



Master's thesis

Responding to the gig economy

**A comparative case-study of platform work in Norway and United
Kingdom**

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Abstract

The rise of the gig economy is a challenge facing many established economies in Europe. The ongoing digital transformation of society has resulted in rapid changes to the labour market. Work through digital labour platforms is one of the rising trends in the gig economy. Workers are categorised as self-employed, but work under strict control from the platform companies. The division between being self-employed and being employed is becoming less distinct, and more people fall into a grey area between the two categories.

The theoretical framework for this analysis is the Varieties of Capitalism theory by Hall and Soskice, which distinguishes between two types of political economies; liberal market economies and coordinated market economies. The theory argues for a more significant divide between countries' responses to the gig economy based on existing institutional arrangements. By utilising qualitative document analysis to do a comparative case study of Norway and the UK, this thesis aims at identifying enabling and restricting factors to the growth of platform work.

The Norwegian and UK governments have published public reports on the gig economy and the challenges of platform work. The analysis of these documents identifies several restricting and enabling factors that support a greater divide between the two countries in their response to the gig economy. The highly regulated labour market in Norway, with strong unions, tripartite cooperation and high coverage of collective agreements, are factors that should restrict the growth of platform work. The emphasis on flexibility in the UK labour market, firm-level wage negotiations and weaker unions are factors that should enable the growth of platform work.

The problem of misclassification of workers is found to be a restricting factor in both countries. In the UK, workers must be classified as employees or workers to be entitled to the National Minimum Wage. Whereas in Norway, the classification of workers is important because of the collective agreements' role in regulating the labour market.

Førord

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Abbreviations

Ap	Arbeiderpartiet (Labour party)
CME	Coordinated market economies
FrP	Fremskrittspartiet (Progress party)
KrF	Kristelig Folkeparti (Christian party)
LME	Liberal market economies
LO	Landsorganisasjonen (Norwegian Confederation of Trade Unions)
SME	Social market economies
Sp	Senterpartiet (Centre party)
SV	Sosialistisk Venstreparti (Socialist party)
UK	United Kingdom
VoC	Varieties of Capitalism
VoL	Varieties of Liberalization

List of tables

Table 1: Work in the gig economy	9
Table 2: United Kingdom and Norway	26
Table 3: News stories on Uber in Norway	36
Table 4: Political parties in Norway	44
Table 5: Political parties in the UK	58
Table 6: Rights associated with employment status.....	63
Table 7: Enabling and restricting factors.....	68

Table of Contents

1. Introduction	1
2. Literature	6
2.1 <i>Conceptualization</i>	6
2.2 <i>Precarity</i>	6
2.2.1 <i>Insiders and Outsiders</i>	7
2.2.2 <i>Flexibility</i>	8
2.3 <i>Gig-economy and platform work</i>	9
2.3.1 <i>Bogus self-employment</i>	10
2.3.2 <i>Misclassification</i>	10
2.3.3 <i>How big is the gig economy?</i>	11
2.4 <i>Responding to the gig economy</i>	12
2.4.1 <i>Welfare schemes</i>	13
2.4.2 <i>Collective agreements for platform workers</i>	14
2.4.3 <i>Consumers in the gig economy</i>	15
2.5 <i>Gig economy and Varieties of Capitalism</i>	15
3. Theory	17
3.1 <i>Varieties of capitalism</i>	17
3.1.1 <i>Varieties of Capitalism and the gig economy</i>	19
3.2 <i>Varieties of Liberalisation</i>	20
3.2.1 <i>Liberalisation</i>	21
3.2.2 <i>Varieties of Liberalisation and the gig economy</i>	21
3.3 <i>Varieties of welfare regimes</i>	22
3.3.1 <i>Varieties of welfare regimes and the gig economy</i>	23
3.4 <i>Summary</i>	23
4. Method	25
4.1 <i>Comparative method</i>	25
4.2 <i>Case selection</i>	25
4.3 <i>Data collection</i>	27
4.4 <i>Interpreting the data</i>	28
4.5 <i>Data quality</i>	28
5. Gig-economy in Norway	30
5.1 <i>The extent of gig economy in Norway</i>	30
5.2 <i>The Norwegian labour market</i>	31
5.2.1 <i>Labour unions</i>	32
5.2.2 <i>Protection of gig workers in the Norwegian labour market</i>	33
5.3 <i>Development of platform work in Norway</i>	34
5.3.1 <i>The Sharing Economy Committee</i>	34
5.3.2 <i>Uber</i>	35
5.3.3 <i>“Rosastreiken” (The pink strike)</i>	37
5.3.4 <i>The Aleris/Sendi trial</i>	38
5.3.5 <i>Deregulation of the taxi industry</i>	39
5.3.6 <i>Fougner Committee</i>	40

5.4 Political parties	41
5.5 Restricting factors.....	44
5.6 Enabling factors.....	45
6. Gig-economy in the UK	47
6.1 The extent of gig economy in the UK.....	47
6.2 The UK labour market.....	48
6.2.1 Employment law	48
6.2.2 UK labour market policies.....	49
6.2.3 Protection for gig workers in the UK.....	50
6.3 The development of platform work in the UK.....	51
6.3.1 Taylor Review.....	51
6.3.2 Uber in the UK.....	53
6.3.3 Work and Pensions Committee	55
6.3.4 New forms of security for platform workers	56
6.4 Political parties	57
6.5 Restricting factors.....	59
6.6 Enabling factors.....	60
7. Discussion	62
8. Conclusion.....	70
References	73

1. Introduction

The rise of precarious work is a challenge facing many established economies in Europe right now. The trend of work with more flexibility and less security increased following the financial crises in 2008, but has been facilitated by deregulation that happened many years earlier. Politicians, unions and workers have repeatedly expressed concerns about the increasing number of workers living without a safety net, while more and more companies see new forms of employment as a way of dealing with global competition. Without the cost associated with permanent employment, these companies can compete on price and at the same time avoid the economic risk of fluctuating demand. As a result, this puts more traditional forms of work at risk.

With this thesis, I want to take a closer look at one of these new forms of precarious work, platform work. This is closely tied to the “gig economy”, which has been a buzzword and heavily debated in the last couple of years. Gig workers – or platform workers – provide services for on-demand companies. The worker is often categorised as an independent contractor and gets new assignments through digital platforms, often phone applications. The ongoing digital transformation to society has resulted in rapid changes to the labour market, and many argue that it is now necessary to look at ways to improve the conditions of platform workers.

Some of these workers fall under the categorisation of so-called *bogus self-employment*. The division between being self-employed and being employed is becoming less distinct, and more people fall into a grey area between the two categories. This is because many rights, protections and benefits have been designed using a binary divide between employment and self-employment (Eurofound 2020, 52). Workers categorised as bogus self-employment lack benefits associated with both employment (protection) and self-employment (autonomy). The rise in bogus self-employment represents a challenge to national labour- and social policies, with the legal classification of platform workers being debated in many countries. Governments are looking into new ways of regulating platform work and putting an end to the exploitation of this grey area.

I want to look at the response to the gig economy in the United Kingdom and Norway, and to compare these responses with existing theory on varieties between capitalist economies. The UK and Norway represent two different forms of capitalism both in Hall and Soskice's (2001) theory on Varieties of Capitalism, and in Esping-Andersen's (1999) classification of welfare regimes. Kathleen Thelen (2014) builds on this with Varieties of Liberalisation, where she elaborates on the recent liberalisation that have taken place in most western capitalist economies, and how countries have responded differently in terms of flexibility and deregulation. Based on this, the thesis aims to provide an in-depth analysis of how different actors within these two countries have responded to platform work.

The research question this thesis want to explore is *to what extent has the response to platform work been affected by the country's position' on the liberal-coordinated market economy axis'*. To answer this question, the thesis will look at enabling and restricting factors to platform work in Norway and the United Kingdom.

Both Norway and the UK have had to deal with the emergence of the gig economy in recent years. Large platform companies have attempted, with varying success, to enter markets and challenge established actors, while others have provided new services. Food delivery services like Wolt and Deliveroo have experienced enormous growth in the last couple of years in both countries. Most of these workers are classified as independent contractors and bear most of the economic risk alone. The riders, in both countries, have tried to bring about change and to move away from the current working relationship. In Norway they have tried, with varying successes, to challenge this through collective action. While in the UK, workers and unions have usually tried to challenge the digital labour platforms in court. Also, with varying successes.

This thesis wants to look at enabling and restricting factors affecting digital labour platforms. With about 70 percent of the workforce being covered by collective agreements in Norway (Jensen, Ilsøe and Hotvedt 2019, 1), it is not unreasonable to assume that the companies offering platform work will have a hard time entering the Norwegian labour market. On the other hand, coordinated market economies tends to be subject to dualization (Rueda 2005), with most of the work force being well organized and covered by collective agreements, while a minority of workers in specific sectors fall outside of the regulated labour market.

Some criticism has been directed at unions and labour market policy for focusing on the so-called “insiders”, workers with a traditional and safe employment contract, and not the “outsiders”. As a result, much effort has been put into protecting traditional jobs, and leaving outsiders with limited options. Digital labour platforms might see this as an opportunity to enter the labour market without much resistance, and it might even be welcomed by the “outsiders” as a preferable to other kinds of precarious work.

The emergence of the gig economy has happened almost simultaneously in western Europe. This gives us the opportunity to compare an event that affects different societies at the same time gives us the possibility to compare and look how they have responded differently, or similarly. Businesses operating in the gig economy started to appear in the UK in 2012, but received little attention before 2014. It wasn't before 2016 that the government started to investigate the challenges of labour market policies and the categorization of platform workers. Norway followed a couple years later, but by 2016-2017, governments in both countries were publishing reports on how to face the challenges of the future labour market and the emerging gig economy.

In both countries, the discussion about the gig economy was targeted at Uber and then gradually included other companies and services. A review of public reports, news articles and statements from political parties, shows many similarities between the two cases, but also some underlying differences. In both countries, most of the news stories were about regulatory conflict between existing actors, the regulators (government), and the platform businesses. Both the black cab drivers in London and the taxi association in Norway have been very vocal, alongside unions and left-wing parties, against Uber entering their country, whereas the governments in both countries have been positive to the possibilities offered by the gig economy. Uber had an easier start in the UK, but have experienced several setbacks in court concerning the classification of drivers, which ended in the Supreme Court in 2021. In Norway, Uber acted as a catalyst in the discussion on liberalisation of the taxi industry, which resulted deregulation of the industry in 2020.

Norway and the UK represent different forms of market economies, and it is evident from the review of public reports concerning the gig economy that there are ideological differences in their response to these challenges. There is a strong emphasis on ‘flexibility’ in the UK reports, as it is characterized as a fundamental feature of the British labour market and helped to keep employment numbers high in the period after the financial crises in 2008. Norway, as a coordinated market economy, has a much stronger emphasis on stable employment and the importance of collective agreements. The precondition for gig work is clearly very different between these countries, but to what extent have these differences affected how the two governments have responded to the challenges associated with the gig economy?

The literature review in chapter two will begin by conceptualizing the gig economy and platform work, before giving an overview of the existing literature. The literature on the gig economy is mainly concerned with how big it is, and thus how to measure it, and what implications it has on labour market policies (how to regulate it). The classification of platform workers, collective bargaining right for individual contractors and social safety net for the self-employed are some of the main topics in the literature regarding how to respond and regulate the gig economy.

The theoretical framework for this thesis is the Varieties of Capitalism (VoC) approach by Hall and Soskice (2001). This will be presented in further detail in chapter three, alongside Esping-Andersen’s (1999) classification of welfare regimes and Thelen’s (2014) Varieties of Liberalisation (VoL). The theory on VoC indicate that there should be a difference between liberal and coordinated market economies in their response to global competition and the gig economy, based on institutional arrangements.

Utilizing qualitative document analysis, this thesis will perform a comparative case study based on data from public reports, programs from political parties and news articles covering the gig economy in each country. The lack of reliable data on platform work makes a small-N comparative design more suitable. Both countries have produced major reports on modern working life and challenges of digital labour platforms. The Taylor Review (UK) and the Fougner report (Norway) will be the main sources in this thesis. Manual coding is used for

higher accuracy and because the limitation on data removes the need to the efficiency of automatic coding.

The comparative case study is done by first presenting an overview of the extent of the gig economy in each country and the going through labour market policies and the current situation for platform workers. Chapter five and six presents a chronological overview of the emergence of the gig economy and the response from public reports and political parties in each country. The review of news articles shows the main areas of conflict in both countries have been Uber and the license to operate as a taxi in London and Oslo.

The Norwegian model is based on a combination of employment law and collective agreements, whereas the UK labour market mostly rely on statutory regulations. Thus, the classification of platform workers and the 'concept of employee' a central issue in both countries. In the UK, being classified and either a 'worker' or and 'employee' is needed to be entitled to certain rights as statutory sick pay and paid holidays, whereas in Norway, platform workers need to be classified as employees in order to engage in collective bargaining.

The tripartite cooperation, with strong unions and high coverage of collective agreements, are strong restricting factors to the growth of platform work in Norway. The sectoral agreements make it harder for platform companies to compete for workers, thus making the supply of platform workers limited. The emphasis on flexibility in the UK labour market, firm level wage negotiations and weaker unions are factors that should enable the growth of platform work.

2. Literature

This chapter presents a review of the existing literature on the gig economy. It starts with a short section on conceptualisation, and then move on to present the concept of precarity. This provides a context by presenting labour market trends and explaining some of the key aspects of this field of research. I then move on to the gig economy more specifically, and touch on some of the subjects related to platform work. The literature on platform work is mainly divided into two main subjects; the size of platform work and the regulatory challenges of platform work in the context of labour market polices. The literature on the size consists of how to define platform work, and how to measure it. Whereas the literature on regulating platform work is concerned about the potential misclassification of workers, the algorithmic control by digital labour platforms and social protection for platform workers.

2.1 Conceptualization

In this field of research, there are many concepts and definitions. ‘Gig work’, ‘gig economy’, ‘on-demand work’, ‘platform work’, ‘precarious work’, ‘solo self-employment’, ‘bogus self-employment’ to name a few. Central in this thesis is the concept of ‘the gig economy’. By this, I mean a labour market where traditional employment relations are replaced with a pool of on-demand self-employed workers looking for their next assignment (gig). Fundamental in the emergence of the gig economy are digital platforms. Workers are connected to customers through the internet and often mobile applications. These services provide a near-instant connection between a large supply of workers who can easily be matched with consumer demand (Prassl 2018, 13). The gig economy and digital platforms thus facilitate each other. In this thesis, platform work refers to on-site gig work. The different work arrangements in the gig economy is discussed in further detail in chapter 2.3.

