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Access to social protection for platform and other non-standard workers: A literature review

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Access to Social Protection for Platform and other Non-standard Workers: A Literature Review¹

Tamara A. Kool, Giulio Bordon and Franziska Gassmann

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Abstract

The need to extend social protection to include new forms of employment has progressively been recognised by policymakers in the last decade. Several countries introduced new schemes particularly for this group or made provisions to existing schemes to cover new forms of employment. In order to get a better overview of the different measures applied, this paper systematically reviews the existing literature with a focus on European countries and a subset of OECD countries, by focusing first on how non-standard, and in particular platform workers are classified and legally protected. Secondly, the paper reviews the extent to which platform and other non-standard workers have access to the different forms of social security provisions.

While there is a clear conceptualisation of how platform work can be classified, the challenge lies in the legal construct underlying the work activities. Differing practices prevail between countries and only a few have thus far explicitly recognised platform work or crowd work as a form of employment. The lack of statutory and effective social protection coverage of platform workers can be addressed in various ways. These include adjusting existing schemes in terms of eligibility criteria, portability of transfers, incorporating digital innovation, and providing flexible security. Current shifts in policies have the potential to decrease socio-economic differences between different employment statuses. Ultimately, these shifts promote the transferability of individuals' social rights between employment statuses and ease the use of individual social protection accounts.

Key words: platform work, social security

JEL codes: H55, J20, O33

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1. Introduction

Non-standard forms of employment (NSFE) as defined by the International Labour Organization (ILO) dates back decades. NSFE may be described as any form of employment that does not adhere to the notion of full-time, permanent contracts. These could include temporary employment, part-time work, temporary agency work and other forms of employment including multiple parties, and lastly dependent self-employment work (see for example Behrendt and Nguyen, 2019; Spasova et al., 2017). Over the past decade, with the increased digitalisation of employment in developing and industrialised countries, new forms of employment have emerged, including but not limited to platform work².

The emergence of digital platforms provides opportunities for groups of workers that are otherwise excluded from the labour market as they offer flexible working conditions which are not necessarily bound to office hours and which may be conducted from home. In Europe, this trend answers to the needs of workers for flexibility (Codagnone et al., 2018).³ However, the 2019 survey on the 2012 General Recommendation 202 indicates that there is an increasing concern that platform work results in precarious work arrangements. A growing number of platform workers are engaged in non-standard forms of employment or in the informal economy (ILO, 2019). These workers may face a multitude of challenges, including but not limited to: payment insecurity, dependency on approval ratings, information asymmetry, limited access to training or benefits, the lack of workplace dispute resolution mechanisms, privacy protection, and supportive working relationships (see e.g. Pesole et al., 2018; Schoukens, Barrio and Montebovi, 2018). Given the nature of non-standard forms of employment and the rigidity of national social insurance schemes, NSFE workers are often not covered by regular social protection schemes.

A closer understanding of the access to and need for adequate social protection systems for non-standard workers, in particular platform workers, is crucial for policy design that will prevent NSFE workers and their families from falling into poverty in case of a contingency. The COLLEEM⁴ Survey, an online panel survey on digital platforms in the European Union, already highlighted the need to harmonise – or perhaps even rethink – existing social protection structures (Pesole et al., 2018; Urzì Brancati, Pesole and Fernández Macías, 2020).

² Platform work refers to any type of activity where digital labour supply is provided and offered to the clients through the use of digital platforms. Examples include app-based or crowd work. A more in-depth discussion of platform work is provided in section 3.

³ Note that in other regions, platform work may be a necessity because it is the only type of work available for entry jobs.

⁴ COLLaborative Economy and EMPloyment Survey undertaken by the Joint Research Centre of the European Commission and Directorate General Employment at the European Union (Pesole et al., 2018).

The need to extend social protection to include new forms of employment has progressively been recognised by policymakers in the last decade. Several countries introduced new schemes particularly for this group or made provisions to existing schemes to cover NSFE. In order to get a better overview of the different measures applied, this paper reviews the existing literature on European and other OECD countries⁵ with the following two questions in mind:

- 1) How are workers in NSFE classified, focusing in particular on platform work, and to what extent are they legally protected?
- 2) To what extent do workers in NSFE, and platform work in particular, have access to the different forms of social security provisions?

We first describe the methodology employed for the literature review and then analyse the literature according to each question. We next link the two discussions and conclude by discussing next steps that ought to be taken on the basis of the consulted literature to ensure inclusion of new forms of employment in the social protection systems.

2. Methodology

To assess the access of workers in non-standard forms of employment to social protection, a systematic literature review approach was adopted as it allowed us to analyse a large amount of studies and map them alongside various categories (Petticrew and Roberts 2006). A protocol was developed to systematically and meticulously assess the various studies written on this topic (see figure A1 in the annex).

Firstly, we determined the search strings to find relevant literature in different depositories. Search strings included a combination of terms reflecting different forms of non-standard forms of employment, terms for the various social protection instruments (see table 1 for the various idioms for non-standard forms of employment and social protection respectively). The purpose was to identify publications that featured these key words in the title and/or abstract respectively.

Table 1: Overview of various idioms for key words for search string

Non-Standard Forms of Employment	Social Protection
Non standard employment	Social protection
Non standard forms of employment	Social insurance
NSE	
Platform work	
New Forms of Employment	
Sharing Economy	
Collaborative Economy	

⁵ See footnote 7 for an overview of countries and regions covered.

Secondly, only studies written in English, categorised as either grey or peer-reviewed literature (e.g., articles, books, edited volumes, chapters from editorial books), and published from 2014 onwards, were included. This cut-off point was chosen as the topic has been on the agenda of international agencies since 2016 based on the ISSA 2019 report “*Rising Platform Work*”. The definitions seem to date back to 2014.

These inclusion criteria in mind, we searched the following databases: Econlit, Ebsco A-Z, Web of Science, Scopus, and JStore. Furthermore, the following two studies were used as reference for identifying further studies: the ISSA⁶ Handbooks on the extension of social security coverage, and the 2019 OECD⁷ Employment Report. It is imperative to recognise that this search is not conclusive as each database is constructed differently. This risks that specific studies pertaining to these topics are left out. Further, double entries may occur within and between each of the databases. This search was conducted in May 2020. In total 547 entries were identified.

Following this search and according to the next stage of the systematic review protocol, we removed double entry sources within each database. Consequently, 175 studies were excluded during this step. Next, the studies were inspected more closely and we removed studies that did not feature our inclusion keywords in the title and/or abstract (n=152) or were written in a foreign language although their title and abstract were written in English (n=4). Furthermore, we only included grey and peer-reviewed literature that was available in print or online. Accordingly, we removed conference papers prefaces, interviews, legal backgrounds, meeting reports, book reviews (under)graduate studies, and studies that were inaccessible to the authors (n=85). Additionally, studies that did not focus on the countries or region of interest⁸ were removed (n=23). Following this stage, 108 articles remained.

Having completed these preliminary exclusions in each database, the remaining studies from the six different databases were compiled and double-entries removed (n=16). Next, studies were inspected more in-depth and for each article, we assessed to what extent it discussed non-standard forms of employment or social protection. If these concepts are merely mentioned as a by-line and are not discussed in-depth, articles were excluded (n=32). The

⁶ The International Social Security Association is hereafter referred to as ISSA.

⁷ The Organisation for Economic Co-operation and Development is hereafter referred to as OECD.

⁸ European Union, USA, Canada, New Zealand, Australia, Japan, Netherlands, Sweden, Norway, Finland, United Kingdom, Ireland, Belgium, Germany, Poland, Austria, Switzerland, Lithuania, Estonia, Latvia, Greece, Croatia, Slovakia, Slovenia, Czech Republic, Italy, Spain, France, Portugal, Hungary, Bulgaria, Romania, Malta, Denmark, South Korea, Brazil, Argentina, Uruguay, Russia, Indonesia, Thailand, India.

second stage of the exclusion thus ensured that the articles would contribute to answering the research questions set out above. This left us with a total of 60 studies.

