) to gain new business clients and to increase work opportunities for their staff.

Implications for working conditions

In the UK, interim management is commonly provided on a temporary service contract, either part time or full time, and at a daily rate (at the end of 2012 the average daily rate was £593 (about €750)) (Russam GMS, 2012). In general, an interim management contract is paid at a premium, compared to employed managers, to compensate for job insecurity (Inkson et al, 2001).

Interim managers usually supervise permanent staff and need to adapt efficiently and fast to a new organisational culture. Given the potential psychosocial risks of such work (including stress and the lack of long-term job security), in some cases the short-term character of the employment seems to be an important alleviating variable (Jas, 2013). There may also be some risk of professional isolation because of their unique position in the receiving company. Whether this happens seems to depend, however, on the individuals involved and the organisational culture, as demonstrated by the two diverging experiences from the case studies.

Working conditions of interim managers

The interim manager working in the Czech branch of Manpower reported higher levels of stress and professional isolation due to the short-term nature of her assignments in each company she works for. Uncertainty about future work opportunities causes her to take on several contracts at a time, creating the risk of overwork and a range of potential negative effects on her health and normal social functioning.

In contrast, the interim manager in the Czech Sokolov City Hospital said she derived a high level of satisfaction from her assignments as she values sharing her experience with others. She feels she is perceived like any other staff member rather than as a 'guest' in the company.

Due to their specific role in the receiving company, interim managers can make decisions in a less restricted way than permanent staff and often enjoy flexibility in time and place of work (Inkson et al, 2001). However, sometimes flexibility adds stress if they have to work away from home and travel a lot, especially if combined with continuous pressure to perform well (Pollit, 2008).

Responsibility for career development tends to lie totally with the interim manager (Inkson et al, 2001). Even if no specific training is provided, upskilling (technical, self-management and communication skills), reinforcement of existing knowledge, familiarisation with new work settings

and being innovative to gain new insights are reported as potential benefits of interim managerial jobs (Inkson et al, 2001), thereby fostering employability.

Implications for the labour market

The high level of qualifications and expertise of interim managers are reported to have knowledge-enhancing effects among the core staff of the company, even if the assignment is temporary. The presence of an interim manager encourages more dynamism and innovation and might also influence company culture and work patterns. Bruns and Kabst (2005) argue that interim management may be a response to earlier lack of investment in human resources (training activities and human resources planning) by companies. If this is so, it suggests that interim management may positively contribute to the competitiveness, sustainability or even growth of a company which, in turn, should have positive effects on the labour market.

Expert assessment from the UK sees this employment form as being more cost-effective than hiring consultants. However, some experts interviewed for this project do not expect interim management to crowd out other employment forms because it is highly specific (short-term contracts for highly skilled experts).

In a recent study of the impact of interim management on firm flexibility, numerical flexibility (adjustments in working time or headcount) and financial flexibility proved to be positively associated with the use of interim management, while functional flexibility (flexibility of the permanent company workforce to perform various tasks and functions) was not (Isidor et al, 2014).

5

Casual work

General characteristics

Casual work is a type of work where the employment is not stable and continuous, and the employer is not obliged to regularly provide the worker with work, but has the flexibility of calling them in on demand. The European Parliament (2000) defines casual work as ‘work which is irregular or intermittent with no expectation of continuous employment’. Workers’ prospects of getting such work depend on fluctuations in the employers’ workload.

Drawing on 2001 EU Labour Force Survey data, the International Labour Organization (ILO) reported that about 7% of people in employment interviewed in four EU countries (Finland, the Netherlands, Spain and the UK) and Switzerland had a casual employment contract (ILO, 2004). More recently, the European Commission (2014) and Eurofound (2015) highlight a decline in hiring for full-time positions from the end of 2007 to early 2014, with a higher share of part-time arrangements in the older Member States compared to the newer Member States. The increase in part-time employment since the crisis is seen as involuntary, based on the fact that in the Member States least affected by the recession, the growth in part-time employment was modest. The evidence is that employers tend to take a cautious approach to employment during a period of economic uncertainty, and so permanent recruitment drops.

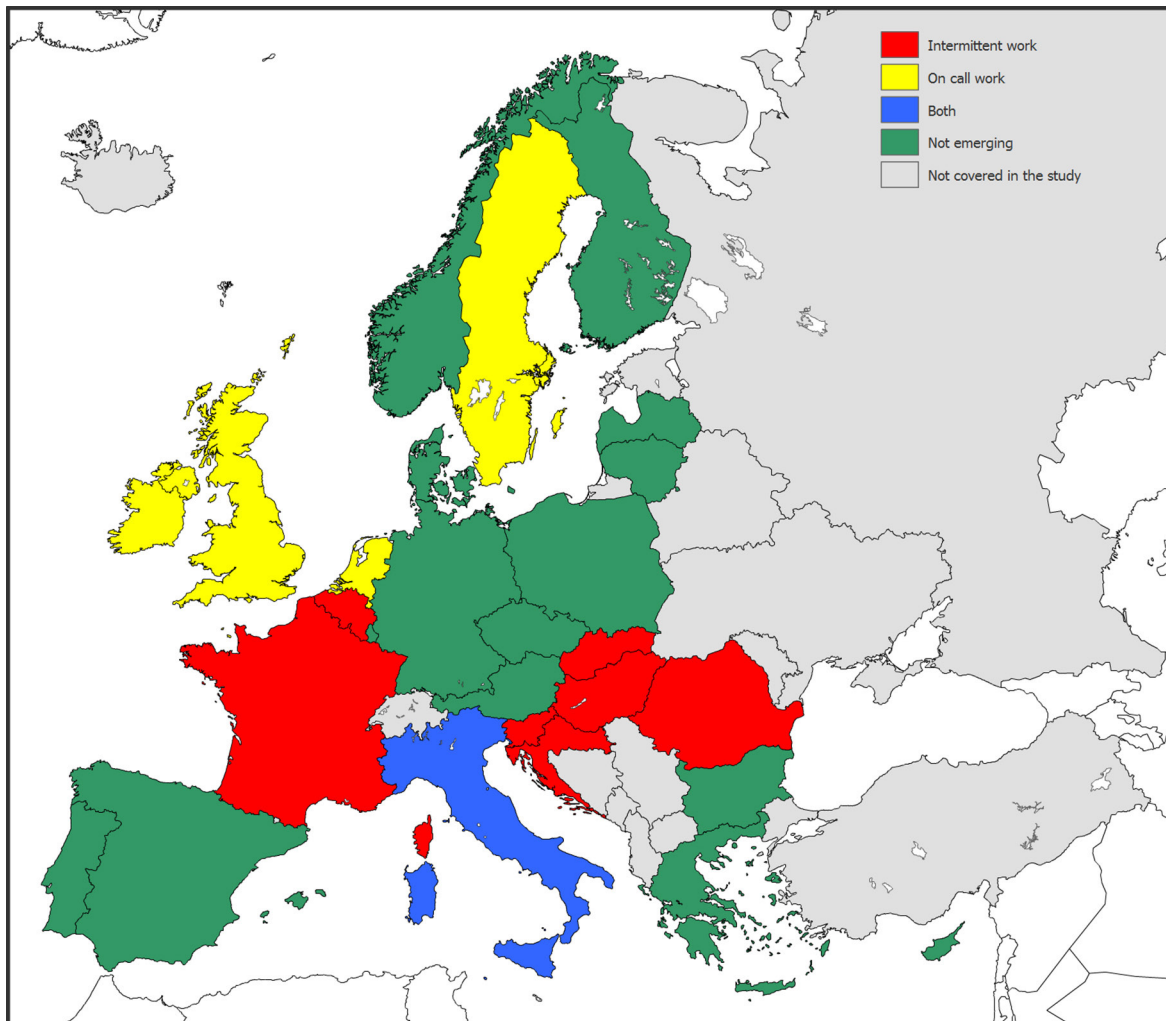
Accordingly, the share of temporary hiring has been increasing between 2008 and 2012, reaching as high as 71% for elementary occupations in 2012, but also becoming more common for highly skilled occupations such as technicians and professionals. While casual work as understood in this project does not equal either ‘standard’ part-time or ‘standard’ fixed-term jobs, it has elements of both. Hence, the above data gives some indication of the growing importance of casual work in Europe.

This project differentiates two types of this employment form.

- **Intermittent work** involves an employer approaching workers on a regular or irregular basis to conduct a specific task, often related to an individual project or seasonally occurring jobs. The employment is characterised by a fixed-term period, which either involves fulfilling a task or completing a specific number of days’ work. This employment form was found in Belgium, Croatia, France, Hungary, Italy, Romania, Slovakia and Slovenia (Figure 8).
- **On-call work** involves a continuous employment relationship maintained between an employer and an employee, but the employer does not continuously provide work for the employee. Rather, the employer has the option of calling the employee in as and when needed. There are employment contracts that indicate the minimum and maximum number of working hours, as well as so-called ‘zero-hours contracts’ that specify no minimum number of working hours, and the employer is not obliged to ever call in the worker. This employment form has emerged or been of increasing importance over the last decade in Ireland, Italy, the Netherlands, Sweden and the UK (Figure 8).

Casual work may overlap with other new employment forms, such as voucher-based work, as discussed in Chapter 7.

Figure 8: European countries in which casual work is new or of increasing importance



Source: Eurofound, based on national contributions

Mode of operation

As casual work is a flexible employment form for quickly assigning workers to a task at short notice, employers often use a pool of casual workers, either administered by themselves or through intermediaries such as temporary work agencies and online platforms for crowd employment (see Chapter 9).

Internet-enabled casual work

The UK-based online platform Slivers of Time provides technology that enables its clients to build and manage talent pools to meet short-term fluctuations in staffing. For example, a supermarket chain may use the system to cover staff illness by building a talent pool and booking 'matched' workers at very short notice. It operates in real time, in the sense that it can see which workers are available at a specific point in time and match them to the employer's needs. The platform aims to replace existing rudimentary in-house systems for requesting incumbent staff to cover for unplanned absences of colleagues. The platform can be adapted to manage existing teams to find the best

fit between availability and expertise. Slivers of Time also works with temporary work agencies that help individuals to connect to the internet platform and liaise with employers seeking workers. The agency can also take on the role of legal employer and so recruit, build and maintain the pool.

Recruitment for such pools is generally done in the same way as any other recruitment, based on job advertisements in newspapers or using the public employment service, social media or word of mouth and, in most cases, using predefined selection criteria.

Line managers who have additional HR needs either approach the pool directly or through the HR unit, depending on company practice. The company then approaches selected casual workers in the pool on the basis of the skills and competences required and indicated time availability.

Pools of on-call workers

A Dutch childcare company with 4,000 employees runs a pool of about 500 active on-call workers. All on-call employees are employed by the childcare company through a nationwide internal employment department. This department is based at the company's main office and is responsible for both hiring new on-call employees and for organising the placement of on-call employees where they are needed. Employees in the pool may either be previous core staff of the company who have become redundant or employees specifically hired for on-call work. Over half of on-call contracts are for a fixed term, of one year typically, and the remainder are permanent contracts.

According to the HR manager, on-call employees are usually called in for an average of 15 to 20 hours a week, but gaps of a couple of weeks can occur between call-ins. Whenever one of the locations needs an extra employee, this location can make a request to the pool. One of the employees administering the pool will then see which of the on-call employees is available for that day and time, and schedule one who is available. They choose the employee closest to the childcare centre and will, if possible, choose one who has worked there before. The quality of the on-call workers is also an essential criterion. After the on-call employee has been assigned to a specific placement, both the employee and the location manager are notified.

The interval between being requested to work and the actual start of work varies in line with company practice and the emergence of HR needs. Among the case studies, this study has found examples of employers ordering casual workers only one hour before the shift starts and as long as four weeks in advance. A UK survey showed that one-third of organisations using zero-hours contracts have a set policy for the notice period required for staff asked to work; 40% had no policy, and the remainder did not know if they had one. Almost half of the zero-hours workers said they have no notice; workers may even discover at the start of a shift that their work has been cancelled (CIPD, 2013b).

On receiving a job offer, a casual worker may decline, in which case, the next candidate is contacted. However, in several case studies, respondents said that repeated refusal makes it less likely that a worker will be asked to come to work. In a UK survey, 17% of zero-hours workers said that they are sometimes penalised if they refuse a call-in, and 3% said they were always penalised (CIPD, 2013b).

The employer instructs the casual workers on the tasks they have been assigned, provides them with the required equipment and supervises their activities. According to the case study evidence, there is little difference in these procedures compared with those used for core staff.

The casual employment forms described above have a legal basis. Companies also use novel working time arrangements, in the framework of collective agreements, to respond to their specific needs. In time, such schemes may pave the way to new legislation to regulate emerging forms of employment.

Lufthansa's new work model

In early September 2013, German commercial airline Lufthansa announced that it would recruit 500 flight attendants on a new type of work contract to cover the peak summer months. Recruits work full time from March to October and are free for the remainder of the year. They complete the same basic 12-week training as regular flight assistants and are hired initially on a two-year contract, renewable once for four years. The company said in a press release that 'the new annual working time model provides an ideal opportunity, especially for students and young professionals, to work as a flight attendant for a specified period of time' (Lufthansa, 2013). The new contracts arise out of a collective agreement with the main cabin crew union in November 2012 that 'included a 4.6% pay rise for 2013 and allowed different compensation models for new employees' (Bloomberg, 2013).

Intermittent work

Implementation in Belgium

In Belgium, intermittent work (*gelegenhedsarbeid/travail occasionel*) covers specific short-term contracts (two consecutive days) that clearly define the work to be done, to cover peak periods in the tourism sector. It was established by the government in 2007 as part of the revitalisation plan for the sector (as compensation for anticipated increases in administrative burden) and revised in 2013. An employer may make use of such contracts for up to 100 days per year, and must pay a lump sum of €7.50 per hour (up to €45 per day) in social security contributions (rather than linking the contributions to the actual wage). The workers earn full social security rights, which means that this employment form is heavily subsidised by the government, and benefit from the standard labour regulations for the sector. Each worker may work for up to 50 days per year in this system. This contract type is prevalent in the sector, with about 10,000–13,000 contracts, equal to 2,000–2,600 full-time equivalents (Table 4).

Table 4: Prevalence of intermittent work in Belgium

| | Jobs | Full-time equivalents |
|------------------|--------|-----------------------|
| 2nd quarter 2009 | 14,054 | 2,420 |
| 3rd quarter 2009 | 13,195 | 2,241 |
| 4th quarter 2009 | 11,612 | 2,274 |
| 1st quarter 2010 | 13,433 | 2,000 |
| 2nd quarter 2010 | 14,157 | 2,477 |
| 3rd quarter 2010 | 12,843 | 2,185 |

| | Jobs | Full-time equivalents |
|------------------|--------|-----------------------|
| 4th quarter 2010 | 9,897 | 2,228 |
| 1st quarter 2011 | 11,357 | 2,077 |
| 2nd quarter 2011 | 12,698 | 2,639 |

Source: Office national de sécurité sociale, calculation by Guidea

Implementation in Hungary

In Hungary, the Simplified Employment Act (Act 85) 2010 introduced a form of intermittent casual work known as ‘simplified employment’ (*egyszerűsített foglalkoztatás*), with the aim of increasing legal employment and replacing the system based on the Casual Employee Booklet (Alkalmi Munkavállalói Könyv, AMK),⁴ which was considered to be open to abuse (Eurofound, 2013b). Simplified employment is never compulsory; parties are free to opt for a standard employment relationship, even if the contract is just for a few days. However, simplified employment cannot be used if there is already another employment relationship between the employer and the worker. Simplified employment covers two types of work:

- casual work in all sectors (but only activities outside core activities in the public sector), with a maximum of 5 consecutive days, 15 days per month and 90 days per year per for each employer–employee relationship;
- seasonal work in agriculture and tourism, with a maximum of 120 days per year for each employer–employee relationship.

Third-country nationals can only be employed in the seasonal work pathway, and only if they have a valid work permit. Employers with unpaid or overdue taxes of HUF 300,000 (about €950 as at December 2014) are not allowed to use simplified employment, and the maximum number of casual workers a company can employ is limited by the average number of full-time employees it had in the previous six months (see Table 5).

Table 5: Maximum permitted number of casual workers in Hungary

| Number of full-time employees (average in the previous six months) | Maximum daily number of casual workers |
|--|--|
| 0 | 1 |
| 1–5 | 2 |
| 6–20 | 4 |
| 21 or more | 20% of full-time employees based on the previous six months) |

Source: Simplified Employment Act 2010

The employment relationship does not have to be based on a written employment contract, but is established by a declaration by the employer to the tax authority before the start of the work. Nevertheless, parties may choose to sign a written contract, a template for which is annexed to the Simplified Employment Act. For casual workers written contracts are rare, as the whole relationship lasts a maximum five consecutive days. They are more common among seasonal workers, since it is

⁴ This type of contract was initially intended to reduce undeclared work, especially within the domestic service sector, and followed the German model of ‘mini-jobs’. It became, however, a more common form of employment in agriculture, construction and other industries employing casual or seasonal workers.

in both parties' interest to have written proof of the negotiated wage and other working conditions when the employment lasts for the whole season. If a contract has been signed, it cannot be withdrawn. The declaration sent to the tax authority can only be withdrawn or modified by the employer within the first two hours after submission.

The employer is not obliged to inform the employee about the working time schedule, and working time can be allocated unequally to working days (for example, two hours on one day and six hours on another). The employee can be employed on Sundays and on public holidays as well as on usual working days. The employee is not entitled to the statutory Sunday wage supplement, but work on public holidays entails a compulsory 100% wage supplement. Employers have to pay only 85% of the general national minimum wage and 87% of the national minimum wage for employees with second-level qualifications. Workers are responsible for paying personal income tax (16%) on any pay above the daily minimum wage.

There is no difference in the rules on equal treatment, amendment and termination of the employment relationship, responsibility for damage, or labour disputes. Nonetheless, the temporary nature of their employment means that these employees are not entitled to severance pay, notice periods or the same level of training or bonuses as permanent core staff.

When recruiting employees on a simplified work contract, the employer has to pay taxes daily (€1.60 for seasonal workers and €3.25 for casual work), covering all common charges such as personal income tax, social security contributions, vocational training contributions and rehabilitation contributions. However, during simplified employment the employees do not have full social security protection; they are entitled only to pensions, emergency healthcare and unemployment benefits, but have no health insurance. The employee is not entitled to sick leave, maternity leave, parental leave or other forms of statutory leave with pay.

According to the National Tax and Customs Administration, in 2011 there were 443,700 simplified employment positions in Hungary (involving 86,400 employers). In 2012, this number rose to 533,400 (involving 102,900 employers) and, in 2013, to about 630,000 (119,600 employers), clearly highlighting the increasing popularity of simplified employment.

Implementation in Romania

In Romania, casual work performed by day labourers (*activități cu caracter ocazional desfășurate de zilieri*) has been regulated by the Day Labourer Act since 2011 (Law No. 52/2011), which was amended and supplemented in 2013 (Law No. 277/2013). It aims to provide daily employment opportunities outside a regular employment contract, creating a small amount of income for unskilled workers who have difficulty finding permanent jobs, particularly in rural areas. Alongside legalising informal economy activities, the government intended to establish minimum legal requirements for the working conditions of casual workers.

By law, this type of contract can be used by corporate employers, the self-employed and family businesses. Individuals and public sector bodies (except those carrying out certain public community services under the direct administration of local councils, such as working in green public spaces, greenhouses and zoological parks) cannot use day labourers.

Day labourers can be hired only in a limited number of sectors. These include: agriculture (including any related retail operation); fishery and forestry; waste collection and treatment; organisation of exhibitions, fairs and congresses; advertising; arts and entertainment; research and development in social and humanistic sciences; and activities performed in greenhouses, zoological parks and gardens.

An employer cannot employ the same worker for more than 90 days per year (or a maximum of 12 hours per day). A day labourer can work for a maximum of 30 hours per week.

The employment relationship is established through an agreement of intent, without an individual written work contract. The employer has to maintain a record, or register, of all day labourers, including information such as name, place of work, working hours and gross pay; a copy of this must be submitted to the local labour inspectorate monthly. With the signature of the workers involved, this booklet acts also as proof of payment for the work performed.

The gross daily wage is directly negotiated between the employer and the worker, with a minimum rate set by law (the gross guaranteed minimum wage), and the employer is obliged to pay for at least eight hours a day even if the actual working time is less. Payment is made at the end of each week, or at the end of the activity if there is a written agreement between the parties involved. A flat rate income tax of 16% applies to the gross pay received by day labourers and no other taxes are due. The law states expressly that no social contributions are due from either the worker or the employer, so day labourers are not covered by the public social insurance system. The ministry of labour's main motivation for excluding social contributions from this type of contract is the low level of pay for this type of work.

At the end of 2013, the Labour Inspectorate reported that a total of 18,649 registers had been acquired by employers since May 2011, 14,071 of whom sent copies to the local labour inspectorate office. Numbers have decreased since 2011: there were 8,324 in 2011, 5,762 in 2012, and 4,563 in 2013.

The registers show a total of 10,874,942 day labourer positions since May 2011; this is the total number of days paid for casual work, which includes all days worked by the same labourer, with the same employer or with others in the same year. Here, an increasing trend over time is evident; there were 2.34 million positions in 2011, 4 million in 2012 and about 4.5 million in 2013. The positions were filled by just over 150,000 casual workers in 2011, over 340,000 workers in 2012 and 516,000 workers in 2013, showing an increase in the number of registered day labourers.

The decrease in the number of employers acquiring registers (and an even lower number of copies returned to the Labour Inspectorate), on the one hand, and the increase in the number of total number of days paid for casual work, on the other, suggests that new day labour positions became available with the same number of companies.

Implementation in Slovakia

In Slovakia, 'agreement contracts' for work performed outside an employment relationship (*dohody o prácach vykonávaných mimo pracovného pomeru*) allow workers to have a job limited in scope and nature on top of their regular employment contract. The Labour Code (Sections 223–228a) differentiates three types of agreement contracts.

- Work performance agreements are for work that delivers a specific result – for instance, the translation of 10 pages within a week – and not exceeding 350 hours per calendar year. The tasks must be fulfilled within the agreed period of time, and the employee is to be paid only after completion and submission of the agreed tasks. Work performance agreements must be concluded in writing, setting out specified work tasks, pay, work periods and the extent of the work.
- Agreements on work activities can be used for activities in any sector performed for up to 10 hours per week, for a definite or indefinite period. They are designed to cover repetitive tasks carried out

for a longer period of time (such as working in a shop for two hours per week or cleaning once a week) (Kahancová and Martišková, 2010; Bellan and Olšovská, 2012; Eurofound, 2010b).

- Agreements on temporary work for students may be concluded with second-level school students and full-time university students up to the age of 26, for no more than 20 hours per week. This can be for a fixed term or open ended (Eurofound, 2013d).

Agreement contracts are subject to mandatory social and health insurance contributions, but with differences according to the type of contract and regularity of income (see Table 6). Employees working on agreement contracts with a regular monthly income enjoy the same social protection as regular full-time employees with standard contracts, while for other casual workers social contributions are lower.

Table 6: Social contributions according to different types of agreement contracts, Slovakia

| | Agreements on temporary work for students | Agreement contracts | | Standard employment contract |
|----------|---|-----------------------------|-----------------------|------------------------------|
| | | With regular monthly income | With irregular income | |
| Employee | 7.0% | 13.4% | 11.0% | 13.4% |
| Employer | 22.8% | 35.2% | 32.28% | 35.2% |

Source: MójPlat.sk, the Slovak Social Security Authority

Agreement contracts are also subject to parts of the Labour Code regulating working time, minimum wage and labour protection (Mihál, 2012). However, workers are not eligible for severance pay, have a shorter 15-day notice period (standard contracts must specify at least one month's notice) and are not entitled to meal vouchers.

Social Security Authority statistics show that, as of March 2014, 416,046 agreement contracts were signed in Slovakia, with agreements on work activity being the most popular type (177,699 contracts). The number of agreement contracts dropped sharply in 2013 when new legislation obliged employers to pay social insurance contributions (in 2011 and 2012, there were between 500,000 and 700,000 agreement contracts per month).

Implementation in Slovenia

In Slovenia, casual work contracts are intended to help young people particularly to enter the labour market and gain work experience. For example, in the context of student work (*študentsko delo*), which is regulated by the Employment Relationship Act, students aged 15–26 can work on a temporary or occasional basis. To find such jobs, they can rely on a well-developed network of licensed student employment agencies. An employer who has a need for such workers approaches the student employment agency, which advertises the vacancy and refers interested students to the employer. The employer pays the student through the employment agency. The Slovenian Labour Force Survey shows that the share of student work increased from 1% of all people in employment in 2000 to 4% in 2010 (being approximately 37,000 people).

Implementation in France

French intermittent workers in the entertainment industry (*intermittents du spectacle*) also fall into the category of casual work. Such workers hold a 'custom short-term contract' (*CDD d'usage*), which is generally of a very short duration but can be renewed over many years. Welfare entitlements for such workers are favourable; for example, workers employed for four months receive eight months'

unemployment benefits. The rationale for this special regime is to compensate for the sporadic and seasonal nature of work in the entertainment industry. In 2003, the criterion for one year's entitlement to unemployment benefit was set at 507 hours of work in the course of 10 months for arts technicians, or in the course of 10-and-a-half months for actors and performers. At the time of writing in 2014, the benefits system is being reviewed.

Cross-country summary

Table 7 provides an overview of the national regulations on intermittent work in the countries discussed.

Table 7: Overview of national regulations on intermittent work

| Name | |
|----------|--|
| Belgium | <i>Gelegenheidsarbeid/travail occasionel</i> |
| France | <i>Intermittents du spectacle</i> |
| Hungary | <i>Egyszerűsített foglalkoztatás</i> |
| Romania | <i>Activități cu caracter ocazional desfășurate de zilezi</i> |
| Slovakia | <i>Dohody o prácach vykonávaných mimo pracovného pomeru</i> |
| Slovenia | <i>Študentsko delo</i> |
| Duration | |
| Belgium | Two consecutive days Maximum of 100 days per year for each employer Maximum of 50 days per year for each worker |
| France | Very short duration |
| Hungary | For casual work: maximum of 5 consecutive days, 15 days per month and 90 days per year For seasonal work in agriculture and tourism: maximum of 120 days per year for each employer–employee relationship |
| Romania | Maximum of 90 days per year per employer for each worker (with a maximum of 12 hours per day) |
| Slovakia | Maximum of 350 hours per calendar year for work performance agreements Maximum of 10 hours per week for agreements on work activities Maximum of 20 hours per week for agreements on temporary work for students |
| Slovenia | n.a. |
| Scope | |
| Belgium | Tourism |
| France | Entertainment industry |
| Hungary | Seasonal agriculture and tourism; all casual work |
| Romania | Agriculture; fishery and forestry; waste collection and treatment; organisation of exhibitions, fairs and congresses; advertising; arts and entertainment; research and development in social and humanistic sciences; and activities in greenhouses, zoological parks and gardens |
| Slovakia | Work performance agreements: work aimed at a specific result Agreements on work activities: no limitations Agreements on temporary work for students: students up to age 26 |
| Slovenia | Students (15–26 years) |
| Pay | |
| Belgium | €7.50 per hour; maximum of €45 per day |

| | |
|---|--|
| France | n.a. |
| Hungary | Minimum of 85% of the minimum wage (87% for workers with second-level qualifications) |
| Romania | Minimum gross guaranteed at minimum wage for at least eight hours a day |
| Slovakia | n.a. |
| Slovenia | n.a. |
| Extent of social protection coverage | |
| Belgium | Full coverage |
| France | Favourable conditions – workers employed for four months receive eight months' unemployment benefits |
| Hungary | Pensions, emergency healthcare coverage and unemployment benefits |
| Romania | None |
| Slovakia | Full coverage in case of regular monthly income, lower otherwise |
| Slovenia | n.a. |

Note: n.a. = no information available

Source: Eurofound, based on national contributions

On-call work and zero-hours contracts

Implementation in Sweden

As far back as 1974, the Swedish Employment Protection Act legalised certain forms of temporary contracts, paving the way for on-call contracts (*behovsanställning*) without specifically addressing this employment form. On-call work gained importance during the 2000s. These contracts can be permanent or fixed term, with no guaranteed income, and the employer does not have to pay for the inactive periods. Access to training and other benefits are regulated by each individual contract.

Implementation in Netherlands

The incidence of on-call work was particularly high in the Netherlands from the 1980s until the end of the 1990s. Since the Flexibility and Security Act came into force in 1999, aiming to protect employees by harmonising employers' need for flexibility with employees' need for security, on-call employment has decreased (Knegt et al, 2007). This Act placed restrictions on the use of zero-hours contracts and min-max contracts (described below) and strengthened the position of casual workers. However, the Flexibility and Security Act leaves room for social partners to specify, and in some cases alter, certain components for a specific sector in a collective agreement. Certain regulations may therefore differ across sectors.

Dutch legislation recognises three types of on-call contracts.

- On-call contracts by agreement are fixed-term contracts that come into effect when the employee decides to accept the work offered. The employee is paid for hours worked and can refuse work without any consequences. A new labour agreement is formed at the start of every new working period that is agreed. After receiving three of these fixed-term contracts with the same employer, a fourth contract must be a permanent contract if there has been less than three months in between the fixed-term contracts. For the fourth contract, the employer must pay the hours agreed upon even if there is no work available for these hours. Collective labour agreements are allowed to deviate from the legislation. The collective agreement in the medical sector, for example, completely forbids the use of this type of contract.

- Zero-hours contracts can be for a fixed term or permanent, but there is no guarantee of a minimum amount of working hours. This means that the worker may not be called in at all. However, if the worker is called in, they are expected to come to work. In the first six months of the work relationship, the employer has to pay only for the hours worked. After six months, the employer is obliged to pay for the average hours worked in the previous three months for as long as the contract is active, even if the worker is never called in. This regulation only applies when an on-call employee has either worked at least once a week or has worked a minimum of 20 hours a month. Collective sector agreements can extend this six-month period indefinitely and add other elements. The collective agreement in the medical sector, for example, specifies that zero-hours contracts can be used only in circumstances that cannot be planned for, such as an unforeseen increase in clients or employee absences. Even in these circumstances, the use of zero-hours contracts is allowed only when filling the shifts with regular employees would mean an unacceptable change to employees' rosters, or when the shifts cannot be filled by employees on other types of contracts.
- Min-max contracts can be for a fixed term or permanent. They offer a minimum number of hours' work within a week, month or year, and the employer has to pay for these hours, even if there is no work available. The contract also states the maximum number of hours the employer can ask a worker to do. The employee has to be available to work until the maximum number of hours stated in the contract is reached. If the employer requires more work from the employee, the hourly rate must be paid for the additional hours. If an employee continuously works more hours than guaranteed, they can ask for an increase in their minimum contracted hours. The average number of hours worked in the last three months determines how many minimum hours an employee can ask for. Collective agreements can modify the legal regulations. The collective agreement in the childcare sector, for example, stipulates that the difference between the minimum and maximum number of hours in a min-max contract cannot exceed 60 hours per month; the agreement in the medical sector states that the maximum number of hours arranged in a min-max contract cannot exceed 200% of the minimum number of hours unless an employee agrees to it. In the latter case, an employee has the right to lower their maximum hours to 200% of the annual minimum.

For all of the different on-call contracts, employees with contracts for fewer than 15 hours, including zero-hours contracts, have to be offered a minimum of three hours every time they are called in. Dutch employees with on-call work arrangements have the same entitlements as regular employees (that is, minimum wage, unemployment insurance, health insurance, entitlements to holiday pay and pensions, and protection against unfair dismissal during the contract period). However, the extent of these entitlements depends on the actual hours worked.

From 2002 to 2009, 6% to 7% of private sector employment was based on on-call work arrangements in the Netherlands; this is a significant decrease compared to the percentage registered (13%) in 1997, when the use of on-call contracts was more widespread (De Graaf-Zijl, 2012a). According to recent estimates from the Dutch Office of Statistics, there were 378,000 workers on on-call contracts who worked at least 12 hours a week in 2013. Including those people with an on-call contract who worked fewer than 12 hours a week, there were a total of 777,000 on-call employees in 2013, compared to 560,000 in 2003 (FNV, 2013). Of all jobs, including those of fewer than 12 hours, 5% are on-call contracts. Another 4% have a contract without a fixed number of hours, making the total share of contracts that could be considered on-call contracts 9%.

Implementation in Italy

In Italy, on-call contracts (*lavoro a chiamata* or *lavoro intermittente*) were introduced by Law 30/2003, Legislative Decree No. 276/2003, Article 33–40. Generally known as the Biagi labour market reform, it was enacted in 2006 after a circular on hourly pay levels was published (Ministerial Circular No. 17, 8 February 2006). The introduction of this new form of employment was intended to help the unemployed enter or re-enter the labour market, and reduce the proportion of the Italian labour force engaged in undeclared work.

Contracts may or may not include an on-call allowance. If such an allowance is paid (20% of the wage set by national collective agreements used in the firm),⁵ the worker is obliged to accept the offer of work made by the employer. The contract can be permanent or fixed-term. The hourly pay for working time and social insurance is the same as for any other employee at the same level in the sector.