2.2 Precarity

Precarious work concerns a much broader issue and is not tied to a specific form of employment. It is defined by Kalleberg and Vallas (2018, 1) as “work that is uncertain, unstable, and insecure and in which employees bear the risks of work (as opposed to businesses or the government)

and receive limited social benefits and statutory protections”. This is undoubtedly true for work in the gig economy, but it also includes temporary work and zero-hours contracts. While “precarious work” refers to “not standard employment relationship”, “gig economy”, and thereby “gig work”, is more specifically about independent entrepreneurs who are, through a digital platform of some sort, looking for work assignments. I will therefore use “gig work” and “platform work” as synonyms in this thesis.

Most of the literature argues that precarity results from forces such as globalization, technological advances, and the political and economic changes related to the neoliberal revolution, which departs from the post-World War Two norm of secure employment with an employer (Kalleberg 2018, Dekker and Veen 2017). Kalleberg (2018, 24) refers to this as “liquid modernity” (introduced by the Polish sociologist Zygmunt Bauman), whereby the solid, stable institutional structures of work, society, power and politics are undermined.

The growing economic globalisation and increasing business competition, forces employers to become more competitive. The need to respond quickly to changing market demands results in a more significant proportion of flexible contract workers. The main motivation behind this is cost saving. This is not a new phenomenon. “Nikefication” (a term coined by Gerald Davis) refers to the outsourcing of virtually everything, except the highest-value-added segments of the production chain (Thelen and Rahman 2019, 178). But in terms of the gig economy and platform work, we see how the internet has reshaped the boundaries of work relations and given employers new possibility for flexibility and cost saving.

2.2.1 Insiders and Outsiders

The rise of precarious work has led to a dualization of the labour market, where ‘insiders’ are those with secure employment and those without are ‘outsiders’ (Rueda 2005, 61). The literature writes that the challenges of dualization often are associated with social democratic countries and societies that are known as egalitarian. Rueda (2005) writes in his article that there has been a bigger emphasis on labour market policies that protect insiders, and less emphasis on policies to activate outsiders. Another aspect of the dualization of the labour market is how countries combine strong regulations for sectors associated with insiders and

flexibility at the margins. Germany is an example of a country with a regulated labour market which has experienced a substantial growth in marginal part-time employment (Picot and Menéndez 2019, 910).

While most of the literature is interested in how the insiders-outsiders divide of the labour market affects political parties' strategies, especially left-wing parties, it also aims to explain how precarious work and the gig economy can grow in countries that are seen as highly regulated. The erosion of unions and focus on more flexibility is a trend in most developed democracies. Palier and Thelen (2010) writes about liberalisation in France and Germany, and how Coordinated market economies have “adapted their political economies to the new, more competitive international economic context” (2010, 139). Thus, making room for more atypical work arrangements.

2.2.2 Flexibility

Precarity, deregulation and flexibility are all intertwined, and are ultimately consequences of liberal labour market policies. In the purest sense of the word, flexibility is the absence of other forces than demand and supply. In other words, “a totally flexible labour market is one where no financial, institutional, linguistic, political and cultural impediments are present” (Monastiriotis 2006, 223). In this thesis, I will refer to flexibility as the absence of regulations that will result in a more competitive arrangement, where demand and supply to a greater extent are driving mechanisms in the labour market.

Flexibility in the labour market became a high priority after the economic slowdown in the 1970s, and with the ideological turn towards neoliberal policies under Margaret Thatcher in the UK and Ronald Reagan in the US. Policies for more ‘flexibilisation’ of the financial sector and relaxation of policies related to minimum wages, hiring and firing costs, and other non-wage compensations was central in making labour markets more flexible and cost-effective (Monastiriotis 2006, 223).

2.3 Gig-economy and platform work

The business model in the gig economy is based on near-instant recourse to a large pool of on-demand workers that can deliver speedy services at low cost. Workers are employed as independent entrepreneurs and companies rely on sophisticated algorithms to deliver the best possible service (Prassl 2018, 11-13). This is not just limited to on-site gig work. Digital labour platforms are present in a variety of economic sectors. Some operate solely online (data encoding, design work etc.) while other offer services “on-location” (food delivery, cleaning services etc.). Further, work in the gig economy varies in terms of the level of skills required (“on-location” gig work is often associated with low skill labour, while online platform work is in some instances high skill work), and the way in which work is controlled by the platforms (European Commission 2021a, 2).

Table 1 presents these four main categories of work in the gig economy. Platform work differs from the others because of the control possessed by the platform companies. This is presented in more detail in chapter 2.3.1.

Table 1: Work in the gig economy

	LOW SKILL	HIGH SKILL
ON-SITE WORK	Platform work (E.g., Uber or Foodora)	E.g., craftsman (mittanbud.no)
ONLINE WORK	Crowdwork (MTurk)	E.g., design work (Upwork, fiverr)

Source: Fougner 2021, 114

The literature on the gig economy is mainly concentrated on two aspects; the size and potential growth, and how to regulate it. In terms of regulations, the problems with algorithmic control and classification of workers are the two main subjects. This chapter will focus on the classification of gig workers and the size of the gig economy, as this is most relevant in terms of this thesis’ research question.

2.3.1 Bogus self-employment

Some platforms act merely as a matchmakers where independent contractors find new assignments. In this case, the independent contractors are genuinely self-employed (Picot 2022, 5) because the digital platform does not have any control over the process after the matchmaking is completed, apart from maybe taking a cut of the payment. These independent contractors work for their own business and are free to take on assignments from other channels. Many of these workers fall into the category of so-called *solo self-employment* (self-employed with no employees).

However, this is not the common practice of digital labour platforms in the gig economy (Prassl 2018, Picot 2022). Many platform workers are formally classified as self-employed, but do not have the freedom and autonomy as mentioned in the previous paragraph, and thus characterised as *bogus self-employed* or *false self-employed*. “The platform firms present themselves as ‘mere matchmakers’, but the degree of control over the work and payment does not correspond with the notion of self-employment” (Picot 2022, 6). An example is Wolt, a cycle delivery service operating in several European countries. Customers order and pay in the Wolt-app, and the platform workers are working for Wolt (they wear a Wolt outfit, get payment through Wolt), but they are not employed by Wolt.

2.3.2 Misclassification

Much of the discussion about platform work and the gig economy concerns the triangular relationship between client, gig worker and the platform. According to one estimate, nearly five and a half million people working as gig workers could be at risk of misclassification (European commission 2021a,2). The challenge of misclassification has been raised by politicians, trade unions and public reports.

However, there will always be workers who fall into a grey area because they are difficult to classify. While bogus self-employment is self-employment in name only, many platform workers share some of the characteristics of both employees and self-employed. Many can choose when to work, use their own equipment and work for competing platforms, but at the

same time have no control over rates of pay and be under strict control by the platforms algorithms.

There are several options for clarifying or extending regulations concerning gig work. Some argue that “workers cannot be an independent contractor unless there is evidence that they are an entrepreneur who provides their labour pursuant to a business of their own” (Stewart and Stanford 2017, 426). One way of doing this is to put the burden of proof on the companies, meaning they must prove that the gig workers are not employees. This must go hand in hand with a clarification (or expansion) of the definition of employment. Alternatively, Stewart and Stanford (2017, 430) suggest creating a new category of “independent worker” to better protect gig workers, or to create rights for *workers*, not employees. This would make it largely irrelevant whether a worker is an employee in the traditional sense.

2.3.3 How big is the gig economy?

The data on gig work is limited, but most of the research suggests that the proportion of workers involved in the gig economy is a small percentage of the total labour force. Most of the literature estimates that between 1 and 3 per cent of the workforce are doing regular work in the gig economy. What makes these number difficult to calculate is that gig work encompasses those who use it as their primary income source, those who use it as their second income and those who have just tried it to make some limited income. When gig work is used to supplement for other income, it is often excluded from official statistics, as they tend to focus on primary income sources only (Prassl 2018, 17).

A report from RSA (2017, 13) estimates 1.1 million gig workers in the UK, whereas research done by Foundation for European Progressive Studies (FEPS) in cooperation with UNI Europa and the University of Hertfordshire, estimates that almost 9 per cent of the population have done some work in the gig economy, and 1.3 million (2.7 per cent) earn more than half of their income from the gig economy (Huws et.al. 2017, 10). These numbers include all work in the gig economy and are not limited to on-site gig work. Survey data from 2018 indicates that only 1.6 per cent of UK work force have platform work as their main income source, while almost 6 per cent say it is their secondary income source (Urzi Brancati, Pesole and Fernández-Macías

2020, 16). In this survey, the UK is just above the average compared to other European countries. The numbers for the Nordic countries and Norway is usually slightly lower, ranging between 0.5 and 1 per cent (Alsos, Jesnes and Oppegaard 2020, 14-15).

Another factor is the growth of the gig economy and the rapid changes in the last couple of years, which makes number quickly outdated. The platform economy is estimated to have grown by around 500 per cent in the EU during the last five years, and the number of workers is expected to grow rapidly in the coming years (European commission 2021a, 2). Platform companies are experiencing rapid growth in the range of tasks they offer, turnover, and numbers of consumers and workers. However, the major growth has been in the money invested in on-demand platforms. “Eye-watering amounts of venture capital have been invested in companies like Uber” (Prassl 2018, 17-18).

2.4 Responding to the gig economy

The strategy of many of the platforms and actors in the gig economy has been to enter markets without much cooperation with governments, following the motto: “don’t ask permission, ask forgiveness” (Thelen 2018, 939). They portray themselves as champions of consumer choice and challengers of “stifling regulations”. By mobilizing consumers, they put pressure on politicians. Thelen (2018) argues that countries responses to Uber (a prominent actor in the platform economy) have -in some cases- depended on coordinated actions by associations representing the taxi industry. In the US, labour groups were side-lined, while in Germany, coordinated action hampered Uber’s mobilization.

Even though the same kind of digital platform and platform work have entered different countries in the same time frame, the areas of conflicts can vary. In the US, healthcare is closely tied to your employment status, thus the classification between employer and self-employed have been one of the main conflicts. In in the Nordic countries, these kind of welfare schemes are more universal, thus not as dependent on employment status. One of the largest areas of conflict has been taxation and in the case of Uber, license to operate as a taxi firm (Thelen 2018, Oppegaard 2020).

2.4.1 Welfare schemes

One of the main concerns is the lack of a safety net for gig workers because they are classified as independent contractors. Both the UK and Norway are categorised as “exclusive systems” by Spasova, Bouget and Ghailani (2019). By this, they mean a cluster of European countries where the self-employed are not covered by one or more insurance-based schemes and do not have the option to opt into these. This is the largest group of countries in their research (Spasova, Bouget and Ghailani 2019, 162).

The insurance-based social protection schemes found in European countries offer different levels of protection for self-employed workers. The self-employed have - in almost all countries - statutory access to healthcare, invalidity and old-age pensions. However, they are more split on schemes like unemployment benefits, sickness benefits, and accident-at-work benefits. In many countries, these insurance-based social protection schemes are not available for self-employed, and in those countries where they are, they are sometimes voluntary (Spasova, Bouget and Ghailani 2019, 160-161). According to a recent survey (Eurofound 2020, 58), nearly 70% of all platform workers in Europe reported not having access to schemes that cover maternity, childcare and housing benefits.

In liberal regimes like the UK, the reliance on means-tested benefits is even stronger for self-employed workers, as pointed out by Spasova, Bouget and Ghailani. However, they have responded to the growing number of single self-employed by introducing a new single-tier state pension available for self-employed as of 2017 (2019, 163). Despite both being categorised as exclusive systems, the UK and Norway represent two different welfare regimes. Being a social democratic regime, Norway has a much higher emphasis on universal solidarity, to provide high levels of social protection to all. Unlike liberal regimes, social-democratic regimes require self-employed workers to be covered by most of the same social protection schemes as employed workers (Spasova, Bouget and Ghailani 2019, 165). Norway is categorised as an exclusive system because self-employed workers are excluded from unemployment benefits, while in Denmark and Sweden, self-employed workers have access to all insurance-based benefits.

2.4.2 Collective agreements for platform workers

What makes the case of improving working conditions for platform workers more challenging, is that they are, unlike most types of non-standard employment, not categorized as employees. Self-employed and freelancers usually do not have the same access to collective bargaining due to competition law (Schiek and Gideon 2018, 277). Collective bargaining agreements in which wage levels are set between individual contractors are in fact price-fixing agreements, which would be deemed anti-competitive. Another issue is the lack of bargaining at the workplace level. Most platform workers do not have a workplace to relate to, never see their employer and communicate only through applications, which limits the opportunities for bargaining (Jensen, Ilsøe and Hotvedt 2019, 1).

Some of the workers have in practice an employee-relation with the platform and are thus wrongly classified as self-employed (bogus self-employment), while many are genuinely self-employed, but more accurately described as solo self-employed. Other platform workers fall into a grey area where they have characteristics of both employees and self-employed. The European Commission sees collective bargaining as one of the ways to improve the working conditions of platform workers in the gig economy, and one of the initiatives launched by the Commission (2021a) aims at clarifying the application of EU competition law to collective bargaining for the self-employed.

The literature points to how EU competition law can hinder collective organisation of gig workers and how “courts are reluctant to recognise bargaining rights for gig workers” (Kaine and Josserand 2019, Schiek and Gideon 2018). Katherine Stone (2017, 99) draws parallels between gig workers and recurring project work like lighting design and sound engineering in the film and television industry. These workers engage in a form of collective bargaining that Stone calls “embedded contract bargaining” through The International Alliance of Theatrical Stage Employees. This allows the project workers to negotiate agreements including union recognition, transportation costs, employer contribution to the joint pension and health funds and it also sets minimum pay per day worked.

2.4.3 Consumers in the gig economy

Some of the literature also focuses on the relationship between digital labour platforms and consumers. Culpepper and Thelen (2020) writes about “the politics of platform power” and how big companies benefit from “the tacit allegiance of consumers, who can prove a formidable source of opposition to regulations” (2020, 288). Some of the platforms have a close relationship with their users and provide services that their consumers rely on for their everyday tasks. In many countries, the gig economy has provided services that are either new or much more cost effective than existing options. The use of digital connection with the consumers makes the services easily accessible, consumers usually find the services convenient, and the rich flow of information benefits the platforms in making even more personalised services. These are all advantages that can benefit digital labour platforms.

Thelen (2018) also writes about consumers in the context of Uber, and how “voters can be mobilized either as consumers or as taxpayers” (2018, 941). While consumers might be drawn towards cheaper services, some will be hesitant about using platform companies due to questions of taxation and the working conditions for platform workers. Research on this shows some support to this claim by Thelen (Pérez-Rueda et al. 2021).

