



**Atypical**

employee involvement of atypical  
workers – example of service sector

# TRAINING TOOLKIT

## FOR PROJECT PARTNERS

ATYPICAL. EMPLOYEE INVOLVEMENT  
OF ATYPICAL WORKERS – EXAMPLE OF  
SERVICE SECTOR

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## CONCEPTUAL FRAMEWORK

**Typical employment** - a term used to describe work carried out in a typical (classic) way, i.e.:

- full-time,
- at a specified place, usually a fixed place, which is an enterprise, during a specified time (specified working time),
- under the direct supervision of the employer, in a team, cooperating with others,
- with full social protection under labour law.

**Atypical employment** - the opposite of the traditional form of work. The use of working conditions and their organisation that differs from the rules of typical employment, that is:

- on a part-time basis (e.g., half, one-third of a full-time),
- in a mobile (changing) workplace, requiring mobility, organised in an unconventional way (virtual, remote, in the employee's home),
- without fixed working hours, based on system of tasks (projects),
- with autonomy and flexibility of action, freedom to carry out the work duties,
- in isolation, independently, without close supervision by the employer,
- with the omission of some or all of the elements of social protection established by labour legislation.

### IMPORTANT

**Current labour laws are characterised by flexibility, individualisation, and deregulation. They need to respond to the challenges of the modern market, in particular increased competition, globalisation, modernity, instability and unpredictability of events.**

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The increasing flexibility of employment and the spread of atypical forms of work are justified by the fact that there are sudden changes affecting the labour market. This was proven by the COVID-19 pandemic, which suddenly gave rise to remote working. Another example is the economic crisis. Employment is maintained, but with reduced working hours so as not to increase unemployment. A contemporary challenge is the development of modern telecommunication technologies, the digital transformation and the industrial revolution that is taking place, with the prevalence of the service sector, automation, electrification and robotics. The traditional work structure based on hierarchy, formalisation and strict task assignment is increasingly giving way to atypical forms of employment associated with knowledge sharing, collaboration, decentralisation and tasking.

**Worker** - is a person in a relationship of dependence with an employer, who performs work for a fixed period of time in return for a fixed remuneration and is covered by the special protection of labour law.

**Employee** - is a person who performs a productive or service activity (work) for the other party based on a contract defining mutual rights and obligations, concluded in an autonomous manner in accordance with the interests of both parties.

**Self-employed** is a person who, for his or her own account and under his or her own responsibility, carries out an individual economic activity in cooperation with an enterprise and fulfils the tasks entrusted to him or her by that enterprise. In principle, the self-employed person acts as an employee, although formally he or she is an entrepreneur.

**Information** - is the provision of information by the employer to enable workers, through their representatives, to familiarise themselves with the subject and to consider it.

**Consultation** - the exchange of views and the establishment of a dialogue between the employer and the employees represented by their representatives.

**Services** - the term referring to a sector of economic activity of a non-productive nature that involves the provision of specific services or needs; services can be public (e.g., health care, education, community safety) or private (provided commercially).

**Social dialogue** - the series of interactions between employers and workers on industrial relations issues that take place at different levels (enterprise, regional, sectoral, national, international) and are conducted in different ways (e.g., informing,

consulting, agreeing), adapted to the specific situation and needs of both parties. It is a process of formal or informal interaction aimed at reaching consensus.

**A. EVALUATION QUESTIONS:**

**1. In a typical job, does the worker enjoy full autonomy in the way he or she carries out his or her work?**

a) yes

b) no

**2. Is consultation a form of social dialogue?**

a) yes

b) no

**c) Is atypical employment characterised by flexibility and instability in the conditions under which tasks are performed?**

a) yes

b) no

**d) Is an employment contract of indeterminate duration which provides for strict management by the employer to be considered as typical employment?**

a) yes

b) no



## II

### LEGISLATIVE FRAMEWORK

The EU regulation to ensure effective and sustainable respect for employee participation is Directive 2002/14/EC of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community. It emphasises the need to strengthen dialogue and promote mutual trust within undertakings to improve the predictability of risks, make work organisation more flexible and facilitate access to training, while maintaining safety, raise awareness of the need to adapt to new requirements, improve employability, promote workers' involvement in the activities and future of the undertaking, including the improvement of its competitiveness.