By law, the employer must notify the worker that their services are needed at least one working day in advance. Refusal to work may result in the termination of the contract. On-call contracts can be used by all employers except public administration. Employment of on-call workers is not permitted under certain circumstances: they cannot be used if a firm has made collective dismissals within the last six months, if it has benefited from the wage guarantee fund, or if it has not complied with the risk assessment prescribed by law. In addition, they cannot be used to replace workers on strike.

The most recent labour market reform (the Fornero Reform) in 2012 introduced new provisions to regulate further the use of on-call contracts in an attempt to avoid any abuse. As of 2012, employers who intend to use on-call contracts are obliged to notify the ministry of labour (more specifically, the Territorial Labour Directorate (Direzione territoriale del lavoro, DTL)). If the employer fails to do so, they may incur a fine of between €400 and €2,400. Other relevant changes concern the criteria for eligibility. Only workers aged under 25 or older than 55 (previously 45) can be employed on an on-call basis, and employers can no longer use on-call contracts for work over weekends, holidays and bank holidays. In 2013, a new provision (Legislative Decree No. 99/2013, Ministerial Circular No. 35/2013) was introduced that limits the use of on-call contracts to 400 working days for each employee over three years. Beyond this limit, the contract will be automatically converted into a full-time indefinite contract.

Data from Istat (the National Institute for Statistics) for 2010 show that the use of on-call contracts increased by 75% in the period 2007–2009. There was a steady increase in 2007, with a peak of 80,000 in December, followed by a more discontinuous pattern in 2008 due to new provisions introduced by the Welfare Protocol in July 2007 (limiting contracts to specific sectors). The return to the previous legislation in mid-2008 resulted in an increased use of this type of contract; this upward trend continued in 2009, with a new peak of over 140,000 in December.

Data from Isfol (the Institute for the Development of Vocational Training of Workers) points to a steady rise in new on-call contracts from mid-2009 to mid-2012. Over this period, the number of new on-call contracts doubled, rising from around 100,000 at the beginning of 2009 to about 220,000 in the first and second quarters of 2012. A sharp decline was registered from the second half of 2012 onwards. Some 120,000 new on-call contracts were registered in the first quarter of 2013 (Isfol, 2013). This decline may reflect the changed and stricter provisions introduced by the most recent labour market reform.

⁵ The amount of the stand-by allowance is fixed by national collective agreements. However, it may not be less than a level established and periodically updated by the ministry of labour after consultation with the employers' associations and trade unions.

Implementation in Ireland

Irish law provides some protection to employees on zero-hours contracts. The Organisation of Working Time Act 1997 (Section 18) defines them as contracts in which the worker is not guaranteed any working hours, but is still required to be available for either a predetermined number of hours a week or as and when required by the employer in a given week (or a combination of both). The law stipulates that zero-hours contract workers must be compensated if they work less than 25% of their allotted hours in any given week, provided this is less than 15 hours. If an employee is not called into work at all in a given week, they are entitled to be compensated for either 25% of the contract hours, 25% of the hours given to other employees for doing similar work, or 15 working hours, or whichever of these options is the lowest sum (Citizens Information, 2014).

The Organisation of Working Time Act does not contain specific provisions for a minimum wage for zero-hours contracts. It does not indicate how compensatory payments for breaches of the legislation should be dealt with or whether there are social protections for workers employed on zero-hours contracts. Neither are there specific regulations about work organisation (such as coordination between employer and workers, a requirement for an employer to obtain any sort of approval before instituting an on-call contract, or stipulations that clarify an appropriate distribution of work between on-call and core employees).

According to the National Employee Survey conducted by the Economic and Social Research Institute (ESRI), 4% of employees surveyed in 2009 were employed on a casual basis, compared to 3% in 2003 (ESRI, 2010).

There are other forms of on-call work in Ireland, such as ‘if and when required’ contracts and stand-by work, but they are even less well outlined by the law.

Implementation in the UK

In the UK, zero-hours contracts have always been possible, but there has been significant growth in their numbers in recent years. ‘Zero-hours contract’ is not a legal term and has no specific legal status. Thus they may vary from employer to employer. Unlike Ireland, in the UK, workers on a zero-hours contract are not entitled to any pay if the employer cannot provide them with work. They are paid for actual working time and for waiting time at the employer’s premises, but not for inactive time away from the workplace. They must be paid at least the national minimum wage for hours worked. All benefits are based on actual earnings, and national insurance payments decrease if hours decrease because there is a relatively high earnings threshold before employers contribute (€135 a week, based on a conversion rate of €1 to GBP 0.82, used throughout this report), although this is below the employee threshold of €187. The week-to-week variability in earnings implied by zero-hours contracts increases problems in meeting these requirements.

In the UK, zero-hours contracts are based on case law, and they are only considered as employment contracts if the following conditions are fulfilled:

- the contract must impose an obligation on a person to provide work personally;
- there must be a mutuality of obligation between employer and employee;
- the worker must expressly or implicitly agree to be subject to the control of the person for whom they work to a ‘sufficient’ degree.

A key issue in the debate on zero-hours contracts is whether people employed on these contracts are employees or not – if they are not employees, they are, by default, dependent self-employed

workers. Some employment rights accrue to employees only and some to all workers, whether employees or self-employed. It is generally agreed that self-employed people who are independent contractors are unlikely to be on zero-hours contracts. The complication with respect to the employment status of zero-hours contract workers is that it is possible and, indeed, probable that their employment status may be subject to variation.⁶ Thus, once they are engaged to work a shift they may become employees, but once the shift has ended they may become workers without an employment relationship who are dependent and self-employed. As many employment rights in the UK depend on continuity of employment relationships, this may have a significant impact on employment rights. Although there is a legal requirement to provide employees with a written employment contract, this only applies after one month of continuous employment, and zero-hours contract workers may not be eligible. The contract may or may not state whether the person hired is to be treated as an employee or a worker, but the contract does not actually define employment status.

According to the UK Labour Force Survey, there were 250,000 people on zero-hours contracts in the third quarter of 2012 (less than 1% of the total workforce), compared to fewer than 200,000 in previous years. The average weekly hours worked was 21, slightly lower than in the year before (Table 8).

Table 8: Numbers in employment on a zero-hours contract and hours worked, UK, October to December, 2001–2012

| | No. employed on a zero-hours contract (thousands) | Average weekly hours worked |
|------|---|-----------------------------|
| 2000 | 225 | 28 |
| 2001 | 176 | 26 |
| 2002 | 156 | 28 |
| 2003 | 124 | 22 |
| 2004 | 108 | 23 |
| 2005 | 119 | 24 |
| 2006 | 147 | 23 |
| 2007 | 165 | 25 |
| 2008 | 143 | 24 |
| 2009 | 190 | 24 |
| 2010 | 168 | 22 |
| 2011 | 189 | 22 |
| 2012 | 250 | 21 |

Note: Not seasonally adjusted.

Source: Office for National Statistics, Labour Force Survey

⁶ This interpretation of the complexities around employment status and employment rights for those on zero-hours contracts is based on the interview with Professor Simon Deakin, in which he elaborated on the analysis in his labour law text (Deakin and Morris, 2012).

The proportion of UK businesses using zero-hours contracts increased from 4% in 2004 to 8% in 2011 (Van Wanrooy et al, 2013).

Other sources suggest that the above figures are underestimates.

- An employer survey carried out by the Chartered Institute of Personnel and Development estimated that around one million workers are on zero-hours contracts, that is 3%–4% of the total UK workforce. The survey found that 19% of respondents employed at least one employee on zero-hours contracts in July 2013 (CIPD, 2013a).
- The Office for National Statistics (ONS) estimated that 1.4 million zero-hours contracts were in use during a two-week period, with up to 1.3 million more that were not active over this time period (ONS, 2014).
- A survey of 5,000 members of the British trade union Unite reports that 22% of private sector workers have contracts involving a limited or no guarantee of weekly working hours or income (The Guardian, 2013a).
- There is evidence from recent research into the National Health Service (NHS) that 300,000 social care workers are on zero-hours contracts, which represents 20% of the entire workforce of the sector (ITV, 2013a). According to the most recent Labour Party *NHS Check Report*, more than 67,000 people were employed on zero-hours contracts in the NHS in the period 2012–2013. The figure in 2009–2010 was 57,000 (ITV, 2013b).
- A survey of local authorities in England involved in commissioning social care found that the zero-hours contract is the prevailing employment contract among independent sector domiciliary care providers (Rubery et al, 2011). Some 69% offer only zero-hours contracts to their staff, against 12% offering all staff some guaranteed hours, and the remaining 20% offering a mix of zero-hours and guaranteed contracts. By contrast, local authority domiciliary care providers tend to follow a more standard approach to employment relationships by providing guaranteed hours to care workers.

Cross-country summary

Table 9 summarises the main characteristics of the national regulations on on-call work discussed in this section.

Table 9: Overview of national regulations on on-call work models

| Name | |
|-------------|---|
| Ireland | Zero-hours contract |
| Italy | <i>Lavoro a chiamata or lavoro intermittente</i> |
| Netherlands | On-call contracts by agreement, zero-hours contracts, min–max contracts |
| Sweden | <i>Behovsanställning</i> |
| UK | Zero-hours contract |
| Duration | |
| Ireland | No limitations |
| Italy | Maximum of 400 working days for each employee over three years |
| Netherlands | No limitations |
| Sweden | No limitations |

| | |
|---|--|
| UK | No limitations |
| Is there a guaranteed income? | |
| Ireland | In the absence of work, the worker is entitled to compensation for at least 15 hours or 25% of the contracted hours, whichever is less |
| Italy | No |
| Netherlands | Minimum of three hours for each day workers are called |
| Sweden | No |
| UK | No |
| Are workers paid for inactive time? | |
| Ireland | No |
| Italy | Depends on agreement |
| Netherlands | No |
| Sweden | No |
| UK | For waiting time at the employer's premises |
| Extent of social protection coverage | |
| Ireland | None |
| Italy | Full coverage |
| Netherlands | Full coverage |
| Sweden | n.a. |
| UK | Only if a minimum income is achieved |

Note: n.a. = no information available

Source: Eurofound, based on national contributions

Characteristics of employers and employees

Sectors

Casual work is often confined to seasonal sectors or sectors with variable demand such as hospitality and home care.

In Belgium, due to the restrictions on casual work, intermittent work is prevalent in the tourism sector and mainly used by small bars and restaurants. Swedish on-call contracts are also most often used by the hospitality sector (35% of all employment in the industry), followed by elderly care and trade (Håkansson, 2001).

Similarly, in Italy, on-call contracts are more prevalent in the hotel and restaurants sector (60% of the total in 2009). The remaining share is spread across six different sectors, namely education, health, social and personal services (13%), commerce (11%), real estate, other professional and commerce activities (7%), industry (5%), construction (2%) and transport, warehousing and communications (3%) (Istat, 2010).

In Ireland, casual work is used mostly in low-paying sectors such as retail and catering (The Irish Times, 2013). In the UK, the Labour Force Survey indicates that in the last quarter of 2012, some 20% of employees on zero-hours contracts worked in the health and social care sector, 19% in hospitality,

12% in administration, 11% in retail and 8% in arts, entertainment and leisure (Pennycook et al, 2013). The UK media regularly draw attention to the growing use of zero-hours contracts in low-paid jobs.

Where zero-hours contracts predominate in the UK

One of the companies to hit the news for the controversial use of zero-hours contracts is the fast food chain McDonald's, with almost 83,000 of its UK workforce, 90% of the total, on these contracts (The Guardian, 2013b). Burger King employs all 20,000 workers in its restaurants on zero-hours contracts, while 20,000 staff of Domino's Pizza have these contracts (The Guardian, 2013c). The list continues with large companies such as Sports Direct, Boots, Bupa, Cineworld and Centerparcs, all of which employ large numbers of staff on zero-hours contracts. According to a recent study, 61% of colleges and more than half of universities in the UK use zero-hours contracts to employ lecturers (BBC, 2013a).

For the Netherlands, De Graaf-Zijl (2012a) shows that on-call work arrangements are overrepresented in service functions and sectors such as commerce, hotels and catering, healthcare, culture and recreation. They are used by employers mainly to meet human resource shortages, especially for replacing staff on leave and accommodating unexpected demand for staff.

Similarly, according to the Slovenian Labour Force Survey, the dominant sector for Slovenian student work in 2010 was services, where 86% of student workers were employed, while 12% were working in industry and only 2% in agriculture.

In contrast to this, Romanian casual work performed by day labourers can, by law, be used only in a limited number of sectors. Hence, Labour Inspectorate data for 2012 show it is most prominent in agriculture (accounting for 29% of positions), fruit-growing and viticulture (17%), and forestry (13%), while the entertainment and advertising industry accounts for 4% of all recorded intermittent work positions.

In Hungary, the Simplified Employment Act restricts this type of employment to seasonal agricultural work (including seasonal tourism services), domestic work and casual work in public organisations to replace staff for specific tasks.

Occupations and skills

In many EU countries, casual work is concentrated in lower-skilled occupations. Italian companies use on-call workers almost exclusively to fill blue-collar positions (90% of the total) (Istat, 2010).

In Ireland, zero-hours contracts appear to be particularly prevalent in relatively low-skilled occupations in retail and home help (Eurofound, 2010a).

Romanian casual work performed by day labourers, due to its nature, is performed by unskilled or poorly educated workers, particularly in rural areas.

In 2010, most of the students in casual work (42%) in Slovenia were employed as service and sale workers, 18% as technicians and associate professionals, and 16% as clerical support workers, according to the Labour Force Survey. Generally, students work in low-skilled jobs.

Casual work for low-skilled tasks

In a Hungarian plastic packaging company, casual workers are employed to select and compact waste materials. Casual workers select the spoilage among the finished products and collect it for the compressor. If a whole barrel of plastic is waste, workers cut the plastic from the barrel before compressing it, which is a rather time-consuming manual activity. Line managers say that this work requires high tolerance of monotony and physical strength.

In contrast, UK zero-hours contracts were more prevalent among managers, professionals and associate and technical staff in the last quarter of 2012, representing 43% of such contracts. The remaining workers on zero-hours contracts were in manual skilled and semi-skilled occupations (17%), care, leisure and sales jobs (17%), unskilled jobs (11%) and administrative occupations (11%) (Brinkley, 2013). In some of the case studies, there is evidence that casual workers do the same work as core staff.

Casual work requiring qualified workers

A Dutch childcare company employs casual workers for the same tasks as its regular employees. It usually hires on-call workers with similar qualifications to regular staff. Those workers with a min-max contract typically have a specific group of children they take care of, while those on a zero-hours contract are placed anywhere they are needed.

In Slovakia's Piešťany Hospital, from 2010 to 2014, between half and two-thirds of its casual workers were doctors and nurses providing healthcare services:

- 27 out of 54 in 2010;
- 51 out of 78 in 2011;
- 53 out of 82 in 2012;
- 26 out of 40 in 2014 (data up to April).

Sociodemographic characteristics

Casual workers tend to be young, less educated and predominantly women.

Two-thirds of those holding on-call contracts in Sweden are women; such contracts are also often held by young workers and those with a foreign background (Håkansson, 2001). Italian on-call contracts also tend to be more prevalent among young workers (aged 15 to 29) and women, constituting 1.3% and 1.2% respectively of contracts among these groups, compared to the overall incidence of on-call contracts in the labour market of 0.9% (Mandrone and Radicchia, 2010).

Similarly, in the Netherlands, on-call work is more prevalent among women (56% of on-call workers), younger people (about two-thirds of on-call workers are aged between 15 and 24) and less-educated workers (about 40% of on-call workers) (De Graaf-Zijl, 2012a; Flexbarometer, 2014).

In the UK, 37% of workers on zero-hours contracts are aged between 16 and 24. They are also more likely to have a General Certificate of Secondary Education (GCSE) qualification and less likely to have a degree. The higher incidence of zero-hours contracts among female workers (53%) compared to their male counterparts (47%) may be partly due to the concentration of zero-hours contracts in sectors in which women prevail (for example, social care) (Pennycook et al, 2013).

In 2010, Slovenian student work was slightly dominated by women, at 59%, while 41% were men.

In the case studies, too, most of the casual workers are female. However, this might be attributed to the sectors in which the case study employers are active (health and care services and marketing). One of the companies studied, however, is a plastic packaging company, and here the casual workers are male. Furthermore, the case study casual workers are also mainly aged between 20 and 50. In the Dutch case study of a childcare company, this is explained by the preference of older workers for more stability in their job. The UK case studies, however, report that there is a significant share of casual workers who are near retirement or even over the statutory retirement age.

Drivers and barriers

Employers' perspectives

According to the ILO (2004), the advantages to the employer of using on-call and zero-hours contracts consist mainly in the flexibility that they provide to meet ad-hoc needs for additional human resources (for example, quick response to seasonal needs, assistance during peak time hours or periods, and filling in for absent regular employees). Rubery et al (2014) report the following intermittent demand needs as the main reasons for zero-hours contracts in the UK:

- HR demands that do not take a regular form and with very long gaps between employment, but where employers want to draw on workers already identified and possibly trained, for example for occasional events such as conferences, weddings, concerts or festivals;
- specialist staff needed from time to time (for example, for technical, legal or professional work);
- seasonal demands, for example in tourism, agriculture, retail and education;
- peaks and troughs in demand over the course of a working week, so that shifts can be staffed in line with changing patterns of demand as, for instance, in hospitality or retail;
- peaks and troughs in demand in the course of a day, as is common, for example, in hotel cleaning.

Casual work used to cover ad-hoc HR needs

A Hungarian plastic packaging company uses casual workers to deal with the waste in the production process when, due to strict delivery deadlines, there is no surplus personnel for this task when the factory is running at full capacity. Casual work is used because the number of workers needed is unpredictable, and the international headquarters of the company will not authorise an increase in the core workforce.

Company Case Study Ireland, a private organisation providing residential placements for young people who need a place to live, contracts on-call workers to provide cover if a permanent staff member is unable to work. On-call workers can be called to work if a new client arrives unexpectedly at a residential unit. The company considered using temporary agency workers but found retaining a panel of on-call workers more cost effective. The panel also ensures a level of consistency in the care setting and makes it possible to train on-call workers in the model of crisis intervention that is endorsed by the service.

The need to employ casual work arose in Slovakia's Piešťany Hospital in one instance when the hospital needed a replacement for a medical specialist who had left. A doctor from another hospital, who already had a standard full-time employment contract at

another hospital, was recruited. Therefore, Piešťany Hospital offered casual work as a supplement to the doctor's regular employment. This case illustrates what lies behind the hospital's use of casual work, namely the lack of qualified full-time professionals, combined with the need to address the needs of patients and meet the requirements of health insurance companies.

Interestingly, the case studies from the Netherlands and the UK point towards the public sector employers or their contractors using casual work to respond to recent budget cuts, which have forced them to reduce labour costs, in such a way to enable them to preserve at least part of their qualified staff and to provide them with some work and income. In Slovakia, by contrast, the public healthcare sector has a lack of qualified workers, compelling employers to offer contracts other than full-time contracts to maintain proper service provision. In Ireland, some outsourcing of care services to the private sector is apparent (driven not least by a state recruitment memorandum preventing the public health services from hiring new employees); this private sector care industry was able to come into existence only due to the possibility of offering on-call work.

Casual work driven by public sector financial limitations

A UK home-care provider working for local government uses zero-hours contracts because the local authority pays only for the working time actually spent with clients. Zero-hours contracts were part of the founding business model and were felt to be a necessity to align practice and costs with the commissioning practices of the local authority. Anecdotally, the provider suggested that some other local home-care providers had experienced significant financial and operational problems as a result of moving from zero-hours contracts to guaranteed-hours contracts, with some going out of business.

Workers' perspectives

On-call and zero-hours contracts may be advantageous for some types of workers (for example, students or those willing to work variable and short hours for a better fit between work and home life) and offer easier access to the labour market (ILO, 2004).

From the case studies conducted for this project, it can also be inferred that some casual workers see this form of employment as a means to generate additional income or to improve their professional skills and gain experience. This may also include seeing casual work as a potential stepping stone towards standard employment.

Casual work as a means to improve professional skills

The case study on Piešťany Hospital in Slovakia shows that casual workers choose this employment form for their professional growth and experience. Doctors who work on the ambulances are among the casual workers employed. Having the opportunity to work at a hospital for a few hours a week makes it possible for a medical specialist to broaden their experience of patients that are in-hospital service users rather than outpatients. They may have the opportunity to work with equipment that might not be available to them at other hospitals or if they worked only in outpatient care, and this further extends their experience.

Nevertheless, for some of the casual workers interviewed, engaging in this employment form was driven more by necessity than deliberate choice. In a time of high unemployment, they were willing to take on any job available to avoid unemployment spells.

Necessity-driven casual work

A casual worker in the Dutch childcare sector said, when interviewed, that she has a permanent contract in a shop and works there two days a week. Since this job does not generate enough income and she is a qualified childcarer, she decided to seek work as an on-call employee in the sector.

The case study on a UK local government that contracts out social care showed that school-leavers in particular were increasingly applying for zero-hours care jobs as the range of alternative jobs has decreased and the government has reduced young people's access to unemployment benefits.

Similarly, a representative of the UK online platform Slivers of Time, which matches supply and demand for casual work, said one consequence of the recent recession was a growth in casual work because a growing number of people are underemployed and need to find flexible ways to top up their hours and income.

Implications for working conditions

In general, casual work gives a high level of flexibility to employers and low levels of security to workers. Work (and therefore income and often social protection) is provided to employees piecemeal and for a limited time. This results in little job security, no predictable and regular working hours, low wages, no or limited benefits, and less job satisfaction (ILO, 2004).

For example, casual work in Ireland is characterised by precariousness, poor pay and working conditions, and easy procedures for hiring and dismissal. Employees on casual contracts are 47% less likely to have received training in the last two years compared to those on permanent contracts, and also have significantly less job autonomy (Layte et al, 2008). In terms of job satisfaction, there is evidence that Dutch on-call workers, particularly those that are male and highly educated, are less satisfied with working conditions, pay and job security compared to regular workers (De Graaf-Zijl, 2012b). Based on the results of an online survey of workers employed under on-call contracts, the Federation of Dutch Trade Unions (FNV) reports that most respondents are unsure about the number of hours they will be working in the week ahead and how much money they will be earning. For nearly half, working hours change weekly (FNV, 2011). According to FNV, the unpredictability of the work schedule puts an extra strain on workers in this kind of employment, who feel desperate and exploited. Secondary analysis of the Dutch Working Conditions Survey 2008 found that on-call workers have less autonomy and fewer task demands than permanent workers (Wageneer et al, 2012).

While casual work can also create flexibility for the worker and result in enhanced opportunities for combining work with, for example, care responsibilities or education, insecurity over the next assignment can cause mental stress. Furthermore, the fact that work is unpredictable can in many cases cause difficulty combining work and private life. There is some anecdotal evidence from the case studies that casual workers tend to accept everything that is offered to them (to make the most of income opportunities and to avoid getting the reputation of always refusing job offers and

incurring the risk of not being called in anymore), even if this means cancelling personal plans. In models where in practice there is no upper limit on working time, an indefinite number of casual jobs (or casual work with standard employment) can be combined, creating the potential for long working hours and hence reduced work–life balance.

Long working hours

A zero-hours contract worker providing care services commissioned by a UK local government found there was no limit to the hours staff could be asked to work. So, although her earnings would almost always be at least equivalent to full-time work, she had no real work–life balance. This employee was on duty during the day shift (07.00–18.00) and the evening shift (18.00–21.30), working up to 45 hours on a 5-day rota and up to 65 hours on a 7-day rota. While the employee was grateful to have what amounted to a full-time wage, she was not entirely comfortable with the long hours (and the consequent lack of rest and recuperation and time with her partner).

Anecdotal evidence from the case studies suggests that casual work is not the exclusive activity of the workers interviewed. Some do this type of work alongside another job (which can also be casual), others combine it with care responsibilities or education. However, examples of workers relying on casual jobs as main source of income were also found.

Mixing casual work with full-time work

About two-thirds of the casual workers at Slovakia's Piešťany Hospital are likely to (but do not necessarily) have full-time positions at other institutions. The remaining third have full-time positions at Piešťany. An example is a nurse who, in addition to her standard full-time employment contract, has an additional contract for cleaning. It is probable that there are other full-time hospital employees who are doing casual work with other employers. The employees interviewed suggested that casual work in the healthcare sector is more the rule than the exception (at least when it comes to medical staff), and in the majority of cases, employees are hired for the same positions through a regular employment contract and through casual work. For example, it is not unusual for a medical specialist working full-time at one healthcare provider in standard employment relationship to be employed for the same position for additional hours at a different healthcare provider as a casual worker.

Italian statistics highlight the differences in paid working hours between permanent and non-permanent on-call workers. Overall, on-call workers on permanent contracts work significantly fewer hours than those on non-permanent contracts (26.6 and 35.7 hours per month respectively). There are, however, variations across sectors. For non-permanent on-call workers, the longest monthly working hours are in transport and communication (57.4 hours) and the shortest in education, social and personal services (31 hours). Transport and communication is also the sector with the longest monthly working hours for permanent on-call workers (51.6 hours), while the hotel and restaurant sector has the shortest monthly hours (21.7 hours). Clerks work more hours than blue-collar workers, 38.3 and 30 hours per month respectively.

In the UK, zero-hours contracts are characterised by less clearly defined employment rights, less income security and worse work–life balance. A summons to work might come at short notice and result in irregular working hours. There is evidence that workers on zero-hours contracts are more likely to find themselves in low-paid jobs. According to the Labour Force Survey, the average hourly pay for a worker on a zero-hours contract is estimated to be £9.12 (€11.01). Businesses that make use of zero-hours contracts pay a higher share of their staff between the national minimum hourly wage of £6.19 (€7.47) in 2012 and £7.50 (€9.05) than do businesses that do not use these contracts (Pennycook et al, 2013). Some 18% of workers on zero-hours contracts are actively seeking alternative employment or extra working hours, compared to only 7% of those who are on other types of contract. Low pay is also found in Swedish on-call contracts. Wages for such workers are on average 10% lower than for permanent staff (Konjunkturinstitutet, 2005). Furthermore, the case study evidence points to limited access of casual workers to bonuses or fringe benefits and suggests that they sometimes have to spend time or money on work-related activities that are not compensated (for example, travelling time and costs).

Unstable income from casual work

A worker providing care services commissioned by a UK local government on a zero-hours contract had previously averaged around 30 hours per week on a 5-day rota and around 40 hours per week on a 7-day rota. In the last year, however, this had dropped as low as 12 hours when existing clients had gone into hospital and had not been replaced by new clients. This meant that the payment of fixed outgoings such as rent, food and utilities was a pressing concern (particularly as a single earner), and the employee reported having to keep a very close eye on personal spending as her bank balance was just going ‘down and down’.

At the same time, however, there is some anecdotal case study evidence that some casual workers have sound income levels due to a combination of beneficial tax treatment and employers’ commitment to fair wages.

Steady income from casual work

Wages for casual workers in a Hungarian plastic packaging company are higher than the statutory minimum wage. There are favourable tax and social security contribution rules for casual workers, and the employer decided to use some of the savings made from using casual workers to increase their net wages. If a casual worker works 15 days per month in the company (which is the legally allowed maximum), the net income can reach HUF 75,000 (about €240), compared to the net monthly minimum wage of HUF 66,000 (about €210).

Swedish on-call contract workers appear to receive less training and have less influence over their work duties (Håkansson, 2001). In the case studies, there is some access to training for the casual workers, however, in the form of induction training. In other cases, casual workers are given the option of joining any training measure offered to core workers, but are not paid for the time spent training. One of the casual workers interviewed also said she felt learning the job took longer because of unstable and fragmented work patterns.

Training for casual workers

Casual work in a Hungarian plastic packaging company starts with compulsory training. Supervisors provide workers with information on the factory, the basic procedures and their specific tasks. As the employer produces food packaging materials, new entrants are introduced to the stringent hygiene regime, including rules on clothing and the use of restrooms. Casual workers have to respect the same occupational health and safety measures as all other employees, so their training includes these policies too.

On-call workers offering care services commissioned by a UK local government attend a formal one-day induction course (unpaid) followed by one and a-half days of paid training, and are then expected to complete the Skills for Care workbook training in their own time over a 12-week probationary period. Employees are allowed to use resources and facilities at the employers' premises to complete the workbook during breaks, holidays or days off. On-the-job training is provided through three days of job 'shadowing'.

Aronsson et al (2005) found that on-call work was associated with ill health such as stomach, back and neck complaints, headaches, tiredness and listlessness. Several of the regulations analysed oblige the employer to consider the same health and safety issues for casual workers as for standard workers.

Health and safety measures

The Hungarian Simplified Employment Act obliges the employer to check whether the casual worker is able to perform the work asked of them. Employers have the same responsibility for occupational health as in a traditional employment relationship. If a health risk goes unnoticed in a newly recruited casual worker and they are injured at work, the employer would be held responsible. Employers can reduce such risks by performing an 'employability' examination. Its aim is to explore what general limitations will apply to the employee's work, if any. For example, after the examination, an employer could say that a specific employee should not work in a permanent sitting position or outdoors, or should not perform heavy physical jobs or tasks requiring perfect eyesight. Either the employee or the employer may initiate the employability examination, and the party that initiates the process has to pay a fee of HUF 3,300 (€10.50) (Government Decree 284/1997 (XII 23)). In some exceptional cases, a worker cannot start a job without valid employability certification. This applies to the employment of young workers, pregnant women and breastfeeding mothers, among others, while other special examinations are mandatory in jobs where a worker is exposed to infectious diseases and in the food industry (Welfare Ministerial Decree 33/1998. (VI 24) Article 16/A (1)).

In Romania, the labour health and safety law obliges employers to inform and train casual workers on potential workplace risks and to provide adequate working and protective equipment. Workers have to sign a declaration confirming that their state of health allows them to perform the work they are engaging in.

Workers in the Romanian system of day labourers are not covered by the public social insurance system or the public health insurance services and do not qualify to receive unemployment benefit unless they voluntarily opt to pay contributions. The same holds true for student work in Slovenia,

and such work does not generally contribute to the worker's career development because, in the majority of cases, the job is not related to their field of study. Hungarian casual workers on simplified employment are not eligible for all social security services (for example, health benefits are not covered). In Slovakia, casual workers' social protection was improved in 2013 by obliging employers to make mandatory social insurance contributions. Nevertheless, casual workers still lack some of the rights of standard workers, such as severance pay, and have shorter notice periods.

Particularly problematic are casual work models in which the worker has to be at the disposal of the employer at all times, making it impossible to find other jobs they could do when not needed. It may also be that casual workers are assigned the more inconvenient, uninteresting, stressful or dangerous tasks in preference to core staff.

However, there are examples of legislation providing some protection and access to basic entitlements. The Belgian casual work regulation, for example, ensures casual workers are covered by the same labour regulations as any other workers in the sector, and so have the same working conditions. In spite of the intermittent character of the work contract, the regulation improves social protection, giving the workers full cover in spite of their reduced employer contributions. In Italy, legislation stipulates that on-call workers must be paid on the basis of the work done, and not less than workers on standard contracts doing comparable tasks.

Taken all together, research evidence points to increased precariousness of casual work contracts, less favourable working conditions and lower wages compared to regular and permanent employment.

This raises the issue of representation. While no strong evidence is available, the information from the case studies points towards a theoretical coverage of casual workers by the same collective rights as any core staff. In practice, however, it seems to be difficult to organise employees in short fixed-term employment. In Hungary, for example, it seems officials do not make much effort to convince workers who will soon leave the job to join unions, and collective agreements tend not to explicitly deal with casual workers.

Nevertheless, there is some evidence that unions are considering the specific situation of casual workers, for example by informing employees about their rights. Dutch trade unions do this, but observe that on-call employees are usually not represented in the works council because their insecure position conflicts with the need to maintain continuity in the council. In Hungary, the Netherlands and Ireland, trade unions are challenging employers to provide an adequate rationale for using casual work.

Implications for the labour market

Casual work contracts are said to help particular categories of workers, for example younger people or workers who have lost their job, to enter the labour market and gain some valuable work experience; it is also assumed to reduce undeclared and illegal work (Andersson and Wadensjö, 2004; Karlsson, 2009; expert opinion from Belgium, Ireland and Italy). However, as yet, there is no strong evidence, for example from Belgium, that the objective of enabling young or displaced workers to enter or re-enter the labour market has been achieved.

Trade unions fear that too much regular work has been replaced by this new contract type. In Sweden, on-call contracts are thought to have the potential to restructure the labour market towards an increased acceptance of precarious forms of employment (Håkansson, 2001). For Italy, the 2006 Isfol report shows that on-call contracts – together with fixed-term and freelance contracts – tend to

be misused and are given out even when a regular employment contract would be more appropriate (Eurofound, 2008).

However, the case study findings do not show any crowding out or replacement of standard jobs by casual work. Rather, they find some evidence that the casual work acted as a stepping stone and the workers were incorporated into the core staff, so the period of casual work was a kind of probation period.

Trade unions generally argue against these forms of employment because of their debilitating effect on job security. In some countries, such as the UK, unions call for their outright ban because they are said to weaken employment rights, create insecurity and exploit workers (Unite, 2013).