2.5 Gig economy and Varieties of Capitalism

Some of the previous literature has also looked at the gig economy in the context of the theory on Varieties of Capitalism by Hall and Soskice (2001), both in a comparative approach and in specific case studies. Thelen (2018) has looked at the different responses to Uber in the US, Germany, and Sweden. They represent different countries in Hall and Soskice’s theory, but this does not necessarily explain the different responses. The article by Thelen does exclusively look at the taxi industry and examines a wide range of responses. In this thesis, it will be natural to use Uber as an example as the company is prominent in both Norway and the UK, but I will not look at specific industries, but rather look at specific responses to the challenges of the gig economy as a whole. While the US and the UK both would be classified as Liberal market economies, I would argue that there are large enough differences between these countries to justify this comparative study between liberal and coordinated market economies.

Corinna Funke and Georg Picot (2021) investigated whether platform work can grow in Germany, as a typical Coordinated Market Economy. They found clear institutional mechanisms that have limited the growth of platform work, which could mean there are reasons to expect variations between countries representing different models of capitalism (2021, 21). Picot (2022) provides a theoretical account of the limits of platform work growth and refers to the Varieties of Capitalism by stating that “there are good reasons to believe that the rise of platform work will be limited, and that in some contexts, in particular, platform work will be more constrained than in others due to social and economic institutions as well as political forces” (2022, 3).

This thesis wants to build on existing literature by examine enabling and limiting factors based on the theory on Varieties of Capitalism. Comparing platform work between countries is still limited to small-N comparative design because of the lack of reliable data (Funke and Picot 2021, 21). Thus, making a comparative case study by comparing national data on platform work the most suitable method to answer the research question.

3. Theory

The premise of this thesis is to look at the different responses to the gig economy between Norway and the UK. In this field of research, there are several theories that try to explain the potential outcomes of digital capitalism where work is more flexible. Some argue for a convergence because of globalization and increased competition, forcing countries to adapt to more market-driven labour policies that provides the flexibility needed to compete. Other theories argue for divergence, saying that the response to flexible work and the gig economy will depend on existing institutional arrangements.

This chapter will present the theory on Varieties of Capitalism by Hall and Soskice (2001), that argues for greater variations between countries. Based on this theory, I will formulate hypotheses on the response to the gig economy that will be assessed empirically in chapter five and six and discussed in chapter seven. This chapter will also present the theory of Varieties of Liberalisation by Kathleen Thelen (2014), that builds on Hall and Soskice's classification and studies contemporary changes in labour market institutions. Esping-Andersen's classification of welfare regimes is presented at the end of this chapter, as it gives meaningful insight into the differences between Norway and the UK, and is somewhat related to the VoC approach.

3.1 Varieties of capitalism

The Varieties of Capitalism (VoC) approach makes a core distinction between two types of political economies; liberal market economies (LME) and coordinated market economies (CME). Using this theory, Hall and Soskice (2001) claim that firms' responses to globalization (increased competition) are fundamentally different across nations. In liberal market economies, "firms' coordinate with other actors mainly through competitive markets, arms-length relations, and formal contracting", whereas in coordinated market economies, businesses normally engage in more strategic and non-market interaction with trade unions, suppliers of finance, the state, and others (Jansen and Akkerman 2014, 192).

While globalization theories view recent changes as part of a universal move, VoC “distinguishes types of political-economic systems and explores the different institutional arrangements and behavioural ‘logics’ that sustain them” (Thelen 2001, 72). This is one of the core arguments in the article by Thelen and Rahamn (2019) where they state that transformation in the US labour market is not simply a product of natural or technological change, but is instead crucially tied to the political-economic landscape. In LME, firms’ search for more employment flexibility as a reaction to intensified international competition, which has – according to VoC and Thelen – led to the changing nature of work, the growth of inequality, and the eroding social contract.

The VoC theory can explain why the globalization literature makes sense in some countries but not in others. Some of the literature sees changes in the labour market as an inevitable slide towards deregulation and how ‘strong labour’ countries move toward of the ‘weak labour’ countries (Thelen 2001, 75). This appears to apply well to economies like the UK and US, but not to countries like Norway and Germany. While this may be true in the grand scheme of things, many have argued that the VoC approach fails to account for sectoral differences within countries (Wright et.al. 2017, 251). An example of this is how manufacturing and public sector employers continue to prefer non-market coordination in CMEs, while private sector and small-business employers are increasingly preferring market coordination.

CMEs are usually associated with high union density, industry level wage bargaining and long-term employment conditions with an emphasis on specific skills. LMEs meanwhile are associated with low levels of unions density, firm level wage bargaining, more short-term employment conditions and competitive market arrangements. As a result of this, countries like Germany are usually associated with more manufacturing industries, that depend on specific skills and are best served by long term employment, whereas countries like the UK and the US are suitable innovation and industries where workers can easily move between jobs (e.g., service industries).

Social market economies

David Rueda and Jonas Pontusson (2000, 363) present a twist to the VoC approach. They use the term “Social market economies” (SME) which they argue is a better fit for the Northern

European countries. SME focuses more directly on the regulation of markets (government output), and the distinction is also narrower than Soskice and Hall's distinction between CME and LME. SMEs are characterized by comprehensive, public-funded social welfare systems, further, they have a high degree of government regulation to standardize employment conditions and finally, SMEs have a high degree of institutionalisation of collective bargaining (Rueda and Pontusson 2000, 363-354).

3.1.1 Varieties of Capitalism and the gig economy

Based on the theory on VoC, there should be a difference between Norway and the UK in how they respond to the gig economy. The theory points to several limits in CMEs and possibilities in LMEs. The tradition for long-term employment and jobs that require specific skills in CMEs suggest that digital labour platform would have difficulties in attracting workers, and thus limiting their growth due to a modest supply of workers. LMEs should be more suitable for the gig economy as there is a greater tradition for workers moving between jobs and industries that are not skill specific.

Labour markets in CMEs are usually regulated through cooperation between strong labour market actors. This should be a limiting factor for the gig economy, as platform work is not very suitable for this kind of regulation, where collective agreements and strong unions are important in negotiations over wages, work time etc. Collective bargaining is usually on sector level, which is not suitable for digital labour platform, as that would remove some of their competitive advantage (cost saving).

Firm level negotiations and market-based arrangements in LMEs should be more aligned with the business-model of digital labour platforms. Weaker labour market actors and statutory regulations (as opposed to collective agreements) should limit the opposition to platform work. The labour market policies in the UK, and other LMEs, should enable the growth of the gig economy, as it is usually oriented towards deregulation and flexibility.

3.2 Varieties of Liberalisation

“The Golden Era of egalitarian capitalism may be over” is a prediction made by some observers. The political economy of western democracies is usually organised between liberal and egalitarian-social models of capitalism. All these democracies are experiencing the same trends and pressures in relation to globalisation, increased competition in international markets, declining union power, and the resurgence of neoliberal ideology (Thelen 2014). Combined with increased pressure for greater flexibility in collective bargaining and pressure on governments to cut costs and relax labour market arrangements, this “bode very ill for the future of coordinated, egalitarian capitalism” (Thelen 2014, 3).

However, Thelen argues that this may not be the case. The VoC approach, according to Thelen, “is not equipped with analytic categories that can capture relevant changes (in egalitarian democracies)” (2014, 4) and she calls for greater conceptual clarity regarding coordinated- and egalitarian capitalism. Confusion and misunderstanding of these two concepts are the reason behind the disagreements between VoC proponents and its critics.

The VoC approach comes from an economic perspective concerned primarily with the effects of institutions on economic efficiency, and sees institutions as mechanisms through which firms can achieve common gains through cooperation. VoC critics, on the other hand, are more concerned with the distributional outcomes like income inequality, thus assessing something else entirely. The problem occurs when placing countries along a single axis based on these concepts. This may seem natural because coordinated capitalism and egalitarian capitalism seemed to coincide in the post-war era (Thelen 2014, 8). However, as presented in figure X, this is no longer the case. Germany, for example, has stayed at the same “level” of coordinated, but has moved in the direction of more dualism and less solidarity. Furthermore, Scandinavian countries like Denmark and Sweden have become less coordinated, but at the same time more solidaristic.

Many of the recent trends with a higher degree of flexibility in the labour market, increased competition with globalisation and pressure to cut government spending are described as *liberalisation*. The VoL theory distinguishes between these aspects of liberalisation.

3.2.1 Liberalisation

Thelen (2014, 12) makes the distinction between 1) deregulatory liberalisation (associated with LME), 2) dualising liberalisation (associated with continental CME), and 3) embedded flexibilisation (associated with Nordic CME, or SME). In deregulatory liberalisation, “institutions and mechanisms for collective labour regulation are explicitly set aside in favour of arrangements that re-impose the discipline of the market” (Thelen 2014, 13). The absence of collective bargaining rights results in an individualisation of risk and low coverage of welfare schemes.

Coordinated market economies are responding in two ways to the new political-economic landscape. In the case of Germany, there is still strong coordination, but the number of firms and workers covered are narrowing. This is not a result of direct attack on institutions – like deregulatory liberalisation – but rather a process of “institutional drift”. One such ongoing drift is the decline in manufacturing and shift to the service sector. Institutions fail to take hold outside the industrial core and thus leave firms and workers behind. The labour market is divided into those who are covered by collective bargaining rights (insiders) and those who are not (outsiders) (Thelen 2014, Rueda 2005). Maintaining strong employment protections for regular workers while the number of precarious workers grows is an example of dualisation that is relevant to this thesis.

The other way in which CME has responded to the liberalisation, is by introducing flexibilisation. This is mainly associated with SME countries. Flexibilisation involves the introduction of new forms of flexibility that is organised around making workers more mobile. It differs, however, from deregulatory liberalisation, by promoting collective risk or “supply side solidarity”. Central to “supply side solidarity” is a generous social policy, and thus a strong welfare state. However, the function of welfare policy has changed and plays an essential part in collectivising the risks and enabling the flexibility with security (Thelen 2014, 14-16).

3.2.2. Varieties of Liberalisation and the gig economy

While VoC have been criticised for not explaining recent changes and movement on the coordinated-liberal axis, the VoL gives a new approach when examining liberalisation in

different countries. CMEs are not a homogeneous group, the Nordic countries have opted for more flexibility while still providing high coverage of social security, whereas continental European countries like Germany are maintaining a high level of “strategic” coordination, but with descending coverage due to dualisation.

In a dualised labour market, it is not unreasonable to expect the growth in platform work to be primarily among the “outsiders”, as discussed earlier. A more flexible labour market with high coverage of social welfare schemes seems a better fit to the digitalisation of the labour work force, but there are some caveats. Mainly the criteria for being covered social benefits, but also whether digital labour platforms are compatible with the idea of collectivising risk (mainly through high taxes).

The individualisation of risk and low degree of market coordination in LMEs should be better fit for digital labour platforms as they should not get the same amount of pushback from unions and are not limited by strong labour market regulations. But the lower coverage rates and a weaker social safety net could be a limitation, as it makes it less attractive to take a more precarious form of work. While many workers are forced into more precarious form of work, like platform work, it is reasonable to assume some workers are drawn towards more flexibility and “being their own boss”. But this would probably be an easier choice if the social protection for gig workers was better.

The VoL approach by Thelen could explain the growth of platform work in highly regulated labour markets in CMEs, as they have responded to liberalisation

3.3 Varieties of welfare regimes

Differently from VoC, Esping-Andersen (1999) explains capitalist diversity out of class conflict. These different class struggles led to three welfare regimes; a liberal, a conservative, and a social-democratic one, based on who manages social risks (the market, the family, or the state). The liberal welfare regime coincides well with liberal market economies in VoC. The free market is a central institution, welfare programs are limited to means-tested poor relief and decommodification is low (Schröder 2013, 6). The UK is noticeably more ambiguous than this

regarding welfare schemes (e.g., National Health Service), but they are closer to the liberal category than most other European countries. Esping-Andersen evaluates decommodification for workers through criteria such as eligibility conditions for pensions, sickness benefits and unemployment benefits (Spasova, Bouget and Ghailani 2019, 162).

The social-democratic regime can be seen as the theoretically opposed model, as it is “committed to comprehensive risk-coverage, generous benefit-levels, and egalitarianism”, and is seen as virtually synonymous with the Nordic countries (Esping-Andersen 1999, 78). Universalism is the cornerstone of social-democratic welfare regimes, and while the UK also have universal healthcare, the social-democratic countries stand out with their attempt to marginalize the role of needs-based assistance.

3.3.1 Varieties of welfare regimes and the gig economy

The universalism of social protection in the Nordic countries is part of the collective risk that could help the gig economy grow, as it will make platform work less precarious. The safety net provided by a comprehensive welfare state can provide incentives to take larger economic risks. While employees have stronger protection in both Norway and the UK, the extent of social security should be higher in Norway.

3.4 Summary

To summarize, this chapter has presented two prominent theories on variations between countries. The Varieties of Capitalism and Varieties of welfare regimes are often used in social science to categorise and explain differences across countries. Varieties of Liberalisation builds on this by elaborating on the VoC theory.

The VoC approach predicts differences across countries based on institutional limits, with more regulated labour markets in CMEs. The difference in arrangements of the labour markets and the strength of labour market actors between CMEs and LMEs, indicates that the growth of platform work should be limited in CMEs. Meanwhile, Thelen emphasises the possibility of dualization in CMEs, which could allow the gig economy to grow in sections of the labour market that are not that highly regulated. The varieties of welfare regimes by Esping-Andersen

shows how the UK have a more market-oriented view of the welfare state, as opposed to the universalism in the Nordic countries where that state manages the risk.

The highly regulated labour market in CMEs, with sector level bargaining, strong unions and skill specific industries should be factors to restrict the growth of platform work, whereas the possibility of dualisation and the growth of ‘outsiders’ could benefit the gig economy in these countries. In LMEs, more market driven arrangements in the labour market, firm level wage negotiations, weaker labour market actors and the individualisation of risk, are factors that could enable the growth of platform work.

4. Method

This chapter presents the method and data used in this thesis. I will utilize a comparative study of two cases by examining one social market economy and one liberal market economy. The case studies include a qualitative documents analysis of public reports, programs from political parties, and a review of news stories related to the gig economy. This design has been chosen to provide insights into how governments and parties have responded to the arrival of the gig economy and platform work, and to point out enabling and restricting factors.