Directive 2002/14/EC of 2002 refers to workers as any person protected in the Member State concerned by national labour law and in accordance with national practice.

In addition, an employer is any natural or legal person who, in accordance with national law and practice, has an employment contract or employment relationship with workers.

#### **IMPORTANT**

**The employment contract is the legal relationship that provides the most protection for the worker.**

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In the eyes of the public, the employment contract is the most desirable basis for employment as it gives most rights to working people.

These include, for example:

- > specific wage protection;
- > application of working time standards, daily and weekly rest, breaks and time off, limits on overtime;
- > granting of annual leave, maternity leave, parental leave;
- > limited material liability;



- > training;
- > compliance with dismissal procedures;
- > health and safety at work;
- > social security and benefits.

Workers' rights include participation understood as information on:

- the recent and probable development of the activities of the undertaking or establishment and its economic situation;

as well as consultation on:

- the situation, structure and probable development of employment in the undertaking or establishment and the measures envisaged in the event of a threat to employment;
- decisions which are likely to lead to substantial changes in the organisation of work or in contractual relations.

Timely information and consultation is a prerequisite for the successful restructuring and adaptation of undertakings to the new conditions created by the globalisation of the economy, in particular with regard to the development of new forms of work organisation. The strengthening of social dialogue is aimed at treating employment as a priority objective, for the achievement of which the concepts of "anticipation", "prevention" and "employability", integrated in all public programmes and business strategies. The protection of workers' interests in the context of the emergence of atypical forms of work is provided for in Directive (EU) 2019/1152 of 20 June 2019 on transparent and predictable working conditions in the European Union. This Directive defines new (additional) minimum rights to promote security and expected (planned) employment relationships, while contributing to convergence and maintaining the adaptability of the labour market in view of the development of flexibility and the need for employers to adapt to economic change. Irrespective of the type and duration of paid employment, the right to fair and equal treatment as regards working conditions, access to social protection and training should be guaranteed and the transition to permanent forms of employment should be supported. Innovative solutions to ensure quality in work should also be promoted, as well as the promotion of entrepreneurship and self-employment and the facilitation of labour mobility.

## IMPORTANT

**According to Directive (EU) 2019/1152 of 2019, the employer should guarantee stable employment and provide decent and safe working conditions. At the same time, he has the right to implement flexibility, but within reasonable limits.**

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Atypical contracts should not be abused and should not lead to insecurity in labour relations. National legislation and collective agreements should ensure the safety of workers and a high quality of work, which can be achieved through the necessary flexibility that prevents abuse and does not allow workers to be exploited because of their weaker position in relation to the employer. According to Directive (EU) 2019/1152 of 2019, workers with atypical status, such as homeworkers, on-demand workers, casual workers, those covered by a service voucher scheme, those using intermediary online platforms, as well as trainees and apprentices, may be covered by the Directive, provided that they meet the criteria for being a worker. At the same time, it should be stressed that abusive self-employment is a form of bogus work, where the aim is to avoid legal or tax obligations, although the way the tasks are performed meets the conditions characteristic of an employment relationship. Directive (EU) 2019/1152 of 2019 does not negate atypical forms of work, but supports the transition to more secure employment when employers have the possibility to offer such an arrangement to workers, i.e. full-time and permanent work.

Other directives laying down the principles of protection at work refer to workers in the traditional sense, i.e. those who perform their tasks on the basis of an employment relationship characterised by features such as indefinite, full-time, subordinate, local, team-based, hierarchical.

If fixed-term contracts are considered as flexible employment, Directive 99/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work provides for non-discrimination, prevention of abuse, training, information and consultation, thus bringing the level of protection closer to that of open-ended contracts. However, the main difference concerns the duration of the relationship between the parties, which is limited to a fixed period. Although it is recognised that in certain situations there may be a need for a relatively short-term employment relationship tailored to the needs of both the employer and the employee, the aim should be a legal relationship that binds both parties for an indefinite period.