In Slovenia, experts say that student work contributes to labour market segmentation, as younger people tend to be employed in this more insecure employment form, while older people have relatively secure full-time and permanent jobs.

Nevertheless, in recent years, casual work may have also helped to preserve jobs (with, however, some reduced workload and income) and partly even to boost job creation. The casual work performed by Romanian day labourers, for example, is judged to have created a framework for new jobs in local and regional industries, and to have discouraged labour and tax evasion due to increased flexibility and less bureaucracy. The Minister of Labour estimates that the legislation has brought some 150,000–200,000 jobs into the regulated labour market. Similarly, an Irish employer organisation representative interviewed reported that on-call work created jobs in settings that depend on flexible work (such as residential care). He suggested that on-call work supports businesses that would not exist without a flexible workforce. The case study evidence, however, points towards limited job creation effects of casual work, and suggests that the jobs created are not necessarily very attractive due to the short assignments or types of tasks involved.

Job creation effects

During the recruitment process for casual workers, a Hungarian plastic packaging company advertised the positions as a stepping stone towards a permanent job with the company. They informed potential candidates that the time spent in casual work would function as a probation period. After six to nine months of casual work, the employer evaluates the worker's performance, and if at that time they are looking for permanent staff, the best-performing casual workers are given this opportunity.

Similarly, in a Dutch childcare centre, zero-hours contracts can lead to a regular job. If there is a vacancy and an on-call employee applies, they are generally preferred over other applicants because they are already familiar with the internal processes and known to the line manager. This eliminates the risk of hiring someone new.

6

ICT-based mobile work

General characteristics

Over the last few years, ‘the virtual, invisible worker working digitally anywhere and everywhere’ (Popma, p. 5, 2013) has become more widespread as a result of progress in ICT and new forms of work organisation, such as working away from at the employer’s premises. The increase in all kinds of mobile technologies and communications media, principally smartphones and tablets, the growing availability of such devices, and the ease of internet connectivity they bring (Popma, 2013; Holtgrewe, 2014) are key factors in the growing numbers of mobile workers. At the same time, the increasing interconnectedness of market participants and the attendant division of work on a global scale, the growing market power of multinational corporations, and the growing number of intra-company transactions that stretch across locations have completely reshaped the organisation of production and work (Gareis et al, 2006).

This study uses the term ‘ICT-based mobile work’. Other terms used in public discussions, policy papers and research include mobile eWork (European Commission, 2010a), mobile ICT-supported work (European Commission, 2010a) and e-nomads (Eurofound, 2012a).

ICT-based mobile work refers to work arrangements carried out at least partly, but regularly, outside the ‘main office’, be that the employer’s premises or a customised home office, using ICT for online connection to shared company computer systems (Andriessen and Vartiainen, 2006; European Commission, 2010a; Eurofound, 2012a).⁷ Work takes place wherever and at any time it suits the work activities, task, business schedule and lifestyle of the worker, not necessarily at a specific place but also ‘on the road’ (Andriessen and Vartiainen, 2006; European Commission, 2010a). As a consequence, ICT-based mobile work happens in ever-changing situations, but with a need to collaborate with other workers or clients, hence the requirement to be connected to shared resources to achieve a joint goal (Corso et al, 2006; European Commission, 2010a).

Schaffers et al (2006) list the absence of a fixed working space, internet-based processes, and management support of mobility and mobile working culture as key characteristics of mobile work. Accordingly, they categorise four types of mobile work:

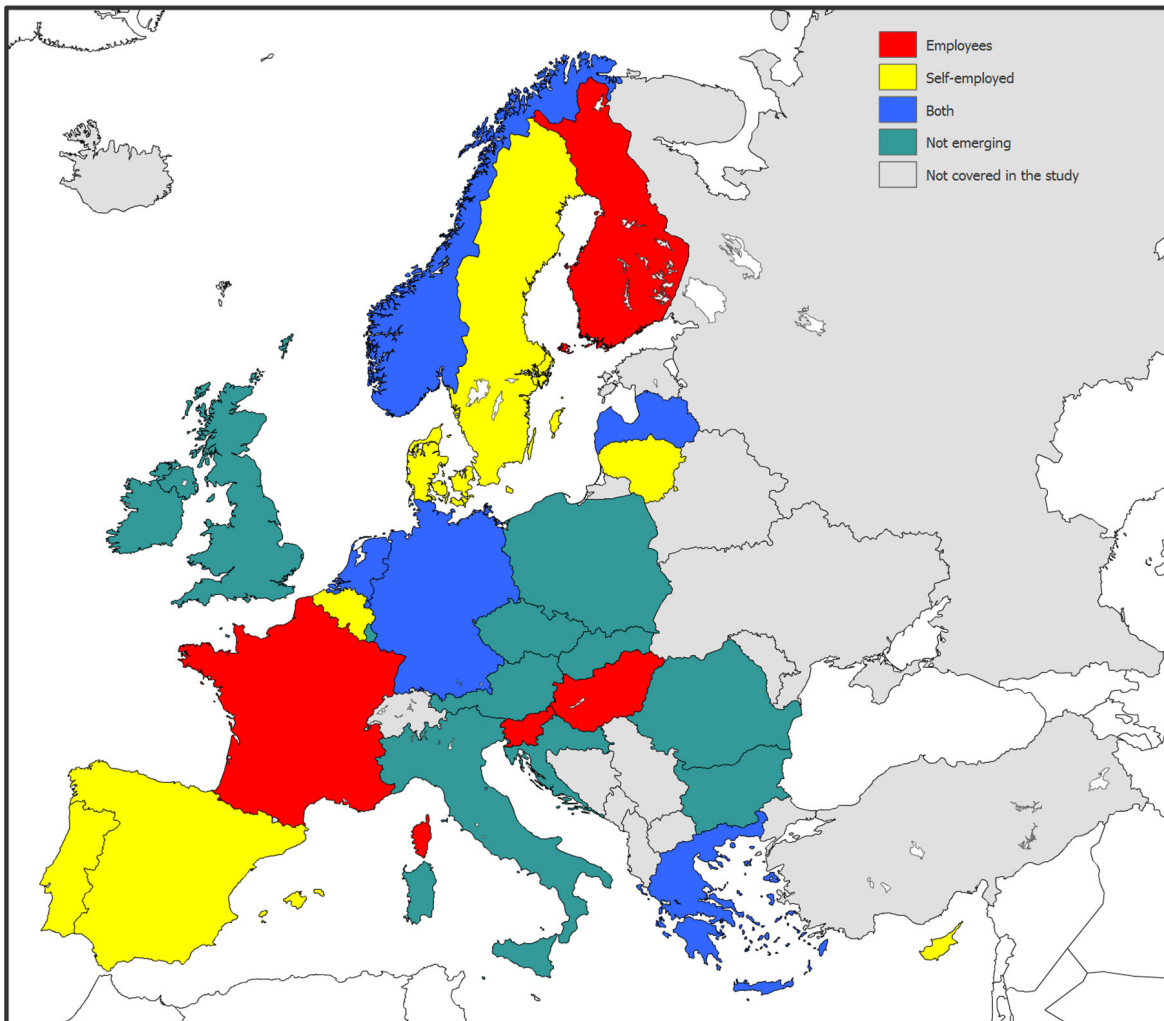
- full mobility, with frequent changes of location and multiple locations and involving a variety of shift-work patterns and a combination of individual and team workplaces; examples of occupations that might follow these patterns are journalists, multi-site managers, regional-global sales people and service engineers;
- site mobility, with frequent changes of location but in geographically limited areas, such as hospitals, schools, offices and campuses; examples of occupations involving site mobility are researchers and construction site workers;
- multi-location workplaces, involving a number of fixed work locations, changing infrequently but with ad-hoc mobility; a typical occupation is field engineer;
- networked workplaces, with limited physical mobility but with the ability to work at many different locations; types of work carried out in this way include 24-hour software development and complex design and engineering tasks.

ICT-based mobile work is relevant for both employees and the self-employed. European cross-country comparison shows that among the 16 countries where it is emerging, in 4 (Finland, France, Hungary

⁷ The European Commission (2010a) attempted to operationalise this new employment form by defining a mobile eWorker as working at least 10 hours a week away from home and from the main place of work by using online computer connections.

and Slovenia), it is dominated by employees. In seven countries (Belgium, Cyprus, Denmark, Lithuania, Portugal, Spain and Sweden), it is used more by the self-employed. In the remaining five countries (Germany, Greece, Latvia, the Netherlands and Norway), there are indications of this employment form being used by both employees and the self-employed (Figure 9).

Figure 9: European countries in which ICT-based mobile work is new or of increasing importance



Source: Eurofound, based on national contributions

For most employees, mobile work could be considered as a variation of teleworking, where workers conduct their job outside the employer's premises. However, in contrast to traditional teleworking, they do not work in another fixed location, but more flexibly, in various places or even on the road. In Hungary, for example, 'outworkers' are employees working in jobs that can be performed in any place, and they are paid exclusively on the basis of work delivered and expenses incurred. The employment contract has to define the work to be performed, the place where the work is carried out, the method used to fulfil the task and how far expenses will be covered.

The case studies suggest employees' mobile work is generally conducted on the basis of standard work contracts, in most cases related to full-time positions of indefinite duration. Some case study evidence (for example, from the Greek company Microsoft Hellas) even hints that the employer deliberately

links mobile work to permanent contracts to ensure that the increased flexibility (for both employer and employee) should not result in reduced security for the workers. This would reverse the intended positive impact of flexibility such as increasing productivity and employee satisfaction.

Implementation of mobile work is done in an informal way, covered as a general element of flexibility in the company agreement or work contract.

The informal character of ICT-based mobile work

The Finnish advertising company Suomen Pienyrittäjien Mainostoimisto does not have any written procedures or guidelines about mobile work, but there are certain rules of thumb. If an employee plans to work from some other location for a few days, they have to give one week's notice to their manager and all colleagues. On Friday afternoons, the company holds a general meeting to bring all workers together at the close of the week, and employees who are planning to work mobile during the next week inform everyone then.

ICT-based mobile work is not suitable for all jobs. It must be possible to do the tasks inherent to a job (or at least parts of them) away from the premises of the employer or another fixed workplace. Mobile workers' activities and tasks vary considerably according to sector and occupation. In general, however, after telephone conversations, receiving and sending emails is the most relevant activity performed by mobile workers (92% of workers in 2002), followed by accessing the internet (70%) and connecting to the company's internal system (around 60%) (European Commission, 2010a). The exchange of emails is part of the role of office and knowledge workers particularly, while non-office workers in sectors such as field maintenance and healthcare mainly connect to their company's computer systems using special applications.

Workers also need to be able to access company communications systems and exchange work-relevant information irrespective of place and time. This requires some kind of cloud computing system for data storage with virtual access from mobile devices and the related infrastructure (a network of computers, laptops, tablets, mobile phones and so forth) as well as agreed procedures for communication and information exchange. The case study employers provided their mobile workers with ICT equipment, including laptops, tablets and mobile phones, and set up access to company documents and programmes through a cloud solution.

Technical set-up for ICT-based mobile work

The Finnish advertising company Suomen Pienyrittäjien Mainostoimisto provides its employees with laptops pre-loaded with software that gives secure access to company information over a virtual private network (VPN). Employees can go online on the 3G mobile communications network using their mobile phones, and this can be connected to laptops. Many employees have their own private network connections that they may use, and if needed the employer provides a mobile internet connection. All the employees may also use Skype for video conferences.

The work culture needs to foster a sufficient level of trust in staff by the employer so that they can delegate responsibilities and accept a certain loss of managerial control. Workers, in turn, must be able to self-organise and self-manage their work and be willing to do so.

A work culture favouring ICT-based mobile work

In 2011, the Greek Microsoft Hellas introduced Microsoft's 'New world of work' programme. This included the possibility of flexible working hours and working outside the employer's premises. According to the employer and employees interviewed, management at Microsoft Hellas started to change its attitude and encourage staff to take advantage of this new model. An employee said the change was gradual, and initially people still felt that it was better to work from the office. However, as the CEO and department heads increasingly worked outside the office, others started to follow suit. Employees now say they decide independently how to organise their work, where they do it and the hours worked.

ICT-based mobile work among the self-employed is often linked to other new employment forms discussed in this report, such as crowd employment (as in Denmark, Germany, Greece, Portugal and Spain), coworking and other forms of cooperation among the self-employed (as in Cyprus, Germany, Italy, Lithuania and Spain), and portfolio work (as in Latvia and Norway).

With the exception of Sweden, where mobile work (*IT-driven arbetsplats*) has been linked to the integration of ICT in the workplace since the late 1990s, the emergence of this employment type is quite recent; it has been growing in Germany and Hungary only since the mid-2000s, for instance. The case studies focus on ICT-based mobile work that was introduced in the mid- to late 2000s.

The novelty of this employment form might be one of the reasons why it is not specifically regulated in most of the countries where it was identified as emergent. Only in Hungary was specific legal regulation for mobile work found, where, since 1 January 2013, regulations covering 'outworkers' have been included in the Labour Code. In Denmark, the Act on Working Conditions applies to both mobile work and fixed workplaces. However, it has identified various locations where work is typically performed and provides some guidelines on which type of work should be done where. For example, it recommends that employees not perform large writing tasks on laptops in trains or hotels, where the working conditions for ergonomically correct positions might not be ideal. Instead, the guidelines recommend that while travelling the employee should handle tasks such as reading or phone meetings.

Characteristics of employers and employees

Data from a study conducted in 2003 in 28 regions within 13 European countries indicate that, on average, 5% of workers can be classified as a 'mobile teleworker', ranging from 13% in the Berkshire/Buckinghamshire/Oxfordshire region of the UK to 0.5% in Central Macedonia (BISER, 2004). A recent Norwegian employers' poll on mobile work estimated that 62% of companies made all of their working documents accessible to their employees via mobile devices outside the premises of the workplace (Nordialog, 2013). The same survey showed that 91% of companies provided workers with mobile devices. According to the 2010 European Working Conditions Survey data, a quarter of the workers can be considered e-nomads (Eurofound, 2012a).

The future potential of ICT-based mobile work is shown in a survey carried out as a part of Micropol, an EU project promoting ICT-based work (funded by the European Regional Development Fund under the Interreg IVC programme) in December 2012. According to this, 81% of 1,335 respondents would be willing to work at a distance from their employer's premises, at home or

from telecentres – places close to home where an individual workplace can be furnished with necessary equipment, and with rooms suitable for meetings with clients and colleagues (Diena, 2013).

Most e-nomads are men (65%), have a tertiary education (56%) and are 39–49 years old (45%) (Eurofound, 2012a). Similar can also be found in the case studies. Mobile workers are younger, highly skilled specialists, knowledge workers or management. The higher number in specialist or management positions might be related to the preconditions for mobile work of a high level of trust between the employer and the worker, and the employer's willingness to give up direct control over the worker – in the case of managers or specialists, such control is likely to be more limited in any work location.

The sectors where mobile workers are more likely to operate are ICT, engineering (in particular automotive, aerospace, building and construction sectors), healthcare (in particular for health professionals) and manufacturing (Schaffers et al, 2006; European Commission, 2010a).

A Slovenian study finds that most mobile workers there were employed in the service sector (70%–80%), while knowledge workers constituted almost 30% (Drobnjak and Jereb, 2007). Mobile work is most widespread in international businesses and among those that collaborate closely with foreign companies. Moreover, companies providing intellectual services in the areas of information technology, such as computer programming, advertising and publishing, are among those that use mobile work most widely. Similarly, national experts from Cyprus and Lithuania indicate that ICT-based mobile work is most common in the creative industries (for example, the audiovisual industry, journalism and design), while Swedish and Norwegian experts see it as an emerging trend across a wide variety of sectors and occupations (Vinnova, 2007).

Drivers and barriers

According to the case study evidence, employers use ICT-based mobile work as a means to increase flexibility in work organisation and to introduce innovative work practices, as the development of modern technology increasingly provides these opportunities. The objective is twofold. Firstly, they aim to achieve efficiency and productivity gains through best use of available working time (for example, rather than having 'empty times' when workers are travelling). Secondly, as ICT-based mobile work becomes more common for specialists, knowledge workers and management, it may help employers to attract skilled labour. In Denmark, for example, many workers say they expect any future employer to offer ICT tools and a workplace culture that permits them to spend their working hours outside the company office.

Popma (2013) indicates that employers opt for ICT-based mobile work to cut costs. By letting their workers work elsewhere some days a week, they can reduce the office space they need. This was also reported in some of the case studies.

Reduced office space requirement

When the Greek Microsoft Hellas introduced mobile work, it completely reconstructed the company's headquarters. As everyone may work from home, they do not need an individual workspace in the office. The number of workplaces has been cut by 50% and no-one, including the CEO and the director general, has a fixed office space.

In line with the preconditions for establishing ICT-based mobile work, this employment form is hindered if there is a lack of technical support and expertise, as well as by the prevalence of a traditional business culture based on strict working procedures and strong emphasis on control. It is also hindered by an absence of negotiation culture on non-wage issues and this has been seen in many Greek firms. It was also reported that mobile work seems to be particularly difficult to implement in public sector organisations in Greece because public administration is less focused on results and autonomy and more on employee accountability to their manager. Similarly, in the case of Slovenia, it was reported that ICT-based mobile work is not more widespread because employers want to have control over their employees and their work processes, both of which are difficult when employees are working on the move.

Workers' motivation to engage in ICT-based mobile work is often bound up with the need to commute less and saving a considerable amount of time that could be used for different activities (Popma, 2013). If they organise their workflow and fulfilment of tasks well, ICT-based mobile work improves their work–life balance because they are able to work when and where it suits them most.

Implications for working conditions

Reports from French (Klein and Ratier, 2012), German (Deutscher Bundestag, 2013) and Swedish (Vinnova, 2007) sources, as well as Lithuanian expert assessments point to some positive effects of ICT-based mobile work on working conditions. They find it is associated with a higher level of autonomy and hence flexibility than traditional employment forms.

Greater worker autonomy

An employee of the Finnish advertising company Suomen Pienyrittäjien Mainostoimisto says he appreciates the flexibility of mobile work. He usually works mobile two or three days a week. He may work from home, coffee shops, trains, his friends' places and occasionally when travelling abroad. Sometimes he can accompany his spouse on holiday, working during the daytime as usual. At the beginning of 2014, this employee is mobile working more often as he lives 50 kilometres away from the office.

An employee at the Norway-based branch of Hewlett-Packard describes how he came to appreciate the flexibility inherent in his mobile work when his priorities shifted towards his young family. He values the independence of mobile work, being able to work from the train, a cabin in the woods, or while staying home with his children. This was one of the key reasons he has stayed with Hewlett-Packard Norway rather than moving on to other firms.

As this increased level of autonomy reduces the employer's control over employees, companies introducing ICT-based mobile work either pay their staff based on results rather than working hours, or have technically advanced monitoring, such as systems that capture whether a worker is logged on to the company network and how long they work on each task. Both can be disadvantageous for workers if their wage level, work intensity and stress levels are affected. Much may depend on a worker's ability to efficiently organise their work. Furthermore, full transparency of each and every activity might also interfere with the workers' privacy.

An important advantage of ICT-based mobile work is the opportunity to work in the place best suited for the task. It was, for example, reported in several case studies that workers interviewed prefer

to work at home when they have tight deadlines or where high levels of concentration are needed, because there is less distraction and disruption compared to an office.

In addition, mobile work creates new forms of collaboration, including better communication (within the organisation, but also with clients and business partners). Better access to information is confirmed in the literature (Popma, 2013). However, this quick and continuous access to work-related information can lead to information overload, which, in turn, leads to insecurity and stress (Paridon and Hupke, 2009).

While some literature shows the importance of training employees before introducing mobile work (Neatkarīgā Rīta Avīze, 2013), in the case studies there was little evidence of specific training for the introduction or operation of ICT-based mobile work. Employees interviewed said this was not necessary since they were already able to handle the technology of this new form of work, and the introduction of mobile work tended to be a gradual process so that they had been able to slowly familiarise themselves with the procedures.

Mobile workers are generally not excluded from any company training on offer. Because they work routinely on modern devices, they become more familiar with them. In ICT firms, such as case studies based on Microsoft Hellas in Greece or Belam Riga in Latvia, this is seen to increase workers' knowledge about the products they are promoting and selling, making them more effective and also increasing their potential to earn bonuses from better sales results.

One of the most problematic aspects of mobile work seems to be the isolation and lack of access to informal information-sharing that goes on in a fixed place of work. They miss out on integration into the whole process of their employer's business because they work on their own fragmented task and are less involved in the overall activities. Electronic communication does not match the richness of face-to-face communication, and a lack of social contact may lead to less well-developed social skills (such as team work or tolerance), an increasingly negative communication tone that may include assertive or hostile language, and an increased sense of depersonalisation. Decreases in productivity and increases in effort to maintain effective information exchange may lead to uncertainty and ambiguity, which can increase stress levels (European Commission, 2010a).

Lack of informal communication

Some employees of the Norway-based branch of Hewlett-Packard reported poor sharing of information and knowledge among staff, since most worked irregular hours and from different places. When outside the office for longer periods of time, employees were likely to miss important information, whether personal or work-related. The employees felt that this was particularly noticeable in exchanges of informal information, such as news of a pregnancy or a fellow coworker landing a big contract.

The Faculty of Social Sciences at the University of Ljubljana reports that team work suffers as a result of mobile work. All three employees interviewed said they missed social and professional contact with colleagues and this reduced their identification with the organisation. One employee observed that some issues and work-related problems are more easily resolved by face-to-face contact, and it was impossible to do team work outside the workplace.

The case studies show some level of awareness of these problems in those companies where mobile work has been common for a while.

Mechanisms to ensure mobile workers' integration in the company internal work community

In the Danish engineering consultancy Grontmij, line managers are asked to place a strong focus on the importance of knowledge sharing and integrating mobile workers into the working community. In its 2012 annual report, the company says explicitly that it makes optimal use of workers' knowledge through its digital knowledge-sharing systems. The company has also established networks and forums, internally and externally, where employee knowledge can be shared.

As reported by Meyer et al (2007), virtual collaboration can make it difficult to contact supervisors to coordinate work promptly, and conflicts are often detected too late in such virtual teams. Efficient communication and collaboration processes therefore have to be carefully designed and implemented to prevent misunderstanding and conflicts (European Commission, 2010a).

The boundaries between work and private life are another aspect of working conditions that can be influenced by mobile work. Work-life balance is thought to be influenced positively by home-based telework. But mobile eWorkers only rarely work from home, and therefore their work-life balance is more comparable to that of those working only at the employer's premises. Some experts suggest that it may be even worse if they are expected to be available all or much of the time, and the possibility of accessing work-related information round the clock means there are no longer any boundaries between work and private life (Maschke et al, 2014; European Commission, 2010a; Popma, 2013; Unionen, 2013). This also makes it difficult for the mobile worker to rest and recover, raising the risk of burnout (Popma, 2013). Nevertheless, there seem to be more opportunities for mobile workers at least sometimes to arrange their work and private life to fit their needs (European Commission, 2010a; Popma, 2013; Järvinen, 2012).

Mobile workers' working conditions are strongly influenced by the arrangements made with their employer about their availability. Some workers are expected to be permanently available beyond standard or core working hours. In a German survey, 70% of the companies interviewed expect their staff to be available outside the firm's working hours even if the company agreement states that no one is obliged to be (Maschke et al, 2014). Another German survey shows that while 21% of all workers feel stressed, the share is as high as 38% among those who have to be permanently available (Maschke et al, 2014), clearly suggesting that permanent availability has a negative effect.

At the same time, there is some evidence that if individual work contracts or company agreements limit working hours for mobile workers (for example, by technically cutting access to the company network outside of company working hours or by obliging superiors to clarify that overtime is not expected), this is not appreciated by all mobile workers. Some experience this as paternalism and it increases their stress levels as they are less free to organise their working time (Maschke et al, 2014).

A number of ergonomic risk factors seem to be inherent in ICT-based mobile work. These include poor visual interfaces on small display screens and controls, problems related to reflective glare or an insufficient level of ambient light, excessive noise levels to compensate for background noise, wrong posture when devices are used in an unsuitable environment and continuous exposure to

radiation and electromagnetic fields (European Commission, 2010a; Popma, 2013). Maschke et al (2014) point out that risk assessment of the physical or psychological effects of mobile work are rare, and that the agreements on which ICT-based mobile work is based rarely include health and safety provisions. If they do, they refer only to general health and safety requirements. However, since the workplace is not on the premises of the employer, this in effect outsources the employer's health and safety obligations to the workers.

Implications for the labour market

In Sweden, which embraced mobile work (*IT-driven arbetsplats*) in the late 1990s, this employment form is reported to have revolutionised production, consumption and ways of working. The shift towards an increasing dependence on ICT for organising work has reduced the importance of the traditional physical workplace (Vinnova, 2007). It has led to the acquisition of new skills, new working practices and organisational efficiency gains, strengthening overall competitiveness and contributing to growth (including job creation). The danger is, however, that some employers and employees cannot adapt to the accelerating technological developments and may consequently fall behind.

In Denmark, the spread of ICT-based mobile work is changing work organisation. The flexibility related to this new employment form is different from the flexibility of more traditional forms such as shift work. It requires more self-organisation and self-management and the potential availability of the whole team at all times.

In Finland, it is expected that if mobile work becomes more widespread, work organisation will become less hierarchical and a more heterogeneous, contextual and individualised process. Individually tailored working arrangements and employment relationships are becoming a reality (Alasoini et al, 2012).

From the anecdotal evidence of the case studies, mobile workers generally have a high level of job satisfaction, which might also be explained by the type of workers (managers and specialists) and their preference for and ability to work autonomously. As a consequence, the employers interviewed report improved product and service quality and efficiency and productivity gains.

Greater job satisfaction and productivity gains

Annual employee satisfaction surveys at Microsoft Hellas in Greece show improved results since the introduction of mobile work, despite increasing volumes of work and intensified pressure because of market conditions and competition, and the insecurity and uncertainty caused by the recession. The increase in employee satisfaction is linked to the reduction of employees' stress levels, which in turn is attributed to improvement in work-life balance. Work intensity has dropped as employees save commuting time. The increase in employee satisfaction has led to an increase in productivity and thus to the improvement of the company's competitiveness (Microsoft, 2012).

Several employers report that their decision to offer the option of ICT-based mobile work improved their employer branding, making them more attractive as employers on the labour market.

Finally, ICT-based mobile work also offers some potential for labour market integration of disadvantaged groups. These may be people not able to regularly work a certain number of core

hours at an employer's premises, perhaps for health reasons or due to family responsibilities. They may be people living in regions with poor transport connections who want to work without having to spend a lot of time commuting. For Norway, a country with low population density and long distances between communities, mobile work in knowledge-intensive firms has been identified as new potential driver for economic growth. It may offer workers who live far away from potential employers the chance to increase their employability without having to relocate (Ministry of Local Government and Modernisation, 2011).

7

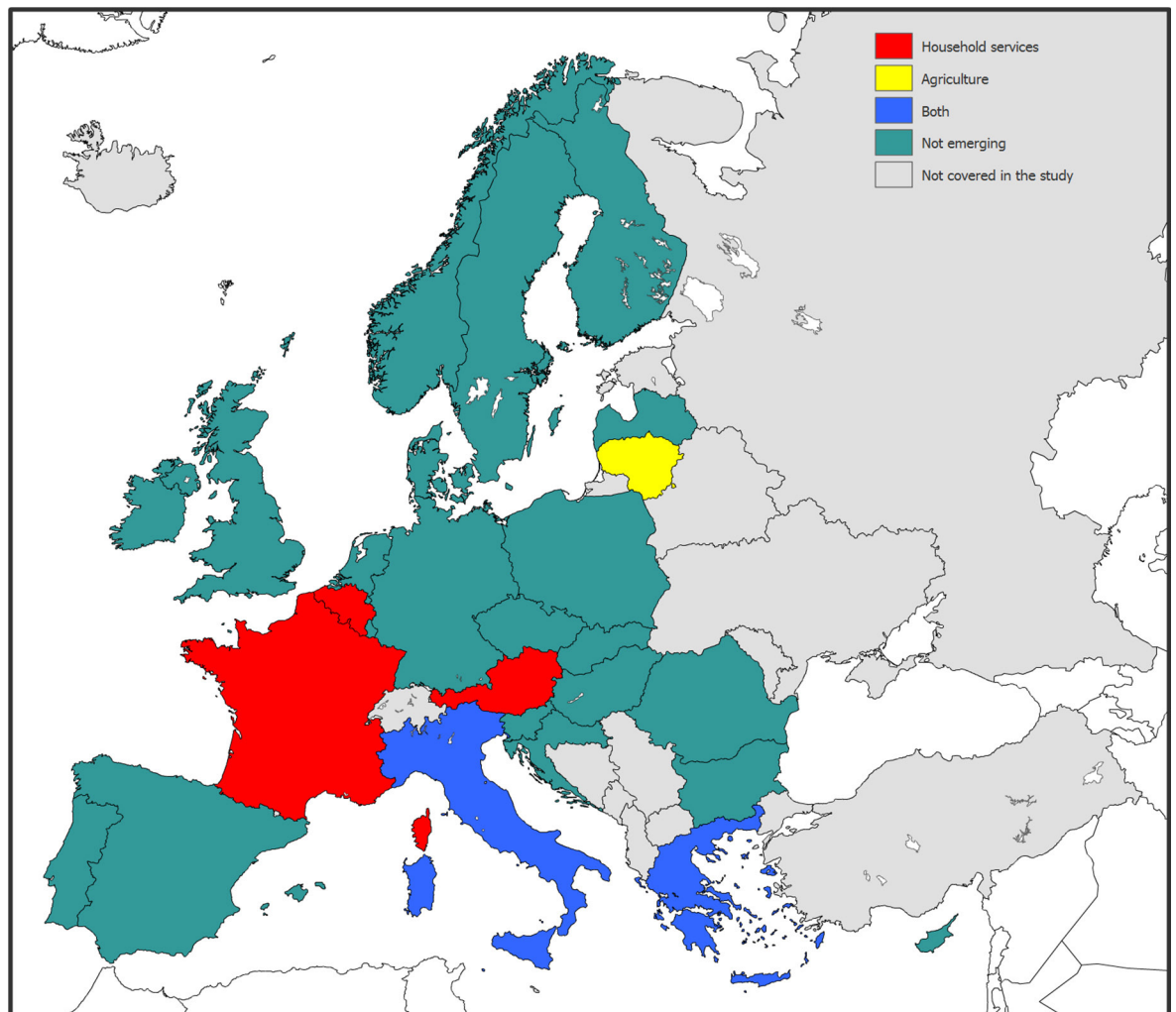
Voucher-based work

General characteristics

Voucher-based work is a form of employment where an employer acquires a voucher from a third party (generally a governmental authority) to be used as payment for a service from a worker, rather than cash. Often the services provided are specific tasks or fixed-term assignments and consequently are related to casual and portfolio work (see Chapters 5 and 8).

The current project identified voucher-based household services in Austria, Belgium, France, Greece and Italy, and in agriculture in Greece, Italy and Lithuania (Figure 10). The reason for the concentration in these two sectors is that they are often core areas of undeclared work, and voucher-based work systems aim to provide an easy means of supporting legal employment in these sectors. The administrative burden involved in establishing and ending the employment relationship is low, and, particularly in the context of agriculture, it gives employers the flexibility to do so quickly according to HR demand. This can be important, taking into account the volatile character of this type of work and the potential loss of production if workers are not immediately available.

Figure 10: European countries in which voucher-based work is new or of increasing importance



Source: Eurofound, based on national contributions

Modes of operation in different countries

Among the systems analysed, Belgium and France use intermediary organisations, in part, to employ voucher workers who are then assigned to clients. Here the recruitment and administration processes of the voucher organisations seem to be very similar to the approach described for casual work, where intermediary organisations keep a database of available workers. In the other countries, there is a direct relationship between the employer and worker. While in some the public employment service, in theory, is available to match supply and demand for voucher-based work, it seems that, in practice, its involvement is limited. There are no hubs for matching employers and workers, so they tend to find each other mainly through word of mouth, personal networks or previous relationships.

Matching service voucher employers and workers

In Lithuania, service voucher workers and employers generally interact without an intermediary organisation. While a basic online platform is offered through the public employment service website, where employers can post jobs when looking for workers, it is not commonly used, possibly because not many voucher workers use the internet. Voucher workers in the case study find out about potential work at the plant nursery through the public employment service, by word of mouth, or sometimes by showing up in person to inquire about work. Some are return workers from previous seasons, and they keep in contact with the plant nursery's staff (HR or field managers) to keep track of demand for staff.

Implementation in Belgium

In Belgium, the service vouchers scheme (*dienstencheque/titres-services*) was first introduced by the law of 20 July 2001 and the Royal Decree of 12 December 2001, and was launched at the beginning of 2004. The scheme covers a limited number of domestic services, specifically cleaning and ironing. This limitation was introduced because some activities such as care services are subsidised through specific channels, while others (such as gardening and household repairs) are expected to be delivered through the regular labour market.