4.1 Comparative method

“Comparative methods involve the nonstatistical comparative analysis of a small number of cases” (George and Bennett 2005, 153). A case study is an in-depth examination of a single case, while comparative case studies cover few cases that are compared systematically. This involves the analysis of similarities, differences, and patterns across cases (Goodrick 2019, Goodrick 2014). Given the focus on generating a good understanding of the cases and case context, methods such as interviews and document analysis are often the preferred methods employed in collecting data. While statistical analyses estimate the relation between independent and dependent variables, the comparative method, when applied to a limited number of cases, looks at similarities and differences based on a more detailed and comprehensive analysis of each case (Della Porta 2008, 205).

“Comparing is controlling” (Sartori 1991, 244). On the question of how many cases should be included in a comparative study, the answer is; it depends. While more cases give more observations and options for research designs, Andersen (2013, 92) argues that only two cases are needed to answer specific questions if the research is based on well-developed theories. While comparison can be used to increase understanding about a main case, comparison is used to identify variables that can explain the difference between cases in this thesis.

4.2 Case selection

The cases are selected on the basis that they represent two distinctively different capitalist societies and welfare regimes according to the theory presented in the previous chapter. In

theory, UK should have a less regulated market solution where risks are individualised and fewer people are covered by collective bargaining rights according to Thelen (2014). Scandinavian Social Democratic countries are examples of CMEs with coordination at a national level (as opposed to sector or industry level). These countries are characterized by high levels of organised labour and low levels of unemployment. Based on this, platform work should be more easily implemented in LMEs and to a stronger degree meet resistance in CMEs.

The gig economy and challenges associated with platform work is occurring in many countries and gives a unique possibility to explore how different societies and governments are responding to these developments. While one would assume that the liberal market economy in the UK with a Conservative lead government would be a perfect match for the gig economy and digital labour platforms who offer flexible work, it has not been that straight forward. The motivation to look into these two countries, is based on how two, seemingly different political economies, that are experiencing many of the same problems. The issue of classifying gig workers is debated by both governments, and large protests (arguably bigger in the UK) have been staged against Uber. While the Norwegian government have deregulated the taxi industry and made way for Uber (and other digital platforms) to compete in the major cities, Uber have experienced a hard time fighting for their business-model in the UK court system.

Table 2: United Kingdom and Norway

	Norway	United Kingdom
<i>Workers in the gig economy</i>	0,5-1 %	2-3 %
<i>Unions density (2019)</i>	50%	23%
<i>Minimum wage (2022)</i>	Collective agreements	£9.18 per hour*
<i>Capitalist classification</i>	Social/Coordinated	Liberal

* From the age of 21 Sources: OECD 2022, Gov.uk 2022, Alsos, Jesnes and Oppegaard 2020 and Huws et.al. 2017.

Selection bias

It is important to underline that the selection of countries in this study does not fulfil the requirement for proper randomisation, thus prompt the possibility of selection bias. As a consequence of incomplete randomisation and only two cases being studied, findings can be misleading and not representative of the population. Several scholars have argued that case-oriented research should not be judged and held to the same standard on randomisation as statistical analysis (Della Porte 2008, 212). The aim of this thesis is not to provide a basis for causal inference, but to study the cases internal mechanism in detail and contrast them with each other

4. 3 Data collection

Qualitative document analysis is a research technique for analysing data based on systematically comparing different documents and structuring the content relevant to the research question into different categories (Grønmo 2004, 187). The strength of the qualitative document analysis is that it can provide a deep insight into perspectives and perceptions in the current debates. Furthermore, the complications associated with “reactivity” - where the researcher influences the respondents- are avoided (Grønmo 2004, 192).

I collected two types of documents: public reports and political programs of parties. Additionally, documents like news articles are collected to get a broader contextual understanding of the development of platform work in each country and to better outline conflicts and notable cases related to the emergence of the gig economy. The main emphasis is on public reports, as both countries have produced comprehensive reviews into the challenges of platform work and the future of the labour market. The two main documents are the Taylor Review, an independent review published in 2017 by the Department for Business, Energy & Industrial Strategy (UK), and the Fougner report, an independent review published in 2021 by the Department for Labour and Social Inclusion (Norway). These two documents, together with the other public reports, give a thorough insight into the status, challenges and possible solutions to the gig economy. Programmes from the main parties provide a political context by presenting differences within the same countries, and are also a way to examine how aligned the political parties are to the recommendations found in the public reports.

News articles give a meaningful insight into the areas of conflict and the general discourse on a given topic. In this thesis, news articles serve as an important source to establish timelines and to find information about specific events (e.g., demonstrations and court rulings). The internet is full of information gathered from an infinite number of sources, which makes it difficult to establish an overview. Google News search is a free tool to find online news articles based on a given timeframe, but with some limitations. The search options are not very advanced, the search results do not include newspaper articles (paper) and there are limited options of sorting the search results. But Google is effective at finding relevant new stories on a given topic based on their algorithms. It is also important to take into account that the algorithms means that no search will be neutral.

Access to news archive sites is often costly, which is a hindrance when working with news stories as a source. In the Norwegian case, Atekst (Retriever) offers a search to a comprehensive archive of Norwegian news outlets, both online and in paper. Access to Atekst is gained through the University of Bergen. The UK case will rely on Google News search, as I have been unable to find any news archive sites that are satisfactory.

4.4 Interpreting the data

When coding in qualitative document analysis, there are options for automatic coding with analytics software like Thematic and NVivo and manual coding. While automatic coding is not prone to bias (in the same way as manual coding) and is much more effective at analysing large amount of text, this thesis will utilize manual coding for higher accuracy. This decision is based on the amount of text, which is limited.

4.5 Data quality

In assessing the quality of the data collected, validity and reliability needs to be evaluated. Important questions to ask about the data are: does the documents portray something that is real? Are the documents representative for the objects that are studied? Is there possible to draw reliable conclusions from observed relationships to non-observable relationships based on the documents? (Andersen 2013, 160-161).

Internal validity asks the question of how matching the findings are with reality, whereas external validity is the extent to which the finding can be applied to other situations (Merriam 1995, 53-57). Reliability concerns the replication and trustworthiness of the research, in other words, the extent to which the findings will be found again (Merriam 1995, 55).

The use of documents as the only data source, makes it essential that the documents are collected accurately. The strength of documents is that they are static and non-reactive, which makes them more reliable than other sources such as interviews, and it makes it more likely that the findings will be found again by other researchers.

5. Gig-economy in Norway

This chapter will start by giving an overview of the gig economy in Norway, and then look more closely at the Norwegian labour market and labour laws affecting platform workers. Section three is a chronological review of the development of platform work in Norway with some highlighted cases. The end of this chapter is a discussion about the enabling and restricting factors affecting the growth of platform work in Norway.

5.1 The extent of gig economy in Norway

Gig work is limited, but the few examples are visible. Going for a walk through one of the major cities, you are inevitably to see a Wolt- or Foodora cyclist, and when shopping online, you will probably be given a choice to get your parcels delivered by Porterbuddy instead of Posten (traditional postal service). In recent years the gig economy has established itself in segments of the labour market characterised by low formal competence requirements and atypical employment conditions, with a low degree of organisation and collective agreements (Oppegaard 2020, 174).

Surveys from 2016 on platform work in Norway (Alsos et.al 2017, 53-54) show that about 1 per cent of the working population have used work platforms to find paid work in the last twelve months. This is in accordance with surveys from other Nordic countries that show a low number of platform workers. Sweden is on top with 2.5 per cent, while Finland has the lowest number ranging between 0.3-0.9 per cent (Alsos, Jesnes and Oppegaard 2020, 14-15).

It is difficult to find updated numbers on how many platform workers there are in Norway, but it is reasonable to assume that the number has increased since 2016. Foodora has increased its earnings by more than 350 per cent in the period between 2017 and 2020 and grew with more than a thousand couriers in 2021 alone (Bach 2021). Wolt entered the Norwegian market in 2019 and is now rivalling Foodora in most major cities and have also experienced similar growth.

Much of the growth in the gig economy in Norway has been in the food- and parcel delivery services (Foodora, Wolt, Porterbuddy). Since the liberalisation of the taxi industry in 2020,

several actors like Uber, Bolt and Yango have entered the Norwegian taxi market. This is mainly limited to Oslo and Bergen. With a few exceptions, almost all platform workers are classified as independent contractors.

5.2 The Norwegian labour market

The Norwegian model (or the Nordic model) is based on a combination of employment law and collective agreements (tariffavtaler), and a welfare state based on decommodification and universality (a welfare state where the inhabitants to a large extent have access to welfare services regardless of their income and market position) (Dølvik 2013, NOU 2021: 2). The three fundamental pillars of the Norwegian labour market are 1) a strong state that actively promotes full employment through economic policies, 2) generous welfare schemes, and 3) a regulated labour market (Dølvik 2013, 46).

The principles of the Norwegian model conflict with the gig economy, where the companies consider themselves as technology firms that offer a platform through which self-employed workers can offer their services. This is a business model based on flexibility and insecurity, while the Norwegian model is security and permanent employment. The platform companies avoid employer responsibilities, while the workers in principle do not have the right to organise, lack the right to collective bargaining and miss out on collective agreements.

The Norwegian labour market is based on the idea of collective working life, which is characterised by tripartism, collective agreements and permanent employment. Collective bargaining "is a gateway to labour market regulation of important conditions of work" (Hotvedt 2020, 8) in the Norwegian labour market. Together with some statutory regulations (minimum labour standards), collective agreements represent the main form of labour market regulation. Collective agreements are agreements on working and wage conditions, agreed upon between a trade union and an employers' association (Stokke, Nergaard and Evju 2013, 49). Another important aspect of the Norwegian labour market is the legitimate use of organizational power, e.g., strikes.

Permanent employment is the norm and associated with the high standard of the Norwegian labour market. Permanent employment is important and desired for many reasons. Most notably because it gives the employee financial stability, but it is also important in terms of labour market regulations. Permanent employment sets the conditions for the power structure in the workplace. It gives the worker employment protection (*stillingsvern*), it makes the employee more invested in the workplace and a more evenly distributed power structure between employer and employee

The Norwegian/Nordic model is based on the tripartite cooperation (Brochmann 2017, 233) which consists of the main organisations from the employer side (NHO) and employee side (LO), and the state. This is a coordination where the three parties negotiate key issues related to working life, where agreements and legislation are set. The collective cooperation takes place at both the central and local level. The negotiations are linked to various topics, such as wages, working hours and occupational pensions.

5.2.1 Labour unions

As pointed out by the importance of collective agreements and the tripartite cooperation, the unions have a major role in the Norwegian labour market. They are key in facilitating *the collective working life* (where collective agreements plays a central part). The power of the unions is rooted in institutional conditions and the number of members. The Norwegian (and Nordic) unions scores high on both of these measures.

The Nordic countries have a much higher union density than the OECD average (SSB 2016). The latest numbers from Norway show that about 50 per cent of workers are members of a labour union. Denmark and Sweden are a bit higher, while the UK (25%), Germany (18%), and the US (10%) are much lower (OECD 2022). There is a general decline in the union density across all countries, but Norway stands out as one of the countries with the lowest decline (numbers from 1992 vs. 2013). Data from OECD suggest that the numbers from 2013 have been stable, and Norway was still at 50 per cent in 2020. In 2015 almost 2 million workers were members of a union, and more than 75 per cent of workers in Norway was covered by collective agreements negotiated by unions (SSB 2016).

5.2.2 Protection of gig workers in the Norwegian labour market

Basic social security for all is one of the pillars of the Norwegian labour market model. The National Insurance Scheme (*Folketrygden*) is a compulsory social security scheme for everyone who lives in Norway, and provides financial benefits in the event of illness, pregnancy and birth, unemployment, disability, death, and loss of a breadwinner (Folketrygdeloven 1997). But there are some differences based on categories of workers. The National Insurance Scheme differentiates between employees, freelancers and self-employed (Hotvedt 2020, 24). The benefits included in the National Insurance Scheme are often implemented differently based on these categories. In some instances, employees and freelancers are treated similarly and in other instances, self-employed and freelancers are treated similarly.

Platform workers are not a homogeneous group and which category they belong to will depend on their contract. In most cases it is likely that platform workers will be treated as doing independent work. This could mean that they would be classified as self-employed, but since most of these workers are not *genuine self-employed*, Hotvedt (2020, 25) argues that platform workers will usually be treated as freelancers.

Overall, employees have better protection and the most generous insurance schemes. In terms of sickness benefits, employees get 100 per cent coverage from day one, while self-employed get 80 per cent coverage after 16 days. Freelancers fall in the middle with 100 per cent coverage, but only after 16 days of illness (Folketrygdeloven, § 8-16, § 8-34, § 8-38, 1997). The coverage percentage refers to the basis of sickness benefits (*sykepengegrunnlaget*), which in most instances is the average monthly income from the previous three months. Some employees are also covered with additional entitlements to sickness benefits due to collective agreements (Hotvedt 2020, 28). All three categories are covered by *Folketrygden* in the case of long term or permanent illness, but only employees are entitled to occupational injury benefits (Hotvedt 2020, 30-31).

The same goes for parental leave. It covers all three categories, but some employees have supplementing rights due to collective agreements. In terms of retirement benefits, employees

are usually better covered than freelancers and self-employed. All workers are covered by the National Insurance pension scheme, but employees are usually entitled to occupational pension schemes as well (often set by collective agreements) (Hotvedt 2020, 32). Freelancers and self-employer are not covered by *Ferieloven* (holiday law), whereas employees are entitled to five weeks holiday (*Ferieloven* § 1-2, § 2-5, 1990).

To conclude this part, the National Insurance scheme acts in many ways as a safety net for platform workers. But they would, in almost all cases, be better protected and have a more generous insurance schemes if they were classified as employees. As mentioned in chapter 5.2, and confirmed in this chapter, collective agreements play an important role in regulating the labour market and providing generous benefits schemes to employees and platform workers are normally not covered.

5.3 Development of platform work in Norway

5.3.1 The Sharing Economy Committee

In 2016, then Minister of Finance, Siv Jensen (FrP) appointed The Sharing Economy Committee to assess opportunities and challenges with the sharing economy, and how sharing economy could contribute to a more efficient use of resources. Uber was in the process of establishing itself in the Norwegian market, but the notion of platform work was unknown to most Norwegians. Sharing economy on the other hand was a buzzword and had been for some time. It included services like AirBnB, car sharing programs, but also platform work like Uber. It was seen as the future, a better and more effective way of utilizing resources and a way of transforming to a sustainable future, both economically and environmentally.

The report from the Sharing Economy Committee (NOU 2017:4) was the first major review of the challenges and opportunities of the platform economy in Norway. To the question of whether Norway needed a new regulatory framework that was adapted to platform work, the committee concluded that it wasn't necessary at the time. This was mainly because of the limited nature of the platform economy in Norway and that further clarifications (on the status of platform workers) in the courts were needed (NOU 2017:4, 11).