## **,IMPORTANT**

**A fixed-term worker is a person who has an employment contract or employment relationship directly with an employer, the termination of which is determined by objective conditions such as the arrival of a precise date, the completion of a specific task or the occurrence of a specific event.**

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Part-time work is one of the flexible forms of employment. In order to improve the situation of this group of workers, Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by the Union of Industrial and Employers' Confederations of Europe (UNICE), the European Centre of Enterprises with Public Participation (CEEP) and the European Trade Union Confederation (ETUC) laid down general principles and minimum requirements aimed at eliminating discrimination and abuse through the provision of lower-quality work. In some selected sectors and activities, part-time work is a specific feature. It allows workers to prepare for retirement, to reconcile work and family life, and to take advantage of education and training opportunities to improve their skills and develop their careers, which also benefits entrepreneurship, competition and the health of the economy. Employers may not treat part-time workers less favourably than comparable full-time workers unless the difference in working conditions is justified by objective reasons.

## **IMPORTANT**

**A part-time worker is a person whose normal number of working hours, calculated on a weekly average or on the basis of an average over a period of employment of up to one year, is less than the normal number of working hours of a comparable full-time worker doing the same or a similar job (occupation), taking into account other factors such as: seniority (experience), qualifications or skills.**

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Given the important role of part-time work, it should be encouraged and legal or administrative barriers which may limit its use should be removed. In particular, it should be implemented through collective agreements or other agreements between the social partners. Employers are free to manage work according to their size, but with the proviso that if a worker refuses to move to the proposed full-time position (from full-time to part-time or vice versa), they may not treat this decision as a reason for dismissal or impose a specific penalty.



One of the examples of atypical employment is temporary work, which consists in placing a worker with a user employer to perform tasks for him. The placement is carried out by an agency, which is responsible for the proper selection of staff and the maintenance of employment records. The user employer only supervises and manages the work process. The law regulating working conditions is Directive 2008/104/EC of 19 November 2008 on temporary agency work. It emphasises the importance of this form of work in contributing to job creation and increasing people's participation in the labour market. It establishes a legal framework for the protection of temporary agency workers and is characterised by non-discrimination, transparency and proportionality, while respecting the diversity of labour demand and labour relations. An important aspect of improving the quality of temporary work is the definition of the grounds on which its use is permitted and the standardisation of the mutual obligations of the temporary agency and the user employer towards the temporary agency worker, which should effectively promote appropriate forms of flexible employment.

## IMPORTANT

**For the purposes of Directive 2008/104/EC, a worker is any person who, in a Member State, is protected as a worker under the applicable labour law. On the other hand, a temporary agency worker is a person who is employed by a temporary agency under a contract of employment or an employment relationship with that agency for the purpose of performing work on a temporary basis under the supervision and direction of a user undertaking.**

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The employment standards document is the European Pillar of Social Rights of 17 November 2017, which is a set of twenty fundamental principles and assumptions adopted to achieve economic growth and fair and desirable working conditions in the Member States. These include:

- **equal opportunities and access to employment** including education, training and lifelong learning; gender equality, equal opportunities, active employment support;
- **fair working conditions** including secure and flexible employment, pay, information on working conditions and protection in the event of dismissal; dialogue and social participation of workers, reconciliation of work and family life, a healthy, safe and adapted working environment; and protection of personal data. The adoption of the European Pillar of Social Rights was justified by the fact that labour markets and societies are evolving rapidly, with



globalisation, the digital revolution, changes in work patterns and demographic and social trends creating new opportunities, challenges and needs, which certainly include atypical employment.

The European Pillar of Social Rights stresses that the transition towards open forms of employment should be supported and that employers should be given the necessary flexibility, in accordance with legislation and collective agreements, to enable them to adapt smoothly to changes in the economic context. Innovative forms of employment that ensure high quality working conditions should be promoted, entrepreneurship and self-employment should be encouraged, and labour mobility should be facilitated. At the same time, it is necessary to prevent the emergence of employment relationships that lead to precarious working conditions. It is therefore legitimate to prohibit the abuse of atypical contracts.