The scheme assumes a triangular relationship between the worker, the employer and the client, whereby a client buys service vouchers for a unit price of €9 from the issuing company (Sodexo as of 2014) and chooses a recognised service voucher organisation that employs voucher workers (Politique Scientifique Federale, 2009).⁸ The maximum number of service vouchers per client is 500 per calendar year. However, single parent families, people with disabilities and parents of minors with disabilities, and older people receiving assistance benefit for older people can buy up to 2,000 service vouchers per calendar year at €9.

A written agreement between the service voucher organisation and the client specifies the number of hours of work to be performed each week by the voucher worker. The service voucher organisation sends the worker to the client's house, where they will be paid with the vouchers. The worker passes the vouchers to the service voucher organisation, which returns them to the issuing company for refund. The refund is €22.04 per voucher, including the state subsidy of €13.04 or €12.04 to cover the wage cost and additional costs such as training and supervision. Service voucher workers are paid for each hour worked. On the basis of the sector's collective agreement, from 1 February

⁸ €9 is the unit price for the first 400 vouchers purchased. It is increased to €10 for the following 100 vouchers.

2013, the minimum hourly wage for service voucher workers with less than one year's experience is €10.28; for one year's experience it is €10.69; for two years' experience, it is €10.82; and for three years' experience it is €10.93. Compared with the regular gross minimum hourly wage of €8.94, this is a decent salary, especially taking into account factors such as the flexibility of such work, that fact that workers do not have to be highly qualified, and the work is likely to be close to home.

Recognised service voucher organisations can be:

- public institutions (such as community organisations for social welfare and social assistance), social economy organisations (such as centres for employment and the education of migrants) or local services for personal assistance (these constitute about 24% of service voucher organisations);
- commercial businesses (constituting 46% of service voucher organisations) and self-employed people (constituting about 16%);
- temporary work agencies (constituting about 1%);
- private non-profit organisations, usually those that provide services for families (constituting about 12%).

These organisations have to be acknowledged by the federal minister of labour and supervised by the federal Unemployment Benefit Agency (Rijksdienst voor Arbeidsvoorziening, RVA). They are effectively state-subsidised organisations to which the authorities delegate these services in compliance with legal provisions. However, in practice such compliance cannot be easily verified (Politique Scientifique Federale, 2009).

A triangular relationship in the Belgian voucher-based work system

Landelijk Dienstencoöperatief (LDC) is a decentralised organisation with 20 local branches spread over Flanders. By the end of 2013, it employed nearly 2,500 workers, who performed almost two million hours of voucher-based work. As the organisation for the most part recruits among people with lower levels of education, the elderly and people wishing to re-enter the labour market after a prolonged period of inactivity, it has been recognised as a social economy enterprise.

LDC hires all workers on a permanent, regular, blue-collar worker employment contract and tries to find an optimal match between a client (with whom they enter into a service contract) and a worker, taking into account the worker's capacities, preferences and place of residence.

Contact between the voucher worker and the client is far more frequent than with the formal employer. The most intensive worker–employer contact takes place during the recruitment phase and, at a later stage, when attending training sessions.

Recognised service voucher organisations can employ workers on a permanent or fixed-term, full-time or part-time basis. They are, however, obliged to offer a worker a part-time job with minimum 13 hours per week after the three initial months, and the contract has to be converted into a permanent one.

A survey conducted in 2009 shows that the system is widely accepted and more than three-quarters of the Belgian population is aware that officially declared domestic help can be hired through the service voucher. One-third of respondents reported using the service voucher system to employ some household help (Haigner et al, 2010).

Implementation in France

The French universal employment services cheque (*chèque emploi service universel*, CESU) was introduced in 2006, replacing existing schemes, namely the service employment cheque (*chèque emploi service*, CES) and the service employment voucher (*titre emploi service*, TES). As in Belgium, a worker can be hired through a recognised firm or association that provides services, but there is no requirement to do so.

Under the scheme, individuals can purchase cheques from their local bank to pay not only for domestic work but also for childcare outside the home provided by an individual or organisation. The cheque can be used for occasional services of fewer than eight hours per week or for a duration of one month in each year (not renewable). It can also be used for regular small-scale services (for example, two hours per week, every week), but a written work agreement must be signed. Under the CESU, two types of cheques are available.

- The banking CESU (*CESU bancaire*) can be used by individuals to pay domestic workers in the home or an intermediary that employs them. A book of 20 employment declaration forms (*volet social*) is issued that the employer is required to complete with the name, address and social security number of the person being paid, the date and the number of hours worked, and their wage. The form must be sent to the national centre administering the system, Urssaf (Unions de recouvrement des cotisations de sécurité sociale et d'allocations familiales). Urssaf provides the worker with an employment certificate, calculates payroll records and levies the corresponding social security contributions. Social insurance contributions include illness and maternity leave, unemployment benefit, family allowances and pensions.
- The prepaid CESU (*CESU préfinancé*), by contrast, is purchased by an employer and given to its employees as a contribution to covering domestic help and childcare costs, with a view to improving their work–life balance. Consequently, it constitutes a fringe benefit offered by an employer to their employees and does not qualify as voucher-based work as understood in this project.

A more recent variation of the CESU is the enterprise service employment voucher (*titre emploi service entreprise*, TESE) introduced by Law No. 2008-776 on 4 August 2008 to allow small companies with up to nine employees to hire and pay casual workers using a similar system of service cheques. TESEs can be used for a maximum of 100 days or 700 hours per calendar year. The TESE cannot be used for artists, workers in the entertainment industry, journalists or certain types of doctor. Like the CESU, the TESE exempts the employer from the obligation of drawing up the recruitment declaration, employment contract and payslip and calculating the social contributions and levies owed.

Implementation in Italy

In Italy, service vouchers (*buoni lavoro per prestazioni di lavoro accessorio*) were introduced in 2003 (Legislative Decree No. 276/2003) in the framework of occasional accessory work (*lavoro occasionale accessorio*). After several amendments (the latest in 2013), they can now be used to pay for any type of activity.

Voucher workers can be:

- retired workers;
- 16–25-year-old students regularly enrolled in upper secondary schools, who may work during their holidays, or university students who work throughout the whole year;
- beneficiaries of income support or income integration benefits, including beneficiaries of the Wage Guarantee Fund allowance, unemployment benefit, and laid-off workers on redundancy schemes as a result of collective dismissals;

- part-time workers, for services provided to a different employer than the one for which they usually work;
- other categories including self-employed workers and employees in public or private companies, for services provided for a different employer than the one employing them;
- non-EU workers, if they have regular permits.

The yearly maximum income for voucher workers is €5,050 (gross €6,740) for individual workers (€3,000 for those receiving state income support) and €2,020 (gross €2,690) for professionals and freelancers, with a maximum of €2,000 net for each employer (€3,000 for those receiving an unemployment benefit). The aim of these limits is to prevent vouchers replacing other employment forms. Service vouchers can be used by families, non-profit organisations, family firms, farmers⁹ and public organisations (including local authorities, schools and universities).

Employers buy books of vouchers from authorised intermediaries (banks, post offices and tobacconists or online), and the vouchers are handed over to the worker upon completion of the service.

The nominal hourly value of each voucher as set by the ministry of labour is €10 (multiple vouchers for €20 or €50 are also available), so that the worker receives €7.50 an hour taking into account the deduction for social protection. Nevertheless, the employer and the worker can establish the amount to be paid, agreeing on the number of hours needed to fulfil a specific task.

Rather than signing a contract with an employer, the worker will receive a number of vouchers that can be cashed at the national social security agency (INPS) offices, corner shops, authorised banks and post offices. These institutions will also register the worker with INPS and transfer the social security contributions to the authorities. The employer can choose to write a letter to the employee to communicate the elements of their relationship, including the number of vouchers, the number of working hours and the amount of money paid.

Implementation in Austria

The Austrian household service cheque (*Dienstleistungsscheck*, DLS) was introduced by the government through legislation in 2005, coming into force in 2006 (*Dienstleistungsscheckgesetz*, DLSG; BGBl I Nr. 45/2005 i.d.F.d. BGBl I Nr. 114/2005). Households can buy the cheques from the Insurance Association for Railway and Mining Workers (Versicherungsanstalt für Eisenbahnen und Bergbau, VAEB), which was selected as the administrator of the scheme, in about 300 post offices and more than 3,000 tobacconists or over the internet. The cheques can be used to pay for services as defined by law and have no expiry date. They can be returned to the VAEB for a full refund if the purchaser does not use them. At the end of each working day, the employer is obliged to pay the worker with at least one DLS. If not, and the failure to pay incurs any expenses for the worker, the employer has to reimburse these costs. If an employer buys the DLS via the internet and the worker also has internet access, it can be forwarded to the worker electronically. The worker can then immediately submit the DLS to the social security authority for payment.

Service cheques can be used for employment relationships (WKO, 2014):

- agreed after 31 December 2005;
- with workers legally allowed to work in Austria and private households;¹⁰

⁹ Agricultural firms with a turnover below €7,000 in the previous year can hire any worker on vouchers, while those above this threshold can hire only students and retired people.

¹⁰ Consequently, all EU Member State citizens, except Croatians, and all other people having a work permit for Austria can work on the basis of a DLS.

- set up to provide simple household services, such as cleaning, childcare, general household shopping, or basic gardening tasks; they cannot be used for tasks requiring specific education or training such as the care of the elderly or sick, for tasks that benefit companies or for triangular employment relationships, or tasks that are generally carried out by a professional company;
- lasting a maximum of one month, although fixed-term contracts can be renewed without limitation and consecutively without transforming the employment relationship automatically into an indefinite one;¹¹
- with pay fixed at the maximum of the threshold for marginal employment¹² (€541.52 per month in 2014) for each employer (although the worker can work for more than one employer); if the threshold is exceeded, the post automatically becomes standard employment.

There is no official platform to match employers and workers, so they have to connect using their own initiative. There was a platform, but it was not used sufficiently to make matching efficient and hence was discontinued.

There is no cap on the number of cheques a single household can buy, but if a household exceeds the threshold for marginal employment by a factor of more than 1.5 (€812.29 a month for 2014) by employing various employees in this way, an employer tax of 16.4% must be paid.

The worker can redeem the cheques electronically or submit them to any social insurance association by the end of the month following the service provision. They then receive a cheque through the post or payment by bank transfer, which in 85%–90% of cases takes a maximum of 10 days (Korunka et al, 2007).

The cost of a cheque is made up of the worker's wage and also includes insurance against accident and occupational illness at a rate of 1.3% of the wage, and a contribution for administrative costs (0.7%). When buying the cheque at a tobacconists, it will be prepared electronically and the employer can choose the value up to €100; otherwise cheques can be bought with a value of €5 or €10. Workers with a yearly income of no more than €12,000 earned exclusively with the service cheques are exempt from the payment of income tax. Temporary income from other employment relationships or other sources (such as rents or from running a craft business) exceeding €730 a year will make them subject to income tax.

Employers and employees together agree on the wage for each service provided. However, the agreed minimum wages for domestic workers must be applied, and these vary between federal states and type of service; they range from €9.67 to €14.80 for 2014. The intention is to avoid wage-dumping through voucher-based work. Bearing in mind that the value of cheques that can be bought at post offices is either €5 or €10, it can be assumed that the actual wage agreed upon between employer and worker is likely to be higher than the minimum wage.

The employer and worker agree on working days and tasks among themselves. If the employer no longer needs the service, the employment relationship ceases without any need for deregistration with any authority – this means, of course, that there is no notice period or severance pay linked to the DLS system.

¹¹ In general, Austrian law specifies that if fixed-term contracts are renewed repeatedly in sequence without an objective justification, the employment relationship is treated as an indefinite one.

¹² Marginal employment (*geringfügige Beschäftigung*) is a specific form of part-time employment not exceeding a specific income threshold. Marginal employees are covered by accident insurance, but not by sickness, pension and unemployment insurance. They have the option to voluntarily pay for sickness and pension insurance, but are never covered by unemployment insurance.

Implementation in Greece

The Greek service voucher scheme (*εργόσημο*) was legally adopted in 2010 (Articles 20–24 of Law 3863/2010) and implemented with the distribution of two circulars (Circular 68 of 9 September 2011 and Document A21/449/18 of 29 December 2011). Since then, more circulars have been issued in an attempt to regulate the implementation of the scheme (for example, Circular 43 of 2013 and Law 4225/2014).

The cheques can be used to pay only for the following:

- domestic workers who are employed by one or more employers for a specific period for the following tasks: housework, gardening, small-scale maintenance, providing help with school homework, childcare, assisting older people and people with disabilities, participation in rehabilitation programmes run by non-profit organisations or institutes that support people with different forms of mental disabilities, beauty services, nursing services for patients or those confined to bed, and assisting individuals with mobility problems.
- cleaning and gardening in public spaces or buildings, but not for those employed by an organisation or an agency;
- distribution of printed advertising material without a specific address;
- promotion of beauty-care products on behalf of one or more companies at any location;
- promotion of consumer products in supermarkets, food stores and department stores;
- work at athletic events, where individuals are employed by professional and amateur athletic organisations or other legal entities.

The employer can only be an individual or a private organisation, not a public sector body. Family members cannot be paid with vouchers, to avoid abuse by people who wish to insure their unemployed relatives.

Banks and post offices issue vouchers with a minimum value of €5. The employer buys vouchers from a certified bank, generally using its online system, and the bank deposits the amount in the employee's bank account. The employer can also buy a hard copy of the voucher and hand it over to the worker. Banks and post offices then transfer the social insurance contributions due to the social insurance institution. There are two copies of this kind of voucher: the first is kept by the employer as proof of payment, while the second is given to the employee as a means of payment for the service provided and as proof of employment. Vouchers that have not been used by the employer can be cancelled within three months of the issue date for a full refund. The voucher expires four months after the issue date. If a service voucher has not been cancelled by the employer or cashed in by the employee, the issuing entity has the right to pay the nominal value of the voucher to the relevant insurance institution. If this happens, the employer can receive a refund of the whole amount of the voucher from the social insurance institution. If uncashed vouchers are lost or destroyed, only the employer has the right to demand the re-issue of the voucher from the relevant issuing entity.

The employer has to draft an employment contract, indicating the start and finishing dates and register the contract with the Manpower employment organisation or the Hellenic Labour Inspectorate. This makes the administrative burden similar to standard employment. Wages are regulated through the national collective agreement and cannot be less than the minimum wage.

Voucher-based work procedures in Greece

The Greek advertising company West SA employs voucher workers to distribute advertising material and promote products. As soon as the company is commissioned by a client, the HR department selects potential workers from their database of casual workers and their recruitment network. The project manager specifies the number of workers needed. The challenging part of the recruitment process is finding enough appropriately experienced casual workers within the specified time frames. A typical assignment lasts from four hours to three days.

West SA comes to an agreement with each worker regarding the job required, conditions, location and payment. It draws up an employment contract and registers the employee with the social insurance institution and, if the employee has a registration number, with Manpower or, if they do not, with the Hellenic Labour Inspectorate. When the formal procedures are completed, West SA buys the voucher from a certified bank, usually through its online system, and the bank deposits the amount in the employee's bank account when the work has been done. The bank pays the social insurance contributions to the relevant insurance institution.

Implementation in Lithuania

In Lithuania, since 2013, farmers, forestry organisations or other people or organisations working in agriculture and forestry can pay with a voucher (*Žemės ūkio ir miškininkystės paslaugų kvitų sistema*) for the provision of services by individuals. The legislation that governs this is the Act on the Provision of Services in Agriculture and Forestry using a Service Voucher (*Žemės ūkio ir miškininkystės paslaugų teikimo pagal paslaugų kvitą įstatymas*). This means the employment relationship is regulated under civil law rather than labour law. The voucher acts as proof of service and forms the basis of payment for the service. Employers can buy a voucher booklet for LTL 5.75 (€1.67) at local branches of the State Social Insurance Board. Each voucher book consists of 50 sets of vouchers marked by unique numbers and detailed instructions for use. A set comprises two vouchers, one for the employer and one for the voucher worker. A single voucher is designed for an uninterrupted maximum six-day work week. If this working week is interrupted (by a rainy day, for example) or when the working period is over, the employer has to end a voucher and start a new one when work resumes. The employer has to pay the worker within an agreed period of time (which cannot exceed five working days) in cash or by a bank transfer.

Voucher workers can be anyone legally residing in Lithuania, even minors with the consent of a parent. Employers may be private or public organisations or individuals. The vouchers can be used for manual, non-mechanised activities in agriculture and forestry. An exhaustive list is set out in the legislation; examples include planting seedlings, pruning trees and forest maintenance.

Each worker can provide voucher-based services to the same client for a maximum of 60 days a year. Services to several clients on a voucher basis are possible up to a maximum of 90 days a year. After a specific voucher worker completes 60 days of service in a given year, the employer has to let them go or transfer them to a regular work contract. Any voucher-based work over the maximum is considered to be undeclared employment. While there are no sanctions in the legislation for exceeding this limit, general sanctions for undeclared work apply.

Voucher workers are subject to income tax at 15% if their income exceeds LTL 6,000 a year (€1,737.69). However, this is not very likely given the strictly limited period of time and the nature of the work.

Cross-country summary

Table 10 summarises the main characteristics of the national systems of voucher-based work described.

Table 10: Overview of national regulations for voucher-based work

| Name | |
|----------------------------|---|
| Austria | <i>Dienstleistungsscheck, DLS</i> |
| Belgium | <i>Dienstencheque/Titres-services</i> |
| France | <i>Chèque emploi service universel, CESU</i> |
| Greece | <i>Εργόσημο</i> |
| Italy | <i>Buoni lavoro per prestazioni di lavoro accessorio</i> |
| Lithuania | <i>Žemės ūkio ir miškininkystės paslaugų kvitų sistema</i> |
| Types of services | |
| Austria | Tasks requiring no special training: childcare, elderly care, simple gardening work, domestic cleaning and home maintenance |
| Belgium | Cleaning and ironing |
| France | Domestic tasks and childcare |
| Greece | Domestic tasks; cleaning and gardening of public spaces or buildings; distribution of printed advertising material without a specific address; promotion of beauty-care products; promotion of consumer products in supermarkets, food stores and department stores; and specific activities related to athletic events |
| Italy | No limitations |
| Lithuania | Agricultural and forestry activities as detailed in the law |
| Maximum scope | |
| Austria | No limitations for clients and workers, but above certain thresholds, taxes and social insurance contributions become mandatory |
| Belgium | 500 vouchers per calendar year per user; single-parent families, people with disabilities and parents of minors with disabilities, and older people receiving assistance benefit for older people can buy up to 2,000 service vouchers per calendar year |
| France | Maximum of eight hours per week or for a duration of one month per year |
| Greece | No limitations, but implicitly a maximum of 25 days per month or 300 days per year (based on social protection considerations, see below) |
| Italy | Maximum of €5,050 net per year for individual workers (€3,000 for those receiving state income support), €2,020 for professionals and freelancers, with a maximum of €2,000 net for each employer (€3,000 for those receiving unemployment benefits) |
| Lithuania | Each worker can provide services to the same client for a maximum of 60 days per year; services provided to several clients cannot exceed 90 days per year |
| Eligible users of services | |
| Austria | Households (private individuals) |
| Belgium | No limitations (but in practice individuals or households) |
| France | Private individuals |
| Greece | Private individuals or organisations |
| Italy | No limitations, but farmers with a turnover of more than €7,000 in the previous year can use vouchers only for students and retired people |
| Lithuania | No limitations (within the eligible types of services) |
| Eligible workers | |
| Austria | Anyone with a work permit in Austria |

| | |
|---|--|
| Belgium | No limitations |
| France | No limitations |
| Greece | Domestic workers, agricultural labourers, casual workers employed by private companies for the distribution of advertising material and promotional activities, and individuals employed for athletic events |
| Italy | No limitations |
| Lithuania | Anyone legally residing in Lithuania |
| Is an intermediary involved? | |
| Austria | No |
| Belgium | Recognised service voucher organisations employing service voucher workers |
| France | Possibility (but not necessity) of a recognised firm or association for the provision of the services to individuals |
| Greece | No |
| Italy | No |
| Lithuania | No |
| Is a minimum wage level applied? | |
| Austria | Minimum pay under the Domestic Servants Act |
| Belgium | Minimum hourly wages based on collective agreement |
| France | No |
| Greece | Minimum hourly wages based on national collective agreement |
| Italy | €7.50, or as set by the ministry of labour* |
| Lithuania | No |

* Not formally considered a 'minimum wage', but the hourly rate the voucher worker receives is based on the voucher value set by the ministry minus social contributions.

Source: Eurofound, based on national contributions

Social protection

In several cases, voucher-based work covers social security contributions. The Belgian service vouchers and the French CESU entitle workers to the same social protection as all employees in the domestic services sector. Under the CESU system, in the case of direct employment by private individuals, social insurance contributions can be calculated either on the wages actually paid ('real declaration') or on the minimum hourly wage, even if the actual pay is higher ('flat-rate declaration'). If the employer does not specify an option, social insurance contributions are calculated by default from the actual wage.

In Italy, the nominal value of each voucher includes the net income (which is exempted from income tax), an INPS social security contribution of 13%, INAIL workplace accident insurance of 7%, and 5% for INPS to cover administrative costs. Voucher workers do not benefit from unemployment insurance, but their working time is recognised in pension contributions. The vouchers do not change the unemployment status of a person. In the Lithuanian system, the client is obliged to pay standard statutory health insurance contributions for the worker (9% of the monthly payment for the services provided, compared to 6% in standard employment), to match the entitlements of the worker to those in regular employment.

Lithuanian vouchers are valid for the agricultural sector, where workers are more at risk of accidents. Since accident insurance is covered in labour law, and not in the civil law that regulates the voucher system, it was proposed to impose mandatory civil liability insurance for employers. However, this

was rejected to avoid distorting the market and raising insurance prices, meaning that it is optional for employers to provide insurance for accidents at work. Payment received for services provided under the voucher system does not entitle the worker to unemployment benefits either. At the same time, people paid by vouchers do not lose their unemployment status and can continue receiving unemployment benefits.

In the Greek system, social insurance contributions are 25% of the value of the cheque for domestic workers and 10% for agricultural workers (the comparable rate for standard employment is around 35%). The amount of the social insurance contributions is broken down as follows: 14.45% goes to pension contributions, 4.65% to sickness benefits in kind (for example, hospitalisation and medical tests), 0.86% to cash benefits for sickness, 4.32% to supplementary social insurance, and 0.72% to social housing contributions. Although the social housing organisation was abolished in 2012, employees and employers continue to pay contributions to it. Cash sickness benefits are paid to voucher workers who have completed work worth at least 120 days of insurance during the past two years. Work equivalent to 200 days of insurance must be completed in a year to be eligible for maternity leave benefits. Sickness benefits in kind are provided to service voucher employees who have completed 100 days of insurance during the previous year, or the previous 15 months excluding the last 3 months, whichever applies. This implies that, even though voucher workers have to pay for their social insurance contributions, they may not get the corresponding social benefits if they don't accumulate the minimum required workdays.

Numbers of days of insurance are calculated by the following formula: days of insurance = amount of social insurance contributions (20% or 10% in euros) / 11.63. The number of days for which a service voucher worker is insured cannot exceed 25 days per month or 300 days per year. This effectively means there is a maximum service voucher value per employee during a calendar month and a maximum amount of payment that they can receive (equal to €1,163) for which insurance contributions will be made.

The Austrian DLS covers accident insurance, and if workers earn more than a certain threshold through vouchers from a single employer (€541.52 per month in 2014), they are automatically also covered by health and pension insurance, for which they have to pay 14.7% of their wage as social security contributions. The same holds true if the worker combines work based on DLS with other marginal or standard employment and the total pay received exceeds the income threshold. Workers below the threshold may voluntarily opt in to health and pension insurance with a flat-rate contribution of €55.79 per month in 2014. Employment relationships based on the DLS are then considered as eligible time when calculating pension entitlements.

Table 11: Overview of social protection in voucher-based work

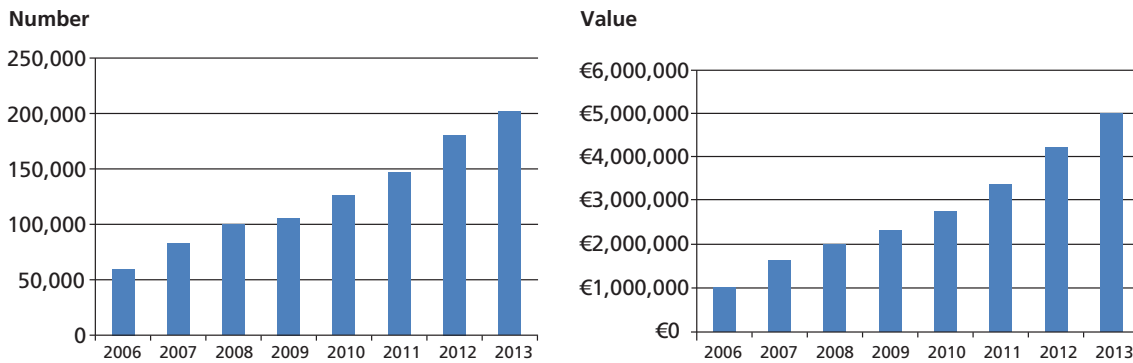
| | |
|------------------|--|
| Austria | Accident insurance, with the option of voluntary contribution for full insurance |
| Belgium | Full coverage |
| France | Full coverage |
| Greece | Pension, in-kind and cash benefits of sickness insurance, and unemployment insurance if certain minimum thresholds of working days are reached |
| Italy | Full coverage except unemployment insurance |
| Lithuania | Health insurance |

Source: Eurofound, based on national contributions

Spread in Europe

Data for the Austrian DLS show that since its introduction in 2006, there has been a continuous increase in the number of vouchers sold, from about 60,000 in 2006 to about 203,000 in 2013, and their total value, from about €1 million in 2006 to about €5 million in 2013. Between 96% and 99% of vouchers are redeemed (Figure 11).

Figure 11: Number and value of Austrian DLS sold, 2006–2013



Source: VAEB

Accordingly, the number of employers and voucher workers has been increasing in Austria. In 2006, there were about 2,300 employers and 2,100 workers, while in 2013 there were about 7,800 employers and 6,600 workers (Figure 12). Over this period, the average number of vouchers per employer (about 25) and worker (about 30) is relatively stable.

Figure 12: Number of employers and workers using Austrian DLS, 2006–2013



Source: VAEB

The Belgian service vouchers are widespread and well-known. While in 2006, there were about 62,000 voucher workers, 1,200 recognised voucher organisations and about 316,000 users in the system, in 2013 these figures had risen to about 130,000 workers, 2,400 recognised voucher organisations and 947,000 users (Table 12). Data for 2009 showed that 8% of the Belgian population aged 20 or more actively used service vouchers. This figure increased to 10% in 2011 (IDEA Consult, 2012). Almost half the reimbursed vouchers were used in the Flanders region, and the concentration of voucher workers in Flanders is even higher (between 60% and 70% over the years). This implies that in Flanders, relatively more workers are employed through vouchers than, for example, in Brussels, but that the intensity of voucher-based work is comparatively lower. The Brussels region registered a steady increase from 2006 to 2011, while the number of service voucher workers has remained stable in the same period in the Wallonia region (Gerard et al, 2012).

Table 12: Service voucher statistics, Belgium, 2006–2013

| | 2006 | 2008 | 2010 | 2011 | 2012 | 2013* |
|---|---------|---------|---------|---------|---------|---------|
| Number of vouchers purchased (millions) | 35.9 | 65.2 | 94.8 | 105.3 | 114.4 | 122.1 |
| Number of active users | 316,101 | 557,482 | 760,702 | 834,959 | 899,558 | 946,601 |
| Number of recognised service voucher companies | 1,163 | 1,892 | 2,576 | 2,708 | 2,753 | 2,448 |
| Number of people employed via service vouchers | 61,759 | 103,437 | 136,915 | 149,827 | 151,137 | 130,314 |

*2013 data are based on a slightly different calculation method.

Source: IDEA Consult, 2013 for figures up to 2012; for 2013, figures are based on data made available online by the Federal Unemployment Benefit Agency

In France, the number of hours worked in services to individuals – mainly through CESU – increased from 620 million in 2003 to 800 million in 2008, carried out by 960,000 workers in 2003 and 1.32 million in 2008 (1.6 million including childcarers). According to more recent data, the use of CESU by private individual employers increased from 76% in mid-2009 to 78% in mid-2010 (Dares, 2012).

In September 2012, according to data from IKA, a state-run social security organisation, there were about 35,800 workers employed in the voucher system in Greece. By November 2013, this number had increased to about 70,000.

In Italy, between August 2008 and the end of 2012, vouchers with a total value of about €521.3 million were sold, and 95% of the vouchers sold were used to pay voucher workers, according to Italia Lavoro, an agency of the ministry of labour.

In Lithuania, some 22,900 workers were employed under the voucher system from April to December 2013, a quick uptake after its introduction in April 2013. As this figure includes workers who had more than one voucher-based employment relationship in this period, it is estimated that the ‘corrected’ number of workers is around 15,000.

Characteristics of clients and workers

Clients

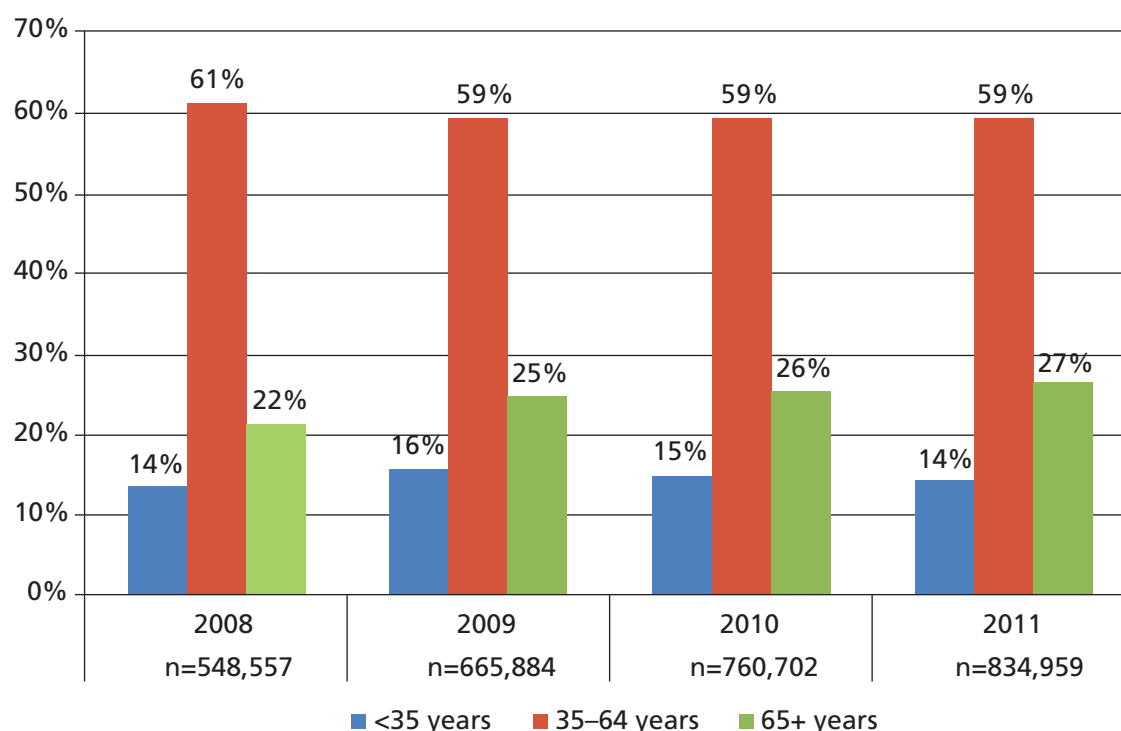
The Austrian and Belgian voucher schemes are effectively limited to household services, the Lithuanian system to agriculture, and the Greek and Italian systems cover both.

Data for Italy from Italia Lavoro show that the main activities for which the vouchers were used between 2008 and 2012 were seasonal jobs, in agriculture (15%) and sport, cultural and charity events (14%), for instance. In the commerce sector, the share of voucher workers increased from 15% in 2010 to 24% in 2012. Recent INPS data (Isfol, unpublished) show that public employers bought 6% of the vouchers sold and local bodies bought 4%.

About two-thirds of Austrian clients are female, and 28% of clients are university graduates, almost three times higher than among the total population (10%) (Korunka et al, 2007). In France, the CESU is mainly used by the wealthier population.

About 63% of Austrian voucher employers were older than 45 in 2006, compared to 68% in 2013, indicating a disproportionate growth in usage by older employers, according to data from Austria's public employment service, Arbeitsmarktservice Österreich (AMS). In Belgium, the largest group of users (45%) are aged 35–55 years; just over a quarter are 65 years or older (Figure 13). As in Austria, there was an increase in the average age of service voucher users in the period 2008–2011.

Figure 13: Age profile of service voucher users in Belgium, 2008–2011



Source: IDEA Consult, 2012

Workers

The vast majority of Austrian workers employed under the voucher system are marginal employees or are outside the labour force; this is the case for 61% of female voucher workers and 16% of male voucher workers (Korunka et al, 2007). Among those having another employment status alongside voucher-based work, about 16% are employed, 1.3% are self-employed and about 18% are unemployed. In Lithuania, voucher workers consist of groups such as pensioners, the unemployed, students, people employed under regular labour contracts and people who were not working anywhere else and were thus not covered by health insurance before engaging the voucher system. The unemployed were the largest group of voucher workers during 2013, constituting 23%.