During the search, we came across several other reports that were deemed of relevance and necessary to include to ensure an exhaustive review of the existing literature. Part of the search enquiry identified seven country reports by the European Social Policy Network (ESPN). We therefore included 28 additional country reports by the European Social Policy Network (ESPN).⁹ Further, five additional policy reports from the 2019 ISSA Social Security Forum, seven other policy reports and two additional papers were identified that did not come up within the original search queries. As these reports fulfilled our selection criteria, it was decided to include them. Additionally, the report "*The Future of Social Protection*" by the OECD (2018a) was an edited volume of which several chapters did emerge in the search query. The remaining four chapters that did not emerge were deemed of relevance to the objective of this study and therefore included. Thus, the total literature consulted amounted to 106 studies and policy reports.

Methodological approach

This study employs a narrative analysis (Petticrew and Roberts, 2006) to determine to what extent the literature agrees or disagrees on non-standard forms of employment in relation to social protection. The studies were analysed alongside their theoretical foundation. Each article was set out against various classifications that would contribute to the research objective. These concern the following categories: Country/Region; Focus of the Paper; Definition of non-standard forms of employment; Legal basis; Social protection Toolbox; Specific Programmes; Support Social Protection; Criticism Social Protection; and Future of the Social Protection. By analysing each category alongside the various definitions adhered to in the articles, agreements and disagreements in the literature become apparent. Firstly, the analysis sheds light on the prevalent definition of non-standard forms of employment. Secondly, it provides an insight in the various practices and social protection tools available to non-standard forms of employment. The next sections will go further into the various debates.

3. Definition of Non-Standard Forms of Employment

Within the literature, no consistent definition of non-standard forms of employment can be established. Several studies make explicit reference to the ILO's definition, followed by other

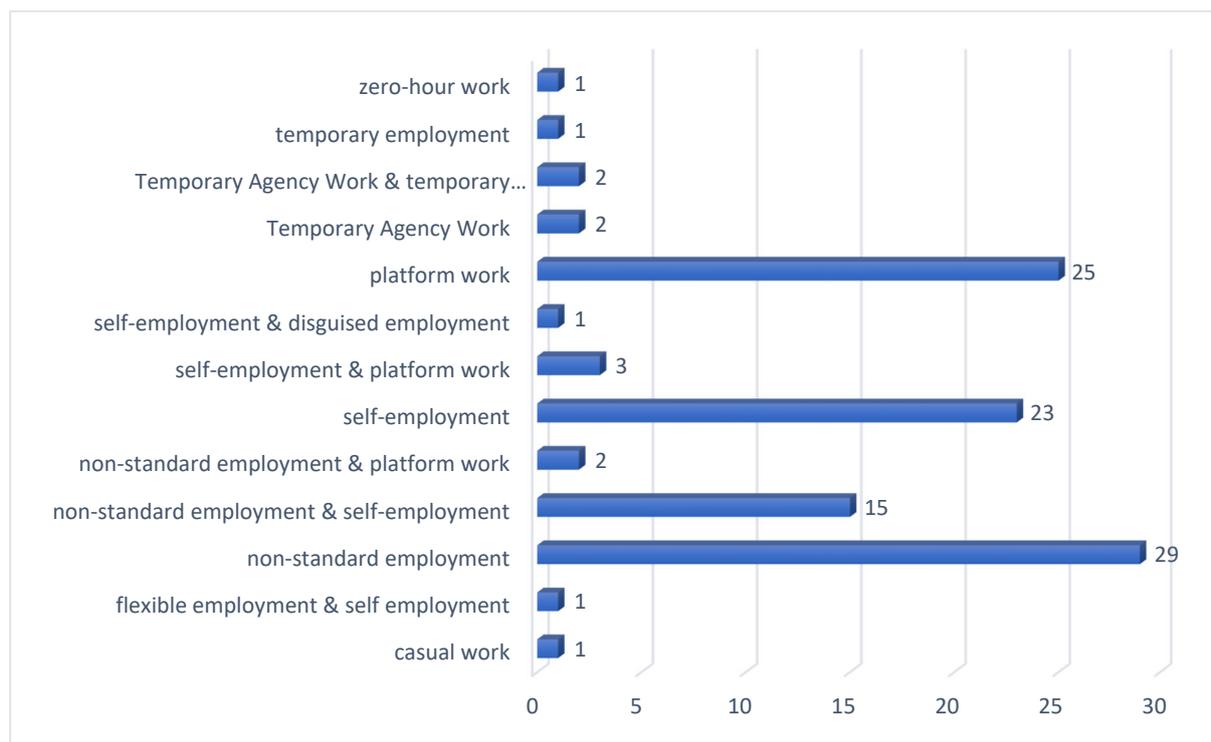
⁹ The 35 countries covered by the ESPN report are: Belgium, Denmark, Germany, Ireland, Greece, Spain, Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia, Slovakia, France, Italy, Luxembourg, The Netherlands, Austria, Portugal, Finland, Sweden, Bulgaria, United Kingdom, Romania, Croatia, Former Yugoslav Republic of Macedonia, Iceland, Liechtenstein, Norway, Serbia, Switzerland, Turkey.

definitions from international organisations such as OECD and EUROFOUND. This becomes even more diverse when looking at country practices.

Additionally, if the focus of the article is on a particular subset of NSFE practices, the most discussed component is self-employment followed by platform work. Figure 2 below provides an overview of the focus of the different articles. In case of the ESPN reports, most discuss both non-standard employment and/or self. The relative high frequency of platform and the lower frequency of the other types of employment is not surprising due to the search strings adhered to.

This section therefore first sets out the definition of non-standard employment and self-employment before discussing the construct of platform work more in-depth. While platform work is generally associated with self-employment, some articles highlight that the dichotomy between self-employment and employment is not as clear cut (e.g. Liebman, 2017; Schoukens, Barrio and Montebovi, 2018; Spasova and Wilkens, 2018). The challenge of defining the legal subordination between company and worker is crux in this distinction as the status of the platform worker as self-employed might be a form of disguised employment. The next sections further set out these discussions.

Figure 1: Overview of the focus in the consulted literature



Source : Authors' own elaboration

International Organisations' perspective on NSFE

Non-Standard Forms of Employment are defined by the International Labour Organization (ILO) as those employment relationships that do not respect the typology of full-time, subordinate and indefinite contracts (ILO, 2016). The ILO consequently includes in its NSFE classification six different types of work: temporary employment, part-time work, temporary agency work, disguised employment relationships (also called bogus self-employment), and dependent self-employment. In a very similar manner, the OECD refers to non-standard forms of employment as those contract types diverging from a so-called "standard employment contract" (OECD, 2019a) and therefore including self-employment, fixed-term and temporary work. Differently from the ILO, OECD does not include disguised employment relationships in the categorisation of NSFE, narrowing the scenario. Resulting with an even more limited typology, the European Union and the EUROFOUND mapped the emerging new forms of work identifying four types: fixed-term contracts, part-time work, temporary agency work, and self-employment (La Salle and Cartoceti, 2019). This last typology is then excluding bogus self-employment and dependent self-employment, providing an even more limited perspective on the present landscape of the Non-Standard Forms of Employment (see Table 2).

Table 2: Typologies of Non-Standard Forms of Employment according to the ILO, OECD, EU and EUROFOUND

	ILO	OECD	EU and EUROFOUND
Fixed-term or temporary contracts	X	X	X
Part-time work	X	X	X
Temporary agency work	X	X	X
Self-employment or independent contract work	X	X	X
Dependent self-employment	X	X	
Disguised employment relationship	X		

Source: Adapted from Aloisi and Gramano, 2019

National level

At the country level, the literature reviews identified definitions of working arrangements from the ESPN country group, Korea, Japan, the USA and Canada. The literature indicates that the six categories identified at the international level (see table 2) are rarely all included in national definitions. Nor do countries tend to use the label Non-Standard Forms of Employment.