The committee was led by professor of economics Tommy Staahl Gabrielsen (University of Bergen) and consisted of ICT-experts, representatives from LO and NHO, economists, a lawyer, and an entrepreneur. While the majority of the committee found the existing labour law (arbeidsmiljøloven) to be sufficiently flexible to handle any conflicts that may arise regarding the issue of classifying platform workers, a minority raised some concerns (NOU 2017:4, 12). The concerns raised in the report points to the potential growth in platform work, the need for a new regulatory framework that clarifies the concept of employment in regards of the labour law. A minority also pointed to the lack of knowledge about health and safety challenges in the platform economy where the workers are only connecting digitally to their clients. The concerns were raised by Trude Tinnlund (LO) and Anders Hordvei Mjåset (entrepreneur).

The majority of the committee argue that the welfare benefits for self-employed are adequate and points to the fact that the self-employed and freelancers pay in less to the National Insurance scheme (NOU 2017:4, 12), and thus get less back. This is unproblematic if the financial rewards from being self-employed can cover these additional costs. But as the minority of the committee points out, many platform workers are at risk of being self-employed with low income.

Some of the concerns by the minority later received greater support and were followed up by the Fougner Committee in 2021.

5.3.2 Uber

Uber entered the Norwegian market in November 2014 and stayed until 2017. They followed “the Silicon Valley motto of don’t ask permission, ask forgiveness” (Thelen 2018, 939). Uber’s strategy in Norway was the same as in other countries. They tried to challenge existing regulations by not adapting. This caused a lot of media attention, conflict with the taxi industry and political debate. It was the license requirement set by the Transport Act (Yrkestransportlova), and not the employment relationship between the company and the drivers, that caused the problems for Uber. They failed - in the short term - to challenge the regulations and decided to put the Norwegian market on hold in 2017 (E24 2017).

The news stories about Uber in the period between 2014 and late 2017 were mainly about how Uber’s operations were in breach of the Transport Act, Uber drivers getting penalties due to illegal taxi business, and challenges relating to taxation.

Table 3: News stories on Uber in Norway

Search	Result
<i>Uber + tax</i>	382
<i>Uber + license</i>	278
<i>Uber + deregulation</i>	49
<i>Uber + employment</i>	37
<i>Uber</i>	3065

Source: Atekst/Retriever Norge¹

Several politicians from Høyre and FrP (the two parties in government) expressed support for Uber and for the deregulation of the taxi industry. Questions concerning the employment relationships were rarely mentioned. LO did occasionally raise the issue of bogus self-employment in frifagbevelgelse.no (news site run by LO) and in a long interview with then LO leader Gard Kristiansen in Dagens Næringsliv (2015).

Marianne Hotvedt (2016) wrote an in-depth review of employer responsibilities in the case of Uber during their first attempt in Norway. In her article, she argued, like many others, that Uber operates in a grey area. The driver agreement between Uber and the cab drivers is a mix of features that points to both self-employment and regular employment. The drivers are responsible for their own cars (and costs associated with this), they are expected to earn a sustainable income by operating a taxi, and they bear the economic risks themselves (2016, 492). Meanwhile, the prices are set by Uber, the cab drivers are not allowed to drive for other companies (while being active in the Uber application) and Uber have an algorithmic control over the whole process (2016, 495). The main question is whether the freedom and flexibility

¹ Search done in Atekst/Retriever Norge for the period 1. Jan 2014 to 31. Dec 2017 in all news outlets categorised as “nationwide”. Norwegian search words: Uber + skatt, Uber + løyve, Uber + deregulering and Uber + ansettelse.

provided by the driver agreement is realistic. As Hotvedt (2016, 499) points out, the freedom to work whenever you want is not real freedom if you have to work ‘around the clock’ to make ends meet.

5.3.3 “Rosastreiken” (The pink strike)

By 2019, platform work had become more common in Norway and Foodora was one of the most visible actors. Foodora provides a unique example of collective action by gig-workers. After more than five weeks on strike, a collective agreement was made between Fellesforbundet and Foodora Norway (Aftenposten 2019)². The strike got extensive media coverage, both in Norway and abroad, as one of the first successful examples of collective action in the gig economy. The strikers used digital platforms to mobilise and used Foodora’s iconic pink outfits to draw more attention to their cause with the hashtag “rosastreiken” (the pink strike). This victory for the Foodora cyclists was described as almost a revolution and an inspiration for other gig-workers both in Norway and abroad.

The corporate agreement between Fellesforbundet and Foodora means that all workers are covered by the collective agreement, which provides compensation for clothing and equipment, a wage increase, winter allowance and a seniority ladder which gives an increased salary according to the number of years one has been employed (Solstad 2019). Politicians from left-wing parties were quick to congratulate the cyclists on this victory, but not much has happened since. Three years later, most of the couriers working for Foodora are still not organised.

The strike by Foodora couriers was important for many reasons. Primarily because it showed that it was possible to organise collective action - and win - in the gig-economy, where the workers didn’t have a workplace to shut down or colleagues that you meet physically every day. It also showed that collective action could take place in industries where most workers work part-time.

² Fellesforbundet is affiliated with the Norwegian Confederation of Trade Unions (LO) and is the largest private sector union in Norway (Fellesforbundet 2022).

The two main obstacles for the couriers' bargaining power were 1) the physical limitations due to the individualistic form of work, and 2) unions weak position in the gig economy. The former was solved through creative use of social media, while the latter was enabled by a mobilisation from the unions who deliberately targeted Foodora workers (Bredeveien 2020). Foodora was the natural place to start because they, unlike many other platform companies, employ their workers. In the case of Wolt, Uber, Vaskehjelp.no and many other companies, the workers are officially classified as self-employed. This is yet another obstacle.

The Transport Workers' Union (Transportarbeiderforeningen), who initially started the recruitment of Foodora workers before the strike, point to the competition law as a limiting factor to improve working condition for platform workers (Bredeveien 2020). Solo self-employed are prohibited from collective cooperation because it limits competition and is detrimental for consumers³.

5.3.4 The Aleris/Sendi trial

Discussions concerning wrong classification of workers is not isolated to the gig economy and platform work. In January 2019, Fagforbundet filed a lawsuit against Aleris (now Stendi), Norway's largest commercial welfare company, on behalf of care workers who worked there as consultants. The lawsuit rested fundamentally on the question of whether the workers at Aleris were in fact employees (Fagforbundet 2021). As consultants (self-employed), "the hourly payment is flat regardless of whether they work evenings, weekends, or weekdays, and they do not receive overtime pay. If they want benefits such as a pension, sick pay, holiday pay or insurance, they have to pay it out of their own pockets" (Dagsavisen 2021).

According to the Working Environment Act § 1-8 first paragraph, an employee is "anyone who performs work in someone else's service". The wording points to the relationship of dependence and subordination that characterises traditional working conditions. The judgment in the Aleris lawsuit assumed that the workers mainly had a personal duty to work and were

³ Since these comments were made, EU have published a draft for new guidelines for collective agreements regarding the working conditions of solo self-employed people. A final version is expected in the second quarter of 2022 (European Commission 2021b).

both factually and legally subject to Aleris' management and control. Both factors point strongly in the direction of employee relations (Wik 2019).

In a Supreme Court case from 2013 regarding the concept of an employee, the judges stated the following, "it is the legislator's intention that those who need protection in the Working Environment Act (...) are protected. The concept of 'an employee' must therefore be given a broad interpretation" (NOU 2017:4, 52).

5.3.5 Deregulation of the taxi industry

On its arrival, Uber brought with them a considerable debate on whether the taxi industry should be deregulated or not. At the time, the strongly regulated industry meant that it was almost impossible for gig actors – like Uber - to compete against the traditional taxi services. The Sharing Economy Committee was in favour of deregulation and both parties in government (Høyre and FrP) supported a more liberal approach. The idea of individual freedom and responsibility fitted well with their ideological position.

In December 2019, the Minister of Transport, Jon Georg Dale (FrP), announced new changes in the regulation of the taxi industry (Regjeringen 2019). After a short delay, due to the covid-19 pandemic and the uncertainty facing the taxi industry, the new regulations came into effect in November 2020. The main promise was to give consumers a better service by allowing more competition driven by innovative technologies and lower prices. It effectively gave a green light to Uber and other platform companies by liberalising the licensing requirements and removing the requirement for affiliation with a taxi centre.

Uber announced their comeback soon after and have since been supplemented by other platform companies competing in the major cities (mainly Oslo). The number of taxis in Oslo had grown by more than 50 per cent by July the next year (E24 2021), and Yango and Bolt have become taxi platforms. Both companies follow Uber's business model with an app connecting customers to drivers who operates as self-employed. "*Work according to your own schedule. No minimum hours and no boss*" is how Bolt is tempting workers to sign up for their service.

This is aligned with the “master of your own destiny” mantra that is the essence of the gig economy and the promise of platform work.

The Hurdal Platform – A new left-wing government

The left-wing parties in Norway have been critical of the deregulation of the taxi industry from the beginning and also expressed concerns about the gig economy in general and specifically the issue of bogus self-employment. After the general election in 2021, Arbeiderpartiet (the Labour party) and Senterpartiet formed a government supported by Sosialistisk Venstre (the Socialist Party). In their platform (Hurdalsplattformen 2021, 44), the new government state that the liberalisation of the taxi industry should be stopped

5.3.6 Fougner Committee

The Fougner Committee (NOU 2021:9) dealt with topics related to, among other things, ‘the concept of employees’ and self-employed contractors, the concept of employer and employer responsibility and temporary employment. The report states that it would be unfortunate if low-wage competition and precarious work gain a foothold in the Norwegian labour market. The overall objective is therefore to facilitate a organised working life, which is anchored in collective agreements with a high proportion of permanent employment (NOU 2021:9, 231). The majority in the committee also argued for new ways of organizing working life, which demands that both the concepts of employer and employee to be redefined.

The committee was led by Jan Fougner (lawyer) and consisted of four members representing workers interests (from LO, Unio, Akademikerne and YS), three members representing employers’ interests (from NHO, Virke and Spekter), three professors in social science and economics and one member from KS (the municipal sector).

The majority, consisting of representatives from the unions, academics, and the leader (Jan Fougner), argues that the definition of employee used in the Work Environment Act (Arbeidsmiljøloven) is not sufficient to prevent misclassification and needs to be adapted to account for new forms of employment. While the numbers of workers who fall into a ‘grey area’ in Norway are low, the committee argues that it is important to get clarification as soon

as possible, which will benefit both the workers and the platform companies (NOU 2021:9, 242).

The report points to platform work as a contributing factor to a more dualised labour market. They cite the Fafo report on “The Future of Work – Opportunities and challenges for the Nordic models” where the risk of moving in the direction of a 4/5 society is pointed out (NOU 2021:9, 234). While most of the workers (four out of five) are still ‘insiders’, the rapid change in technology and new business models can result in some of the workers falling into the category of ‘outsiders’. Workers who are not part of a union or covered by a collective agreement are especially at risk.

The committee suggests that the concept of employee should to much higher degree considers the relationship and dependence that characterizes the employment relationship (NOU 2021:9, 246). It is not uncommon for platform workers to be subject to contracts where the balance of power is uneven, and the committee writes that workers who - in reality - are personally or financially dependent to their “principal” (in the case of platform workers: the platform company), should be classified as employees. The committee also points out that “workers who have their own labour force as the significant contributing factor” (self-employed who sell their labour force, like traditional employees) may have a greater need for employment protection (NOU 2021:9, 236). Specifically, the majority of the committee suggests replacing the wording “who performs work in another’s service” with “who performs work for and subordinate to another” in the definition of an employee in the Work Environment Act. The committee also suggests that gig-workers by default should be regarded as employees, unless it can be proven otherwise (NOU 2021:9, 250).

5.4 Political parties

Norway is a characteristic consensus democracy, meaning there are normally broad agreement around the big political issues and a history of considering as a broad range of opinions as possible in the decision making. Political parties in Norway are divided by several cleavages, the main ones being economical and urban/rural. The former government (2013-2021) consisted of Høyre (conservatives), the main right-wing party in Norway, and Fremskrittspartiet

(FrP), a right-wing populist party. In the period after 2018, Venstre (liberals) and Kristelig Folkeparti (Christian party) also joined, and FrP left in 2020, but the political platform remained unchanged. After the election in 2021, Arbeiderpartiet (labour), the biggest left-wing party, and Senterpartiet, a centrum-left agricultural party, formed a new government supported by Sosialistisk Venstreparti (socialist party). The selection of party programmes is limited to the five biggest parties in Norway (based on the last parliamentary election in 2021). These are the parties with the biggest influence on both the previous and current government, and they also present a variety on the right-left in Norwegian politics.

Left-wing parties

Both Sosialistisk Venstreparti (SV) and Arbeiderpartiet (Ap) emphasize the need for more clarity on employer's responsibility in the legislation, and SV write that it should always be clear where you are employed and who the "real" employer is (SV 2021, 21). Arbeiderpartiet elaborates on this point by stating that the clarifying of employer's responsibility needs to consider who oversees how the work is to be carried out and the dependent relationship between the worker and the platform (Ap 2021, 30). SV suggest clarifying and expanding the concept of 'employee' to reduce the extent of bogus self-employment, and amend the competition law to allow freelancers to negotiate terms collectively (SV 2021, 22). Ap writes that they want to investigate whether the self-employed and freelancers should get stronger rights to income protection in the National Insurance Scheme (Ap 2021, 30).

Senterpartiet mentions the challenges of platform work in relation to Uber and Foodora in their program (SP 2021, 79). They do not suggest any changes to the Work Environment Act concerning freelancers or independent workers, but states that digital labour platforms need to be better regulated and that there is a need to restrict the opportunity of work where payment is by assignments (how much of the gig work is done).

The word 'flexibility' in the context of labour policies and employment law is only mentioned once in SV's program (2021, 59) in relation to parental leave. The only place where Arbeiderpartiet's programme mentions flexibility in relation to labour policy and welfare is on how they want more flexibility to combine income from pension and work (Ap 2021, 79). Throughout both party programmes, there are numerous mentions of how they want to

strengthen the Norwegian model. In contrast, the right-wing parties write that they want to keep the foundation of the model but soften it to make it more flexible.