Among Lithuanian voucher workers, there is a good gender balance. By contrast, about 75%–80% of the Austrian and French voucher workers are female. Younger workers (about one-third are aged less than 40) and older workers (about one-quarter to one-third are older than 50) tend to dominate. In Belgium, almost all workers are female (97%) and, similar to Austria, about half are younger than 40 and almost one-fifth are aged 50 and older (Table 13). They tend to have low levels of education, and about three-quarters have Belgian nationality (IDEA Consult, 2012).

Table 13: Main sociodemographic characteristics of service voucher workers in Belgium, 2011

| | | % |
|--------------------------|--------------------------|----|
| Gender | Men | 3 |
| | Women | 97 |
| Age | <30 years | 22 |
| | 30–39 years | 30 |
| | 40–49 years | 30 |
| | 50+ years | 19 |
| Educational level | Low | 56 |
| | Medium | 39 |
| | High | 5 |
| Nationality | Belgian | 73 |
| | EU27 (excluding Belgium) | 19 |
| | Non-EU27 | 8 |

Source: IDEA Consult, 2012

By contrast, Italia Lavoro data show that in Italy, service voucher workers are predominantly male (more than 70%), which may be attributed to the concentration of this type of employment in the agriculture sector. About 7% are migrant workers. In 2008, 44% of voucher workers were aged 65 and older. Agriculture was the only sector where vouchers could be used at that time. The extension of vouchers to other activities and sectors resulted in a decrease of this demographic group among workers. The share of people aged 65 and above fell from 19% in 2010 to 11% in 2010 as the proportions of workers on income support schemes and part-time workers rose. The age profile of female service voucher workers is not the same as their male counterparts. Women under the age of 25 are most common in the voucher system (almost 34%) followed by women aged 25–59 (26%) and those aged 60 and above (29%).

As regards occupations, the Austrian DLS is restricted to simple jobs that do not require vocational training or diplomas, and so does not cover recognised occupations such as professional childcare or handicraft occupations. Consequently, an evaluation of the DLS in 2007 shows that the services most often offered are cleaning and ironing, followed by gardening (Korunka et al, 2007). Similarly, the Lithuanian scheme covers work requiring no special skills, qualifications, permits, licences, training or courses. Consequently, both systems target unskilled jobs. In spite of being open to all skill levels, about 56% of Belgian service vouchers are used to employ low-skilled workers (IDEA Consult, 2012), so too are most the French CESU vouchers (INSEE, 2008).

Drivers and barriers

For clients, the main reason to use voucher-based workers is a need for services that fall within the scope of the various regulations and a wish to fill this demand with declared labour and keep administrative obligations to a minimum. Both ethical and practical considerations may come into play, such as liability when accidents happen. For instance, if the service voucher worker gets injured or breaks something, damage can be compensated for by regular insurance systems and this could not happen if the labour was undeclared.

Clients' wish to avoid undeclared work

In Lithuania, there was no simple legal way to temporarily hire workers for agriculture or forestry before the introduction of the voucher scheme. The Chamber of Agriculture reports that farmers did not prefer to use undeclared work or wish to circumvent taxes, but there was no regulation for temporary employment that took into account the unique nature of the sector. The voucher system now provides this and farmers are better able to plan food production and react to weather patterns and crop cycles, cutting costs and increasing their competitiveness. Employers have been very willing to use the voucher system.

At the same time, it should be stressed that some national regulations oblige employers to use voucher-based work for specific tasks (for example, in Greece). Consequently, opting for vouchers is the employer's only means of avoiding illegal employment. While this might be less of an issue for individuals or households, it could be important for corporate employers who have a broader choice of casual forms of employment forms, or subcontracting, which might result in portfolio work. Some of the national systems offer an incentive for employers to use voucher workers (such as reduced social security contributions and tax incentives – see Chapter 11), which might also constitute an important push factor to engage in this employment form as a cost-saving strategy.

Using voucher-based work for cost reasons

The Italian municipality of Gorizia introduced voucher-based work as a HR management solution that would allow expansion of the workforce within budgetary limits. The municipality often faces an urgent need for labour beyond the capacity of its permanent staff. It is not feasible to recruit more permanent staff because of the cyclical nature of ad-hoc tasks, budget restrictions, and the long and cumbersome recruitment procedures used by the public sector.

Workers, in turn, opt for voucher-based work as it offers them access to job opportunities in the local area and provides them with flexibility in working time and often work organisation. In general, they prefer that their work is declared rather than undeclared as it gives them more security, offering at least some social protection and a guarantee they will be paid. It may also offer them job and employment security, depending on the characteristics of the national model. Nevertheless, the case studies show that some voucher workers do such work out of necessity. If no standard employment is available, they accept voucher work as an alternative to unemployment or other forms of casual work.

Workers' motivation to do voucher-based work

A Belgian voucher worker reported that she chose this employment form because it allowed her considerable freedom in her working hours and limited commuting costs and time. It also gave her a certain stability, thanks to the open-ended employment contract she was offered.

Voucher workers in the Greek advertising company West SA opted for this employment form as it provides them with access to the labour market, a source of income, insurance, health and social benefits, work experience, and work–life balance. They also opt for this kind of work out of necessity because they cannot find standard employment. At West SA there are three main categories of voucher workers: students supporting their studies, women with children wanting employment and work–life balance, and individuals who want standard employment but take casual work as their main source of income.

Implications for working conditions

In general, voucher workers might experience job insecurity, excessive flexibility and little guarantee of employment. In Belgium, where voucher workers can be employed either on a permanent or fixed-term contract, almost 60% of contracts in 2011 were fixed-term. In 2010, 64% of service voucher workers worked half-time and nearly a quarter worked fewer hours than half time. Only 12% had full-time employment. However, in a survey, 86% of service voucher workers reported that they had chosen the number of working hours they wanted to work and had a significant preference for part-time work. Consequently, it can be assumed that voucher workers arrange working time with the employer and user that corresponds to their needs. Furthermore, having a job close to the home is considered advantageous particularly for voucher workers with childcare responsibilities (Walqing, 2014). Available data for Austrian voucher-based work suggests this form is mainly used for one-off small-scale chores and/or loose employment relationships between employer and worker (Korunka et al, 2007).

Job insecurity experienced by voucher workers

The voucher workers of the Greek advertising company West SA have concerns about their job security, their transition to full-time employment, the stability of working time, their employability and the management of relationships with coworkers. They feel that they always have to contend with unemployment because their jobs are always fixed-term, and the nature of the jobs might not help them get the necessary qualifications for standard employment.

In the case of the French, Italian and Lithuanian voucher-based work, the legal framework does not regulate individual aspects of the employment relationships and leaves it to be agreed between the client and the worker. This does not necessarily lead to adequate working conditions.

Bilaterally agreed working conditions and work organisation

In the Italian municipality of Gorizia the working time and work organisation of the voucher workers is agreed daily or weekly with the permanent employees of the municipality, depending on what needs to be done. Voucher workers might be required to take care of public green areas one day and help with maintenance tasks the next day. It is the responsibility of permanent employees of the municipality to organise the work, distribute the tasks between permanent and voucher workers, and supervise service provision. They report that the municipality allowed flexibility in organising work and considering workers' needs, such as starting work earlier in the morning or finishing earlier.

However, in those countries, the client is obliged to cover health insurance contributions, entitling the worker to the same benefits as regular employees. Austrian voucher workers benefit only from minimum social security coverage, in the form of accident insurance. However, voucher workers may opt in to full social protection, and available data show that from January 2006 to March 2007 about two-fifths of them did so (Korunka et al, 2007).

In Austria and Belgium, voucher workers are guaranteed a minimum hourly wage. While this wage is deemed to be decent, the income of voucher workers can still be considered low overall due to the limited working hours. At the same time, some of the case studies conducted in this project suggest a positive income-related aspect to voucher-based work, even where there are no minimum wage levels or guaranteed working hours. This is the fact that wages are paid to voucher workers comparatively quickly – for example, unlike many workers, they do not have to wait for the end of the month for their pay. This might be an important advantage, particularly for low-income earners.

In Greece, voucher workers are regulated by labour law, preventing any discrimination compared to 'standard' workers and ensuring full access to 'standard' working conditions, including, for example, health and safety protection and fringe benefits. In Belgium, the working conditions of voucher workers are stipulated in collective agreements that cover the main activity of the employer. In most cases, this is the provision of cleaning services, temporary agency work or service vouchers. Survey data show that the quality of jobs and worker satisfaction is increasing every year.

In 2011, 84% of service voucher workers reported being content or very content about working in the service voucher system, and 89% reported being content or very content with their service voucher company. The elements that are least satisfactory for voucher workers are the salary, the physical strain at work and work pressure.

In those countries where working conditions are not regulated by law or collective agreements, they are subject to agreement between employers and employees. So, for example, health and safety protection can vary from case to case, and it is possible that voucher-based jobs include activities that would not be allowed under normal regulations or take place in work environments that would not meet general labour law standards. Bearing in mind that voucher-based work is often related to physically demanding activities, the potential long-term danger for workers' health should not be ignored.

Initiatives ensuring voucher workers' health and safety

The Belgian voucher organisation Landelijk Dienstencoöperatief (LDC) has a health and safety committee, which meets in a friendly and cooperative atmosphere and focuses on practical problems, such as the ergonomic quality of working equipment. Nevertheless, the two managers interviewed argued that the added value of this consultative body is rather limited. The management has established rules prohibiting the hiring of voucher workers to carry out certain potentially dangerous activities. Furthermore, they advise workers to limit their working hours to between 20 and 24 hours per week in the early stages so that they can physically adjust to the tough and tiring job. The relative number of occupational accidents has systematically dropped, and is now significantly below the accident rate of LDC's main competitors in the service voucher sector.

As regards access to training, a Belgian survey from 2011 showed that about 38% of voucher workers received some training while working, and a further 6% were trained upon entering the service voucher system. However, the majority of respondents (56%) reported that they had received no training at all (Gerard et al, 2012). Evaluation and studies of the Belgian system indicate that some providers, particularly profit-motivated firms, do not provide workers with the necessary training, do not offer stable jobs and fail to supervise their workers and clients sufficiently; this may have adverse effects on the quality of work and the services provided (Politique Scientifique Federale, 2009). Similarly, Austrian experts highlight that voucher workers have hardly any career development prospects, and employability is rarely fostered, although they acknowledge some upskilling potential in the form of organisational and self-management competences (Kreimer and Hartl, 2004).

Training for voucher workers

The Belgian voucher organisation Landelijk Dienstencoöperatief (LDC) invests heavily in training and education. Newly hired workers are informed about the organisational structure, their employment contract and related documents, work organisation, duties and responsibilities, relationship with the client, behavioural standards, duties and obligations, coping with conflicts, and activities that are not permitted. The formal training programme consists of three half days. Additional half-day educational sessions are offered yearly. They include first aid interventions, care activities, the lifting of loads and ironing techniques.

Anecdotal evidence suggests a high level of autonomy among voucher workers, particularly those delivering household services. In many cases, the client is not even present when they are working. This, on the other hand, might result in social isolation as they hardly ever work in teams. In systems like that in Belgium, where there is an intermediary organisation matching workers and clients, this lack of contact can be better counteracted if the intermediary sets up some networking opportunities among the voucher workers.

Initiatives to counteract social isolation of voucher workers

The Belgian voucher organisation LDC equips and maintains its local branches to make them welcoming for voucher workers, who usually work without any contact with colleagues. As the majority work part time, workers often come to the LDC offices during their free time to network. By enhancing team spirit within a local branch, management hopes to limit staff turnover, and so a small budget is available for expenses such as celebrations of birthdays or significant anniversaries.

Implications for the labour market

The main argument in favour of voucher-based work from a labour market perspective is that it provides a simplified, non-bureaucratic employment form for activities limited in scope. This is supposed to provide an incentive for employers (cost and time savings compared to standard employment), including private individuals, to legalise undeclared work and so provide more security for the workers.

However, in Austria, for example, voucher-based work does not cover the vast majority of household workers from other countries who are illegally employed and who do not have legal residency or a work permit. While vouchers make some contribution to averting undeclared work, further potential for improvement is evident. Similarly, in Italy, use of undeclared work has not decreased notably since the introduction of the voucher system.

Seven years after the launch of the service voucher system in Belgium, it was estimated that around 10% to 20% of total undeclared labour had been legalised (IDEA Consult, 2010). The service voucher system was also intended to offer an alternative system for reintegrating the long-term unemployed into the labour market to that of the local employment agencies (LEAs) (Eurofound, 2013b). At the end of 2005, some 28,933 people were employed in voucher-based work, corresponding to 17,360 full-time equivalents (Peeters and Gevers, 2006). About one-third of service voucher workers were unemployed for more than five years before doing such work (IDEA Consult, 2012, 2013). According to a 2009 survey, more than three-quarters of respondents reported that they did their household work themselves before the voucher system was available, suggesting that the system has indeed helped create new jobs. Also, 6% of survey respondents admitted that they unofficially employed someone before the system was introduced.

The Belgian service voucher system has also become increasingly focused on migrants as fewer Belgians are willing to do this kind of work because salaries are low and job content is not attractive. In 2009, 78% of service voucher workers had Belgian nationality and another 15% came from EU Member States (Kamer Van Volksvertegenwoordigers, 2011). The latest available figures, from 2011, show that the share of native service voucher workers had decreased to 73%, and the proportion from outside the EU is increasing (IDEA Consult, 2012). This trend has raised some concerns because attracting migrant workers to work in a subsidised sector was not the original objective. As a consequence, a Royal Decree of 3 August 2012 was issued stating that 60% of new service voucher jobs are reserved for people on unemployment benefits or people receiving an integration income (these people are not eligible for unemployment benefits). These social benefits are not paid to non-EU citizens living illegally in Belgium. This was expected to lower the influx of immigrants without legal papers into the service voucher system, but was only implemented from mid-2012 onwards, so its impact is still not known. Some researchers believe it has not been effective (Vandenbulcke, 2012).

From the Italian perspective, the greater job security of workers due to their legal status is identified as a success factor, while at the same time it was reported that the voucher system had crowded many casual employees out of agriculture during crop-gathering.

Another argument, raised, for example, in Austria (Kreimer and Hartl, 2004), Greece, Italy and Lithuania, is that voucher-based work opens up work opportunities for specific groups of workers (women, workers with rudimentary or obsolete qualifications, migrants and young people), allowing them to access the labour market and integration pathways, gain work experience, maintain and improve their skills and employment motivation, and establish contacts with potential employers. However, as of 2014, there is no evidence available that this is really the case in Lithuania (where the system is relatively new) or Greece (because of the difficult economic situation, resulting in an increase of undeclared work rather than a decrease).

Labour market integration effects

Interview partners involved with voucher-based work in the municipality of Gorizia stressed the importance of vouchers for social integration into the labour market. Such workers were unemployed, and many were among the long-term unemployed. The chance to get a job, to meet other workers and to carry out concretely useful tasks offered the additional benefit of social inclusion. Municipality officials noted that the workers felt proud to work for the territory they belong to.

In the Lithuanian voucher system, reports suggest that in its first year it created 'standard' 838 jobs for people who initially provided services in return for voucher payment and later were given employment contracts with the same employer.

The gross cost of the Belgian service voucher system in 2011 was estimated to be €1.65 billion. This figure includes the government subsidy for the service voucher, staffing costs for running the system and the cost of the tax deduction (see Chapter 11). It is estimated that the creation of new jobs generates some returns for the government through savings in unemployment benefits, surpluses in social contributions and payment of personal income tax. Taking into account these returns, the estimated net cost of the service voucher system is €999.3 million (see Table 14 for a summary). The benefits for society of integrating undeclared household work into the regular labour market is not quantified.

Table 14: Gross and net cost of the Belgian service voucher system, 2011

| Gross cost | Returns | | Net cost |
|----------------|-----------------------------------|--------------|--------------|
| €1,655,312,535 | €655,978,364 | | €999,334,170 |
| | Savings in unemployment benefits | €200,727,706 | |
| | Surpluses in social contributions | €307,299,481 | |
| | Surpluses in personal income tax | €147,951,177 | |

Source: IDEA Consult, 2012

General characteristics

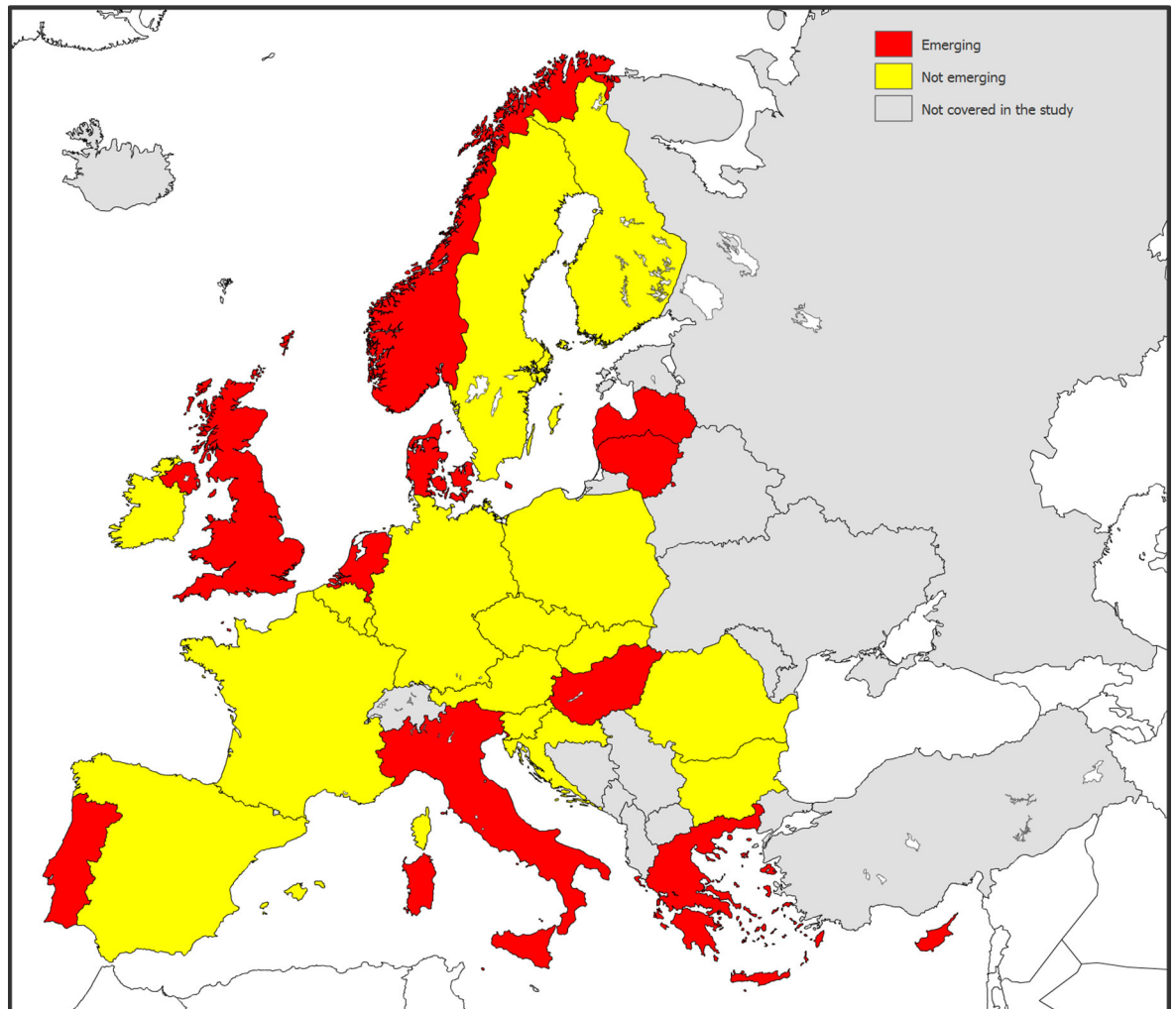
In the 1990s, Handy (1995) described the ‘portfolio career’ as the increasing practice of working for a number of clients or employers simultaneously. Chipman (1993) defined portfolio workers as people holding multiple jobs or contracts in various areas of activity and with various companies. Mallon (1998) reasoned that this was a means for workers to achieve independence from one employer by putting their skills at the disposal of different organisations.

While in the available literature, portfolio work covers a range of forms of employment from freelancers and self-employed workers (Kitching and Smallbone, 2008) to employed workers (Eurofound, 2013c), in this project it is understood as small-scale contracting by freelancers, the self-employed or micro enterprises who work for a large number of clients. Consequently, there can be some overlap with other employment forms discussed in this report, such as crowd employment, coworking and ICT-based mobile work. The main characteristics are of portfolio work are:

- self-managed, independent, income-generating work, including marketing oneself and pitching to clients;
- building and maintaining client relationships from a variety of industries, including continuous adaptation to different work situations and clients’ requirements;
- development of a range of work that is not dependent on any single organisation (Clinton et al, 2006).

Portfolio work was identified as a new or increasingly important employment form in more than a third of the European countries analysed for this project: Cyprus, Denmark, Greece, Hungary, Italy, Latvia, Lithuania, the Netherlands, Norway, Portugal and the UK (Figure 14). This is possibly linked to indications that self-employment and sole proprietorships have increased in several EU Member States (such as Latvia and the UK) since the beginning of the economic crisis (European Commission, 2010b). Whether self-employment is a necessity or opportunity driven varies, however, across countries (European Commission, 2010b). Since the beginning of the crisis, the EU has also been characterised by an increasing number of so-called independent professionals (iPros) who are highly skilled self-employed people who do not employ others (Leighton and Brown, 2013). They provide expert services on a freelance basis, often in cooperation with others, and it can be assumed that a substantial number of them are portfolio workers. It is estimated that between 2004 and 2013, their number increased by 45%, making them the fastest growing group in the EU labour market.

Figure 14: European countries in which portfolio work is new or of increasing importance



Source: Eurofound, based on national contributions

Among the countries in which this employment form was identified, there was no specific legislative framework or collective agreement beyond standard business law to regulate the activities of freelancers, the self-employed or enterprises. Instead, this type of work is regulated bilaterally between client and worker in the form of service contracts, often organised on a project-by-project basis. Payment is agreed in this way, too, and usually subject to delivery of final outputs rather hours worked, while working conditions and social protection issues are solely the worker’s concern.

Characteristics of clients and workers

Portfolio work is increasingly practised among creative workers (for example, journalists, translators and those in the media industry) (Platman, 2004; Deuze, 2008; Fraser and Gold, 2001). Similarly, iPros have been found to represent 25% of those working in professional, scientific and technical work in the EU and 22% of all those in arts and entertainment (Leighton and Brown, 2013). Other important sectors are real estate activities (16%) and information and communication (12%).

In Lithuania, by contrast, researchers and accountants holding multiple jobs with different clients have been described as typical examples of portfolio workers. In Norway, portfolio work is most

common in traditional industries such as construction, transport, agriculture, forestry and fishing and retail. In Hungary, Latvia and the UK, portfolio work is often conducted by highly specialised workers (such as scientists, trainers, consultants, coaches and IT administrators).

In Austria, a large number of one-person enterprises (the self-employed without employees) can be considered portfolio workers; these workers, on average, have 30 different regular clients (Dörflinger et al, 2011). In information and consultation services, the average is about 10–12 clients, and in the trade sector up to 168 clients. One-person enterprises tend to work in local and regional markets, and their activities are marked by cooperation (mainly on projects) with other businesses. For almost 80%, this is their main job, while most of the remainder do portfolio work alongside their regular employment. Almost half work from home. On average, Austrian one-person enterprises have about 15 years of professional experience and about 9 years of sector experience, suggesting that they took the opportunity of self-employment to make a change in occupation.

The majority of iPros are male (54% in 2012), and two-thirds are between 25–49 years of age, with most of the rest older than 50. This suggests that becoming an iPro is related to established skills, networks and reputation. Workers in this group seem to be driven by the desire for independence, self-fulfilment and the opportunity to focus on ‘interesting work’. Accordingly, they do not seek to build a larger enterprise because they wish to remain free of managerial responsibility (Leighton and Brown, 2013).

Drivers and barriers

In general, having a diversity of clients is a recommended business strategy for all freelancers, self-employed workers and enterprises to spread risk and reduce dependency. However, portfolio workers do not seem to be solely driven by this strategic consideration. Instead, they see it as a specific work style that not only provides a job (and income), but also offers further personal development and the mastery of challenges.

Data for Austrian one-person enterprises, a large number of which can be considered portfolio workers, show that it is mainly factors such as self-realisation and a desire for flexible working patterns that draw them into self-employment (Dörflinger et al, 2011). Nevertheless, an increasing proportion of workers opts for self-employment because they are dissatisfied with their job or do not see any further career development potential.

However, portfolio work is not suitable for everyone. It requires not only a good level of occupational skills and expertise, but also the ability to market oneself, to deal with clients and to manage a large number of potentially small tasks involving a large number of clients.

From the clients’ perspective, this form of employment is attractive as it can offer flexibility and value for money and provide an immediate solution for their needs. However, there are also potential disincentives, such as a mismatch between the portfolio worker and the existing organisational culture, lack of trust and financial constraints in term of budgetary limits and the need for cost savings (Platman, 2004).

Implications for working conditions

Information on the implications of portfolio work for working conditions is scarce. In Latvia, for example, there is evidence that this employment form is characterised by a high degree of flexibility (hence facilitating good work–life balance) and increased income – if the job opportunities are

available. A portfolio career can contribute positively to working life, especially when combined with flexibility, greater autonomy, a sense of personal fulfilment, job satisfaction, variety, new challenges and opportunities to combine different skills, and choice of projects and pay.

On the negative side, social protection depends on the type and content of the contract. Working time might be open-ended, and access to training and other HR measures is limited. Work patterns might be irregular and uncertain as regards type of work, workload and frequency of work, and phases of very high work intensity might follow phases of no work at all. As a result, portfolio workers may feel forced to work during illness, to postpone holidays or to work continuously for long periods (Platman, 2004). Furthermore, income security might be low. Data for Austrian one-person enterprises show that the dominant income class is €10,000–€30,000 per year, with about one-fifth earning less than €10,000 and about 14% earning more than €100,000.

Assignments might not match skills and experience if the portfolio worker takes on any job to secure work and income, and social status might be lower compared to more standard employment forms (Cohen and Mallon, 1999; Fraser and Gold, 2001; Platman, 2002; Wild, 2012). Due to limited social interaction – especially if working from home – portfolio workers might experience social isolation (Clinton et al, 2006; Wild, 2012).

Implications for the labour market

In the UK, for example, portfolio working provides a flexible type of employment that can extend working life among an ageing labour force up to and beyond retirement. In such cases, portfolio work provides an opportunity for additional income after retirement, with flexibility for both workers and employers, based on the acknowledgement of the expertise of the older workers (Platman, 2004; Wild, 2012).

It was noted that in Norway portfolio work provides employees with the opportunity to begin working on a self-employed basis while holding down a regular job. This form of employment is made easier by the less onerous book-keeping requirements for sole proprietors. In the UK, it is reported that portfolio work can provide initial financial stability before an entrepreneur starts their own company (Wild, 2012).

General characteristics

Crowd employment is an employment form that uses an online platform to enable organisations or individuals to access an indefinite and unknown group of other organisations or individuals to solve specific problems or to provide specific services or products in exchange for payment (Green and Barnes, 2013; Saxton et al, 2013; Papsdorf, 2009). Also known as crowd sourcing¹³ or crowd work, it is a new form of organising the outsourcing of tasks, which would normally be delegated to a single employee, to a large pool of 'virtual workers' (Felstiner, 2011; Saxton et al, 2013). It is based on individual tasks or projects rather than on a continuous employment relationship. A larger task is usually divided up into smaller subtasks (also called 'micro tasks') that are independent, homogenous and produce a specific output (Felstiner, 2011; Kittur et al, 2013). These tasks are carried out separately, resulting in a kind of global division of tasks. However, Felstiner (2011) notes that crowd employment is also used for specific projects or operational segments of projects. Crowd workers can also be employed for 'macro tasks' (less automated and requiring more discretion on the worker's part), 'simple projects' (not automated and demanding more worker investment) and 'complex projects', although these are rare (Felstiner, 2011). Crowd employment is not suitable for all types of tasks or jobs, but it is highly likely that some part of almost any job can be performed through crowd employment (Kittur et al, 2013).

Examples of tasks often commissioned through crowd employment are web content and software development, database building and cleaning, classifying web pages, transcribing scanned documents and audio clips, classifying and tagging images, reviewing documents, checking websites for specific content, validating search results, and designing logos and drafting of slogans for the advertising industry (Horton and Chilton, 2010; Felstiner, 2011).

Services commissioned through crowd employment

The most common tasks advertised on the Spanish Adtriboo.com platform are:

- corporate image design (logo design, brochure, catalogue, web design, mobile app, illustration and drawing);
- video production for business (video motion graphics, stop motion video, viral video and short films);
- audio editing (musical composition, voice over, voice ads, sound resource and jingles);
- developing texts and naming (brand or product names, articles, video scripts, domain names and slogans).

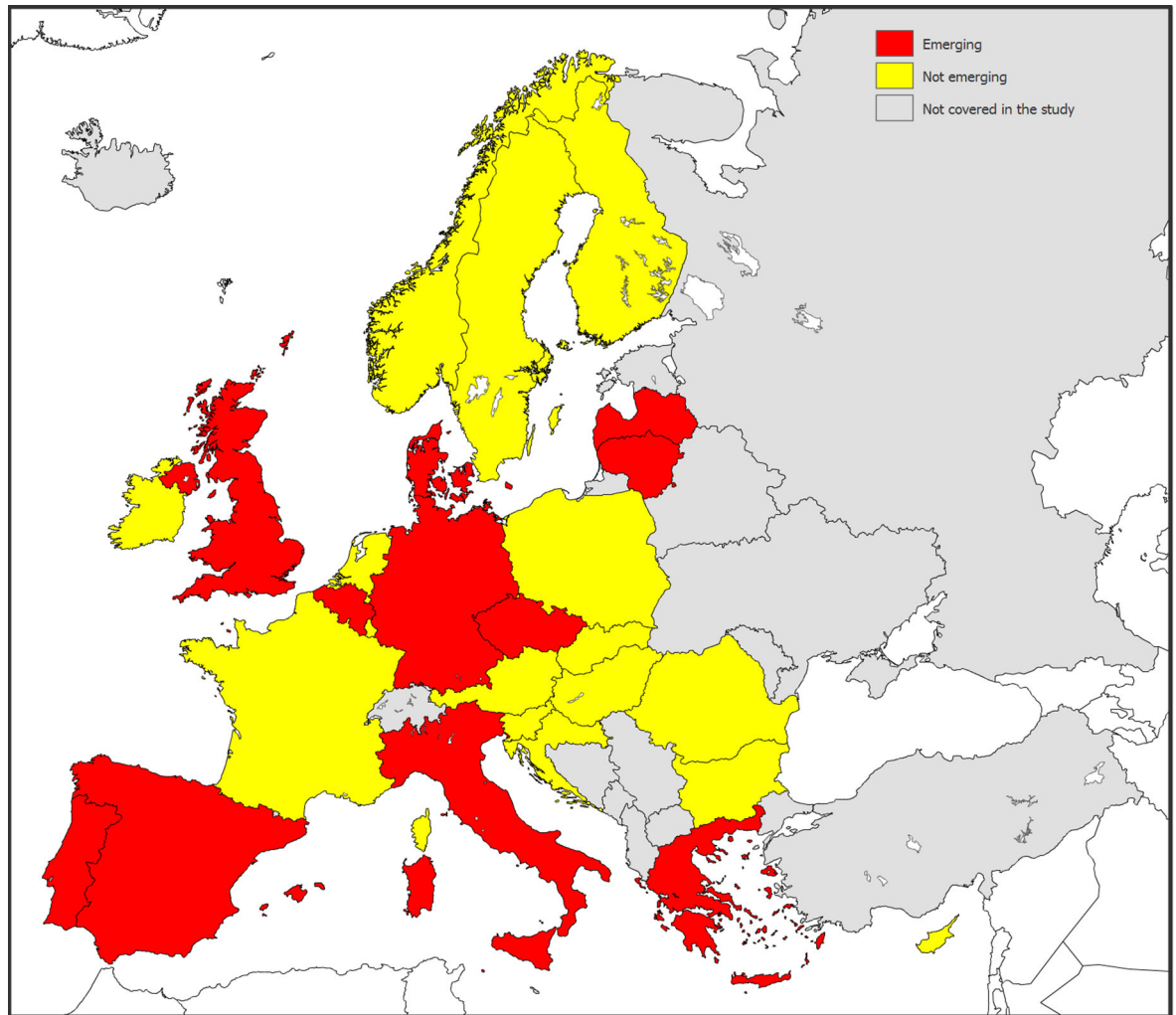
Tasks posted on Amazon Mechanical Turk include the following:

- data collection;
- rating sentiment, regarding a product, for example;
- completing surveys;
- screening and tagging images;
- transcription from audiovisual material;
- transcription from an image;
- writing.