The three main recurrent categories, when NSFE are defined and classified at the national level, are *part-time work*, *fixed-term or temporary jobs*, and standard *self-employment*. These three

categories are included in the definition of NSFE in Italy (Sacchi and Vesan, 2015; Jessoula, Pavolini and Strati, 2017), Spain (Rodríguez Cabrero et al., 2017), Belgium (De Wispelaere and Pacolet, 2017), Estonia (Masso and Kadarik, 2017), Romania (Pop and Urse, 2017), Sweden (Nelson et al., 2017), Slovenia (Senčur Peček, 2018; Stropnik, Majcen and Prevolnik Rupel, 2017), Croatia (Vukorepa, Tomić and Stubbs, 2017), Turkey (Adaman et al., 2017), Czech Republic (Sirovátka, Jahoda and Malý, 2017), Netherlands (Burri, Heeger-Hertter and Rossetti, 2018), and Canada (Busby and Muthukumaran, 2016). National definitions diverge from the baseline depending on the labour market contexts: for example, in Italy project workers and continuous collaboration contracts are included (Jessoula, Pavolini and Strati, 2017). Similarly, in Spain the category includes casual and seasonal workers (Rodríguez Cabrero et al., 2017), while in Switzerland part-time is not considered an atypical form of work (Bonoli, 2017). Other countries lack a definition of NSFE (e.g., Latvia (Rajevska, 2017), Hungary (Albert, Gáspár and Gal, 2017), Cyprus (Pashardes and Koutsampelas, 2017), and Japan (Osawa and Kingston, 2015).

Role of Platform work within NSFE

With the digital revolution, a new form of working has emerged that takes place exclusively online or via apps. The discussion surrounding this type of work is also defined as platform work.¹⁰ Through digital platforms, digital labour supply is provided and offered to the clients. This triangular relationship defines platform work as any type of paid services mediated by online intermediaries or digital platforms is considered to be part of the platform economy, as commonly conceived by the international literature (De Groen and Maselli, 2016; Defossez, 2019; Freudenberg and Technical Commission on Old-age, Invalidity and Survivors' Insurance International Social Security Association, 2019; ISSA, 2019; OECD, 2019a; Rani and Furrer, 2019; Urzì Brancati, Pesole and Fernández Macías, 2020).

Platform work can assume different forms. De Groen and Maselli (2016) developed a taxonomy (see Table 3) that describes different aspects of platform work. Firstly, a distinction is made on a geographic basis. Platforms may offer virtual and therefore global services. This is also called 'crowd work' (ISSA, 2019) or online work (Schoukens, Barrio, Montebovi, 2018). The other option is to provide physical and therefore local services such as working as independent drivers through systems such as Uber. This is also commonly known as work on-demand via apps (ISSA, 2019) or offline work (Schoukens, Barrio, Montebovi, 2018). Secondly, the taxonomy accounts for different levels of skills required to the labour force.

This double entry classification allows to effectively encase the different platforms currently operating in the platform economy, and identifying among the working population those who

¹⁰ Within the literature, the terms gig economy, sharing economy, platform economy and others are used to refer to platform work (Defossez, 2019). This review will not go into the business model but rather discuss platform work in relation to non-standard forms of employment, and social protection.

face insecure working conditions with limited potential to build up a client base as well as low pay (De Groen and Maselli, 2016). Similarly, on the basis of Table 3 it is possible to identify the kinds of platforms operating internationally and therefore more capable of benefiting from the current lack of labour regulation.

Table 3: Digital platform classified per skills requirement and location of service provision

	Virtual and global services	Physical and local services
Low-Skills requirement	Amazon Mechanical Turk	Uber, Deliveroo
High-Skills requirement	Upwork	Takelessons

Source: Adapted from De Groen and Maselli, 2016

In its design, the concept of platform work neatly ties in with various characteristics of non-standard forms of employment ranging from part-time and temporary jobs to self-employment. Overall, the emergence of platform work raises several questions. Firstly, the question arises to what extent platform work has been recognised by states. According to the 2017 ESPN country reports, crowd work through online platforms has only been explicitly identified as part of non-standard forms of employment in Belgium, Czech Republic, Denmark, Greece, Spain, Finland, Italy, Latvia, Lithuania, Portugal and the United Kingdom (Spasova et al. 2017). Furthermore, practices differ between countries on the extent to which these activities are seen as a form of employment or self-employment (see also Schoukens, Barrio, Montebovi, 2018).

Legal Basis for Platform Work

In most countries the distinction between employment and self-employment is well documented and addressed in national labour bodies of law. Though the lines between employment and self-employment are in practice less straightforward, regulation gaps persist. This in turn has resulted in cases of disguised employment (OECD, 2018a; 2018b; Sacchi and Vesan, 2015). This particularly seems to hold for platform work as oft it is neither included nor well-regulated in national labour contracts and agreements (see also the different ESPN country reports).

One of the main actors leading the efforts on the regulation on platform work is the European Union (EU). The recent EU Directive 2019/1152, agreed jointly by the European Parliament, the Council and the Commission of the EU required its member states to seek ways, through national legislation, to extend the rights accorded to standard workers to NSFE workers, including the platform economy labour force. Among the members of the EU, France (Law on Digital Platform 2016) and Germany (Work 4.0 Policy Paper 2016) already have in place policy initiatives to provide social security to the platform workers (Spasova et al., 2017).

The primary debate is whether platform workers can be defined as employees of the digital platforms, or whether they are self-employed. From a legal perspective, this question boils

down to whether or not there is legal subordination with the company having certain responsibilities towards the employee. Prior to establishing whether the platform worker is employed or self-employed, case law indicates that one should first establish whether or not a platform that offers these services or that acts as digital intermediary, should be considered a company. Platforms transform employment relations into market transactions. While platforms are stated to be intermediaries, their role in shaping the process of connecting clients and platform workers may be more intently than initially apparent due to, for example, the underlying algorithmic model (decisional, informational and evaluational) that shapes the process. This places platforms in a position where they go beyond the role of an intermediary role as initially foreseen, and they are placed in a position with more power. Subsequently, this leaves room for interpretation on whether a platform is a company with employees or solely a digital intermediary (Potocka-Sionak, 2018).

This question has resulted in lawsuits in the US against Uber, Lyft, and GrubHub. The courts in the US established for example, that Uber is not merely a technological intermediary but should be considered a transport company. This then raises the question whether someone working or utilising these platforms may be considered an employee as also argued by Rael Lawson in the case vs Grubhub (Liebman, 2017). In the case of Deliveroo in the Netherlands, the judge decided that the worker should be regarded equal to a self-employed person (Schoukens, Barrio, Montebovi, 2018). However, in the case of the US, this proves to be a difficult point to decide on as showcased by the Lyft judgement by Judge Chhabria (Liebman, 2017).

To circumvent lawsuits, many platforms require platform workers to sign arbitration clauses that sign away their right to sue. Nonetheless, particularly in the case of the online platforms, many platforms “monitor the work performed and rely on customer ratings to regulate the individual’s continuing status on the platform. [Therefore, in] reality, many platforms seek total control, even as they abdicate responsibility” (Liebman, 2017, p.231). This may thus result in a form of disguised employment (Behrendt, Nguyen and Rani, 2019).

The issue of self-employed vs employee is important as this has various implications for the type of social protection one has access to. The consequences of this categorisation are relevant in terms of social protection entitlements. To come to a clear understanding on which social protection entitlements platform workers should have access to, the next section will set out the current state of social protection for NSFE workers and platform workers in particular.

4. The Current State of Social Protection

The irregular nature of platform work as an online and on-demand market through short term and freelance assignments, provides opportunities for both clients and platform workers. On the side of clients, it is the provision of services on demand and at a low pay due to reduced labour costs and transaction costs. Whereas, on the side of platform workers, it provides

flexibility and could contribute to a work-life balance (La Salle and Cartoceti, 2019; Liebman, 2017). At the same time, the irregular nature of platform work can put the worker at risk of income vulnerability and poverty.

If a worker is engaged in digital work next to his or her main job to raise additional income as is often the case (Behrendt et al., 2019; Potocka-Sionak, 2018), the main employment would provide the worker with access to the regular schemes and circumvent the vulnerability that may result from platform work. The situation becomes more precarious if a worker relies solely on digital work because she then lacks access to social protection, in particular access to unemployment insurance, or to pension and retirement plans (Behrendt et al. 2019). In Europe, 15% of workers only rely on platform work for more than half of their income (Codagnone et al., 2018). This is compounded by the lack of recognition of platform work in national legislation, with platform work being a form of either employment, disguised employment or self-employment.