**B. EVALUATION QUESTIONS:**

- 1. If a person is protected by national labour law, he or,**
- 2. 22she has the status of a worker.**
  - a) true
  - b) false
- 3. Information and consultation are intended to safeguard the particular interests of the employer.**
  - a) true
  - b) false
- 4. Flexibility should help employers to adapt to economic changes.**
  - a) true
  - b) false
- 5. Innovative ways of working should be encouraged to ensure high quality working conditions.**
  - a) yes
  - b) no



- 6. Directive (EU) 2019/1152 on transparent and predictable working conditions in the European Union strengthens the rights and social protection of workers in traditional employment relationships, while aiming to maintain the adaptability of the labour market.**
- a) true
  - b) false
- 7. The employer is not obliged to treat all persons equally, in the sense that he or she does not have to guarantee fixed-term workers the same employment conditions as permanent workers with permanent contracts.**
- a) true
  - b) false
- 8. An employer may treat part-time workers differently for the very reason that the employment is part-time.**
- a) true
  - b) false
- 9. Can the parties to an employment contract freely determine the duration of work and benefit from the transition to a certain type of work, full-time or part-time, depending on the needs and situation of the company?**
- a) yes
  - b) no
- 10. Temporary agency work is where the temporary agency concludes, in accordance with national law, employment contracts or employment relationships with temporary agency workers for the purpose of assigning them to user undertakings to work there on a temporary basis under the supervision and direction of those undertakings.**
- a) true
  - b) false



**11. The European Pillar of Social Rights denies the development of self-employment as contrary to the right to provide adequate protection for all workers.**

- a) true
- b) false



## III

### TYPES OF ATYPICAL WORK

There are many atypical forms of work in the Member States, which are difficult to summarise in a coherent catalogue. Differences in legal systems, organisational cultures, economic conditions and social expectations are some of the reasons for the diversity of employment. The concept of atypical work is a current trend term that covers a range of forms of work that are emerging or gaining in importance as a result of changes in the modern world: globalisation, increased competition, technological change and economic transformation. The COVID-19 pandemic has also led to an increase in the volume and scope of new forms of employment. Many of these differ significantly from traditional definitions of work.

A key question is how new forms of employment contribute to building a more resilient and inclusive labour market. There is also the question of how to ensure adequate social protection and decent working conditions, while maintaining the desired flexibility and without imposing solutions that deliberately bypass the stakeholders themselves.

#### **IMPORTANT**

**The extent to which atypical employment can be regulated differently without making working conditions less favourable for workers than more established forms of employment is problematic.**

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The concept of diversity is related to the issue of atypical work and the identification in terms of the characteristics and employment status of those engaged in it.

This term implies the acceptance and promotion of diversity and, at the same time, equal employment opportunities for all workers, regardless of what distinguishes them in the subjective assessment (perception) of the employer (e.g. gender, age, disability, nationality, beliefs). The guiding idea is to create friendly working conditions, in line with the principles of social coexistence, to include everyone and not to exclude anyone from a group of employees. Actions to promote of equal treatment and the promotion of social diversity should be based on the values of solidarity, openness, understanding of the other, inclusion. Diversity policies are supposed to facilitate the recovery of the company's economic health and ensure competitiveness, as a heterogeneous team acting in a flexible, ad hoc way may have