Right-wing parties

In their party program for 2021-2025, Høyre have a strong emphasis on flexibility. Under the section on “Work and inclusion”, one of the chapters is “A safe and flexible labour market”. They propose to do “small adjustments and softening’s” to the Work Environment Act, to allow for a more flexibility (Høyre 2021, 19). They also want to facilitate a future-oriented labour market with regulations that enables necessary flexibility for both employees and employers. Høyre do not mention the word freelancers in their programme, but writes that they want a new “partially independent employment” category that has better protection than existing independent employment (Høyre 2021, 19). Fremskrittspartiet also want to adapt the Work Environment Act to allow for more flexibility, but do not mention freelancers, independent contractors or challenges with bogus self-employment in their party programme (FrP 2021, 72-73).

While there are some significant differences between the left- and right-wing parties in Norway, there is a consensus on the importance of the tripartite cooperation between unions, business organisations and the government, and that permanent employment should be the norm.

Table 4 presents the differences and similarities in the party programmes for 2021-2024 on specific issues. In the review of the programs, I have tried to identify specific policies regarding the gig economy, and policies that can enable and restrict platform work. These are put into categories which are cross-references with the other parties. ‘Yes’ means that the party have expressed support for the category, ‘no’ means the party have expressed opposition to the category, and ‘n/a’ means the party makes to reference to the category in their programme.

Table 4: Political parties in Norway

	SV	Ap	Sp	Høyre	FrP
<i>More flexibility</i>	NO	NO	YES*	YES	YES
<i>Clarify employer responsibilities</i>	YES	YES	N/A	N/A	N/A
<i>Include platform workers in Work Environment Act</i>	YES	YES	N/A	N/A	N/A
<i>Strengthening unions</i>	YES	YES	YES	NO**	NO
<i>Stronger protection for platform workers in the National Insurance</i>	YES	YES	N/A	N/A	N/A
<i>Expand/clarify the concept of employee</i>	YES	YES	N/A	N/A	N/A

* Flexibility to work from home **Emphasis on strong unions, but not strengthening. Sources: Political programs 2021-2024 by SV, Ap, Sp, Høyre and FrP

5.5 Restricting factors

The gig economy in Norway is restricted by several factors. The main factors I have identified in this chapter are the highly regulated labour market, strong unions, strict sector regulations and strong trade associations, and the low supply of platform workers.

A fundamental part of the Norwegian labour market is the tripartite cooperation between the state, the unions and the business associations. Most workers are covered by collective agreements, which is the basis of wage negotiations. Without a living/minimum wage, collective agreements are important in securing a decent wage for workers and to set minimum standard. The gig economy breaks with this premise, as most workers are employed as individual contractors, and thus are not able to do collective bargaining. Strong unions, with support from left-wing parties, have been a restricting factor to the growth of the gig economy in Norway. They have been vocal critics, been able to influence government and have already forced Foodora - one of the biggest actors - to adapt to the Norwegian labour market.

There is a strong agreement among the main political parties that permanent employment should remain as a fundamental part of ‘the Norwegian model’, and this was also the conclusion reached by the Fougner committee. Both left-wing parties and the committee also points to the need to change employment law, to ensure that platform workers are treated as employees and to avoid a dualisation of the labour market. This could threaten the business model for many actors in the gig economy or force them to adapt.

Another restricting factor for platform work in Norway are the strict sector regulations (e.g., taxi industry) and strong trade associations. Uber, and other platform companies, are being seen as not competing on a level playing field. Their business model is based on a huge pool of workers ready to take the next ‘gig’. This have resulted in a rapid growth of taxis in the major cities in Norway (mostly isolated to Oslo), and reduced income for existing drivers. Businesses in the gig economy have had a much easier route into the Norwegian market in sectors where they are innovating or providing new services.

The fourth restricting factor is the supply of workers in the gig economy. Norway has a labour market where most workers are well paid and have an income that is satisfying. The need for additional income and a second job is therefore limited for most workers, which naturally limits the supply of platform workers.

5.6 Enabling factors

The gig economy has gained a foothold in certain sectors of the Norwegian labour market. In some areas it is exploring new markets and in other cases it is competing in established markets. One would presume, based on the theory, that the growth of platform work in Norway has happened despite of, and not as a result of labour market policies. Enabling factors for the gig economy in Norway are the demand for cheaper services, the limited need to act on platform work and the strong welfare state that provides a safety net for platform workers.

While low supply of gig workers is a restricting factor, high demand for cheaper services is an enabling factor. Wages are usually high in Norway with most people being covered by collective agreements, or at least have wages that are in alignment with sectoral collective

agreements. As a result, services are usually expensive and not considered to be very consumer friendly. This has been the case of the taxi industry in Norway. Uber and the right-wing parties (FrP and Høyre) have pushed consumer rights and the need for innovation as reason to deregulate the taxi industry, and thereby facilitate the growth of the gig economy. Foodora, Wolt and Porterbuddy have all benefited from the demand for new low-cost services, or services that would not be sustainable with traditional employment due to the high wage levels.

The limited extent of *precarious life* in Norway could result in limited focus on platform work as a problem. If platform work primarily is done by people who are not looking for permanent employment, and would be interested in sacrificing security for flexibility, like students, it could increase the possibility for the gig economy to be “left alone”.

Norway has generous welfare schemes and a safety net for all people who live and work in the country. While self-employed people don't have the same rights, they are covered to some extent by the National Insurance Scheme. This eliminates some of the risk associated with being self-employed in other countries, such as the United States, where healthcare coverage is provided by your employer. It is therefore reasonable to assume that the comprehensive welfare state in Norway will act in favour of the growth in platform work.

6. Gig-economy in the UK

This chapter will follow mostly the same structure as the Norwegian case study, to better be able to discuss similarities and differences in the next chapter. It starts by presenting numbers of gig workers in the UK, before presenting the UK labour market policies and the protection for platform workers. The case study will present a timeline of the development of the gig economy, with special focus on Uber, as they have been the most prominent actor in the UK and act as a good reference point to the Norwegian case. The Taylor review is the main source, as it is the latest and the main report on the gig economy in the UK. The end of this chapter is a discussion about the enabling and restricting factors affecting the growth of platform work in the UK.

6.1 The extent of gig economy in the UK

In a public report on the gig economy done for the Department for Business, Energy and Industrial Strategy in 2018, it is found that 4.4 per cent of the population had worked in the gig economy in the previous twelve months. The numbers were higher for younger people and for people living in London. Research done by Foundation for European Progressive Studies (FEPS) in cooperation with UNI Europa and the University of Hertfordshire, estimates that almost 9 per cent of the population have done some work in the gig economy, and 1.3 million (2.7 per cent) earn more than half of their income from the gig economy (Huws et.al. 2017, 10).

The Chartered Institute of Personnel and Development (CIPD) estimate that there are approximately 1.3 million people (4%) working in the gig economy in the UK. CIPD's research suggests that 58 per cent of workers in the gig economy are permanent employees in 'traditional jobs', thus using gig work for additional income. The research also suggests that the gig economy will continue to grow, with "12% of UK working-age adults who have not participated in gig economy work saying they are thinking about trying different forms of gig economy activity over the next year" (CIPD 2017, 7).

Survey data presented in a European commission report from 2020 shows that 1,6 per cent have platform work as their main source of income, while 5,7 per cent have it as their secondary income (Urzi Brancati, Pesole and Fernández-Macías 2020, 16). This data also shows that the number of people who have platform work as their main source of income has decreased significantly between 2017 and 2018. But there are reasons to assume that this number has increased in the years after, especially during the pandemic of 2020-2021.

Uber and Deliveroo are the two major actors in the UK gig economy, and both companies are projecting huge growth. Uber have currently 70,000 drivers and are looking at upscaling this to 90,000 (Sky 2021). Deliveroo, like Foodora and Wolt in Norway, experienced huge growth during the pandemic in 2020. There are now 50,000 riders (Guardian 2021), compared to 25,000 at the beginning for 2020.

6.2 The UK labour market

6.2.1 Employment law

The employment law distinguishes between *self-employed*, *workers* and *employees*. The section 230 of the Employment Rights Act (1996) defines an *employee* as “an individual who has entered into works under a contract of employment”. Further, it describes a ‘contract of employment’ as “a contract of service or apprenticeship, whether express (oral or in writing) or implied”. The Act describes *worker* as someone who has entered into or works under a) a contract of employment, or b) “any other contract whereby the person undertakes to do or perform personally work or services for another party”. What distinguishes *employees* and *workers* are mainly a ‘mutuality of obligation’. In the case of workers, there is not an obligation from the company to provide on-going regular work, and the worker is not obligated to accept.

Self-employed people are not covered by the law, while workers are covered by some rights. These rights include a National Living Wage and protection from unlawful deduction from wages, paid holidays, and rest breaks. Workers may also be entitled to benefits such as sick pay and parental pay in some circumstances. Employees are fully covered by the employment law, which includes statutory sick pay, parental pay, notice periods, protection from unfair dismissal, time off for emergencies and statutory redundancy pay (gov.uk/employment-status).

6.2.2 UK labour market policies

The UK has been governed by a Conservative government since 2010, first in coalition with the Liberal Democrat and as a single party government since 2015. After 13 years with a Labour government and in the middle of an economic crises, the new government introduced a number of significant welfare and labour market reforms (Heins and Bennett 2018, 225). Prime minister David Cameron and the Chancellor of the Exchequer George Osborne set out new policies to turn the economy around and get more people into work. The new policies were fundamentally based on more flexibility and less income protection, and the next decade became ‘the era of austerity’.

While the new government managed to reduce unemployment in a time when most other European countries were struggling, the new policies also made a lot of people more vulnerable. Most of the positive development was based on a strong increase in self-employed workers, but the average income from self-employment fell dramatically (Heins and Bennett 2018, 226). It is natural to think that this is a combination of more people being pushed into low paid self-employment, but also that the self-employed (both rich and poor) are more vulnerable to market fluctuations. Furthermore, the government presented an employment protection legislation reform which made it harder and much more financially risky for employees to redress cases before an employment tribunal (Heins and Bennett 2018, 231).

The push for more flexibility in the labour market have resulted in an increase in the use of the term *worker* rather than *employee*, and the number of workers on so-called ‘zero-hour contracts’ have dramatically increased. It is now estimated that just shy of a million workers in the UK are on zero-hour contracts (Statista 2022). Despite record levels of people in work, a large proportion of these workers are living in poverty. The National Living Wage was introduced in 2016 to raise the base line of low paid workers, but if the workers are not guaranteed regular hours of work, they could be paid above the living wage and still struggle to make ends meet (Taylor Review 2017, 11).

6.2.3 Protection for gig workers in the UK

National Insurance

National Insurance is a social security scheme paid for by employee, employers and self-employed, and establishes entitlements to certain state benefits. While employees pay a percentage of their income, self-employed usually pay a fixed weekly amount in addition to a percentage of their profits. Both employees and self-employed are entitled to bereavement support payments, maternity allowance and contribution-based employment and support allowances, while only employees are entitled to contribution-based jobseeker's allowance (<https://www.gov.uk/national-insurance>).

With the introduction of the New State Pension in 2016, self-employed are entitled to the same pension scheme through the National Insurance as employees (Work and Pensions Committee 2017, 5). Although, employees are usually also covered by a workplace pension, and there are concerns at the low levels of retirement savings amongst the self-employed.

While employees and workers are entitled to statutory maternity pay, which covers 90 per cent of their average salary for 39 weeks, self-employed are entitled to a maximum of 156 pounds a week for the same period through the National Insurance. Employees are also entitled to Statutory Sick Pay, while for those who are not covered, Employment and Support Allowance (ESA) can provide assistance for people who have a limited capability for work because of sickness or disability. There are two types of ESAs: income-related ESA (means tested), which is being replaced by Universal Credit, and contributory ESA (non means tested), which you can get if you have paid enough National Insurance Contributions.

Universal Credit

Universal Credit is a social security payment scheme announced in 2010 by the Conservative and Liberal Democrats lead government and began rolling out in 2013. It was branded a “flagship welfare reform” (Savage 2018) and pooled together the main means-tested benefits into a one single benefit (Pareliussen 2013, 5). It was designed to give peoples incentives to work and to contain the trend of rising welfare costs, in the aftermath of the financial crises.

The reform has been criticised for affecting low-paid self-employed by introducing the Minimum Income Floor (MIF). The MIF is calculated based on the income of a full-time worker on the National Minimum Wage (Sainsbury and Corden 2013, 9). If a self-employed person earns more than the MIF, their Universal Credit benefits will be based on their actual income. But if they earn less than the MIF during a month, their benefits will still be based on the MIF. As a result, self-employed people who earn less than the Minimum Income Floor will not be compensated for this and would receive less than employees who earn the same amount (Butler 2018).

The self-employed in the UK, like in Norway, are expected to cover most of the financial risk themselves. The National Insurance does provide a minimal safety net for the self-employed, but with some caveats. To qualify for benefits like Employment and Support Allowance and full state-pension, the self-employed must achieve the contributory requirements. Workers who are classified as *employees* or *workers* have a much stronger financial protection. Especially Statutory Sick Pay, National Minimum Wage and holiday pay are benefits those who are classified as self-employed miss out on.

6.3 The development of platform work in the UK

6.3.1 Taylor Review

The Taylor Review was published in 2017 with the full title *Good Work: The Taylor Review of Modern Working Practices*. The review points to three main challenges to the UK labour market: 1) tackling exploitation at work, 2) increasing clarity in the law, and 3) aligning the incentives driving the nature of the UK labour market with its modern industrial strategy and broader national objectives (Taylor 2017, 8). The review was led by Matthew Taylor, previously a political strategist for the Labour party and now chief executive of the royal Society of Arts, and was co-authored by Greg Marsh (entrepreneur), Diane Nicol (employment law expert) and Paul Broadbent (head of the Gangmasters and Labour Abuse Authority).

One of the main recommendations from the review is to clarify the line between *worker* and *self-employed*, as this is where the review believes there is greatest risk of vulnerability and exploitation. One of the ways to distinguish *workers* from those who are legitimately self-

employed is by adding a new category: *dependent contractors*. The review argues that many workers in the gig economy fall into this category, and that these workers are more likely to suffer from one-sided flexibility and thus are in need of additional protection.

Throughout the review, there is an emphasis on finding the right balance between flexibility and security. The flexibility in the UK labour market is seen as strength that provides employment opportunities and innovation. The aim, according to the review, should be to find solutions that do not compromise this flexibility, but at the same time “remove incentives to gain competitive advantage by adopting business models which may particularly disadvantage workers” (Taylor 2017, 32).

“The UK approach of ‘light and even’ regulation is generally thought to have protected employment during the recession and facilitated job growth since then. The fact, for example, that we do not set out in law the number of hours that constitutes a full-time job helps us to have one of the widest variation in hours worked in Europe” (The Taylor Review 2017, 93).