One of the main debates in social protection for NSFE workers concerns to what extent social protection needs to be decoupled from employment status (see also Behrendt and Nguyen, 2019). If social protection is tied to the classification of employment, as also highlighted in the legal discussion above, this can have implications for the access that certain groups of non-standard workers have to social protection. They may be left out completely of the scope of social protection programmes and measures (Balaram et al. 2017).

This section sets out the challenges at large in terms of social protection provision for NSFE workers that emerge in the consulted literature. Next, it takes a closer look at the European context and its practices on NSFE and self-employment. This sub-section is particularly informed by the 2017 ESPN country reports. Lastly, it discusses ongoing social protection efforts in the context of platform work.

The challenge of NSFE in relation to Social Protection

At its core, social protection is stated to be reflective of past constructions when fulltime (permanent) contracts were the rule (e.g. Aranguiz and Bednarowicz, 2018; Friedman, 2014; Paz-Fuchs and Wynn, 2019). As Paz-Fuchs and Wynn (2019) state it in the context of France:

“The core of the French social protection system is designed for the archetype of a full-time, permanent worker with a single employer. This means that it is not equipped to provide adequate insurance for the growing number of workers with non-standard forms of employment (temporary jobs, part-time jobs, self-employment)” (pp. 118-119).

The social protection systems in place thus fail to achieve their objective to protect workers in risky transitions that actually may benefit employability, and in turn, may exacerbate poverty or the working-poor instead.

Overall, four forms of social protection tools may be identified: 1) social protection linked to a contract with a specific employer; 2) social protection linked to salaried employment; 3) social protection linked to participation in gainful activity; and 4) social protection linked to residency status (Behrendt and Nguyen, 2019). The extent to which these schemes are inclusive of NSFE workers depends on the welfare system in place. For example, the inclusion of NSFE workers in social protection may be more inclusive as in the case of Australia¹¹ (Whiteford and Heron, 2018), and others, such as the US, being explicitly exclusive with social insurance strongly linked to salaried employment, for example in the case of health insurance (Friedman, 2014).

Both Bismarckian type (labour-related schemes) and Beveridgean type (universal systems based on residency status) require adjustments in their design to cover or include emerging NSFE arrangements due to their nature of low pay, temporary nature, and flexibility. However, the challenges for the labour-related systems are bigger than for the universal schemes (Schoukens, Barrio and Montebovi, 2018). Within the 35 countries covered by the ESPN reports, most non-standard workers are employed and are in principle entitled to the same benefits as standard workers. In employment-related systems access to social protection is often conditional on satisfying minimum requirements of previous contribution periods, days worked in a year and other similar thresholds (Spasova et al., 2017). Outside the EU, in case of part-time workers, the eligibility for unemployment insurance may depend on hours worked in the preceding year as in the case of Canada (Busby and Muthukumaran, 2016). A study by IDEA Consult (2015) among 21 European countries further underlines how temporary agency work and fixed-term contracts in particular have similar access to unemployment benefits as standard work. However, the ESPN country case studies indicate that unemployment coverage differs for those classified as self-employed workers (see Spasova et al., 2017).

Even when access to social protection benefits is similar to that for standard workers, non-standard workers are frequently unable to fulfil the same requirements due to several factors like reduced income and intermittent or scattered working days with prolonged spells of inactivity during the year. In addition, eligible individuals in non-standard forms of employment often have a smaller contribution capacity and shorter working careers resulting in significantly lower benefits. The relatively higher barriers for non-standard workers to accessing and benefitting from social protection schemes compared to people in standard forms of employment, whilst being exposed to the same levels of risk concerning worker' health, income, and general economic activity, increases their overall vulnerability. Another issue concerns the challenge of transferability of rights and entitlement to benefits when

¹¹ Note that the social protection system of Australia, as many other country systems, is not unequivocally inclusive or exclusive. Despite having a health care system which heavily relies on state funding offering rather universal access, other components of Australia's system remain wage-earner related.

engaged with multiple employers in case of part-time work and self-employed work (e.g. ILO, 2016; Spasova et al., 2017).

Overall, three key elements pertaining to eligibility emerge in the consulted literature among the existing social protection and social security systems that have implications for NSFE workers in terms of design¹²:

- 1) **Eligibility criteria pertaining to minimum income threshold and work time requirements.** Self-employed persons, for example, may benefit from lower insurance contributions compared to employed persons but this results in lower amount of benefits in turn. This may result in less accrual putting people at risk of poverty in their old age (see Sirovátka, Jahoda and Maly (2017) for Czech Republic; De Wispelaere and Pacolet (2017) for Austria; and European Commission (2018)). In 8 out of 33 OECD countries, there is a level of income that is exempt from pension or social security contributions (see OECD, 2019b). Alternatively, a minimum contribution base is adhered to in 18 out of 33 OECD countries. In case of the latter, the challenge lies in setting a minimum contribution that self-employed have to pay into the scheme which could be higher than the actual income due to low pay, short working time or periods of inactivity (OECD, 2019b). Additionally, the eligibility conditions set in terms of work history are often more restrictive for self-employed persons than for employed persons.
- 2) **Eligibility criteria regarding the characteristics of (un-)employment** such as involuntary loss of employment to qualify for unemployment benefits which is not applicable or may be difficult to prove in case of gig work or self-employment (see Kolsrud (2018) for the case of Sweden, and Fink (2017) for the case of Austria).
- 3) **Optional coverage packages** which may be purchased in order to qualify for various schemes, such as exemplified by the Class 3 voluntary national insurance schemes in the United Kingdom (see Schoukens, Barrio, Montebovi, 2018). The reliance on private insurance, however, has the potential to increase poverty and inequality as there is limited potential for risk pooling (Behrendt and Nguyen, 2019).

The multitude of eligibility criteria to access the schemes further complicates the procedures as often various rules of exception apply. For example, the self-employed may be covered by different schemes if they fall under mandatory social protection. Yet, they may be subject to different regulations depending on their occupation (see also the case of Italy for self-employed and atypical workers (Jessoula, Pavolini and Strati, 2017)).

¹² For specific limitations pertaining to the barriers, see Behrendt and Nguyen, 2018. However, due to the small sample size of the respective classifications – see figure 1 – this report is unable to expand upon this, and will therefore focus on the general challenges in terms of social protection for NSFE workers with a focus on self-employed and platform workers respectively.

Next to the design of the social protection system in place, mismatches between standard workers and non-standard workers should also be considered in terms of the actual income. As already indicated, non-standard workers may have a fluctuating income. Additionally, while employed and self-employed workers may earn the same wage, the self-employed often have to pay both the employer and employee contributions into the social protection schemes (see also figure 2.10, OECD, 2019b, p.80). This may result in a lower net income for non-standard workers compared to standard workers.

In addition, some systems provide only voluntary schemes (see also Bäcker (2017) for Germany; Kangas and Kalliomäkelä-Puha (2017) for Finland; Kolsrud (2018) for Sweden; and Schoukens, Barrio and Montebovi (2018)). In such cases individuals engaged in non-standard forms of employment, particularly self-employment, generally opt-out of for a variety of reasons. The situation that individuals engaged in self-employment often have to pay both the employer and employee shares of the contribution makes participation expensive and is one of the most prominent reasons for non-participation (Codagnone et al., 2018). Or self-employed persons may decide to underreport income according to figures reported in an OECD study on pensions (2019b) resulting in less accrual of benefits.

The next sub-section discusses the challenge of statutory and effective access to social protection more in-depth in the context of the European Union with a focus on self-employment.