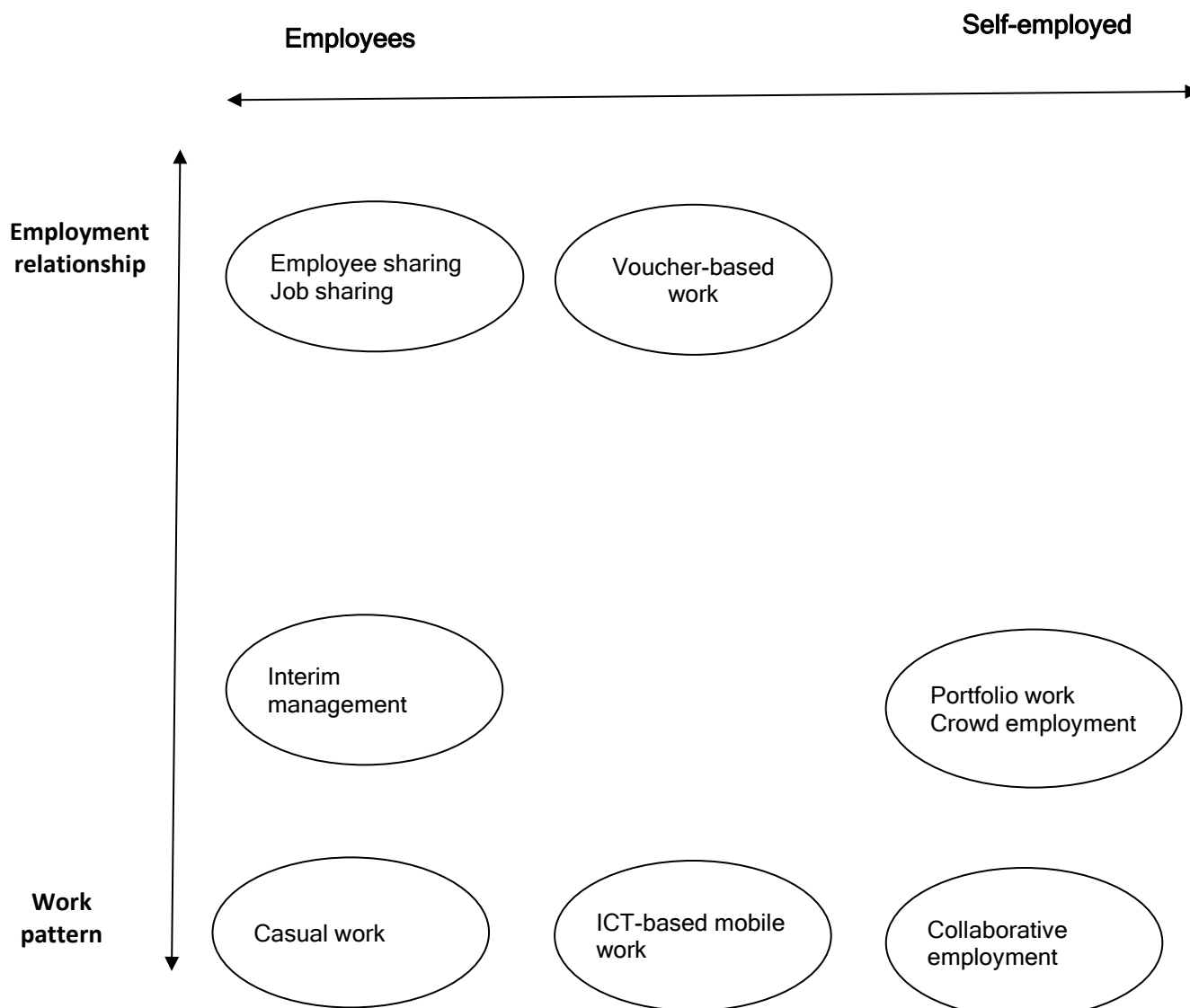
interesting and unusual ideas and innovative ways of implementing them, and is more prone to change. Thus, the conclusion is that atypical employment and a diverse workforce are factors that have a positive impact on the company and increase its effectiveness. They should be promoted, developed, but not exploited. Employers should not think of them in terms of satisfying their own particular interests.

The classification of the latest forms of employment characteristic of the 21st century labour market includes:

- casual work;
- crowd employment;
- employee sharing;
- job sharing
- interim management;
- ICT-mobile work;
- voucher-based work;
- portfolio work;
- collaborative employment.

The classification by the European Foundation for the Improvement of Living and Working Conditions (Eurofound) shows how the economy and related processes are changing, forcing the creation of previously unknown forms of work characteristic of the post-industrial era. Some forms of work are very different from the traditional employment relationship, while others are close to it (Figure 1). Much depends on the nature of the relationship between the parties and the conditions of employment.

Figure 1: Classification of the nine new forms of employment



Source: Eurofound, 2015



## **1. Casual work;**

One of the flexible forms of employment is casual work, understood as sporadic and irregular work that does not foresee the employee's time commitment. It depends on a few external conditions and is assigned when there is a need. It includes on-call work, where an employer asks a worker to perform specific tasks when needed. Seasonal work is treated in a similar way as its duration is short, temporary and depends on the season, cycle or accepted period. Casual work is carried out by certain groups (e.g. young people, migrants). A significant proportion of those who work see it as an additional source of income.