The report states that a better clarification should lead to “legislation doing more, and the courts doing less”. In the current situation, platform workers are categorised as *workers* by the courts on a case-by-case basis. The minimal legislation, which is open to interpretation, has led to the courts establishing several factors to determine employment status. These include personal service, the degree of control (by the digital labour platform), whether there are ongoing contractual obligations to provide and perform work, and whether the individual is carrying out a business undertaking (Taylor 2017, 33).

The best way to achieve better work is not national regulation but responsible corporate governance, good management and strong employment relations within the organisation (The Taylor Review 2017, 9).

The Taylor Review (2017, 37-38) goes into detail on several challenges concerning the gig economy and improving the conditions of platform workers. One example is the calculation of working hours. If the platform workers are classified as *workers* and the National Minimum

Wage were to apply, there needs to be a sensible way of distinguishing between simply logging on to an app (just to collect hours), and being available and genuinely looking for work. The review suggests using the vast amount of data available to online platforms to adapt a *piece rates legislation*. The data can be used to provide an accurate guide to real-time potential earnings and to ensure a fair application of the National Minimum Wage based on their output. The review also suggests that the National Minimum Wage should be higher for hours which are not guaranteed in a contract (2017, 44).

“To some, self-employment has always been seen as ‘special’, a homogenous group of individuals who ask nothing of the state, taking high levels of personal risk to grow a business in the hope of creating additional employment for others. This does not reflect the reality of self-employment in the UK” (2017, 75). The review believes we need to find ways to provide a safety net for self-employed while at the same time protecting their flexibility. Portable benefits platforms in the US provide ways for people who are engaging in non-traditional labour market activity to gain access to a range of non-statutory benefits and protections (2017, 76). Portable benefits are connected to an individual, rather than a particular employer, which means that platform workers can move freely between platforms because the benefits would not be tied to the specific platform business. “Portable benefit platforms can support gig economy businesses to make payments on behalf of an individual working through them. This might cover benefits such as sick leave, holiday leave, occupational illness or injury, pension plans, and further training” (2017, 76).

The review (2017, 77) argues that the government should support technology (WorkerTech) that can provide benefit systems for gig workers, and help individual workers to come together. WorkerTech solutions can facilitate various forms of collective action and increase the voice of individual gig workers.

6.3.2 Uber in the UK

Uber entered the UK in 2012 and have been a source of conflict since. It has mainly been a three-way conflict between the black cab drivers and unions on one side, Uber on the other side and Transport for London (TfL) in the middle. TfL is a local government body chaired by the

Mayor of London which is responsible - among other things - for regulating and licencing the London taxi market.

Ubers launch in London, unlike Oslo, didn't get much attention. A Google News search for "Uber London" in the period between January 2012 and end December 2013 results in almost zero hits from any of the big UK news outlets. This changed in the summer of 2014 when TfL gave Uber X 'green light' to operate in London (Gidda 2014). Uber entered London as a luxury brand, offering private hire with exclusive cars (Knight 2016). In 2013, the company changed its focus towards cheaper services with the introduction of Uber X, which would compete against the traditional black cabs by offering consumers lower fares and an easy-to-use app.

In June 2014, black cab drivers - alongside taxi drivers in many other European cities - protested against Uber on the basis that their Uber X services was in breach of London law regarding taximeters and that Uber were not a licensed Private Hire Vehicle operator. According to the London law, "the taximeter is a privilege afforded only to black-cab drivers in return for the extensive training they undergo to learn London's streets" (Topham, Hellier and Gani 2015). TfL responded by saying they were satisfied with the way Uber operated in London based on their understanding of the relationship between Uber and their passengers, and that the Uber-application did not count as a taximeter withing the meaning of the legislation, thus giving Uber a green light to continue operations in London. This resulted in new protests later that summer (Gidda 2014).

The conflict about taxi licences to ride-hailing apps (most notably Uber) continued and resulted in a court case in 2015, where the High Court declared that "smartphones used in private hire vehicles did not count as taximeters" (Transport for London 2015). Mayor of London (and chairman of TfL), Boris Johnson (Conservative), called those opposing the new technology and competition from Uber for 'luddite' (Hellier 2015), referring to those who sabotaged machinery during the industrial revolution in fear of losing their jobs.

In 2016, the discussion about Uber - and other major actors in the UK gig economy - re-focused on the working conditions and employment relationships for gig workers. TUC (The Trade

Union Congress) raised concerns about the steep increase in self-employed workers (Farrell 2016).

In October that year, Uber lost the right to classify UK drivers as self-employed in an employment tribunal ruling (Osborne 2016). The ruling stated that Uber had to pay drivers the national living wage and holiday pay and it was branded a landmark case which would have huge implications for the gig economy. At this point, Uber had 40,000 drivers in the UK and research from Citizens Advice (2015) suggested that almost half a million workers in the UK were wrongly classified as self-employed. Uber appealed, arguing that it was a technology firm and not a transport business. After three attempts, Uber's appeal was unanimously dismissed by the Supreme Court in 2021. The judge stated that "drivers should be considered to be workers not only when driving a passenger, but whenever logged in to the app" (Russon 2021). The fact that Uber set the fare and the contract terms, with the drivers having no say, and the control Uber has over monitoring a driver's service and ability to penalise drivers if they reject too many rides, speaks of relationship where the drivers are in a position of subordination to Uber, the court said (Russon 2021).

After the Uber court ruling

The Supreme Court ruling in 2021 required Uber to recognise their drivers as workers, which means paying in-work employee benefits, setting up auto-enrolment pension schemes and allowing drivers to take paid holidays. But without amendments in legislation, these changes will only apply to Uber, and the cost and risk associated with tribunals makes it less appealing for workers to challenge their employment status. Unions, the opposition, and Matthew Taylor have expressed disappointment regarding "the failing to act on the recommendations of the Good Work review (Taylor Review)" (Butler 2022).

6.3 3 Work and Pensions Committee

The House of Commons Work and Pensions Committee released a report (2017) on the gig economy and self-employment around the same time as the Taylor Review was published. The committee was critical of how many of businesses in the gig economy operated, and used the words 'fiction' and 'myth' when describing the flexibility gig workers were experiencing

(2017, 19). In the report, they point to several challenges already mentioned in the Taylor Review, such as the huge costs for workers associated with challenging the employment status in court. While “the myth of self-employment” often fails to stand up in court, it is still a big risk for workers. The committee, like others, suggests that the employment status of *workers* should be the default, and that it would be up to the companies to bear the burden of proof if they wish to cast their workers as self-employed (2017, 19).

The growing number of self-employed - and especially low paid self-employed - poses a problem for both the workers and the government. The government loses out on income because both the workers and the companies pay less in tax when the workers are self-employed, and the workers lose out on important safety nets like Universal Credit. In relation to the Universal Credit, the committee urged the government to ensure that it would be appropriate to also support the self-employed. The committee also recommended that the government should equalise the National Insurance contributions made by employees and the self-employed, due to the introduction of the New State Pension (2017, 19-20).

6.3.4 New forms of security for platform workers

One of the final remarks in the Taylor Review was to look at new possibilities to raise the voice of gig workers and how WorkerTech could facilitate better working conditions for flexible workers. One example is the UK company “Collective Benefits”, an insurance platform for independent workers. They specifically target businesses in the gig economy and offer benefits like sick pay, family leave and critical injury pay for self-employed workers. They also focus on health and wellness with mental health support and health insurance.

Collective Benefits is not a union where workers sign up, instead they are offering solutions to companies that will benefit their workers. They are in other words enabling companies with “the right intentions” to provide protection for their workers. This is very much in line with the arguments in the Taylor Review (2017, 9), that the best way to achieve better work is not with national regulation, but responsible corporate governance and good management. On their website, Collective Benefits are presenting several partners like Wolt and TaskRabbit, and in November of 2021 they raised ten million dollars in funding (Forbes 2021). This is a model

that relies on companies seeing this as a competitive advantage and/or being pushed into offering social protection for their workers by pressure from workers and unions.

6.4 Political parties

The UK is an ideal type of a majoritarian democracy, also referred to as ‘the Westminster model’, where two major parties are competing for parliamentary majority. Governments are usually run by a single party with majority in the parliament, thus making governments more effective and powerful. Resulting in potentially large political changes from one government to another. This has changed in later years, with two coalition governments since 2010. The Conservative party have run the government in coalition with both the Liberal Democrats between 2010-2015, and Democratic Unionist Party (DUP) between 2017-2019.

Conservative party

In their manifesto from 2019, the Conservative party refer to the Taylor Review and write that “they have already taken forward a number of recommendations and measures to protect those in low-paid work and the gig economy” (Conservatives 2019, 39). The examples listed in the manifesto are: creating a single enforcement body and ensuring that workers have the right to request a more predictable contract (2019, 39). The manifesto does not mention the challenges of misclassification of workers or any changes to ensure the rights to platform workers.

Labour party

While ‘gig economy’ and ‘platform work’ weren’t mentioned in their last manifesto from the 2019 election, the Labour party vowed to tackle insecurity by “ending bogus self-employment and create a single status of ‘workers’ for everyone apart from those genuinely self-employed” (Labour 2019, 61). Further, they wanted to give all workers the right to flexible working and to increase wages through sectoral collective bargaining. This is much in line with the Taylor Review, although the review specifically does not propose sectoral collective bargaining (2017, 93)

In July of 2021, the Labour party set out their plan for “Britain in 2030” by publishing the “New Deal for Working People”. It builds on much of the 2019 manifesto, but elaborates on policies to stop the growth in insecure forms of work. It specifically highlights the issue of companies operating in the gig-economy who exploit the complexity of employment categories and it repeats the pledge from 2019 to create a single status of ‘worker’ (Labour 2021, 7). The single status of worker will ensure that all workers will be afforded the same basic rights and protections like sick pay, holiday pay etc. The document also states that “Labour will also act to strengthen protections for the self-employed” (labour 2021, 8), without going into more detail on what this would involve.

In the aftermath of the Covid-19 pandemic, the discussion on flexibility have moved towards the flexibility of employees to work from home. The Labour party and unions have pushed for more flexible employment, while the government (Conservative party) have pushed against such policies (Pickard and Thomas 2022).

Table 5: Political parties in the UK

	Labour	Conservatives
<i>More flexibility</i>	NO	YES
<i>Clarify employer responsibilities</i>	YES	N/A
<i>Include platform workers in Employment Law</i>	YES	N/A
<i>Strengthen unions</i>	YES	N/A
<i>Stronger protection for platform workers</i>	YES	N/A
<i>in the nation insurance</i>		
<i>Expand/clarify the concept of employee</i>	YES	N/A

Sources: Labour 2021 and Conservatives 2019.

6.5 Restricting factors

As an ideal type of a Liberal Market Economy, the UK should in theory be well suited for the gig economy. In this section looks at factors that argue for the opposite. In this review of the gig economy in the UK, three obstacles to the growth of platform work have emerged. The first one is the lack of clarity in the employment law regarding the definitions of employment status ('employee' and 'worker'). As a consequence, the second factor have been court cases between businesses and workers regarding employment status, which is a huge financial burden and risk both for platform workers and for the platform companies. The third factor is the lack of social security for platform workers, thus making it less appealing.

The major restricting factor for the gig economy in the UK is the lack of clarity in the employment law concerning employment status. While it is easy to distinguish between the rights related to employees, workers and the self-employed, it is problematic to distinguish between those categories. This is a big problem for workers, who do not know what rights they are entitled to, but also a challenge for businesses in the gig economy who are competing in a market with limited regulation. As a consequence, it has been up to the courts to determine employment status on a case-to-case basis.

The court cases between Uber and its driver regarding their employment status is an example of this problem. The flexibility in the UK labour market has allowed for more precarious work, but it has also highlighted the issues of platform work, and the problems are becoming too substantial to ignore. The primary review into the gig economy in the UK, parliamentary reports and political parties all point to the lack of two-way flexibility, and that flexibility has turned into exploitation.

Platform workers are entitled to some basic social protection through the National Insurance and Universal Credit, but miss out on statutory sickness and holiday pay. Benefits from the National Insurance are dependent on workers having paid enough in contributions and Universal Credit does not cover the gap for the self-employed who earn less than the minimum wage. These social protection schemes are not very generous and thus make self-employment less attractive, especially if the prospect of high earning is absent.

6.6 Enabling factors

The enabling factors found in the UK case study are, the emphasis on flexibility in ‘the British model’, weaker labour market actors, firm level negotiations and the financial centre of London. The UK responded to the financial crises (2008-2010) with more flexibility in the labour market as a way of keeping unemployment numbers low. This has resulted in more people in precarious work, with just over a million workers on zero-hour contracts. The independent review and the party in government are both highlighting flexibility as core component of ‘the British model’. This should make platform work a more natural part of the British labour market, as it is competing against other forms of non-standard employment.

It would be natural to assume that platform work would be welcomed by the government as it provides jobs that do not require a particular set of skills, thus making it easy for workers to transfer from other industries. While collective agreements occur in the UK labour market, they do not represent a main form of regulation as they do in Norway. In the UK, statutory regulations set minimum labour standards covering employment protection, minimum wage, working time, etc. The lack of sectoral collective agreements mean that it is up to each business and worker to negotiate the terms of the contract. It also results in a low baseline of employment conditions and rights.

Throughout the Taylor review, there is a strong emphasis on making platform work succeed as a sustainable business model, both for the companies and the platform workers. Concrete suggestions are provided to find better a balance between flexibility and security. An example is the introduction of a minimum wage that is suitable for platform workers. There is a much bigger focus on not compromising flexibility and for businesses and the gig economy to find good solutions themselves. An example is suggested technological solutions (WorkerTech) for social protection.

Another factor is the deregulation of the financial sector that occurred in the UK under Margaret Thatcher in the 1980s (Monastiriotis 2006). As shown in chapter 2.3.3, funding and investment is pointed out as the aspects of the gig economy that has experienced the largest growth. There is a race to become the largest actor and to win over as much market share as possible, which results in many businesses running at a loss during the start-up phase. Influx of capital is thus

necessary, and countries with low financial regulations usually have better access to venture capital which the platform companies rely on. London is the top financial centre in the world (Jones 2022). The combination of high access to venture capital and high flexibility in the labour market, are factors that would enable the growth of platform work.

7. Discussion

By reviewing the response to the gig economy by political parties, the political and legal debates surrounding the classification of platform workers and the conclusions from the public reports on the future labour market, it is possible to make some comparisons between Norway and the UK. The starting point of this thesis was how two different countries, representing two different market economies in Hall and Soskice's theory on Varieties of Capitalism, would respond to the arrival of the gig economy, and what factors would enable or restrict the growth of platform work.