An EU perspective to inclusion of NSFE

In 2017 the European Pillar of Social Rights was adopted by the European Parliament, European Commission and European Council. This document contains 20 principles to support the labour market and the welfare system. Particularly under principle 12, a call is made to the member states to ensure the right to adequate social protection regardless of type and duration of employment relationship (Schoukens, Barrio and Montebovi, 2018). Together with the EU Directive on Transparent and Predictable Working Conditions, and a future proposal for a European Social Security Number, the European Pillar of Social Rights may be seen as an adequate step to cover new forms of employment in the changing society (Aranguiz and Bednarowicz, 2018). However, one of the challenges remains that it is not binding in nature (Potocka-Sionak, 2018; Spasova and Wilkens, 2018). The EU is solely able to provide a coordination of social protection schemes for self-employed among member-states. It is up to the member states to design and implement national social protection schemes according to their own interests (Spasova and Wilkens, 2018). The result is a patchy framework of various schemes.

When looking at State-led social protection systems within Europe, the majority have been established to protect citizens in standard forms of employment (Spasova et al., 2017). These systems are characterised by insurance-based structures financed by salaried, dependent

employees and their employers on a contributory basis. Some social protection tools such as family allowances, long-term care benefits, specific forms of health insurance, and social assistance are, however, often financed by taxes, thus granted regardless of an individuals' employment status. However, these latter types of benefits account for only a small share of all the different social protection tools available, of which many apply a specific set of eligibility criteria related to employment that need to be adhered to. Therefore, any deviation from the full-time dependent employee model – such as platform workers or the self-employed – can cause coverage gaps in social protection (OECD, 2018a).

From a statutory perspective, exclusion from social protection is also determined by the classification of NSFE adopted by countries; e.g. certain categories such as farming are placed outside the scope of social protection. Legal definitions and classification of non-standard forms of employment and its various forms thus play a critical role in determining access and entitlement to social protection. Of the different types of non-standard forms of employment, self-employment seems to be the one most prominently addressed in legislation across the EU countries. While the extent and clarity of its definition, statistics and sector-specific conditions are still lacking, regulatory frameworks seem much more receptive to the phrasing 'self-employment' than other forms of non-standard forms of employment.

These gaps are present in the 'statutory' access granted to non-standard workers but also affect the 'effective' access to benefits and services. In particular, it emerges that eligibility is a critical aspect underpinning the systematic exclusion of non-standard workers from social protection measures in European countries. Looking in particular at self-employment, the study by Spasova et al. (2017) on the basis of the ESPN country reports, identifies four clusters of practices as set out in table 4. This table highlights the mix of approaches that have been undertaken towards including self-employed persons in the social protection systems ranging from obligatory social insurance to voluntary access to social insurance to no access whatsoever.

Table 4: Different clusters in terms of access to social protection for self-employed persons

Cluster	Access to social protection for self-employed	Specification	Countries
1	Full to high access	Self-employed are obligated to insure themselves under all insurance-based systems; i.e. 'all-inclusive' schemes.	Croatia, Hungary, Iceland, Luxembourg, Serbia, Slovenia
2	High to medium access	Self-employed may opt into these schemes voluntarily; i.e. access á la carte or 'optional access' schemes.	Austria, Czech Republic, Denmark, Spain, Finland, Poland, Romania, Sweden

3	Medium to low access	Self-employed can opt into some of the schemes but not all; i.e. patchwork of 'optional access' and 'partially exclusive' schemes.	Bulgaria, Germany, Estonia, Ireland, The Netherlands, Portugal, United Kingdom
4	Low to no access	Self-employed cannot opt into most or any of the schemes; i.e. '(partially) exclusive' schemes.	Belgium, Switzerland, Cyprus, Greece, France, Italia, Lithuania, Latvia, Liechtenstein, North Macedonia, Malta, Norway, Slovakia, Turkey

Source: Based on Spasova et al. (2017, p.46); Behrendt and Nguyen (2018, p.16); Spasova and Wilkens (2018, p.105); Schoukens (2019, p.18)

The statutory access to the different social protection schemes¹³ is however much more complex as this differs between the type of schemes. Table A2 in the annex summarises the legal coverage of self-employed persons in social protection systems across Europe (see also Spasova et al., 2017; Spasova and Wilkens, 2018; Schoukens, 2019). Out of the different social protection schemes, unemployment insurance tends to be least covered. According to an OECD report (2018b), only eight out of 28 European Union (EU) member states provide full coverage for unemployment insurance to self-employed, and nine states provide no coverage whatsoever. In only six countries, women have access to maternity benefits. The study by Spasova et al. (2017) that extends the analysis to cover both EU and other European countries corroborates this. Analysing 35 countries, unemployment benefits are least inclusive among all different types of benefits (9 out of 35) and only healthcare is fully accessible to self-employed individuals in all 35 countries. A review of access to statutory social protection for different types of NSE (see Table A3 in the annex) further reveals the legal gaps in different EU countries (Schoukens, 2019).

Non-contributory social assistance, on the other hand, is prevalent in most European countries and is primarily income tested. Individuals engaged in non-standard forms of employment are eligible for these measures if they can establish an income shortage. Only in Turkey, the self-employed are not eligible to social assistance, and only partially in Estonia, United Kingdom and Switzerland (Spasova et al., 2017).

Both in terms of self-employment and non-standard forms of employment, statutory access remains fragmented within the different European countries (see also Spasova et al., 2017; Schoukens, 2019). Yet, notwithstanding the weak links in social protection measures for non-standard forms of employment across the EU, there have been several positives steps in recent

¹³ The type of benefits reviewed are: health care, family benefits, long-term care, social assistance, survivor's pensions, old-age, invalidity, maternity/paternity cash benefits and in kind benefits, sickness benefits, accidents at work and occupational injuries benefits, unemployment benefits.

years. An increasing number of countries proposed the systematic extension of social protection coverage to individuals in non-standard forms of employment. Moreover, many countries are in the process of introducing specific schemes to address new forms of employment.

Challenges Pertaining to Transforming Social Protection to Cover New Forms of Work, with a Focus on Platform Work

The gaps in the social protection system prove to be a “double challenge for the future of work” (Behrendt, Nguyen and Rani, 2019, p.19). On the one hand, it leaves workers vulnerable to the dynamics of the labour market and exploitation as they lack labour and social rights, placing them at risk of poverty. On the other hand, the prevailing gaps may affect hiring decisions by firms.

To date, the literature does not highlight many schemes specifically targeted at platform work but tends to discuss their access to social protection in their position as self-employed workers. For example, the article by Lenaerts, Beblavy and Killhofer (2017) looks specifically at six European countries to understand how platform work has been framed. A platform worker is considered self-employed in case of Slovenia, Denmark and Belgium, but the latter only if earning up to a certain amount. In the case of Hungary, Germany and France, the position of platform worker may either be defined as employed or self-employed. In France, this is explicitly stated to depend on the level of subordination and efforts were undertaken to address the rising number of workers in the digital platform economy through the Law on digital platforms of 2016. Thus, no coherent approach can be identified.

While coherency on the legal status of platform work is essential, this may however, provide a catch-22. While there is a need to clarify the classification of workers to prevent disguised employment, this also needs to be done critically as “classifying workers appropriately under the law is also limited in its potential to transform workers’ experiences of the labour market” (Balaram, Warden and Wallace-Stephens, 2017, p.6). As showcased by the example of Deliveroo workers in Belgium, see box 1 below, the re-classification could be to the detriment of the worker in terms of access to social security. There are also instances in which the adequate categorisation of workers in the platform industry promotes their inclusion in national social security systems. In the case of Denmark, the trade union F3 had negotiated an agreement with Hilfr.dk which stipulates that once a worker has worked 100 hours, that person is reclassified as employee and pays into national social security systems (see Vandaele, 2018 in Behrendt and Nguyen, 2019); thus, improving the position of platform workers. A critical examination is therefore required how platform workers are categorised in order to promote their inclusion in social security. This could be by identifying best practices and exploring new routes of protection (Bock et al., 2016).

As also indicated in Table 4 above, self-employed workers in most countries tend to only voluntarily have (limited) access to social insurance systems. Even if they are legally covered, self-employed workers have less favourable provisions both in terms of coverage of risks but also in terms of their ability to meet minimum eligibility requirements under national legislation (Behrendt et al., 2019). Only in some countries, universal schemes allow for inclusion of platform workers and other type of non-standard employment workers in the social protection system – see box 2 below.