¹³ Crowdsourcing is also sometimes understood to include volunteer-based, non-paid work such as editing material for Wikipedia or involvement in an open source innovation movement developing community-based software such as Linux (Wexler, 2011); this type of work is not considered in this study.

The European mapping exercise conducted for the current project found that crowd employment is emerging in 11 Member States, among a mix of large and small countries and geographic locations (Figure 15). Interestingly, few of the northern European countries often linked to a high level of adoption of new technologies show indications of this employment form. Among the eastern European Member States, crowd employment platforms have been established in the Czech Republic, Latvia and Lithuania.

Figure 15: European countries in which crowd employment is new or of increasing importance



Source: Eurofound, based on national contributions

Mode of operation

Wexler (2011) describes working in crowd employment a five-stage process . In the first stage, the client recognises that they have a problem or an opportunity that can be dealt with more effectively by a loosely defined public than by the usual sources of labour. In the second stage, the client launches a call or competition on an online platform, inviting the public to participate in solving the problem; this is accompanied by instructions, rules or expectations. The call can be broad, inviting an undifferentiated mass, or narrow, inviting a specific group of people able to deal with a specific task. In the third stage, the client gathers proposals from the crowd, which are evaluated in the fourth stage in which the client selects the proposal deemed most suitable for the intended purpose. In the

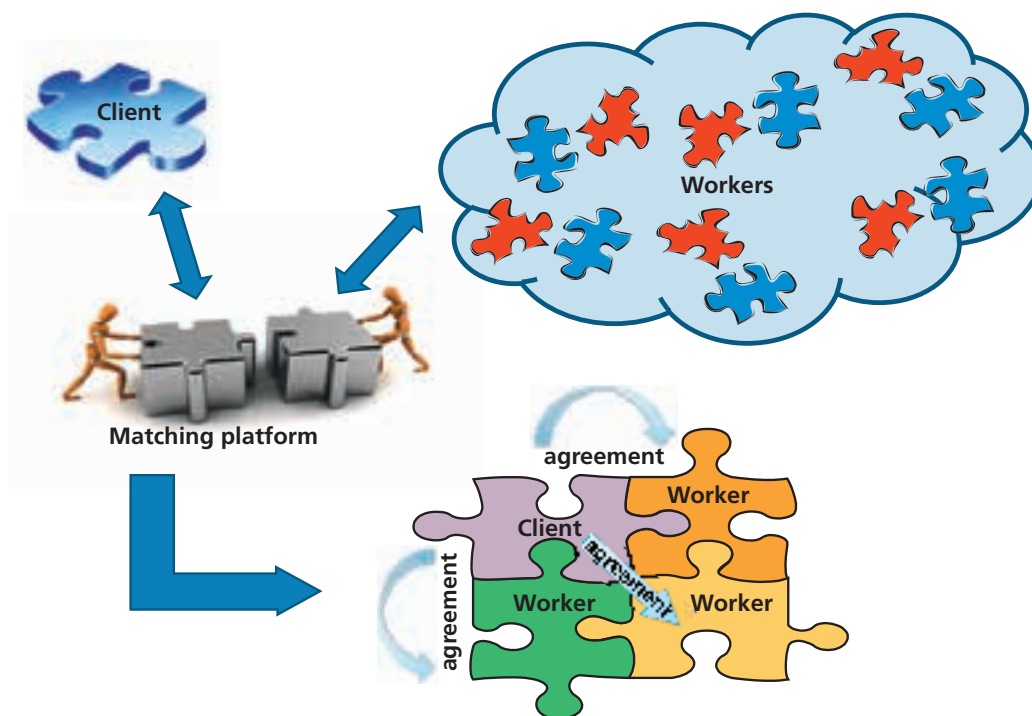
fifth stage, the client decides how to best to use the loyalty of those drawn to a competition once it is over, or whether they have no further use for this resource.

Both the process and the actors differentiate crowd employment from traditional employment. In crowd employment, there is a client (also referred to as crowd sourcer, buyer, requester or similar) and a worker (or seller, provider or similar) (Wexler, 2012; Green et al, 2013; Felstiner, 2011; Kittur et al, 2013).

Technology is essential in this new employment form as the matching of client and worker as well as task fulfilment and submission is mostly done online. As Kittur et al state, crowd employment ‘is a *socio-technical work system* constituted through a set of relationships that connect organisations, individuals, technologies and work activities’ (2013, p. 1). In general, the platform acts as an intermediary or agent, but does not become directly involved in the business between the client and the worker. Quite often there is no formal contract between the client and the worker, but their relationship is based on a bilateral agreement.

While crowd employment platforms have to follow general legal frameworks such as commercial codes, civil codes, consumer protection acts and data protection legislation, the current project could not identify any legal or collectively agreed framework specifically addressing crowd employment in Europe. There are no central organisations administering or monitoring crowd employment platforms. For Germany, Klebe and Neugebauer (2014) clarify that the worker acts as if self-employed, and economic independence is assumed. Consequently, labour law does not apply, and the worker is not entitled to a minimum wage, annual leave or pay in case of sickness. The case studies for this project indicate the same is true for other European countries. In general, the employment relationship between the client and the worker is based on individual agreement, hence pay, working conditions and other issues, notably intellectual property rights, are determined either by the two parties or the terms and conditions of the platform (Klebe and Neugebauer, 2014).

Figure 16: The mechanics of virtual crowd employment platforms



Source: Eurofound

Some crowd employment platforms allow anyone with access to the internet to use their services, while others require clients or workers or both to register first. In general, platforms require workers to be at least 18 years of age to register. To ensure the quality of the services provided, the Czech Topdesigner.cz, for example, verifies each worker, having three samples of their work assessed by experts before they are allowed to participate in platform activities. Similarly, workers aiming to use the German Clickworker platform have to submit samples of their work or to undergo a test. They are rated and subsequently offered tasks that match their score.

Tasks on offer might be published immediately or first checked by the platform management, depending on the design of the platform. The terms and conditions of Topdesigner.cz, for example, establish its right to refuse publication of any task considered inappropriate in terms of content, morality, rules of competition or rules of award. Likewise, competitions launched on the Danish site Boblr undergo a quality check before publication to ensure that the task is presented in an understandable manner.

Some platforms (such as Topdesigner.cz, Boblr, Clickworker, Portuguese Idea Hunting and Spanish Adtriboo.com) act as a full intermediary between the client and the worker, ensuring communication can go only through the platform, while others allow direct contact between the client and the worker.

Two funding models have been identified from the case studies (with possible combinations, illustrated by the Boblr example).

- Some platforms charge a publishing fee for the launch of each competition. In the case of Boblr, for example, clients have to pay about €3,000 to the platform for each competition launched.
- Others take a percentage of the pay agreed between client and worker. Examples are Topdesigner.cz and Idea Hunting, which charge the client a commission of 20% of the worker's pay. Boblr and the UK Taskub.co.uk charge 15% of the task's value, and Lithuanian site Lingjob charges 12% of the workers' remuneration on completed tasks and 30% on content sold on the website.

Some platforms leave payment from the client to the worker to the discretion of the two parties, so that it is completely up to them to agree on the amount and mode of payment. Other platforms, however, apply a minimum or even fixed price for specific tasks. Topdesigner.cz and Adtriboo.com, for example, define a specific minimum price for each type of competition. In the case of Adtriboo.com, this ranges from €200 for designing a logo to €3,000 for producing a video. These minimum values are automatically set once a client chooses a specific type of competition and can only be increased, not lowered. The minimum levels are based on market prices and the assumed number of hours spent by the average worker on this kind of task.

Some of the platforms, including Topdesigner.cz and Adtriboo.com, act as an intermediary for payment. The client transfers the payment to the platform, which forwards it to the worker after the service they provided has been approved. This results in some safeguard that the worker will be paid.

In general, the platform administration does not check the legal status of the worker (that is, whether or not they are registered as self-employed or freelance) and does not interfere in any obligations for taxation or social protection, and it is also widely acknowledged that this is not the responsibility of the clients.

Types of crowd employment platforms

Virtual platforms can be operated either by an independent enterprise whose business is the matching of supply and demand for services or products, or by a company, usually large, running the platform for its own recruitment or task fulfilment (for example, LEGO Ideas in Denmark).

Case study analysis disclosed some heterogeneity in how crowd employment platforms operate, and combinations of the following models are possible.

- Some platforms (such as Czech site Topdesigner.cz, Danish Boblr or Spanish Adtriboo.com) enable clients to launch a competition for the services required. Workers are invited to carry out a task according to some specifications (for example, a slogan for a product advertisement or a design for a logo), and the client then selects the solution they like best. Only the ‘winner(s)’ will be paid. This might be problematic if no protection of intellectual property rights is in place because a client could use workers’ ideas without paying for them. In general, the time between the competition call and the award is very short. At Topdesigner.cz, for example, it is usually 7–14 days.
- In another approach, the client specifies the services required and invites workers to submit their proposals of how to fulfil the task (but not to complete the task itself). The client selects the solution they prefer and arranges the details of having the work done with the worker. The ‘hire-a-freelancer’ service of Spanish site Adtriboo.com works this way.
- On some platforms the workers start the process. They describe their activities and skills and offer these to potential clients.
- Finally, the project analysed one case study of a platform (Taskhub.co.uk) in which only the matching between client and worker is done online, but the actual service provision is carried out ‘in person’.

Emergence in Europe

In most of the countries where crowd employment is operating, it is quite a new phenomenon, emerging since the late 2000s or early 2010s. In Greece and Spain, for example, the recent increase is explained by the economic and financial crisis, which has resulted in lack of liquidity and the need to find alternative (and cheap) ways of marketing one’s services. However, the impact of the short-term economic developments should not be overemphasised. The opportunities offered by modern technologies, difficulties in reconciling private and working life, and the existence of well-educated young professionals looking for alternative forms of employment have strongly contributed to the growth of crowd employment.

The crowd employment platforms analysed for this project are very new. The Lithuanian platform Lingjob, for example, was established in 2013, the Czech Topdesigner.cz and the UK Taskub.co.uk in 2012, the Latvian Academy of Ideas and the Spanish Adtriboo.com in 2011, and the Danish Boblr and the Portuguese Idea Hunting in 2010. Comparatively more established is the German Clickworker, started in 2005, and so is among the pioneers in the German crowd employment scene.

Due to its newness, the spread of crowd employment within the EU and Norway seems to be marginal, and there are hardly any reliable data for usage. From summer 2010 to January 2014, on Boblr, for example, only about 15 different competitions were posted. Topdesigner.cz had about 3,900 registered workers and 320 completed projects in January 2014, roughly two years after its launch. Since its establishment in 2011, the Academy of Ideas has announced about 150 tasks and has about 40 clients and 30–40 regular workers. Almost 3,000 workers were registered on Lingjob in 2014 (about one year after its launch). For Spain, information from internet blogs suggests that there are about 28 crowd employment platforms in the country, with the most important (Adtriboo.com) offering the services of about 135,000 professionals from Argentina, Chile, Ecuador, Mexico and Spain.

Anecdotal evidence suggests that more widespread use of crowd employment is hampered by a lack of platforms and uncertainties around the new concept, such as whether they give competitors access to sensitive information, offer protection of intellectual property rights or address data protection issues. There is also little awareness that such platforms exist, and the case studies show that, particularly in the start-up phase, word-of-the mouth promotion through the networks of the founders and social media is crucial.

Nevertheless, Kaganer et al (2012) describe a 'skyrocketing annual growth' in global revenue from crowd sourcing platforms of 53% in 2010 and 74% in 2011, showing the potential of this employment form. The potential of crowd employment can also be exemplified by Amazon Mechanical Turk, on which more than 350,000 tasks are offered at any point in time.

Characteristics of clients and workers

Clients

As an industry built by and dependent upon the internet, crowd employment has become quite popular primarily in online-friendly and online-exclusive sectors of the economy (Felstiner, 2011). This includes web content and software development, advertising, audio and video transcription, database building, market research and digitisation (Felstiner, 2011). Many businesses with large amounts of data use crowd employment to create metadata and remove duplicate entries from their databases. Moderation of user-generated content on collaborative websites is another popular application of crowd employment (Silberman et al, 2010).

Danish experts report that the services covered by crowd employment mainly relate to the IT sector, marketing, product development or various problem-solving tasks. Hence, jobs are generally connected to the creative industries (for example, translators, proof readers, copy editors, web design, software specialists and journalists); this was also observed in Latvia, Spain and the UK, and in the case studies analysed for this project.

Interestingly, the case study analysis shows that the clients are mainly nationals of the countries in which the online platform has its headquarters, which is somewhat surprising bearing in mind the global character of the 'virtual labour market'. One explanation for this could be that the platforms are relatively new and reliant on word-of-mouth, which naturally brings about a more local customer stock.

A large number of crowd employment clients seem to be SMEs, larger companies lacking internal capacity for specific tasks, and non-governmental organisations (NGOs).

Workers

German and Danish experts suggest that crowd employment requires workers to have a high level of qualifications, creativity and soft skills, and this is also confirmed by Howe (2008), Brabham (2012) and Ipeirotis (2010). The case study findings related to the Spanish Adtriboo.com support this assertion, too, showing that many crowd workers have a university diploma or even a master's degree. At the same time, it is observed in Germany that crowd employment involving micro tasks tends to attract people in need of additional income such as students, unemployed people or people on parental leave.

Ipeirotis (2010) surveyed 1,000 workers active on the Amazon Mechanical Turk platform in February 2010, finding that approximately 47% are based in the United States, 34% in India and 20% in other countries. 'Turkers', as they are known, are quite young; about 45% of the US workers and 66% of the Indians were born after 1980. Similar characteristics have been found in the case studies analysed for this project.

- About 75% of the workers using the Czech site Topdesigner.cz are from the Czech Republic (the remaining 25% are from Slovakia) and 80% are younger than 30.
- Of registered workers using the German Clickworker platform, about one-third are German, one-third are from other European countries, and the remaining third from the Americas. This broader spread of nationalities could be because the platform is longer established and better known to a larger audience. Clickworkers are relatively young, with the main age group between 22 and late 40s.
- Workers on the Lithuanian Lingjob platform are mostly from Lithuania and aged 18–35.
- In spite of having registered workers from 45 different countries, 90% of the crowd workers on the Portuguese platform Idea Hunting are from Portugal. About 60% of the male and 70% of the female workers are younger than 35.
- The typical worker on the Spanish Adtriboo.com is described as a 26–35-year-old male with at least five years' work experience and living in a Spanish city (more than half are in Madrid).

Among 'Turkers' there is a gender imbalance: in the US, 65% are women, compared to about 35% in India (Ipeirotis, 2010). Among the case studies, three have more female than male workers, three have more male than female workers, one has an equal distribution, and for two no information is available.

From the case studies analysed for this project, it is striking that workers do not seem intent on making crowd employment their main job. Rather, this is a spare-time activity alongside another job, education or care responsibilities.

Drivers and barriers

Clients' perspectives

The main motivation for clients to use crowd employment is access to a huge source of knowledge and experience and a potentially quicker completion of the job under consideration (Klebe and Neugebauer, 2014). Recruitment of employees can be avoided and hence labour law does not have to be considered. Furthermore, there is the potential to reduce costs as crowd employment tends to be associated with lower pay and little or no personnel administration costs, and the employer does not have to provide facilities, material or support for the workforce (Felstiner, 2011). These elements are also reported to be the main motivations in the case studies.

Clients' motivation to engage in crowd employment

Clients are assumed to use the German Clickworker platform because large quantities of content can be created in a short time. They are thought to appreciate the access to skilled labour, the elimination of fixed costs and the greater degree of flexibility. A particular advantage is access to workers with different language skills and cultural backgrounds, providing different test markets. The company IDG Business Media GmbH decided to work with Clickworker for cost-efficient and fast content creation that needed more workers than available in-house. The alternative – recruitment of temporary workers – would have been a much more bureaucratic and time-consuming procedure.

Clients using Amazon Mechanical Turk fall into three broad categories, according to experts. First, there are the 'clueless academics', who are not regular users of the platform, but will use it if they need a large amount of input in a short time and for little cost, such as surveys. Second, start-ups and small businesses are attracted to the platform for its cheap labour. It allows them to innovate with limited financial outlay. Third are large companies that need tasks completed quickly, broken down into micro tasks, with mediator firms distributing tasks and offering quality assurance.

Reasons to not engage in crowd employment from a client's perspective include the risk of losing in-house competences and control over the process (Klebe and Neugebauer, 2014). Tasks have to be explained very explicitly and this is sometimes difficult. The client has little control over the quality of the service provided, and as the pay-per-task structure is similar to piecework compensation in manufacturing, it can 'offer an invitation for gaming behaviour which can negatively influence quality' (Kittur et al, 2013: p. 2). If a larger task is split into several micro tasks, it can be challenging to coordinate and combine the individual subtasks (Klebe and Neugebauer, 2014).

When crowd employment fails

After having used the Spanish Adtriboo.com platform for a small task, a client company decided to use it for something more complex. However, the process turned out to be very complicated. All the workers were able to see the ideas of the others, raising the client's concern about inability to prevent workers copying ideas from others. Indeed, some workers accused others of having stolen their ideas, and the client and platform administration had to deal with this issue.

Another barrier to crowd employment evident from the case studies is the unfamiliarity of the clients with the concept. Potential clients are often unaware either of the model as such or of specific platforms, and there is some reluctance to use crowd employment as it is considered a very untraditional way of working.

Workers' perspectives

The motivation of crowd workers includes the fun in doing this type of work, learning opportunities, social exchange, recognition by other crowd workers and clients, the opportunity for self-marketing, and a better combination of work and private life (Klebe and Neugebauer, 2014). Furthermore, people get involved in a crowd employment platform as a source of (additional) income (Klebe and Neugebauer, 2014; Silberman et al, 2010; Ipeirotis, 2011).

Workers' motivation to join crowd employment

Designers registered with the Czech platform Topdesigner.cz use crowd employment to improve their financial situation and their prospects of getting clients in the future. It is estimated that about one-third of clients continue business relationships with the workers after the first job is concluded, and clients' recommendations and comments help workers find clients beyond the platform. The platform also acts as a marketing tool for designers as it enables them to show their portfolio to a crowd of potential clients. Finally, graphic designers are considered to be highly competitive and to enjoy the opportunity to compare their skills with those of other designers.

Nevertheless, workers may be reluctant to engage in crowd employment due to concerns about data protection and fair pay (Klebe and Neugebauer, 2014).

Implications for working conditions

The working conditions of crowd workers appear to be poor. First of all, pay seems to be extremely low. Survey research has, for example, shown that 25% of the tasks offered at Amazon Mechanical Turk are valued at \$0.01 (€0.007), 70% offer \$0.05 (€0.04) or less, and 90% pay less than \$0.10 (€0.07). This is equals an hourly rate of around \$2 (€1.44) (Irani and Silberman, 2013). According to Ipeirotis (2010), the weekly income of a ‘Turker’ is up to \$5 in almost half of cases, while Silberman et al (2010) estimate less than \$10,000 as the yearly income of a ‘Turker’.

Available information for the Czech Topdesigner.cz indicates that tasks are small in scale, with an average pay of €200. For the German Clickworker, it is estimated that a worker can earn €200–400 per month for about 30 hours of work. A total of about €37,000 was paid to workers by the Portuguese Idea Hunting platform during its three years of existence. In contrast to this, the competitions launched through Danish platform Boblr are on a much larger scale, with payments ranging from about €2,000 to €20,000, with an average of around €6,000. Lithuanian and Spanish experts express fears that workers might be exploited. There is a high level of competition among the workers, and prices paid for services tend to be low.

Another negative aspect of crowd employment is insecurity about pay. Access to work is not continuous or regular, and work is not always paid for. Employers pay only if they are satisfied with the results, and this leaves workers vulnerable to the caprices of employers (Felstiner, 2011; Silberman et al, 2010; Klebe and Neugebauer, 2014).

Because crowd workers are considered to be self-employed or freelancers, they do not get any benefits (including access to HR measures such as training, mentoring or coaching) or have any job security (Felstiner, 2011) or social protection. These difficulties are also reported by Danish, German, Latvian and Portuguese experts; the German experts also highlight the lack of representation.

Other negative aspects pointed out by Felstiner (2011) and Klebe and Neugebauer (2014) are the information asymmetry (lack of information about the employers and the tasks to be performed), the lack of a reliable dispute resolution system (for example, to arbitrate when an employer refuses to pay for work done), the possibility of privacy violation (as the workers often have to disclose personal information without a clear guarantee of confidentiality), and the lack of support from colleagues and managers. Micro tasks, particularly, commissioned through crowd employment tend to be low skilled and trivial in nature, and hence not very rewarding in work content.

On the positive side, the increased level of autonomy to choose when and where to work, how long to spend, and what work to perform (resulting in a better work–life balance and the opportunity to combine multiple jobs) is often singled out as the main advantage of crowd employment for workers, together with opportunities to make substantial gains in personal productivity, because it is possible to adapt the work to their personal working patterns (Felstiner, 2011; Howe, 2008; experts from Denmark, Latvia, Portugal and Spain). This, however, is very subjective, and for some crowd workers these specific elements cause stress due to the need for self-organisation and the blurring of work and private life.

Another positive aspect of crowd employment is its potential to provide opportunities for skill development and learning by doing.

Implications for the labour market

Silberman et al (2010) point out that crowd employment has created work for many in a time of uncertainty. Kittur et al (2013) state that crowd employment creates new opportunities for income and social mobility in regions of the world with stagnant local economies, while mitigating the shortage of experts in specific geographical areas. In a similar way, Felstiner (2011) considers crowd employment ‘a potentially formidable instrument for economic development in rural areas and places damaged by war or natural disasters’ (p. 155) as it requires little capital investment and employee training, so making it a suitable source of workers for SMEs, NGOs, local governments and social entrepreneurs. Hence, crowd employment could be seen to contribute to inclusive labour markets.

Labour market integration effects

A worker using the Czech Topdesigner.cz platform lives in the mountains, several kilometres away from the nearest village and tens of kilometres away from the nearest town. If it was not for the crowd employment platform, this worker would not be able to work unless he relocated or commuted several hours per day.

Danish and Spanish experts report that crowd employment can provide good access to work opportunities for freelancers and early work experience for young labour market entrants, enriching their CVs, employability and career development. Platforms offering competitions for tasks might be an opportunity for young professionals with good skills but no track record, since the focus is more on content than on previous experience and reputation.

Crowd employment as an opportunity for young professionals

Two interviewed workers registered at the Spanish Adtriboo.com platform recommend crowd employment to young students and inexperienced professionals. They argue that the competitions provide them with the opportunity to show their ideas and improve their skills. Young professionals can have their ideas assessed by large companies through the platform, something that would be difficult to otherwise achieve. This provides them with valuable experience; even if they do not win the task, they nevertheless gain insight into potential clients’ expectations.

It is also sometimes argued that a positive first experience between client and worker could result in more continuous and even stable employment; it also makes it possible to try out self-employment. However, this seems to be more potential than reality. On the one hand, a number of platforms do not allow direct contact between clients and workers, making a follow-up to the initial employment relationship impossible. Others prohibit by-passing the platform in future. Even if neither of these two restrictions applies, the possibility of a follow-up is questionable. Anecdotal evidence from workers using the Danish Boblr platform, for example, shows that there is seldom any continuation of cooperation between the client and the worker. Similarly, interviewed workers registered at the Spanish Adtriboo.com appreciate the valuable experience they gained from crowd employment, but did not report greater job opportunities or more continuous employment relationships. Only one was hired beyond what was agreed initially, on a freelance basis.

Bearing in mind that the case study evidence showed that crowd employment is done mainly alongside another job, there is some evidence of it having positive effects on the primary job. Workers on the

Czech Topdesigner.cz platform, for example, say that they learn new skills and gain experience when working through the platform, and that they can use these additional competences in their main job.

At the same time, Kittur et al (2013) argue that crowd employment can displace current workers and replace some forms of skilled work with unskilled work when jobs are fragmented into smaller tasks. Similar fears were also expressed by trade unions interviewed as part of the project's case studies. However, some existing crowd employment platforms do establish strategies to ensure that high-quality work is commissioned through the platform.

Mechanisms to avoid a 'race to the bottom' in quality

The Danish Boblr platform requires clients who initiate a competition to set up a jury to evaluate tenders and select winners based on the quality of the proposed service. Jury members must be professionals with relevant skills and can be in-house staff of the client or external experts. If a jury is not set up, the platform can reject publication of the competition, and this has been done in the past.

In Denmark, Germany and Portugal, national stakeholders and trade unions, in particular, expect crowd employment to lead to job losses as services are outsourced and – in the globalised approach of this employment form – relocated to other countries. This could also result in lower tax revenue for the state, even if the crowd workers are nationals, because their income may be very low. This, in turn, might also burden social protection budgets, on which workers might depend to supplement their crowd work.

Accordingly, crowd employment involves some danger of transforming comparatively secure employment into more precarious forms of employment, if it becomes more common for specific types of jobs.

While, from the discussion above, it appears that the job creation effect of crowd employment is questionable, some limited job creation takes place in the organisations running crowd employment platforms.

- The German Clickworker platform had 26 employees in January 2014 (about a decade after its launch).
- The Spanish Adtriboo.com platform employs six staff plus its president after about three years of business activity.
- The UK Taskhub.co.uk employs four people and its two founders about two years after its launch.
- The Lithuanian Lingjob has three full-time staff about one year after its launch, and others that move between full-time and part-time work.

However, there is great heterogeneity across the platforms. In case of the Danish Boblr platform, for example, the revenue achieved from the platform administration is not even sufficient to finance one full-time worker.

General characteristics

Cooperation among self-employed workers and SMEs is a traditional way of doing business to overcome the limitations imposed on those forms of economic activity by their smaller scale compared to larger competitors. In this project, the focus is on specific forms of cooperation that have recently emerged and go beyond traditional supply chain or business partner relationships.

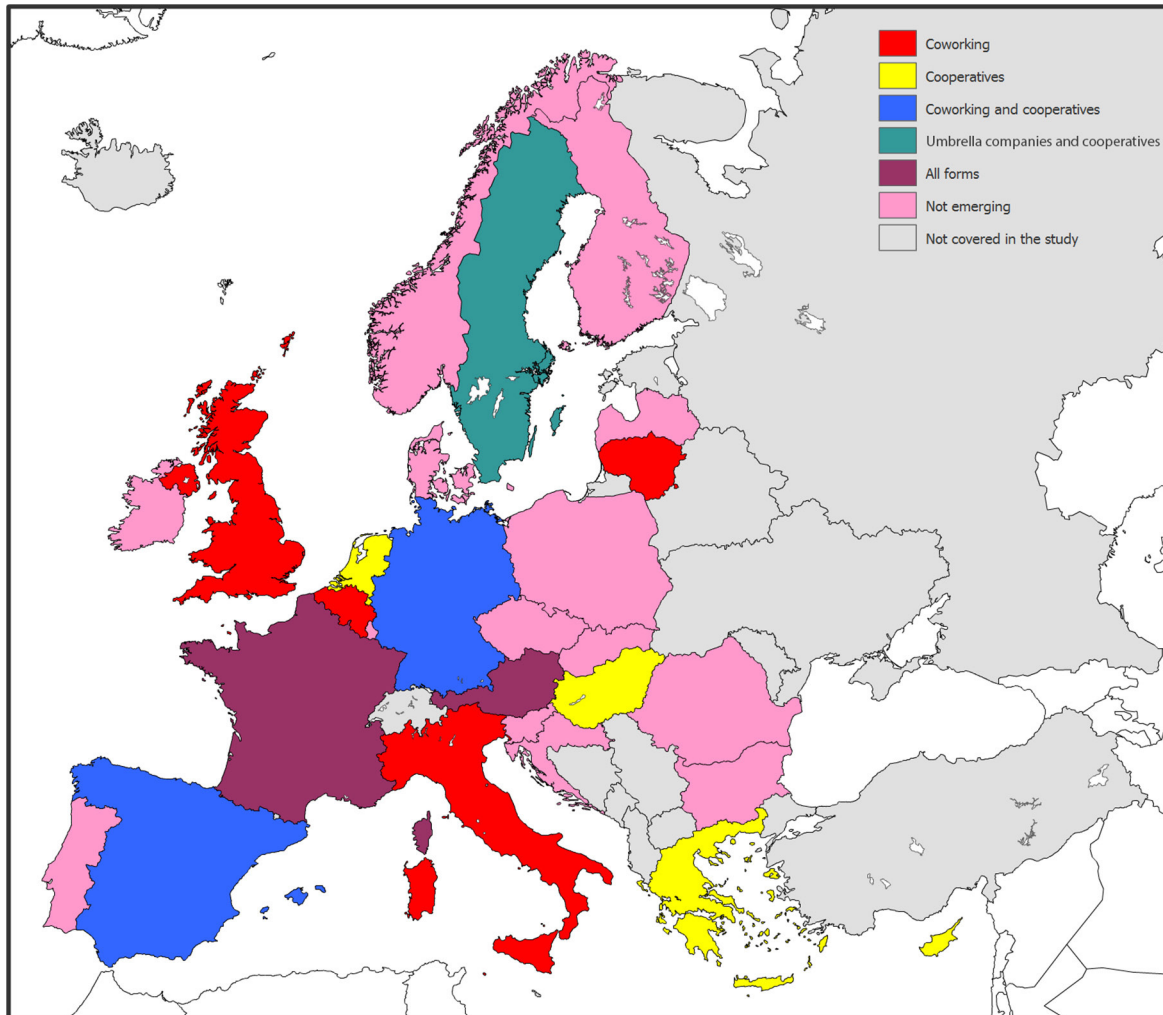
The mapping exercise identified the following types of new cooperation patterns among freelancers, the self-employed and SMEs (particularly micro enterprises).

- **Umbrella organisations**, which offer specific administrative services such as invoicing clients or dealing with tax issues. These were identified in Austria, France and Sweden.
- **Coworking**, which involves the sharing of work space and back-office and support tasks. Unlike business incubators, the concept is not limited to start-up or young businesses, and it is broader than that of a 'company hotel' in that it involves more intensive cooperation and exchange among the self-employed in the coworking centre. The shared work space is not necessarily a physical one but can also be a virtual meeting space that facilitates collaboration (as observed in Germany, for example). Coworking was identified as a new form of employment in Austria, Belgium, France, Germany, Italy, Lithuania, Spain and the UK.
- **Cooperatives**, which are jointly owned and democratically controlled enterprises characterised by intensive cooperation among the members in the fields of production, marketing and strategic management. Unlike coworking, there is no shared location. Although cooperatives are not exclusive to the self-employed, they are discussed in this section due to the networking features they share with the other collaborative employment forms described here. The importance of cooperatives has been increasing in Austria, France, Hungary, Germany, Greece, the Netherlands, Spain and Sweden.

Umbrella organisations

As the name suggests, umbrella organisations provide an 'umbrella' for the self-employed or freelancers under which they can do their business. While they retain the main characteristics of entrepreneurial activity (risks, independence, autonomy and control), the umbrella organisation provides them with support for their administrative obligations. It is still up to the self-employed worker or freelancer to negotiate with customers and provide services with full autonomy. In some cases, membership of an umbrella organisation qualifies the member for specific benefits, such as improved social protection standards compared to standard self-employed conditions.

Figure 17: European countries in which collaborative employment is new or of increasing importance



Source: Eurofound, based on national contributions

Examples of umbrella organisations

The Austrian Senior Expert Pool (ASEP) is a not-for-profit organisation that individual consultants join as members. The target group for its services are start-ups or SMEs that do not have sufficient in-house resources or competences for certain management tasks or situations, such as preparing a business transfer. ASEP's members are high-level managers who have chosen to work as consultants after retirement. The consultant can provide temporary management assistance, help develop and implement business plans, and offer personal coaching and mentoring to younger managers. They are similar to interim managers (see Chapter 4) but are self-employed. The consultant may work full-time, part-time or on a temporary basis. Contracts for service and payment are negotiated between the ASEP and the client, and invoicing is also handled by ASEP (Eurofound, 2012c).

French umbrella employment (*portage salarial*) offers executive-level consultants more beneficial social protection (such as pension, unemployment, maternity and sickness benefits) than they would have as self-employed workers. Income is usually in the form of consulting fees paid to the umbrella company, and contracts can be for up to three years and are renewable (Arvas, 2011). The workers have an employment contract with the umbrella organisation, but the umbrella organisation is neither obliged to provide them with work, nor responsible for their working conditions. There are also no control or subordination relationships between the worker and the umbrella organisation. The umbrella company takes charge of billing clients and other paperwork, and takes a fee of around 10% of the worker's income. This form of work first appeared in the 1980s (Del Sol et al, 2005) but has become common only in recent years. In 2008, the principle of *portage salarial* was included in the Labour Code. There were 58 umbrella companies in France in 2005, and 122 registered in the Guide du Portage in 2014. Registration is not compulsory, and it is possible that there are as many as twice the registered number of umbrella companies.

In Sweden, umbrella employment (*Egenanställning*) refers to the 'leasing' of self-employed workers to client companies. The umbrella organisation takes care of administration and invoicing, pays the worker and charges a commission for its services. Across Sweden, more than 40 umbrella organisations employ about 10,000 workers (0.2% of the workforce), and for about 40% of these workers, this is their main income source (Tillväxtverket, 2012). Since 2012, an industry association (Egenanställningsföretagens Branschorganisation) has represented nine large umbrella organisations, and a network (Nätverket för Egenanställningsföretag) provides a forum for discussion and information exchange (Ödahl, 2014).