## **2. Crowd employment**

With the development of information and communication technologies, the use of the Internet and the emergence of the collaborative economy, digital platform work has emerged. It consists of bringing together users interested in offering and receiving certain services through computer programmes (applications). This requires the availability of appropriate IT equipment (hardware, network, software). Supply then responds to demand online and transactions take place. A characteristic of platform work is that there are three parties, i.e. the party who commissions the work (the client, the recipient), the contractor (the person who performs the work) and the platform owner (the intermediary who provides the virtual space). Platform work is also defined as a form of contract where an employee performs a service for his employer's client using online platforms. Examples of this form of activity include transport activities (e.g. Uber, Glovo) or the provision of financial, translation or programming support (e.g. Fixly, Freelancer). An important role is played by algorithmic management, which becomes a virtual employer by distributing tasks, controlling their execution, assessing quality and financial accountability.

## **3. Employee sharing**

In order to make more efficient use of labour resources, the phenomenon of job sharing is being adopted, i.e. a solution whereby a group of employers jointly hire and take responsibility for workers. Working conditions and mutual responsibilities are usually agreed internally between these employers. In practice, this cooperation can take the form of a strategic partnership, where a network of agents is created in which employees delegate to each other specific (individual) tasks in order to ensure continuity of work. This avoids interruptions or part-time work, being the most profitable. Employee sharing does not always satisfy employees, especially if they are paid by the hour and want to make the most of the time on which their remuneration depends. Another solution is ad hoc sharing, where an employer who is temporarily

unable to provide work for his or her employees sends them to work in another company, after agreeing the conditions of such a posting with the host employer. The employment contract between the existing employer (the sending employer) and the employee remains in place and the user employer only performs organisational and operational supervisory tasks related to the planning, allocation and control of day-to-day business activities. In this arrangement, the employment relationship is maintained despite the absence of tasks for the employee. This form of cooperation is similar to temporary work but does not have the commercial element attributed to the agency, which is responsible for finding staff for a specific assignment of the client (user employer).

#### **4. Job sharing**

The basic idea of job sharing is the division of the same job between two or more employees working together on a full-time basis. For an individual employee, this means working part-time. Job sharing also involves the necessary sharing of skills, activities and time. It does not have to be egalitarian. The advantage is flexibility, especially when employees want to combine work and private life, but the danger is the dispersion of responsibility for the tasks performed. It works well as a mentoring system for senior and junior staff to work together.

#### **5. Interim management**

The atypical character of this form of employment lies in the involvement of specialised experts who are needed for a specific task or to solve a specific problem in the company. The essential element is the expert knowledge of the person employed, who, thanks to his or her experience, provides assistance in the event of the need to implement a project, the occurrence of a problem in a particular area or the need to manage the company in difficult situations (e.g. economic crisis, restructuring). The legal basis is any contract agreed (chosen) by the parties, often a non-employment contract. Sometimes employers agree among themselves to use the expertise of a specialist they have and can lend to each other.

#### **6. ICT-mobile work**

The development of information and telecommunication technologies has led to an increase in teleworking, which can be carried out permanently or partially at a distance from the employer's main office. This is usually the employee's place of residence, but the parties may also specify a telecentre, call centre or virtual office. A peculiarity of telework is the use of electronic means of communication to communicate and send the results of the tasks performed. It can be ordered if the employee has the technical and local skills and abilities to perform such work and the

nature of the work allows it. The means and materials for the work and logistical support are provided by the employer. However, there is no objection to the employee using his or her own equipment, as long as it is possible to respect and protect confidential information and other protected business or personal secrets, as well as information the disclosure of which could cause harm to the employer. It is important to agree the terms of cooperation. It is usually assumed that the employer is responsible for the health and safety of teleworking and for accidents during teleworking, but to the extent that they are related to means or materials provided by the employer, the employer will cover the costs of installation and maintenance of equipment, as well as electricity consumption and telecommunication services. In addition, the worker may be required to keep a record of the activities carried out in the course of his work at a distance.