Labour market policies and labour law

A central aspect of these questions is the labour market policies and the fundamentals of the 'Norwegian model' and the 'British model'. The Norwegian model (closely related to 'the Nordic model') is a highly regulated labour market with strong unions and employer associations, cooperation between unions, businesses, and the government, and high coverage of collective agreements. From 2013 to 2021, Norway has been governed by a centre-right government, resulting in easing the regulations concerning flexible/ temporary employment. While there is a fundamental agreement about the core elements of the Norwegian model, there are some differences between parties concerning the challenges of platform work and the gig economy (see Tables 4 and 5).

The 'British model' with emphasis on flexibility, deregulation and competitive arrangements is a good representation of a LME, and should be more adaptable to new kinds of work arrangements. While there are substantial political differences between the two main parties, these characteristics have been associated with the UK since the late 1970s. Since the financial crisis in 2008, the UK has been mostly governed by the Conservative party, which has had labour market flexibility as one of its core political strategies in battling unemployment. This has been successful in keeping unemployment numbers low but has also resulted in more precarious work.

An interesting difference between Norway and the UK is the division of categories. Both countries have the categories ‘employee’ and ‘self-employed’, while Norway has the category ‘freelancer’ while the UK has the category ‘worker’.

Table 6: Rights associated with employment status

	Norway	United Kingdom
Employee	Anyone who performs work in the service of another for remuneration.	An individual who has entered into work under (or where the employment has ceased, worked under) a contract of employment.
Freelancer/ worker	Anyone who performs work or service for remuneration, while not being in the service of another and not being self-employed.	An individual who has entered into or works under a) a contract of employment, or b) any other contract whereby the individual undertakes to do or perform personally any work or services for another party.
Self-employed	Anyone who runs a continuing operation or undertaking at own account, suited to provide a net income.	A person that they run their business for themselves and take responsibility for its success or failure.

Source: Hotvedt 2020, Taylor 2017

All three categories are entitled to different rights. Employees have the most robust protections and most rights (e.g., full statutory sick pay and paid holidays), self-employed are entitled to a basic safety-net and freelancers/workers fall in the middle. The classification of platform workers as ‘workers’ in the UK is important because of the right to minimum wage, whereas the classification of platform workers as employees in Norway is important because of collective agreements.

It is important to note that the classification of an employee in Norway does not guarantee a minimum wage. However, it guarantees rights in *Arbeidsmiljøloven* (Labour law) and better coverage in *Folketrygden* (National insurance). As mentioned, wage bargaining in Norway is usually on the sector level. While not all workers are covered by collective agreements, these negotiations affect most workers, as most companies follow the terms set by these agreements. As seen in ‘the pink strike’ by Foodora couriers in Oslo, if the platform workers are employed by the platform company, the workers can negotiate a collective agreement through a union.

Both case studies have tried to establish a timeline by presenting findings in chronological order. It gives meaningful insight into the cases by not only looking at the public documents, but also reviewing the news stories and areas of conflict, and establishing notable cases like policy changes (e.g., the deregulation of the taxi industry) or court cases.

Notable cases

In the Norwegian case, there have mainly been two actions against the gig economy, the strike by Foodora couriers and the deregulation of the taxi industry. In the UK case, tribunals, ending up in the Supreme Court, regarding the employment status of Uber drivers have been the notable result of the gig economy. Similar to both cases, is the discussion on the ‘concept of employee’ and whether the definition needs clarifying or changing to the employment law.

The ‘Pink Strike’ by Foodora couriers in 2019 was an example of strong labour market actors mobilising to force Foodora to adapt to the Norwegian model. This corresponds well with the VoC approach that states that coordinated market economies are “regulated in a more collectivist fashion, based on non-market relations”, which will make them more resilient to the global pressure for more flexibility (Jansen and Akkerman 2014, 188). The importance of collective bargaining and the unions’ strong position as a labour market actor was central in mobilising gig workers and ensuring a collective agreement. While the theory on VoC portrays CMEs as more regulated in terms of labour market policies, there are concerns about a minority of the workforce becoming ‘outsiders’, and not part of the ‘well-regulated labour market’. The Pink Strike showed that work through digital labour platforms, where people work individually, does not necessarily lead to precarious work and ‘outsiders’.

The deregulation of the taxi industry that occurred in Norway in 2020 has enabled platform work by allowing companies like Uber and Bolt to provide their services to Norwegian customers. This illustrates some of the limitations of the VoC approach in explaining the response to the gig economy, as it does not account for political differences inside countries. While Norway still has a highly regulated labour market, the centre-right government (2013-2021) have had an emphasis on flexibility, easing of the constraints within the Work Environment Act, and encouraging consumer-friendly competition. Without any further changes or clarifications to the concept of employee or employer responsibility, actors in the gig economy are freely operating in the Norwegian market on their own premises. A majority of companies offering platform work in Norway do not employ their workers, thus avoiding employer responsibility and limiting the ability for collective bargaining for their workers. This could - as argued by Fafo - lead to a small minority of labour market outsiders in Norway (Hotvedt 2020)

The court cases in the UK, most notable against Uber, but also against Deliveroo and other companies, are a result of weaker labour market actors and limited clarity on the concept of an employee in the UK Employment Law. In a labour market where statutory regulations constitute the main regulatory part (as opposed to collective agreements), the rights associated with being an 'employee', 'worker' or self-employed become even more important and the main source of conflict. This is not unexpected in a liberal labour market where the unionisation rate is typically lower, wage bargaining is on the firm level, and the labour market is driven by more competitive arrangements. But it shows limitations of the VoC approach in explaining the potential growth of the gig economy.

In countries with weaker labour market actors, more flexibility, and unclear definitions of the concept of 'employee' and 'workers', the courts have established a range of tests and factors to establish employment status. This threatens one of the core elements of the gig economy. The 'extreme' outsourcing and refusing workers employment status is, as argued in by many (Prassl 2018), the basis of digital labour markets' business model. The motivation is cost-saving, and this depends on the workers being classified as self-employed, thereby taking the economic risk themselves.

The public reports

The public reports do highlight some key differences between the countries in their response to the gig economy, which is explainable by the VoC theory. While both the Taylor Review and the Fougner report are pointing at many of the same challenges, mainly the lack of clarity on the concept of employee and protection of platform workers, there are underlying differences in how these challenges should be approached. The Taylor review writes that this is not something that should be regulated on a national scale and that ultimately it is the company's responsibility to ensure that gig workers are treated fairly. The review emphasises that flexibility should not be compromised, which indicates limited changes.

It is important to note that the unions have had a stronger voice in the Norwegian reports than in the Taylor review in the UK. LO was part of the minority in the Sharing economy committee (NOU 2017:4), who advocated for more protection of platform workers and the need to adapt Employment law to prevent misclassification of workers. In the Fougner committee, LO, together with other unions, was part of the majority who suggested some changes to the concept of employee and better clarity in the law.

The Taylor Review have a much stronger emphasis on 'making the gig economy work', by looking at alternative ways in which platform workers can organise and how platform companies can adapt to pay their workers the National minimum wage. The Fougner Committee do not promote significant changes to make 'the gig economy work', but rather suggests changes to *Arbeidsmiljøloven* (employment law) to avoid the case of bogus self-employment.

Political parties

Table 4 and 5 show the difference between parties in relation to their policies on the gig economy, but it also shows some similarities between the countries. There is a divide between left-wing and right-wing parties in both countries, but there is surprisingly little difference between the two countries. Right-wing parties in Norway are almost identical to the Conservative party in the UK, and the Norwegian left-wing parties are also almost identical to the UK Labour party.

All the left-wing parties mentioned in their programs that the definition of employees needs clarifying and/or expansion. None of the right-wing parties mentioned policies on the concept of an employee. The Conservative party referred to the Taylor review by stating, “They have already taken forward a number of recommendations, and that they will build on existing employment law with measures to protect those in the gig economy” (Conservatives 2019, 39). Examples they give are ensuring the right to request predictable contracts and creating a single enforcement body to tackle abuse of employment law.

In their manifesto, the Labour party suggests a single status for ‘workers’. They are also the party (including the Norwegian parties) which have the strongest voice against the gig economy and the problem of misclassification of workers. While the theories used in this thesis do not account for the differences between political parties, it is important to address the variety of politics within the two countries. Based on the political programs from both the Norwegian and the UK parties, it is reasonable to assume that the responses to the gig economy would be different if the opposition were in charge. The stronger wording in the Labour party manifesto could be down to the fact that the problems of misclassification of workers and the size of the gig economy are more prominent in the UK.

Enabling and restricting factors

Table 7: Enabling and restricting factors

	NORWAY	UNITED KINGDOM
ENABLING FACTORS	<ul style="list-style-type: none"> - Demand for cheap services - Good protection for platform workers - Potential dualization 	<ul style="list-style-type: none"> - Firm level wage negotiations - Weaker unions - Less regulated labour market, with emphasis on flexibility
RESTRICTING FACTORS	<ul style="list-style-type: none"> - Strong unions - High coverage of collective agreements - Low supply of workers - Strong trade associations 	<ul style="list-style-type: none"> - Lack of clarity in employment law - Limited protection for platform workers

Table 7 summarises the factors from the analysis that can enable and restrict the growth of platform work in Norway and the UK. Based on the theory presented in this thesis, these two cases should have different outcomes. The result of the analysis also shows that there are different factors affecting platform work between the two countries. However, opposite factors can have the same outcome. In the Norwegian case, the highly regulated labour market is found to be a restricting factor, while the less regulated labour market in the UK is an enabling factor, which is not that surprising. These factors could also have to potential to have the opposite effect as well.

The less regulated labour market has pushed more workers into precarious work and companies are exploiting the flexibility they have when employing workers. This has led to a growing problem of misclassified workers and one-sided flexibility. As a result, platform companies are being challenged in court and forced to classify their workers as ‘workers’. While fewer regulations and the lack of clarity in employment law have enabled the gig economy to grow,

it has also enabled the growth of this grey area which is now being challenged by the legal system.

Similarly, the more regulated labour market in Norway also has the potential to enable the growth of platform work. While the gig economy is becoming too big to ignore in the UK, the regulated labour market has the potential to ‘overlook’ the problems associated with platform work. As long as these kinds of precarious work are occupied by people who want high levels of flexibility (e.g., students), the problem of ‘precarious lives’ is limited. This goes back to the potential problem of dualisation. In a highly regulated labour market, platform work could be allowed to grow edge zones of the labour market, usually characterised by low levels of unionisation.

The tripartite cooperation, with strong unions and high coverage of collective agreements, is a strong restricting factor to the growth of platform work in Norway. The sectoral agreements - as opposed to firm level negotiations in the UK - makes it harder for platform companies to compete for workers because it is easy to compare wages to alternative jobs. While there are examples of platform companies adapting to the Norwegian model, this is not the norm. And it is possible that the platform companies would more easily adapt to a labour market regulated by statutory regulations.

Summary

The size of the gig economy is limited in both countries, but it has been able to get a foothold in Norway despite high labour market regulations. In the UK, it has grown rapidly in the last decade, but at the same time been limited because of the rise of bogus self-employment and court cases regarding employment status.

While the review through public reports has identified enabling and restricting factors in their response to the gig economy, there is not necessarily a match between these findings and the actual size of the gig economy. The gig economy will probably have a hard time growing in both countries, due to the status of their workers. In Norway, employment status is important because of the right to collective bargaining, whereas in the UK, employment status is important to achieve minimum wage.

8. Conclusion

The research question

The purpose of the thesis has been to compare two different countries, representing two different types of capital and welfare regimes. The research question concerns the classification of countries as ‘liberal’ and ‘coordinated’/’social’ market economies, and whether this classification can be used to explain the countries’ response to the gig economy and platform work.

This analysis has identified enabling and restricting factors to the growth of platform work in Norway and the UK. By reviewing the latest major public reports on the gig economy and the challenges related to the future labour market, together with the manifestoes of the main political parties, this thesis has presented the political response to the gig economy. The size and the development of platform work show that it is still limited in both countries, but has the potential to grow fast.

The review of current labour market policies, employment law and social protection for platform workers, shows that there is a lack of clarity on the concept of an employee in both countries. The major issue is that the ‘relationship of dependency’ (between platform worker and the platform company) is not sufficiently addressed in the definition of an employee. In the UK, this has resulted in high profiled court cases, but these are costly, and the verdict is limited to that company only. In Norway, platform companies have to a lesser extent been challenged on the employment status of their workers.

In the UK case, there is an acknowledgement that the gig economy and growth of one-sided flexibility pose a challenge to the labour market. However, there is also a strong emphasis on making the gig economy work, flexibility is highly valued and there is not a goal of limiting platform work. In the Norwegian case, there is more substantial concern about the gig economy becoming part of a less regulated sector of the labour market.

The tripartite cooperation, with strong unions and high coverage of collective agreements, is a strong restricting factor to the growth of platform work in Norway. The highly regulated labour market, with permanent employment as the norm and generally high wage levels, is a restricting factor to the supply of platform workers, thus limiting the growth of the gig economy.

Platform work is naturally limited because the employment relationship is not suited for most jobs. Most workplaces benefit from regular employment with permanent workers. But it is important to be aware of the challenges that come with platform work, especially in those sectors where platform work can become the new norm.

Limitations of the study

There are several possible limitations of this study. First, a comparative study of two countries is not sufficient to draw some final conclusions on the relationship between a country's classification in the Varieties of Capitalism approach and their response to the gig economy. This thesis can only identify enabling and restricting factors, and make some conclusions based on these findings.

The data in this thesis have been public reports, programmes of political parties and news articles. It is important to point out that data collection has the possibility of missing out on relevant data, and the response to the gig economy is an ongoing process, which makes the data collection challenging. It is also the possibility of misunderstanding or misinterpretation of the data. I have tried to avoid this by referencing the documents without any interpretations.

Each case study is limited by only looking at public reports and political parties. There are several other actors, like unions and business organisations, who could have contributed to a more thorough understanding of the country's response to the gig economy.

Further research

To conclude this thesis, I would like to present some recommendations for further research on the gig economy and platform work. Reliable data on the gig economy is still limited, which implies that small N studies are the most sufficient research design going forward.

As mentioned in the limitations, a comparative case study looking at more actors would contribute to the understanding of a country's response to the gig economy. Interviews as a source of data collection could give valuable insight and empirical contributions from several actors, especially the people involved in the gig economy.

One could also test the restricting and enabling factors across more countries, to check these findings' robustness. Political parties are responding to the gig economy in most countries, one could build on the finding in this thesis and make a larger cross-country analysis of right-wing and left-wing parties' response to the challenges of platform work.

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