Coworking

Coworking is an arrangement in which self-employed workers, freelancers or small enterprises share premises and back-office services to save costs and increase efficiency. However, there is also an important element of peer exchange among coworkers in their social and professional interaction, ranging from chats over coffee to the design and implementation of joint projects or the joint attraction and acquisition of clients. Hence, in addition to providing a favourable work environment, coworking also aims to create synergies among the coworkers.

Self-employed, freelancers and small businesses can rent office space on a permanent, fixed-term or walk-in basis. While for permanent and fixed-term arrangements, coworkers often have the choice between an individual office and an open-plan space, walk-in coworkers are generally limited to open-plan areas. Rental conditions (including, for example, notice periods) are flexible in order to respond to the coworkers' needs. In the case of the Spanish coworking centre Utopic_US, this goes as far as accommodating fluctuations in the monthly revenue of the coworkers by allowing late payment, in a sense providing financing for the self-employed and freelancers in times of need.

Coworking centres also offer business services such as internet access, printers, conference rooms and a postal service. They provide areas for social interaction, either among the coworkers or with third parties, for example in the form of coffee shops or lounges. Some go beyond that and organise regular platforms for exchange, coaching spaces or joint events to foster cooperation and networking.

Services offered by coworking centres

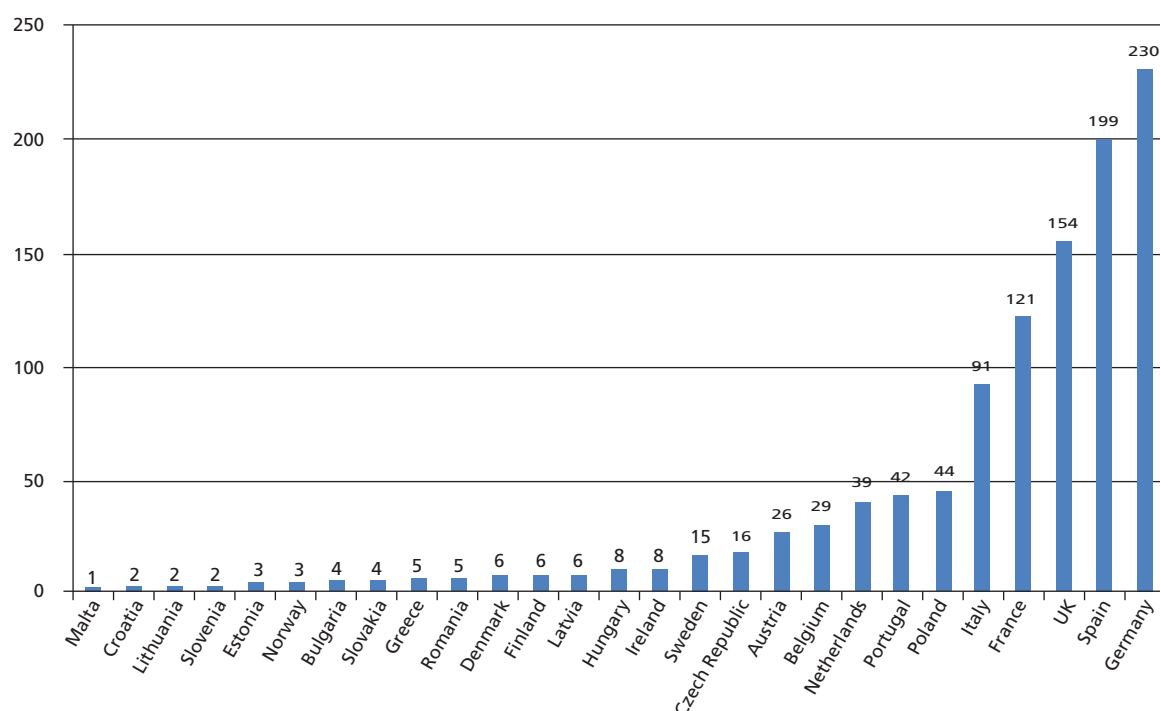
In Germany, the Werkheim coworking centre has 'flexdesk' users, who flexibly rent a desk in the open-plan space short-term, and 'fixdesk' users, who rent their own office space for a longer period of at least two months. These start at a rate of €450 net per month and include a mailbox service, a key for independent access, a locker and use of a conference room for three hours per month. A day pass as a walk-in client for a desk in the open space unit is €17, a ten-day pass €125 and a monthly pass with a locker €199. From time to time the centre management arranges a social event at which coworkers in a very informal setting can get to know each other. 'Werktalks' are held at least every three months. At these an external speaker will discuss issues such as the latest trends in social media, search engines or business start-up advice.

The Spanish coworking centre Utopic_US has two physical centres and a virtual platform. The office spaces include open space and separate offices, with Wi-Fi, printer, scanner and telephone. The centres have training rooms, meeting rooms, relaxing spaces and a restaurant-bar. Activities organised at the centre include joint breakfasts and other meals, start-up markets, conferences and table tennis games. The centre also provides access to legal and administrative services and business consultancy, training (for example, in marketing and communication), workshops and special rates for health insurance and car-sharing. Prices range from €15 (excluding VAT) to become member of the virtual space, to €250 a month (excluding VAT) for a permanent space and desk. There are also daily, weekly and monthly tickets for short-term use.

Coworking centres have general codes of conduct to create a pleasant work environment for all, rather than providing recommendations on individual working conditions. Examples are the prohibition of smoking, the requirement to clean a desk before leaving, or the request to avoid noisy behaviour in the open space.

According to the Global Coworking Census 2013, the number of coworking spaces in the EU and Norway was 1,071, 43% of the total in the world (Deskwanted.com, 2013) (Figure 18). Higher numbers are found in Germany, Spain, the UK, France and Italy, together representing 75% of the spaces in the EU28 and Norway. In Germany, the development of coworking has been particularly dynamic since about 2010; around 70 coworking spaces have been established in Berlin. In Spain, there are 199 coworking spaces, 40% of which are in Madrid and Barcelona. A national study, however, shows that only about 55% of the available spaces are occupied, suggesting an estimated 2,500–2,600 coworkers operating in Spain (Coworking Spain, 2012). In contrast, fewer than five coworking spaces could be identified in Lithuania (with an estimate of about 100 coworkers), most of them located in Vilnius.

Figure 18: Number of coworking spaces in EU Member States and Norway, 2013



Source: Deskwanted.com, 2013

The current project did not identify any legislation or collective agreements that set frameworks for coworking.

Cooperatives

Cooperatives have existed for a long time in several European countries. For example, the history of the cooperative movement in Italy can be traced back to the second half of the 1800s. In Austria, France, Germany, Hungary and Slovakia, the first cooperatives appeared in the 19th century. However, legislative initiatives are still being developed to contribute to their development and adaptation. In some countries, cooperatives are of increasing importance or new types have been emerging (CECOP, 2014a).

Examples for new or enhanced forms of cooperatives

The French activity and employment cooperatives (*coopératives d'activité et d'emploi*) target start-up entrepreneurs as members. Members are given the status of a wage earner (including all related social security rights), while being responsible for their individual business. Funding is provided by contributions of 10% of their turnover from participants. In 2006, there were 51 activity and employment cooperatives, with more than 1,500 wage earner entrepreneurs and a total turnover of about €21 million. By 2013, this number had increased to 85 cooperatives, with 8,000 wage earner entrepreneurs and a total turnover of €50 million.

In Italy, a legislative change in 2003 created 'mainly mutual cooperatives' characterised by two elements: they must operate predominantly on behalf of their members, and the amount of any surplus they can distribute to members is limited. Other cooperatives are not subject to these constraints (Fici, 2010).

As the European Cooperative Society Regulation (SCE) makes it compulsory that cooperatives are regulated by law in all Member States, a general cooperative law exists in all except the Czech Republic, Denmark and Slovakia, where they are regulated by specific provisions in company law. Some of these national cooperative laws do not have ‘cooperative’ in their title, as in Ireland and the UK (CECOP, 2013). Few Member States – just France, Portugal and Spain – have separate sectoral cooperative laws for worker cooperatives, while Italy has a law on worker-members in cooperatives. Sectoral cooperative legislation for social cooperatives is more common (France, Greece, Hungary, Italy, Poland, Portugal and Spain). Laws regulating cooperatives in Europe have not undergone significant changes since the crisis. A new cooperative law was enacted in Croatia in 2011, but it seems to focus on a reform agenda linked to the modernisation of the old cooperative law that was in force in the former Yugoslavia.

According to the European Confederation of Worker Cooperatives, Social Cooperatives and Social and Participative Enterprises (CECOP), there are almost 90,000 cooperative enterprises active in industry and services in the EU (CECOP, 2013). CECOP estimates the number of workers in these cooperatives is around two million. Countries with the largest numbers of workers in worker and social cooperatives are Italy and Spain. Table 15 provides a summary of employment in cooperatives across Member States.

Table 15: Overview of employment in worker and social cooperatives in the industry, services and craft sectors in Europe, 2008–2012

| Country | Type | Number of enterprises | Number of worker members | Number of non-member workers | Number of total employment |
|----------------|---------------------|-----------------------|--------------------------|------------------------------|----------------------------|
| Bulgaria | Both | About 270 | About 13,000 | About 1,000 | About 14,000 |
| Czech Republic | Both | About 200 | More than 12,500 | About 4,200 | More than 16,700 |
| Denmark | Both | More than 100 | n.a. | n.a. | n.a. |
| Finland | Both | About 1,100 | More than 500 | More than 200 | More than 700 |
| France | Social cooperatives | About 200 | More than 340 | More than 800 | More than 1,100 |
| | Worker cooperatives | About 1,800 | About 22,000 | About 18,200 | About 40,200 |
| Germany | Both | About 50 | n.a. | n.a. | n.a. |
| Ireland | Both | About 10 | About 40 | n.a. | More than 40 |
| Italy | Social cooperatives | About 14,000 | More than 280,000 | More than 225,000 | More than 505,000 |
| | Worker cooperatives | About 36,000 | More than 420,000 | More than 270,000 | More than 690,000 |
| Malta | Both | About 65 | About 4,700 | n.a. | More than 4,700 |
| Poland | Both | More than 1,100 | n.a. | n.a. | n.a. |
| Portugal | Both | More than 200 | More than 680 | More than 50 | More than 730 |
| Romania | Both | About 950 | More than 14,400 | More than 2,000 | More than 16,400 |
| Slovakia | Both | About 100 | More than 2,300 | More than 3,000 | More than 5,300 |

| Country | Type | Number of enterprises | Number of worker members | Number of non-member workers | Number of total employment |
|---------|---------------------|-----------------------|--------------------------|------------------------------|----------------------------|
| Spain | Social cooperatives | About 14,600 | About 82,000 | n.a. | More than 82,000 |
| | Worker cooperatives | About 17,000 | More than 190,000 | n.a. | More than 190,000 |
| UK | Both | About 440 | More than 2,600 | About 150 | About 2,800 |
| Europe* | Both | About 88,200 | | | Estimated 2,000,000 |

* all countries where data is available

Note: n.a. = not available

Source: CECOP

Workers' characteristics

Umbrella organisations

ASEP is an Austrian association of high-level retired managers who have chosen to work as consultants after retirement. Of these managers, 72% are above the statutory retirement age of 65, 95% are male and 87% have a university degree. Clients are mainly SMEs and start-ups in marketing, finance and production control (Eurofound, 2012b).

The French umbrella organisations are accessible only to executives. The case study of the umbrella organisation AdPartners, for example, shows that most of its workers are active in business consultancy and audit (about 45%), and around 10% each in arts, culture, web design, audiovisual media and training. Interestingly, another 8% are active in the field of agriculture. The average age is 45, and there are slightly more women than men. Work in the umbrella organisation is usually their main job.

Coworking

Coworking spaces seem to be emerging particularly in non-traditional sectors such as creative industries (for example, in Austria, Germany and Spain), but also in consultancy. In Germany, it is reported that most coworking spaces are in the bigger cities such as Berlin or Hamburg (Eichorst, 2012), which are well known for their media, creative, culture and arts scene.

The importance of coworking in the creative industries

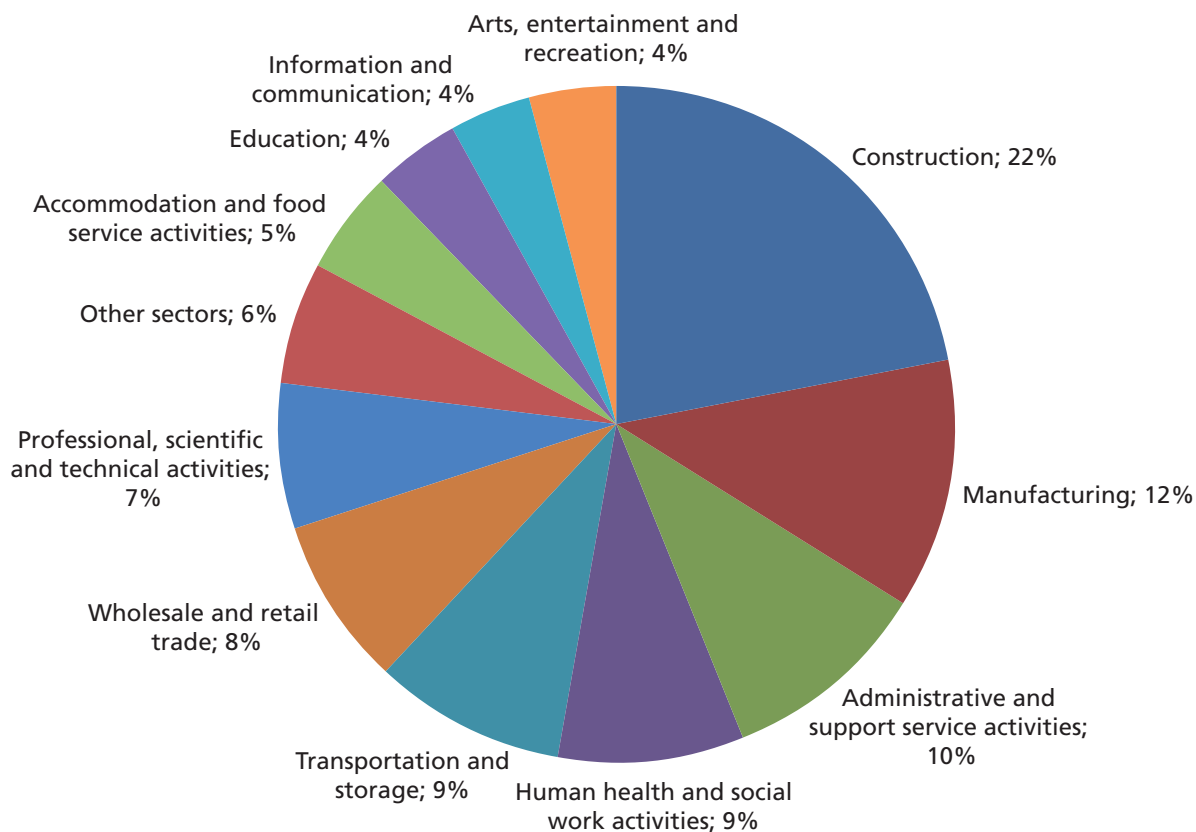
In Germany, the number of business start-ups in the creative industries is striking and explains the proliferation of coworking spaces in recent years. According to the *KfW Start-up Monitor 2010*, 13% of all newly founded businesses in Germany can be categorised as belonging to creative industries, and the share of self-employed workers running them is 30% compared to the general self-employment rate of 11%. Three out of four new start-ups in the creative industries are solo entrepreneurs without business partners or employees, like the typical coworker in Germany. This rate is significantly higher than the average rate of two-thirds in other industries. A growing number of people in the creative industries with no fixed offices were looking for facilities and were attracted by the coworking concept. Many find the high financial burden and long-term conditions of rental contracts for commercial office spaces too costly, and this in several cases has prevented people from setting up creative enterprises. There is a strong demand for reasonably priced small office spaces for creative workers in Germany's metropolitan areas.

Workers tend to be rather young (about 35–40 years), highly skilled and nationals of the country. In Spain, a survey by Coworking Spain (2012) shows that coworkers are mainly self-employed workers who used to work at home and decided to join a coworking space to have access to a professional work environment. Although no hard data are available, there is some anecdotal evidence that self-employed or freelancer activity is the main job or main income source for coworkers.

Cooperatives

In the EU28, the majority of worker and social cooperatives in the industry, services and craft sectors are in the construction industry (22%) and manufacturing (12%) (Figure 19). The French activity and employment cooperatives are mainly found in the creative industries, but also, for example, in the construction sector. In general, cooperatives also have become a model for the self-employed and liberal professions, and this model has grown significantly in new sectors, such as social and healthcare services, digital and business support services, and services of general interest previously provided by the public sector.

Figure 19: Share of worker and social cooperative enterprises in industry, services and craft sectors in the EU28, by economic sector, 2008–2012



Source: CECOP

In Spain, women account for 49% of the employees in worker cooperatives in urban areas, and 39% of the management positions in Spanish workers' cooperatives are occupied by women (CECOP, 2013). In contrast to other companies, in Spanish workers' cooperatives permanent full-time contracts prevail (CECOP, 2014b).

Drivers and barriers

Motivation among consultants to join the umbrella organisation ASEP include the intergenerational transfer of competences, the possibility of work abroad, the opportunity to take part in interesting projects, and the prospect of maintaining a certain income level. Furthermore, the consultants appreciate the feeling of being of value to society and having the opportunity to take part in a successful project (Eurofound, 2012c). In contrast to this, the workers in the French umbrella organisation AdPartners seem to be rather more necessity driven. Most of them opted for umbrella organisation work because they had lost their job.

The main motivation self-employed or freelance workers have for coworking is to overcome social isolation, while at the same time limiting the cost of well-equipped office premises, ideally close to their home.

Reasons for coworking

A German journalist wanted to work independently but with some social interaction, so when looking for new office space in 2012, he had three selection criteria: a fully-equipped and modern facility with a business address and preferably a fast internet connection; easily accessible and conveniently located; and offering communication and a shared creative sense with other workers.

Spanish interviewees at the coworking centre Utopic_US said they particularly appreciate working alongside other freelancers, where collaboration and exchange of ideas is possible. Working at Utopic_US was not only affordable but, more importantly, provided contact with other companies and self-employed people in related sectors with complementary skills.

Implications for working conditions

Coworking

As coworking is about the self-employed, freelancers and small enterprises, there are no legally protected working conditions. In practice, it is up to the workers to design their work environment and arrange for their social protection. Whether or not they are operating in a coworking centre does not change this, but the professional framework of the coworking centre might contribute to more suitable working conditions (relating, for example, to health and safety standards).

German, Italian and Spanish coworking is seen to be beneficial for work–life balance as it helps separate the private and working sphere while granting a high level of flexibility (particularly if the coworking centre offers round-the-clock access). Some coworking spaces provide childcare facilities. The feeling of isolation from which the self-employed or freelancers may suffer could be reduced. Similarly, for Austrian coworkers active in the creative industries, it is reported that the combination of shared office space, interaction and exchange with peers, and premises at which events can be held is typical of the creative sector’s way of living and working and provides ideal preconditions for networking and cooperation (Creativwirtschaft, 2013). The enhanced social interaction might also result in improvement of soft skills and better employability.

Similar advantages are found by Spanish coworkers (Coworking Spain, 2012). For them, coworking spaces may help increase their productivity and extend their professional networks. Half reported that they had increased their income since working in a coworking space.

Sociability of coworking

A German freelance journalist praises the helpful attitude of most coworkers and cites various examples where he was able to get information quickly or a useful hint immediately within the coworking centre. Although he has so far not cooperated with others on any project, he benefits from the communication, the informal exchange of information and advice, and the common understanding of professional challenges in this social network.

A Spanish self-employed worker in the coworking centre Utopic_US valued the opportunities for cooperation with other self-employed people. It provided job opportunities, he could work more efficiently than from home, and his soft skills improved. He was very involved in all the activities organised by the centre, and this had a positive impact on his professional satisfaction.

Cooperatives

The French activity and employment cooperatives are reported to be beneficial for workers as they offer workers access to wage earner status (including social protection) while having the opportunity to develop a business.

A study of more than 100 worker cooperatives in France, Italy and Spain shows that 85% of respondents think that cooperatives promote access of women to leadership positions. In addition, 94% of those employed in worker cooperatives say that wage discrimination does not exist in their cooperatives (CECOP, 2013).

Implications for the labour market

Umbrella organisations

At ASEP, it is assumed that its high-quality expert advice and the social capital of the senior consultants – particularly their networks, both national and international – clearly benefit inexperienced owners of SMEs and heads of not-for-profit projects, indirectly contributing to the labour market. At the same time, the pool provides the opportunity for retired experts to maintain their former income level and to continue working on interesting projects, using their knowledge and experience in a meaningful way (Eurofound, 2012c). This is also a characteristic of the French umbrella organisations, as well as the more beneficial social protection level they offer the self-employed.

Swedish umbrella employment was found to contribute to a more dynamic labour market, as the reduced administrative burden encourages more people to enter self-employment. This has also resulted in a lower number of long-term unemployed (Tillväxtverket, 2012). Another study concludes that umbrella employment is often a transient phase from regular paid employment to self-employment (Ulander-Wänman, 2012).

Coworking

A successful coworking space can attract the self-employed and start-up companies, and serve as the starting point for synergies among coworkers and hence new project ideas. This indirectly benefits the labour market through enhanced entrepreneurial activity, mainly in dynamic and innovation-oriented economic sectors. As many of the current coworking centres are clustered in metropolitan areas, they could also contribute to sustainable urban development and structural change. German evidence shows that creative workers often choose their office location in urban niches, which, in a second phase, leads to the opening of small shops, ateliers, other shared offices and coffee shops, and this all

contributes to local economic development and social cohesion (Merkel et al, 2012; Hamburg Kreativ Gesellschaft, 2012).

Coworking fosters networking, synergies among multidisciplinary workers, information sharing and mutual support, and lowers operating costs, benefiting the acquisition of clients and access to finance. A Spanish survey finds increased levels of productivity as a result of coworking: 75% of the interviewees reported increased productivity because of an ideal work environment (Coworking Spain, 2012). Consequently, coworking can help overcome barriers to self-employment and so broaden the scope for labour market participation.

Labour market integration effects of coworking

The Spanish coworking centre Utopic_US has played a role in helping young workers to integrate into the labour market immediately after finishing their degree by enhancing their employability. The high unemployment among young workers in the Spanish labour market means that many are condemned to alternate between spells of long unemployment and fixed-term jobs. Even though some may opt to become self-employed, the failure rate is very high. The self-employed who become coworkers considerably improve their chances of consolidating their labour market position.

Cooperatives

The European Parliament report on the contribution of cooperatives to overcoming the problems caused by the economic crisis (2013) points out that cooperatives play an essential role in the European economy, especially in times of crisis. They combine profitability with solidarity, create high-quality jobs, strengthen social, economic and regional cohesion, and generate social capital.

In the context of the economic crisis, several hundred industrial and service cooperative enterprises have been established by restructuring businesses in crisis or without successors, thereby saving and redeveloping local economic activities and jobs. Many cooperatives have proved themselves to be more resilient than many conventional enterprises, both in employment rates and business closures (Roelants et al, 2012; Zevi et al, 2011). Cooperatives can also effectively promote entrepreneurship because they allow groups of citizens to jointly take on business responsibilities. The European Parliament (2013) emphasises the active role of cooperatives in the restructuring of SMEs and in the integration of disadvantaged workers who are in a critical employment situation.

However, the economic crisis has not spared workers' cooperatives, and a structural change can be seen in sectoral composition. The construction and industry sectors have decreased, replaced by an increase in the service sector (CECOP, 2012). This is, however, a long-term trend that was already underway before the recession and in the EU economy in general (that is, the whole enterprise population, not only cooperatives).

Policy discussion on new forms of employment

11

General considerations

Across Europe, new forms of employment are not a specific focus of policy discussion. The debate instead revolves around making labour markets both more flexible and inclusive, legalising informal employment practices, ensuring sound social protection and working conditions, and avoiding crowding out of standard employment contracts by the new forms of employment.

Discussions therefore mainly deal with labour market and social policy. In several countries, the discussion about specific new forms of employment has taken place with reference to the changes and modifications of the ‘world of work’ and the increasing flexibilisation of employment relationships within the globalised economy. These countries include Belgium, Germany, Hungary, Italy, Latvia, Luxembourg, the Netherlands, Norway, Poland, Portugal, Slovenia and the UK.

The actors conducting the debate are normally the social partners; the employers defend flexibility and cost reductions allowed by the new forms of employment, and the trade unions express concern about social protection, employment rights, pay and working conditions such as health and safety and the work–life balance of workers involved. Interestingly, however, the once much-discussed issue of ‘flexicurity’ does not seem to figure in these discussions in most EU Member States, at least not explicitly. Governments and other actors appear to engage only very occasionally in the policy discussion, and this might be due to the absence of a legal framework for many of the new employment forms under scrutiny.

Employee sharing

In Austria, Finland, France, the German region of Brandenburg, and Hungary, strategic employee sharing is regarded as a form of cooperative HR management at regional level (often with specific reference to rural areas). The aim is to create permanent full-time employment through combining part-time HR needs where individual employers could otherwise provide only unstable or precarious work. Employee sharing tries to strike a balance between the flexible HR needs of individual employers and the preference of workers for standard employment. Strategic employee sharing is considered an innovative HR practice to achieve this. In some countries, discussions also cover the particular situation of SMEs in the labour market and the possibility employee sharing offers to attract skilled labour.

In Austria and Germany, the legal framework for strategic employee sharing is being examined because this has been identified as one of the main factors hindering the use of this new employment form. There is no specific regulation of employee sharing (as exists in France), and this leads to employee sharing being classed as temporary agency work, which gives rise to several disadvantages (see Chapter 2). In Belgium, new legislation in 2014 aims to overcome the previous major limitations of the law, including the requirement to recruit workers from specific vulnerable groups and to offer full-time employment and permanent contracts.

Ad-hoc employee sharing is considered to be a tool to deal with temporary crisis situations in individual companies by reallocating workers to other companies that need extra human resources. It is seen as an alternative to dismissals and other measures used in restructuring such as temporary lay-offs or short-time working. As with strategic employee sharing, this is a strongly regional solution.

For both strategic and ad-hoc employee sharing, there seems to be a general consensus among employers’ and employees’ representatives and governments that they can benefit companies,

workers and regional labour markets. In the Czech Republic, for example, legislating for ad-hoc employee sharing was driven by a joint proposal by the social partners in an effort to steer the country out of the economic crisis and promote employment.

Nevertheless, neither governments nor the social partners seem willing to take a more active role in fostering the use of this employment form. Due to its relative newness and limited spread, the general attitude seems to be 'wait and see'. Governments and social partners currently do not consider employee sharing a priority, but they do not rule it out in the future when it has become more widespread and more concrete outcomes become visible. This means that any operational developments are driven by private initiative, such as by bodies that have been established to provide information and lobby for employee sharing. These include regional development actors and consultants such as the Federal Association of German Employers' Alliances (Bundesverband der Arbeitgeberzusammenschlüsse Deutschland e.V.) and the seven regional and six employee sharing resource centres in France. France also has a Union of Employers' Groups, which is active in seeking improvement to the legal framework and visibility of this employment form.

To institutionalise cross-border exchange, a European platform was created by various organisations across Europe involved in strategic employee sharing. CERGE, the European Information and Resource Centre for Employers' Alliances, aims to compile available information and tap into expertise across Europe.

Experience shows that strategic employee sharing needs public support during its first few years to secure the financial structure and create a good starting position for further development (CERGE, 2008). This not only refers to financial support, but also to advice and consultancy for management to help them avoid mistakes in the start-up and early growth phases. More specifically, the following phases should be supported (Wölfling et al, 2007).

- Pre-start-up analysis and feasibility studies, first, to investigate the regional HR needs (the extent and the qualifications required) and the possibility of combining them across companies, including their willingness to do so); second, to identify potential management that is accepted by all stakeholders and capable of taking over the responsibility for starting the employee sharing initiative and liaising among all involved parties.
- Start-up, which includes application for required authorisations, the drafting of charters and contracts, securing finance, and designing the group characteristics such as employment conditions, wage levels, management fee levels, recruitment and matching strategies.
- Early growth and consolidation, to ensure that the employee sharing initiative becomes stable and self-sustainable.

On top of that, awareness-raising and information campaigns are needed to familiarise regional stakeholders – social partners, employers and employees – with the concept of employee sharing and how it differs from temporary work agencies (Wölfling et al, 2007).

In Austria and Germany, there are some examples of regional governments having supported the pre-start-up and start-up phases of strategic employee sharing (partly with EU co-funding). They have commissioned feasibility studies, given finance advice and consultancy services, and provided subsidies for administrative costs or the wages of shared workers. However, these seem to be individual initiatives rather than institutionalised support. In contrast, in France, strategic employee sharing can attract subsidies from Direccte (the decentralised state services directorate),

the regional councils or the general councils, mainly for launch and implementation, including feasibility studies. For example, lump-sum subsidies of €12,000, €9,000 and €6,000 are available during the first three years after the establishment of a strategic employee-sharing model. Specific advice is provided by chambers of trade.

Strategic employee sharing in France also benefits from:

- tax reductions for agricultural employer groups, resulting in a doubling of their number between 2002 and 2008;
- employment subsidies for employer groups for integration and acquisition of qualifications (GEIQ), aimed at creating jobs in non-profit sectors for workers aged 16 to 25 years with no or low levels of education;
- the establishment of a specific university degree in the management of employer groups (see Chapter 2).

In Luxembourg, financial support for ad-hoc employee sharing can be granted exclusively under the implementation of an employment retention plan, through which a company can access re-employment assistance. This guarantees the workers pay equal to 90% of their previous pay for a period of four years, up to a maximum of 3.5 times the minimum social salary. This means that if the wage in the receiving company is lower than that paid by the initial employer, the public subsidy covers the difference up to 90% of the previous wage (while in practice the initial employer covers the rest so that the worker does not experience any income loss).

Job sharing

In Ireland, job sharing has recently been discussed in the framework of public sector restructuring. An example is the teaching sector. Here, unions, employers and the state have negotiated an agreement on sharing full-time teaching posts between two permanent teachers or between one permanent teacher, who covers 11 hours of the 22 hours of a full-time teaching post, and one or more teachers engaged to teach the remaining 11 hours on a temporary full-time, pro-rata contract.

In the Czech Republic, the ministry of labour is considering tax allowances for part-time jobs because of increasing demand for such jobs in recent years, particularly from women who want to return to work after maternity leave. In this context, job sharing is considered as one option to increase part-time work for people with care responsibilities while, at the same time, securing full job coverage for the employer. In the framework of the European Year of Active Ageing in 2012, a pilot project is testing the suitability of job sharing for the unemployed aged 50 years and over, to help them back into the labour market and transfer their knowledge to young graduates.

Similarly, the Slovenian government introduced a youth mentoring scheme that uses job sharing, with a budget of €0.43 million for 2014 and 2015 (85% of which is ESF funding). Beyond that, however, a wider application of job sharing in Slovenia seems to be unrealistic due to strong opposition from employers, who expect job sharing to considerably increase labour costs because of the obligation to provide meals and cover commuting costs for each worker.

Casual work

Policy discussions on casual work, for example in Ireland, the Netherlands, Romania, Slovenia and the UK, mainly deal with the potential abuse of the established system and exploitation of workers.

There are concerns about ‘overflexibilisation’ of the labour market to the disadvantage of workers. Trade unions, particularly, want to limit the flexibility of this employment form, while employers’ organisations highlight the need to give companies the ability to adjust to fluctuations in the market, particularly in economically difficult times.

As a response to this demand, trade unions in the Netherlands have argued for an alternative to casual on-call work, namely a ‘year-hour’ system. This is supposed to add more flexibility to regular contracts with a fixed number of hours by allowing employers to schedule an employee for fewer hours than dictated by the contract in one month and for more in another month. This would give workers the security of a fixed monthly wage while still offering employers their needed flexibility.

In the UK, discussions on zero-hours contracts deal with operational issues. These include the acceptability of exclusivity clauses, workers’ access to unemployment benefits, whether the unemployed should be obliged to take on zero-hours contracts if they are offered, the compensation of workers for their additional flexibility, and payment for travel time and expenses for short assignments (or following a call into work that is then cancelled). The government in 2014 completed consultations on the use of zero-hours contracts and how to include a ban on exclusivity in a forthcoming parliamentary bill. The bill has yet to be passed.

ICT-based mobile work

Discussion about mobile work is taking place at national level in Germany, involving a number of parties such as the Federal ministry of labour, political parties, statutory health insurers and social partners. The main topics for discussion are those related to economic growth strategies, particularly with regard to the digitalisation of manufacturing industries and services, the representation of workers, and the development of pension and insurance systems. Statutory health insurers have raised concerns about health strains and days of absence associated with mobile and flexible working, and social partners agree on the need for regulation. Furthermore, trade unions are urging reform of the Occupational Health and Safety Act to include an anti-stress ordinance in risk analyses and for an extension of the Work Constitution Act to cover workplace health management. Several federal states support amending the Occupational Health and Safety Act to include provisions for mobile workers.