To increase the inclusion of platform workers in social protection, various tailored efforts have been undertaken. The following overarching practices can be identified:

- 1) **Improve the knowledge on platform activities by authorities** through, for example, a) provision of tax incentives to share online activities with tax authorities in Belgium, b) enforcing platforms to share the user administration or information on users' income annually with tax authorities, such as in France and the USA, c) either obligate transport platforms to register with the social security institute in Uruguay or allow voluntary sharing of income by the transport platform with tax authorities on behest of the platform worker as is the case with Uber in Estonia (Freudenberg and Technical Commission on Old-age, Invalidity and Survivors' Insurance International Social Security Association, 2019).
- 2) **Ensure contribution to social security at the source.** In Chile, for example, the government collects a 10% contribution rate out of any e-invoice and directs it to the selected pension fund. In France, Switzerland, Singapore and Indonesia, the contributions are collected through the platform (oft voluntarily) and transferred to the social security institute (Freudenberg and Technical Commission on Old-age, Invalidity and Survivors' Insurance International Social Security Association, 2019; LaSalle and Cartoceti, 2019). While this is promising, the voluntary nature leaves many in a vulnerable position as the Gojek case in Indonesia illustrates – see box 3. This may be exacerbated by the power of platforms in setting certain working conditions as the case also illustrates.
- 3) **Enforce registration of platform workers with private firms that act as employer and ensures payment into social security systems.** This could be by enforcing either the platforms to register with an intermediary or the platform workers. In both cases the platform worker would be considered an employee. In the case of Belgium, digital platforms registered with SMart, an intermediary that provides financial administration. Its effectiveness depends on the interest by the national Government as a change in approach resulted in lower levels of social security coverage (Drahokoupil and Piasna, 2019) – see also box 1 below. Another example is the case of Sweden where platform workers are required to register with an umbrella (private) firm. These firms process the invoices by the workers against a small fee. They administer the gig-workers' social security contributions and

payroll taxes, and pay out a wage to the worker. This approach grants platform workers access to broad public social protection schemes. However, as there is no union for 'gig' workers, many self-employed are not covered by additional, collectively bargained unemployment compensation. Further, as it is difficult to prove that unemployment for gig workers is involuntary, many insurance funds are reluctant to pay out (Kolsrud, 2018; Nelson et al., 2017).

- 4) **Private initiatives to raise effective coverage.** This may be through the form of cooperatives that support collection of contribution or by campaigns by trade unions to inform workers (Freudenberg and Technical Commission on Old-age, Invalidity and Survivors' Insurance International Social Security Association, 2019).

This section thus highlights the challenge in addressing the changing nature of work, and ensuring their inclusion in the national social protection. On the one hand, there is the issue of classification. As highlighted in the discussion above, the classification as employed or self-employed has implication for the eligibility for and accrument of social protection. On the other hand, measures targeting social protection coverage face their own challenges dependent on the power imbalance between the platform and worker, voluntary nature of certain schemes, and ability to effectively access certain social protection schemes. This has implications for the pathway forward to ensure inclusion of new forms of work in social protection.

Box 1: Case of Deliveroo in Belgium

The case of Belgium illustrates some of the challenges when government interventions are introduced that lead to reclassification of workers by companies to the detriment of the worker. In Belgium between 2016 and 2018, Deliveroo, an international intermediary providing low-skilled local services, contracted its workers through a second intermediary Belgian platform named Smart. Smart was offering to Deliveroo (and other digital platforms) financial, accounting and administrative services while paying salary, contributions and taxes on behalf of the workers. The following government intervention established a tax incentive to the self-employed, incentivising Deliveroo in abandoning the agreement and therefore re-classifying its workers as self-employed, with the consequences of them not being covered by social insurance anymore. Albeit both systems were valued by workers (one in terms of income protection, the other in terms of flexibility), the transition to self-employment has been regarded as a result of the failure to collectively organise in the emergent platform economy (Drahokoupil and Piasna, 2019).

Box 2: The case of Australia and the incorporation of NSFE worker

The case of Australia is an example of a universal scheme as no or only little distinction is made between different forms of employment. Yet, even while schemes may be universal in design and thus inclusive of self-employed workers and platforms workers, certain limitations may be put in place in terms of access and arrangements that rather promote fulltime employment over part-time.

The Australian social protection system is publicly organised and is significantly different from the majority of OECD countries as no prior contributions are needed to gain eligibility for social insurance. The country follows the ambitious mission of establishing a citizen insurance scheme that includes all workers without granting privileges based on an individuals' employment status. The vast majority of benefits is means-tested, which includes an assessment of income and assets available to individuals. Some require years of residency and only the Paid Parental Leave and Dad and Partner Pay uses work history as an eligibility requirement. The challenge with relying on a means-tested approach is the ability to capture the accuracy of irregular payments. Additionally, while the system seeks to cover NSFE, it places part-time workers and women, in particular, at a disadvantage through its design when it comes to accruing Superannuation (Whiteford and Heron, 2018).

Box 3: The case of Gojek in Indonesia

In Indonesia, the national law on social security compels companies to cover the costs of contributions for the employees, though this does not hold for self-employed. Self-employed individuals may opt in social security. They themselves are responsible to register and pay their contributions. BPJS is responsible for providing social assistance and insurance under the Employment for Non-Wage

Workers (BPU).¹⁴ With this institute, the government aimed at providing at least universal health coverage and occupational insurance to all workers no matter their status (Fanggidae, Sagala and Ningrum, 2016; Yuniastuti, Laksmono and Sardjono, 2019).

Gojek, an on-demand transport platform, collaborates together with BPJS to provide social insurance contribution for Gojek's drivers. While their contribution into the system are out of pocket, a mobile app was delivered to smooth this process. Nonetheless, most Gojek drivers take care themselves of these arrangements or they may decide not to follow up as the contributions are voluntary. This decision may be conscious as it was also reported that over time the set rates by Gojek reduced several times without notice, which in turn affected the income of Gojek drivers negatively (Behrendt and Nguyen, 2019; Fanggidae, Sagala and Ningrum, 2016; Yuniastuti, Laksmono and Sardjono, 2019). This highlights the power imbalance between the platform and the workers and may place the worker in an even more vulnerable position.

¹⁴ This includes Work Accident Guarantee programme; Death Assurance Programme; and Old Age Insurance Programme (Yuniastuti, Laksmono and Sardjono, 2019).

5. The Future of Social Protection for NSFE

As platform work is often approached within the context of NSFE, a closer examination is required on how NSFE can be accommodated in prevailing social protection systems. As the previous section illustrates, even if provisions have been made, there is no ideal model. While the discussion above sets out several issues that need to be addressed when looking at NSFE, the literature also highlights the importance of not taking best practices that work for one type of NSFE and transposing those to another context or type of non-standard work. It is crucial to recognise the institutional embeddedness of the social protection systems that also shape the pathway forward (see also Burroni and Pedaci, 2014). Therefore, systems would need to be adjusted at their core to ensure that the transformations accomplish their intended outcomes, as for example highlighted by the failure to incorporate non-standard workers in the mandatory enrolment in social insurance (pensions and healthcare) during the 2012 labour market reforms in Japan (Osawa and Kingston, 2015)¹⁵.

Inclusion may occur by incorporating NSFE workers in general schemes, or by setting up separate schemes for self-employed workers and/or specific groups. Paz-Fuchs and Wynn (2019) argue for flexible systems that allow covering different types of work arrangements, but that also recognise and account for hybrid structures such as dependent self-employment or bogus employment.