Similarly in Finland, the main question raised about mobile work is how an employer can ensure the safety and protect the health of mobile employees. This is also a challenge for public authorities, which have to monitor compliance. Tools have been developed for occupational healthcare to more effectively monitor the well-being of mobile workers and the risks they face (Hyrkkänen and Vartiainen, 2009).

In Belgium and the Netherlands, discussions on ICT-based mobile work are embedded in the concept of a ‘new world of work’ (*nieuwe werken/mieux travailler*). Based on the recognition that the qualification levels and productivity of employees are a key element of competitiveness, the concept aims to combine innovation and job quality, promoting, among other things, the idea of ‘work not bound by place or time, and more autonomy’. This includes the flexibilisation of working time when demanded by the employee, teleworking and management by results. A key message in the discussion is that the specific characteristics of these new employment forms have to be agreed in social dialogue and that they have to provide good quality jobs.

Voucher-based work

In Austria, voucher-based work is regarded as an easy and non-bureaucratic means of legalising undeclared work, providing labour market access for specific groups and providing them with some level of social protection. However, it is criticised for the limitation of its social security provision, under which only accident insurance is mandatory.

In Belgium, the system is regarded by all stakeholders as a success, but concerns are raised about the public costs of the system and the sustainability of funding. Furthermore, the system is criticised for subsidising middle-class families to make their lives easier when both partners go to work.

To incentivise the use of voucher-based work, several countries offer favourable tax treatment. In Austria, if a household uses vouchers to pay for childcare by someone either aged 16–21 and in education for at least 16 hours a week, or someone aged 22 or over and in education for at least 8 hours a week, the cost of the voucher is tax-deductible for the employer. In Belgium, users get tax relief of 30% of the cost of the vouchers up to a maximum of €1,380, and in France tax relief is 50% of the voucher purchase price. Furthermore, Belgian self-employed women, as part of their maternity benefit, are entitled to 70 free service vouchers (European Commission, 2008).

Interestingly also, any officially recognised Belgian voucher organisation offering vocational training for their service voucher employees can ask for partial reimbursement of training costs from the tripartite, publicly financed Service Voucher Training Fund (*Opleidingsfonds dienstencheques/Fonds de formation titres-services*). Some €2.6 million was allocated to vocational training for service voucher workers in 2010; in total, 40,106 workers in the service voucher system received some training through these funds. The provision of this training is regarded as particularly important given that many service voucher workers are low skilled and have only basic education (Peeters and Gevers, 2006).

Crowd employment

Alongside debates on general issues surrounding freelance work and self-employment (such as limited social protection and variable workload), policy discussion on crowd employment is concerned with data protection and the shift from jobs to tasks, which might result in a deterioration of social standards due to low income and protection levels. Some backing exists for this new form of employment nevertheless. In Denmark, it is argued that crowd employment should be included in the government's upcoming innovation strategy. The Spanish government has financially supported the promotion of this employment form through awareness-raising measures and provision of information materials.

Anecdotal evidence from the case studies, however, shows that in practice there is little political support for crowd employment platforms. While general support instruments targeted at start-ups (such as access to finance or business incubators) or the IT sector could be used by platform providers, more distinctive assistance on legal issues is sought.

Support needs of crowd employment platforms

In its start-up phase, the Lithuanian Lingjob platform had difficulty with the legal aspects of its launch and operation. A legal consultant spent several months preparing legal and financial documents that formalised the rights and obligations of the platform, clients and workers, the taxation of commission fees and invoicing issues. Lawyers also had to be consulted to define rules and obligations related to selling and storing content.

Similarly, the founders of the UK Taskhub.co.uk sought legal advice to draft its terms and conditions. Even their lawyer had difficulty with this task because of the lack of regulation of crowd employment platforms.

Coworking

In Germany and Spain, coworking is not explicitly a topic of policy programmes or a major component of any labour market instrument. However, its importance is often reported and acknowledged as a new and innovative form of employment that generates synergies and enables intensive cooperation among its users, particularly in the creative industries. Public institutions at local level, such as chambers of commerce and business development agencies, provide information on coworking spaces in their own regions, and there are a few examples of publicly funded coworking centres offering favourable rates to workers. The managers of private coworking centres perceive this as unfair competition.

In Spain, an association of coworking spaces (Asociación Española de Coworking, AECW) was created in 2013 to assist coworking centres by providing a number of services, including legal, administrative and strategic support as well as advice, training, organisation of seminars and events.

In both countries the hype around coworking is treated with caution, and it is expected that time will prove whether this is a sustainable trend in the labour market or just a short-lived bubble.

Main characteristics of new employment forms

The mapping exercise conducted in the framework of this project demonstrates that across Europe quite a wide variety of new employment trends is emerging. While there is some heterogeneity across countries, nine broad types of new employment forms could be identified. Some are more relevant for employees, others for freelancers and the self-employed, and some are relevant to both.

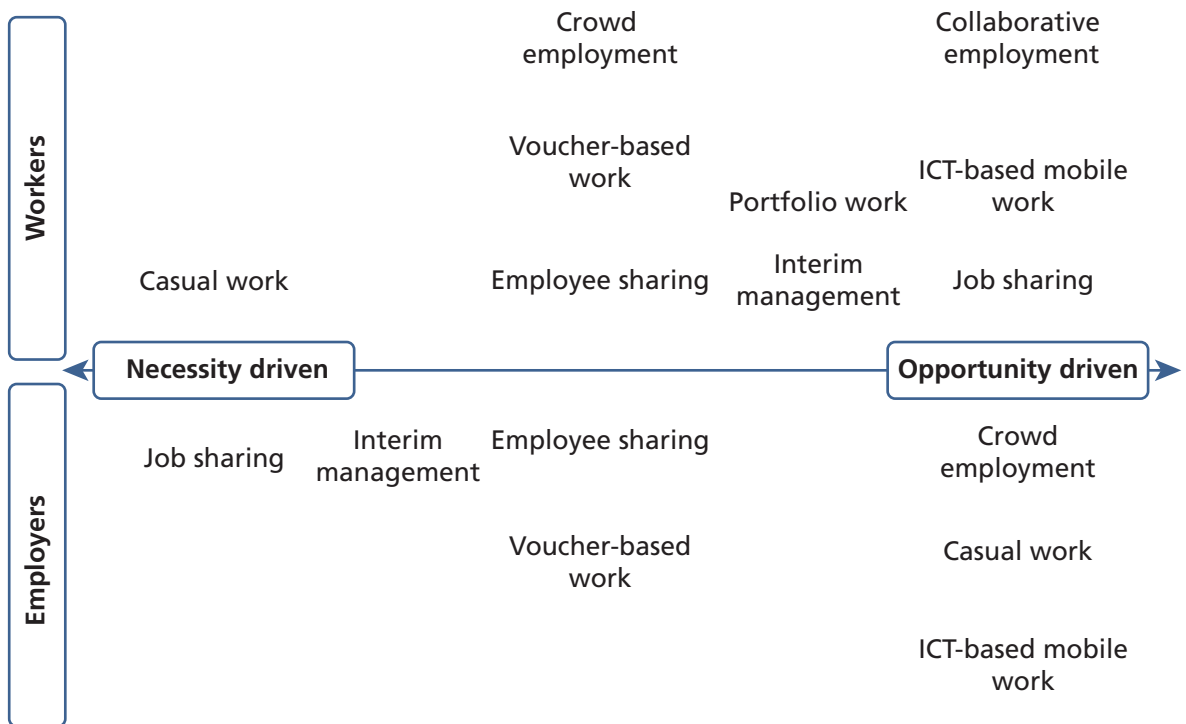
In spite of the considerable differences among these employment forms, flexibility is the key concept inherent in all: the new employment forms have been emerging due to an increased demand from employers, employees or both for enhanced flexibility. And this demand is driven either by the economically challenging times or societal developments. Consequently, some of the employment forms discussed are opportunity driven while others emerge out of necessity, and these drivers might differ between employers and workers.

ICT-based mobile work can be seen to have evolved from the growing opportunities for innovative HR practices that modern technologies offer to employers and employees. Other new employment forms, notably casual work and crowd employment, can be considered an effective means for employers to cope with the specific characteristics of their business activities (such as fluctuating demand that is difficult to anticipate) or macroeconomic framework conditions (including competitive pressure, globalisation, public sector budget cuts and reorganisation needs). They allow completion of tasks with the flexibility necessary for sound business activities and at a feasible cost. For workers, however, these employment forms include at least some element of the involuntary. They are accepted as a means to gain additional income or any income at all when alternative employment forms are limited.

The opposite holds true for job sharing, which this project finds is generally employee driven. Workers opt for reduced working time, for example due to childcare responsibilities, because they are older or because of ill health. Employers accept job sharing because they want or need to retain these workers while achieving full-time coverage by combining several part-time workers into one job.

Employee sharing and voucher-based work are necessity and opportunity driven for both employers and employees. Both employment forms are used by employers who have a certain HR demand that does not justify a full-time position, but nevertheless want to give workers favourable employment that is less precarious than such fragmented work would otherwise be. They choose these solutions to offer at least some job or social security to their workers. Similarly, for workers these employment forms might be the best option in an imperfect labour market situation if, for example, no full-time jobs are available with individual employers, or their occupation is not in regular demand, or they are not able to work in full-time positions for personal reasons.

Figure 20: Schema of new employment forms according to drivers



Source: Eurofound

Most of the employment forms analysed do not have a specific legal or collectively agreed basis in most Member States, which might be attributed to their newness and their emergence as practice rather than as strategically planned labour market development. Exceptions are casual work and voucher-based work, for which regulatory frameworks have been established to avoid abuse or to legalise undeclared work.

Employee sharing, job sharing, interim management, casual work, voucher-based work and cooperatives have been found to be more prominent in traditional industries, while ICT-based mobile work, portfolio work, crowd employment, umbrella organisations and coworking are more relevant to the IT sector and the creative industries.

Workers in interim management, ICT-based mobile work, portfolio work, crowd employment, umbrella organisations and coworking tend to be highly skilled experts, while casual and voucher workers tend to be low skilled. Both skill categories are found in employee sharing and job sharing. Casual work, ICT-based mobile work, crowd employment and coworking are characterised by a high level of younger workers, while older workers are more dominant in interim management, portfolio work and umbrella organisations, which all require longer work experience. Except for casual work, voucher-based work and crowd employment, the new employment form is likely to be the main or exclusive income source for the workers.

Table 16: Overview of main characteristics of new forms of employment

| | Availability of specific regulatory frameworks (legislation or collective agreements) | Characteristics of employers and employees | Contract type | Main job or income source |
|---------------------------------|---|---|--|---|
| Employee sharing | In a few countries | Mainly sectors with seasonal fluctuations (such as agriculture and tourism) and manufacturing Largely private sector SMEs Workers with low-level or general skills, and specialists | Standard employment contract between employer and worker; civil law contract between employer and user | Yes |
| Job sharing | In a few countries | More common in the public sector Both low-skilled and high-skilled jobs Younger and older workers, re-entrants to the labour market, women | Specific employment contract if specifically regulated, standard employment contract otherwise | Yes |
| Interim management | No | More common in private sector traditional industries Highly-skilled and experienced experts (mainly with management competences) Middle-aged and older workers | Standard employment contract | Yes |
| Casual work | In most countries | Mainly sectors with seasonal fluctuations (such as agriculture and tourism) or with variable demand (care work); low-paying industries Low-skilled workers, women, younger workers | Standard employment contract | Yes, but in combination with other jobs |
| ICT-based mobile work | No (except in the case of Hungary and, implicitly, Denmark) | More common in private sector services (notably IT and creative industries) and international businesses Young workers, high-skilled specialists, knowledge workers, management, men | Standard employment contract | Yes |
| Voucher-based work | Yes | Mainly household services and agriculture Well-educated, wealthier, older employers Women, low-skilled workers | Voucher | Probably additional family income |
| Portfolio work | No | More common in private sector services (notably IT and creative industries) Highly skilled and experienced experts | Civil law contract | Yes |
| Crowd employment | No | IT and web-related sectors, creative industries SMEs and large companies lacking internal capacities, NGOs Highly skilled, young workers | Civil law contract | Usually additional income |
| Collaborative employment | No, for umbrella organisations and coworking; yes, for cooperatives | Highly skilled, older workers in umbrella organisations Highly skilled, young workers in the creative industries in coworking Construction and manufacturing for cooperatives | n.a. | Yes |

Note: n.a. = not applicable

Source: Eurofound, based on national contributions

Impact on working conditions and the labour market

Having identified and characterised the emerging employment forms across Europe, the aim of this study was to investigate their effects on working conditions and the labour market. While the operational implications of each employment form might vary greatly from case to case, some generalisations can be derived from the research on hand. It should be borne in mind that that elements presented as beneficial in the following paragraphs can be disadvantageous to individuals, and some apparent disadvantages can be beneficial, depending on the characteristics of employers and employees, their preferences and the bilateral agreements among them.

Employee sharing and job sharing, particularly, seem to deliver beneficial working conditions. Interim management can also be considered advantageous, bearing in mind the characteristics of the affected workers who might consider higher stress levels or personal responsibility for training and career development to be 'normal' and the means by which other benefits inherent to this employment form are gained. For employees, ICT-based mobile work offers some important advantages related to flexibility, autonomy and empowerment, although there are some dangers such as work intensification, higher stress levels, increased working time, the blurring of boundaries between work and private life and the outsourcing of traditional employer responsibilities (notably in the field of health and safety) to workers.

For freelancers and the self-employed, portfolio work, crowd employment and collaborative employment mainly offer the potential to enrich the content of tasks through diversification. The underlying model for all three forms of voluntarily engaging in a variety of activities enhances the workers' autonomy and hence has positive effects on flexibility and work–life balance. This can also be disadvantageous due to high levels of competition and the pressure to take on any task offered. These employment forms are, at the same time, characterised by job and income insecurity and low social protection. However, these are characteristics of freelance and self-employed work in general and not specific to these emerging employment forms.

In a similar way, voucher-based work has some unfavourable working conditions, mainly job insecurity, social and professional isolation and limited access to HR measures and career development. But these are also explained more by the type of job or tasks for which they are used than the employment form itself. The concept can bring some advantages, notably the legalisation of their working status which brings some social protection, usually a minimum level of pay, and health and safety standards.

Among the new employment forms analysed, casual work is the one which raises most concerns about working conditions. It is characterised by low levels of job and income security, poor social protection, little access to HR measures and, in many cases, dull or repetitive work. The high degree of flexibility might be valued by some workers, who benefit from an improved work–life balance, but may be too much for the majority of the casual workers, who would prefer more continuity.

As reported at the beginning of this chapter, flexibility is the element common to all the identified employment forms, and, with the exception of casual work, this can be considered a positive for the working conditions of workers concerned (not only for the employers), giving them better work–life balance. This also brings increased autonomy, responsibilities and better content of tasks, all appreciated by workers.

As for access to training, skill development and career development opportunities, the picture is not that straightforward. While employee sharing, job sharing, crowd employment and collaborative employment seem to promise some positive effects on professional development opportunities interim management, casual work, voucher-based work and portfolio work seem less favourable.

Job insecurity and social or professional isolation are fairly widespread among the new employment forms analysed, which again can be explained by the strong flexibility. This also creates higher stress levels and work intensity as workers tend to work harder, in the hope of more security if they prove to be ‘a good performer’.

To conclude this section, what is also striking is the considerable lack of representation of workers in the new forms of employment. Again, this might be attributed to the enhanced flexibility, resulting in a rather fragmented workforce from the perspective of workers’ representatives, making it difficult for them to identify and approach them, taking into account their limited resources.

Table 17: Overview of implications of new forms of employment for selected working conditions

| | Employee sharing | Job sharing | Interim management | Casual work | ICT-based mobile work | Voucher-based work | Portfolio work | Crowd employment | Collaborative employment |
|------------------------------------|------------------|-------------|--------------------|-------------|-----------------------|--------------------|----------------|------------------|--------------------------|
| Social protection | Yellow | Green | Yellow | Red | Yellow | Green | Red | Red | Red |
| Health and safety | Yellow | Yellow | Yellow | Yellow | Red | Yellow | Yellow | Yellow | Yellow |
| Income | Green | Yellow | Green | Red | Yellow | Yellow | Yellow | Red | Red |
| Bonuses, fringe benefits | Green | Yellow | Red | Red | Yellow | Red | Red | Red | Red |
| Length of working time | Green | Green | Yellow | Yellow | Red | Red | Red | Green | Yellow |
| Flexibility | Yellow | Green | Green | Red | Green | Green | Green | Green | Green |
| Work-life balance | Yellow | Green | Green | Red | Yellow | Green | Green | Yellow | Green |
| Stress, work intensity | Red | Red | Red | Yellow | Red | Yellow | Red | Red | Green |
| Career development | Green | Green | Red | Red | Yellow | Red | Red | Yellow | Yellow |
| Training, skill development | Green | Green | Red | Red | Yellow | Red | Red | Yellow | Green |
| Content of tasks, responsibilities | Green | Yellow | Green | Red | Green | Red | Green | Yellow | Green |
| Autonomy, control | Yellow | Yellow | Green | Yellow | Green | Green | Green | Green | Green |
| Integration in work organisation | Yellow | Yellow | Yellow | Red | Red | Red | Red | Red | Green |
| Representation | Red | Yellow | Yellow | Red | Red | Red | Red | Red | Red |

Notes: The operational implications of each employment form might, in practice, vary strongly from case to case.

Green: beneficial working conditions

Yellow: neutral working conditions (or evidence for both benefits and disadvantages)

Red: disadvantageous working conditions

Source: Eurofound, based on national contributions

Regarding labour market effects, employee sharing, job sharing and interim management seem to be most beneficial among the new employment forms analysed here, and casual work seems most disadvantageous. Unsurprisingly, the forms relevant to employees show stronger labour market effects than those related to freelancers and the self-employed.

All of the new employment forms identified have the potential for positive effects on the labour market integration of specific groups of workers. In the case of job sharing, casual work and voucher-based work, this mainly relates to people who cannot or do not want to do a full-time job, for example due to care responsibilities, pursuit of education or ill health. Interim management, and also job sharing, may help older workers to extend their working life up to or beyond retirement age. Casual work and crowd employment might offer job opportunities to young people, giving them access to work experience. Employee sharing, ICT-based mobile work and crowd employment can be beneficial for workers in remote or rural areas with limited job opportunities.

In contrast to this, the job creation effects of the new employment forms are rather limited. Only employee sharing seems to have real job creation potential. Job sharing and interim management are found to contribute to job retention. For voucher-based work, some evidence hints at job creation potential, but it may also have potential to crowd out standard employment. This is even more likely for casual work and crowd employment.

Most of the emerging employment forms discussed are seen to contribute to labour market innovation and to making the labour market more attractive. They offer job opportunities that are better suited to the specific needs of workers, for example, in the case of job sharing or ICT-based mobile work. Portfolio work, crowd employment and collaborative employment enable people to try out self-employment in a comparatively sheltered environment with little entrepreneurial risk. Employee sharing can be an opportunity to improve regional labour markets through cooperative HR management.

These innovative HR practices can result in organisational learning and enhanced knowledge transfer among workers (also across companies). In combination with the often favourable training and skill development opportunities, this can result in a general upskilling of the labour force. This was reported for most of the new employment forms analysed.

On the negative side, casual work and voucher-based work could contribute to increased labour market segmentation if they led to widespread acceptance of such fragmented jobs, associated with low income and limited social protection. As specific groups of workers have been identified as dominant in these employment forms, social polarisation might be the outcome. ICT-based mobile work entails some inherent danger that not everyone in the labour force can keep track of new technological developments and may be left behind, again resulting in some labour market segmentation. However, job sharing might diminish labour market segmentation, particularly in helping people with care responsibilities and ill health to enter or re-enter the labour market.

Table 18: Overview of implications of new forms of employment for the labour market

| | Employee sharing | Job sharing | Interim management | Casual work | ICT-based mobile work | Voucher-based work | Portfolio work | Crowd employment | Collaborative employment |
|---|------------------|-------------|--------------------|-------------|-----------------------|--------------------|----------------|------------------|--------------------------|
| Job creation, job retention, crowding out of standard employment | Green | Green | Green | Red | Yellow | Yellow | Yellow | Red | Yellow |
| Labour market integration | Green | Green | Green | Green | Green | Green | Green | Green | Green |
| Segmentation of the labour market, social polarisation | Yellow | Green | Yellow | Red | Red | Red | Yellow | Yellow | Yellow |
| Legalisation of employment | Yellow | Yellow | Yellow | Green | Yellow | Green | Yellow | Yellow | Yellow |
| Increased attractiveness of the labour market, labour market innovation | Green | Green | Yellow | Red | Green | Yellow | Green | Green | Green |
| Upskilling of the labour force | Green | Green | Green | Red | Green | Red | Yellow | Green | Green |

Note: The operational implications of each employment form might, in practice, vary strongly from case to case.

Green: beneficial labour market effects

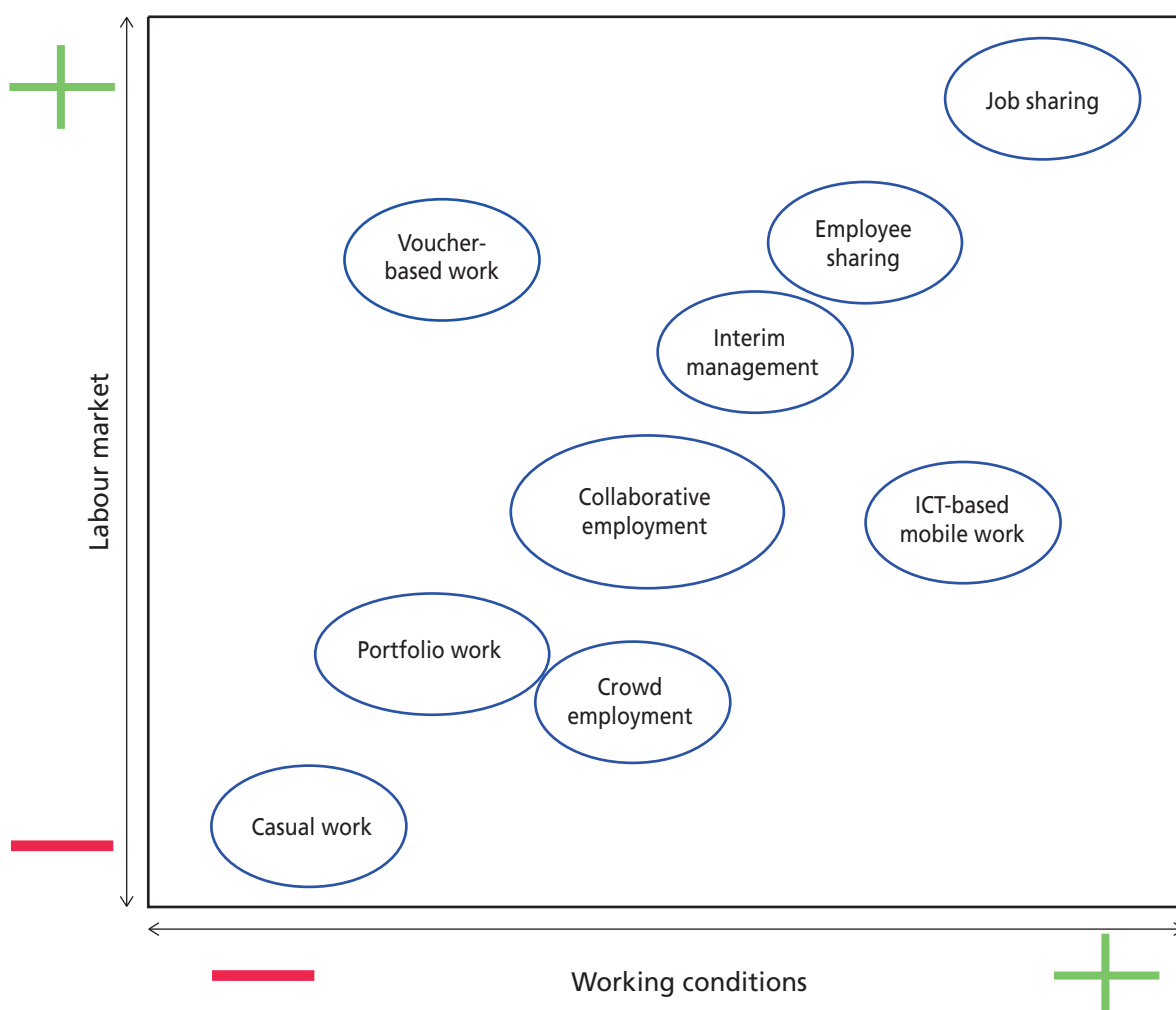
Yellow: neutral labour market effects (or evidence for both benefits and disadvantages)

Red: disadvantageous labour market effects

Source: Eurofound, based on national contributions

To conclude this section, job sharing, employee sharing and interim management seem to have the most beneficial working conditions and the most favourable labour market implications. ICT-based mobile work offers some positive working conditions, while the labour market effects might be partly negative. By contrast, voucher-based work has some good labour market potential, while working conditions show room for improvement. Casual work is the employment form that raises most concerns for both the labour market and working conditions.

Figure 21: Assessment of implications of new forms of employment for working conditions and the labour market



Source: Eurofound, based on national contributions

Policy pointers

The current report is a first attempt to shed some light on the new employment forms emerging in the European labour market, making the developments more tangible by identifying and characterising them and illustrating their impact on working conditions and the labour market.

This research clearly shows new trends. Some are rather marginal with little overall impact as yet (for example, interim management and umbrella organisations). Others are much more widespread (such as casual work and ICT-based mobile work) or are likely to become so in the future (such as crowd employment, voucher-based work and job sharing). Consequently, there is some potential for strongly influencing the European labour market by transforming standard or established employment relationships and work patterns. They may influence contractual relationships (including employer versus worker responsibilities), the general understanding of a ‘job’ (bundle of tasks versus fragmented task orientation), and the place and time of work.

Furthermore, while all of the new employment forms identified have in common an element of enhanced flexibility (for employees, employers or both) they are not found to be equally beneficial

for workers or the labour market in general. Employee sharing, job sharing and interim management show some good potential for a win–win situation for workers and employers, contributing positively to modern and innovative labour markets. Voucher-based work and ICT-based mobile work can, in general, be considered a positive development, but they might require more thought in some national systems to better exploit their potential for both employers and workers. In contrast, casual work and crowd employment raise some concerns about a ‘race to the bottom’ in both poor working conditions and a fragmented labour market.

The European mapping exercise to identify the new forms of employment clustered the findings into nine broad types. While some are related to each other, in general, there is a high level of heterogeneity among them. This suggests that general discussions or policy recommendations about ‘new forms of employment’ are of little use. More specific and tailor-made approaches are needed, taking into account the individual characteristics of each employment form and of the employers and workers involved in them. For this, more information is needed.

This report has tried to collect as much information as possible on the employment forms discussed, but while for some only fragmented research or data is available, others do not even have a commonly agreed name. Consequently, as a first step the following measures are recommended.

- A Europe-wide joint understanding by governments and representatives of both employers and employees is needed to determine what the emerging new forms of employment are, including a shared terminology based on the main characteristics of the employment form. This should be possible despite the fact that operational differences will always occur across countries due to differences in labour market characteristics, institutional settings and traditions of work organisation. This report might be a basis for this discussion.
- The additional information needed to support better-informed policy decisions about new forms of employment should be identified, and research and data collection should be commissioned. For this purpose, the comparison of information availability presented in this report could be helpful.
- Discussions and exchange within and across the Member States should be fostered to increase the available knowledge about new employment forms, promote peer learning and the exchange of lessons learned, and thereby creating synergies in policymaking across Europe.

The question will arise whether there is a need for policy intervention, be it on the part of governments or social partners. For some of the emerging employment forms (such as portfolio work or umbrella organisations), it is possible that no specific initiatives are needed. The challenges of these forms of work, such as low social protection and job and income insecurity, have more to do with the general characteristics of self-employment or freelance work than these particular ways of working. This does not mean that these issues should not be addressed at all, but rather that no particular focus on these specific employment forms seems to be required.

On the other hand, the current research has identified some areas where public intervention could be useful, either to enhance the use of new employment forms that have been assessed beneficial for both workers and employers, or to counteract practices that might damage working conditions or labour market developments.

This project found evidence that some of the new employment forms that could have positive effects on working conditions and the labour market are not very widespread across Europe, perhaps because of their newness and the persistence of ‘traditional thinking’ that resists the exploration of

workplace or labour market innovations (for example, employee sharing, interim management or job sharing). Information provision and other awareness-raising measures targeted at both employers and workers are recommended. Some of these forms need a critical mass before they become effective, but if they were known about and used more widely, they could be a beneficial alternative to damaging forms of flexible work; so, for example, combining HR needs across companies through employee sharing could be a more constructive solution than casual work for workers, employers and the labour market.

Similarly, it seems that in some cases the labour market is not ideally prepared to support or even allow the use of beneficial new employment forms. This may be because of cultural factors (such as negative attitudes towards or low wage levels in part-time work in some eastern European Member States, which hinders the use of job sharing) or existing legislation that imposes a framework on a new employment form, stifling its full potential (found, for example, in some countries in employee sharing or voucher-based work).

The anecdotal evidence from this project shows that there is room for improvement in the clarification and facilitation of legislative and regulatory frameworks. While it is acknowledged there should be a sound safety net for workers, regulation should also strike a balance to include the flexibility needed by employers, particularly in economically difficult times. The rules should be clear and concise to make them easy to understand for employers, workers and their representatives and consultants. This research showed that frequent legislative changes caused confusion and a feeling of insecurity among the target groups.

For some of the employment forms analysed, notably casual work, but also some aspects of ICT-based mobile work, job sharing or crowd employment, the current research clearly shows the need for some safety nets for workers. Such flexible forms of employment are either used by employers to cope with fluctuations in demand, for which traditional permanent full-time employment is not a viable solution, or they are sought by employees who want more flexibility for a better personal work-life balance. It can therefore be assumed that these forms of employment – in general – are a necessary element of modern labour markets and they are unlikely to disappear. Those that pose inherent danger for working conditions and the labour market should be addressed through legislation or regulation.

In some countries this has already been done through legislation or collective agreements, although sometimes workers are still not well protected, or they are protected in a way that makes the employment form unusable in practice for employers. This may, among other problems, trigger undeclared work. The balance may be challenging to find, highlighting once more the benefits of cross-national exchange of experience and lessons learned.

Monitoring and control mechanisms might also need to be designed or improved. The anecdotal evidence from this project is that labour inspectorates do not specifically focus on new employment forms, partly due to lack of awareness of them and partly due to lack of resources. However, many trade unions have set up special institutions where workers can report misuse of the system, and this is one initiative that might be followed up.

If public budgets allow, support could be provided to foster the use of those new employment forms that have sound working conditions and good labour market potential. Examples identified in this project are feasibility studies and start-up support for employee sharing, financial support for mentoring schemes in job sharing (similar measures could be used to develop interim management) or tax incentives for voucher-based work.

Quite naturally, the pointers outlined above are strongly related to labour market and social policy. However, consideration could be given to extending the discussion on new employment forms to other policy fields. They could, for example, be better incorporated into sectoral policies, given that several of the new employment forms seem to be more prominent in some sectors than in others (notably agriculture, tourism, healthcare and creative industries). Similarly, the current research has shown that some of the new employment forms are used particularly by SMEs or could have specific advantages for them (for example, employee sharing, interim management, coworking and umbrella organisations). Accordingly, a more systematic and structured consideration of these developments in SME-targeted policies might be useful.

Some of the employment forms have a regional dimension and so could be incorporated into regional development policies (for example, employee sharing, coworking, partly casual and voucher-based work). Innovation policy could include discussion of new employment forms, particularly crowd employment and ICT-based mobile work.

Finally, organisational restructuring policy is a key area. Some of the new employment forms (such as employee sharing and interim management) have been identified as a useful tool to support restructuring – not only in this report, but also by the European Commission in its citing of ‘labour pools’¹⁴ as an instrument to be considered in restructuring (European Commission, 2013). Other forms (cooperatives and job sharing) have been found to be the result of restructuring (European Parliament, 2013; Eurofound, 2015), and casual work seems to be used as both an instrument during and as an outcome of restructuring.

¹⁴ It is assumed that this corresponds to employee sharing as discussed in this report.

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Annex:

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Across Europe, new forms of employment are emerging that are different from traditional standard or non-standard employment in a number of ways. Some transform the relationship between employer and employee, some change work organisation and work patterns, and some do both. This report identifies nine forms of employment that are new or have become increasingly important in Europe since the year 2000. While there is wide diversity in terms of their characteristics and employment relationship, all the forms aim to increase flexibility for employers and/or employees. Although some have the potential to benefit employers and employees equally, in a few cases concerns have been raised about their impact on working conditions and the labour market. The report concludes with recommendations about the need to raise awareness of the potential problems and establish safety nets for workers.

The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite European Union Agency, whose role is to provide knowledge in the area of social, employment and work-related policies. Eurofound was established in 1975 by Council Regulation (EEC) No. 1365/75, to contribute to the planning and design of better living and working conditions in Europe.