Overall, the following components emerge on the basis of the consulted literature¹⁶ that may prove a pathway forward:

- 1) **Strengthening non-contributory social assistance schemes** by lowering or eliminating minimum thresholds to qualify for benefits amongst others;
- 2) **Extending existing social insurance schemes** to include previously excluded categories¹⁷ or by extending the required contribution periods to allow for interruption

¹⁵ This reform mandated that employers of employees working more than 20 hours and earning a monthly salary of at least ¥88,000 in a firm with over 500 employees should contribute to the social insurance system. However, it failed to include most non-standard workers, as many are working within small firms and poorly paid employees are exempted (see also footnote 79, Osawa and Kingston (2015))

¹⁶ In particular, see Behrendt and Nguyen, 2019; Bradshaw and Bennett, 2017; Freudenberg and Technical Commission on Old-age, Invalidity and Survivors' Insurance International Social Security Association, 2019; Gassmann and Martorano, 2019; ILO, 2016; ILO and OECD, 2020; ISSA, 2019a, 2019b; OECD, 2018b; Schoukens, 2019; Spasova et al., 2017; and The Adecco Group, 2018.

¹⁷ Also known as paradigm shifts. Spasova et al. (2017) identified that these have occurred in the following countries: Austria, Belgium, Switzerland, Greece, Spain, Ireland, France, Lithuania, Latvia, Norway, Portugal, Turkey and the United Kingdom.

- in jobs. Additionally, to prevent opting out of social insurance schemes, conditions on leaving a system or providing incentives to remain could be set (see Schoukens, 2019);
- 3) **Streamlining administration processes or improving electronic access to information** to ease the coverage of workers with multiple employers;
 - 4) **Developing financial mechanisms that ensure social security coverage in cases of complex employment relationships** such as the *Kunstlersozialversicherung* in Germany for artists and writers where the client pays into a separate social protection fund for the artists and writers (see also Tobsch and Eichhorst, 2018; OECD, 2018) or the the *Régime Sociale des Indépendants* and social protection for *intermittents du spectacle* in France (see also Cahuc, 2018);
 - 5) **Easing registration, contribution collection and payment benefit mechanisms** through simplified tax and contribution collection, contributory categories according to income or proxy, harmonising contribution rates between employed¹⁸ and self-employed, or by setting up notional defined contribution-systems rather than having a multitude of individual accounts. One such format could be by establishing a Digital Social Security (DSS) – potentially using global platforms – that links back to national social security institutions (Weber, 2018; Freudenberg, 2019);
 - 6) **Ensuring portability of entitlements** which is particularly relevant in an increasing global world and frequent labour market transitions. A transferral approach could be by providing continued insurance when someone changes his/her type of occupation. This would also improve the coordination between different schemes (see Schoukens, 2019) and counter fragmentation;
 - 7) **Providing legal coverage to platform workers** by adapting and harmonising legislative frameworks that seek to clarify the employment relationship and would counter disguised self-employment. As indicated above efforts have been undertaken in amongst others Sweden and Denmark;
 - 8) **Incorporating digital innovation into existing schemes** to facilitate registration and contribution payment mechanisms such as in the case of the digital app for BPJS in Indonesia (see Behrendt and Nguyen, 2019; Fanggalda, Sagala and Ningrum, 2016; Yuniastuti, Laksmono and Sardjono, 2019).
 - 9) **Awareness and information campaigns** to improve knowledge among platform workers on access to and eligibility for social insurance (Freudenberg and Technical Commission on Old-age, Invalidity and Survivors' Insurance International Social Security Association, 2019). As the labour force survey by Codagnone et al. (2018) indicates, there is a lack of awareness on how to accrue social protection among non-standard works, particularly those with a low income.

¹⁸ These are also known as parametric reforms. Spasova et al. (2017) identified that these have occurred in the following countries: Denmark, Estonia, Spain, Hungary, Norway, Netherlands, Portugal, Romania and Slovenia

To arrive at an inclusive social protection system, social dialogue, adjustment of regulation, and jurisprudence at the national levels are needed (Aibar, 2019). The case of Uber drivers in the US show different practices depending on the city and state, with those in New York City establishing Independent Drivers Guild, and the Seattle City council providing an ordinance that allows drivers that work as independent contractors to unionise (Liebman, 2017). These different type of worker organisations have the potential to contribute to changing work situations as also the case of temporary agency work in Italy exemplifies. In Italy, collective bargaining contributed to the introduction of income measures for temporary agency work such as availability allowance and unemployment benefit, and for females, maternity and childcare benefits were introduced (Burrioni and Pedaci, 2014). Social dialogue and collective bargaining may therefore contribute to furthering this challenge.

The question remains who is responsible for contributing to the social security systems in the end. Some argue that on-demand firms are the primary entity responsible for providing the minimum basic benefits (e.g. Fanggidae, Sagala and Ningrum, 2016) and some question whether the client is responsible for contributing to the insurance system (Boeri et al., 2020). The challenge lies therein that if the worker is required to contribute to the social security system at a higher premium, this would undermine her competitive position as she would need to increase the price of the product or services she is offering. The client may then look towards the global market for lower priced services given that platform work easily transcends borders, or the client may then prefer to hire someone part-time or on temporary basis. Thus, it would subvert the opportunities that new forms of employment in the digital age would otherwise offer. A critical look is therefore necessary.

6. Concluding Remarks

Applying a systematic literature review, this study sought to establish how non-standard forms of employment, with a particular focus on platform work, has been identified within the literature consulted and to which extent legal practices emerge. While there is a clear conceptualisation of how platform work can be classified, the challenge lies in the legal construct underlying the work activities. Differing practices prevail between countries and only a few have thus far explicitly recognised platform work or crowd work as part of NSFE. Additionally, the question emerged to which extent platform workers can be seen as (disguised) employees or as independent contractors. This has implications for the access to social protection.

Therefore, the study next sought to identify various social protection practices that seemingly incorporated NSFE within existing schemes, and to highlight some of the prevailing challenges. The ongoing shifts in policies have the potential to decrease socio-economic differences between different employment statuses. Ultimately, these shifts promote the transferability of individuals' social rights between employment statuses and ease the use of

individual social protection accounts. Nonetheless, challenges remain. These range from eligibility criteria pertaining to contribution and work history; optional coverage; and restrictive eligibility criteria that allows for debate to what extent these may be upheld.

Lastly, on the basis of the literature, different components have been identified that may be undertaken to address the lack of statutory and effective coverage to social protection for platform workers. These steps range from further developing legislation to adjusting existing schemes in terms of eligibility criteria, portability of transfers, incorporating digital innovation, and providing flexible security. At the same time, the literature underlines the necessity of social dialogue and collective bargaining in furthering social rights.

It is essential that any policy change accounts for the context. NSFE practices that work within one context may not necessarily work for other types of NSFE. As also stated by Spasova and Wilkens (2018), it is imperative that the social protection systems are continuously monitored and adjusted to account for future forms of work to ensure access to social security for all types of employment and protect those engaged in the digital economy against poverty and vulnerabilities.

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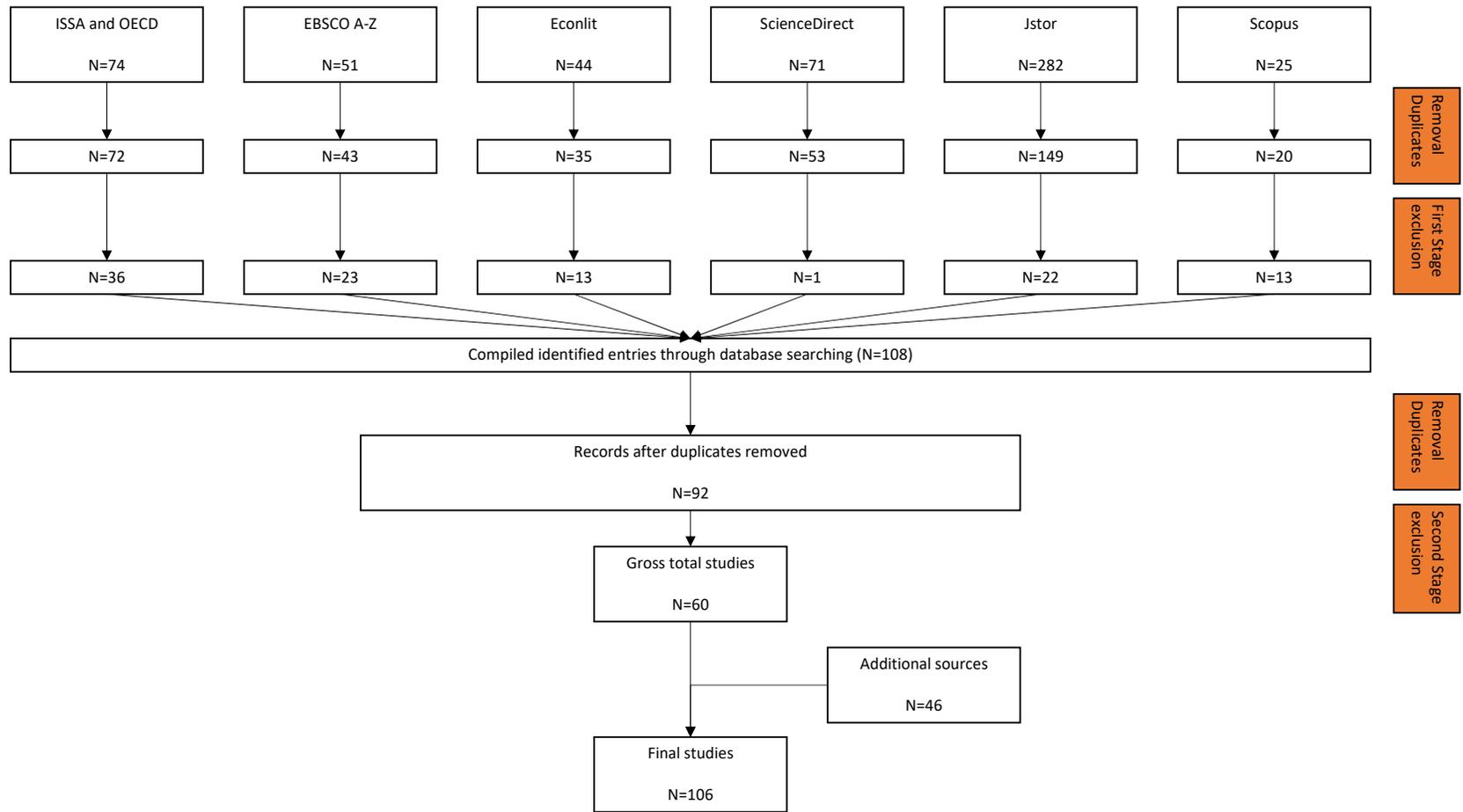
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Figure A1. Flow-diagram of various steps systematic literature review



Source: Authors' own elaboration

Table A2: Overview legal coverage of self-employed persons in social protection systems

Social protection schemes	No legal access	Statutory access	
		Mandatory	Voluntary
Unemployment	Belgium, Bulgaria, Cyprus, Deutschland, Estonia, Greece ^a , France, Ireland, Italy, Malta, Northern Macedonia, The Netherlands, Liechtenstein, Lithuania ^a , Latvia, Portugal ^a , United Kingdom, Turkey, Switzerland, Norway ^a	Czech Republic, Croatia, Hungary, Luxembourg, Northern Macedonia ^a , Serbia ^a , Slovenia, Slovakia ^b , Poland	Austria ^b , Denmark, Spain, Finland, Romania, Sweden
Accidents at work and occupational injuries	Belgium, Bulgaria, Cyprus, Czech Republic, Deutschland, Denmark, Ireland, Latvia, Liechtenstein, Lithuania, The Netherlands ^a , Slovakia, United Kingdom, Switzerland, Norway ^a	Estonia, Greece, Croatia, Hungary, Italy, Poland, Luxembourg, Malta, Northern Macedonia, Sweden, Slovenia, Serbia, Turkey, Iceland	Austria ^b , Spain, Finland, France ^a , Norway Portugal, Romania
Sickness benefits	Greece ^a , Ireland, Italy, Switzerland	Austria ^b , Belgium, Cyprus, Germany ^b , Denmark, Spain, Finland, France, Hungary, Croatia, Luxembourg, Liechtenstein, Lithuania, Latvia, Malta, Northern Macedonia, Norway ^a , Portugal ^b , Sweden, Serbia ^a , Slovenia, Slovakia ^b , United Kingdom ^b , Turkey, Iceland	Bulgaria, Czech Republic, Estonia, The Netherlands, Poland, Romania
Pensions		Austria ^b , Belgium, Bulgaria, Cyprus, Czech Republic, Germany, Denmark, Estonia, Greece, Spain, Finland, France, Croatia, Hungary, Ireland, Italy, Luxembourg, Lithuania, Liechtenstein, Latvia, Malta, Norway, Northern Macedonia, The Netherlands, Poland, Portugal, Romania, Serbia, Sweden, Slovakia, Slovenia, United Kingdom, Turkey, Switzerland, Iceland	Germany

Healthcare		Austria ^b , Belgium, Bulgaria, Cyprus, Czech Republic, Germany, Denmark, Estonia, Greece, Spain, Finland, France, Croatia, Hungary ^a , Ireland, Italy, Liechtenstein, Luxembourg, Lithuania, Latvia, Malta, Norway, Northern Macedonia, The Netherlands, Poland, Portugal, Romania ^b , Sweden, Slovakia, Slovenia, United Kingdom, Turkey, Switzerland, Iceland	
Maternity benefits		Austria ^b , Belgium, Bulgaria, Cyprus, Germany, Denmark, Estonia, Greece, Spain, Finland, France, Croatia, Hungary, Ireland, Italy, Luxembourg, Lithuania, Malta, Northern Macedonia, Norway, The Netherlands, Poland, Portugal ^b , Sweden, Serbia ^a , Slovakia, Slovenia, United Kingdom, Turkey, Switzerland, Iceland	Czech Republic, Latvia, Liechtenstein, Poland, Romania
Invalidity		Austria, Belgium, Bulgaria, Cyprus, Germany, Denmark, Estonia, Greece, Spain, Finland, France, Croatia, Hungary, Ireland, Italy, Liechtenstein, Luxembourg, Lithuania, Malta, Norway, Northern Macedonia, Poland, Portugal ^b , Sweden, Serbia, Slovakia ^b , Slovenia, United Kingdom ^b , Turkey, Switzerland, Iceland	The Netherlands

Note: a) Access only for certain categories of self-employment b) Compulsory/voluntary access depending on the category of self-employment. This overview is not exhaustive, and the ESPN country reports should be consulted for the complete overview.

Source: Based on Spasova et al. (2017, p.76-80); Spasova and Wilkens (2018,p. 105); Schoukens (2019, p. 19).

Table A3: Lack of formal social protection coverage for specific type of NSFE categories

Type of social protection scheme\ Type of employment	Casual workers	Seasonal workers	National specificities	Freelance	Apprentices	Trainees	Vocational Trainees
Unemployment benefits	Romania, Malta, Lithuania	Romania, Latvia, Malta, Portugal	Austria, Czech Republic, Germany, Poland, Portugal, Slovakia		Greece, Croatia, Malta, The Netherlands, Poland	Greece, France, Italy, Latvia, Malta, The Netherlands, Poland, Portugal, Romania	
Sickness benefits	Hungary, Lithuania, Latvia, Romania	Hungary, Lithuania, Latvia, Portugal, Romania	Czech Republic, Slovenia		The Netherlands, Poland	Denmark, France, Hungary, Latvia, The Netherlands, Poland, Portugal	Denmark, Greece, France, Hungary, Poland
Maternity benefits	Lithuania, Romania	Lithuania, Latvia, Portugal, Romania	Czech Republic, Poland, United Kingdom	France	Malta	France, Hungary, Italy, Latvia, Portugal	Greece, France, Hungary, Italy
Accident and Occupational injuries	Romania, Croatia, Lithuania	Lithuania, Latvia, Portugal, Romania	Czech Republic, Spain			Portugal	

Old Age/Survivors' Pensions	Malta, Lithuania	Romania, Lithuania	Czech Republic, Hungary, Luxembourg, Malta, Poland		Belgium, Croatia, Malta	Greece, France, Hungary, Italy, Latvia, Malta, Portugal	
Invalidity	Hungary, Lithuania	Hungary, Lithuania	Austria, Poland			Portugal	

Source: Schoukens, 2019, p.22.

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