### **7. Voucher-based work**

Atypical work may consist of a different way of remunerating the worker. An example is voucher work. The parties enter into an employment contract that provides for the worker to receive vouchers (money without currency) as remuneration instead of a cash payment. In practice, the employer buys such a voucher from an authorised entity and pays for the work done with this means of payment. The employee can exchange it for cash at any time. An important element of the voucher is the inclusion of social security, which is transferred to the employee's individual account. The structure of the voucher system is similar to that of the bonus system (payment in kind, e.g. coal for miners, firewood for foresters).

### **8. Portfolio work**

There is a high degree of flexibility in portfolio work, which is carried out by people who value freedom and independence. They tend to be self-employed with income from a variety of sources. They are not dependent on a single organisation but have many clients to serve. They organise their own work, manage their own business and reconcile their professional and private lives, but they do not have the rights of employees and have to bear all the burdens (taxes, insurance) and risks (mainly financial). They set the terms of cooperation, make their own decisions, create their own brand, are responsible for the quality of their work and enjoy a wide range of opportunities for new challenges and the combination of different skills. Freelancers are expected to be proactive, reliable and constantly adapt to unpredictable business situations and client expectations. On the one hand, they enjoy their autonomy, but on the other, they are prone to losing their work-life balance and suffering from the negative effects of workaholism.



## 9. Collaborative employment

A feature of collaborative employment is the cooperation between self-employed, sometimes including small and medium-sized enterprises, which allows them to run a business together. In most cases, the self-employed join forces with others in order to overcome the constraints resulting from the size of their business and their occupational marginalisation (isolation). In this way they try to strengthen their position in the market. One form of grouping is through umbrella organisations, which support and protect professionals, manage their administrative affairs (e.g. filing of forms, circulation of invoices), but also allow them to maintain the main characteristics of self-employment, such as independence and autonomy. However, umbrella organisations do not provide employment stability and social protection, although they sometimes offer some security. Another type of collaborative employment is coworking, i.e. working individually but in a group, in a shared space with others. Each person carries out his or her tasks separately, but uses the infrastructure created for all. Co-operatives are also a common solution, where self-employed people join as members to exchange knowledge and experience in their field of expertise, to share information on market developments and to strengthen marketing.

### C. EVALUATION QUESTIONS:

1. Coworking is a type of digital platform working.
  - a) true
  - b) false
2. Is remote work similar to platform work in its use of modern information and communication technologies?
  - a) yes
  - b) no
3. Job sharing involves the part-time work of at least two people.
  - a) yes
  - b) no
4. If employers jointly exchange their employees in order to increase the efficiency of their company and not to generate unnecessary costs, it involves:



- a) interim management
  - b) collaborative employment
  - c) employee sharing
5. The style of work that combines multiple sources of income, based on independence and self-responsibility, which is the opposite of subordinate teamwork in a company, is:
- a) casual work
  - b) portfolio work
  - c) job sharing
6. Making work dependent on the type of remuneration received (form of payment) is:
- a) remote work
  - b) voucher-based work
  - c) on-demand work
7. The use of dynamic websites that combine the functions of a company and a digital marketplace to connect users interested in a short-term exchange of services (an order and its rapid execution) is an example of a flexible form of employment described as:
- a) casual work
  - b) platform work
  - c) portfolio work
8. The appropriate form of employment for entrusting a manager with managerial activities in a business restructuring process is:
- a) remote work
  - b) interim management
  - c) employee sharing

## IV

### THE CHALLENGES OF THE EUROPEAN UNION AND THE LABOUR MARKET

The document "White Paper on the future of Europe. Reflections and scenarios for the EU27 by 2025" of 1 March 2017 stresses that the creation of a single internal market should be pursued, one of the objectives of which is to improve the living and working conditions of the citizens of the European Community. The scenarios envisaged are:

- continuation - implementation of a positive reform agenda;
- nothing beyond the single market - focus on deepening some key aspects of the single market;
- those who want more, do more - enabling Member States who wish to work more closely together in specific areas;
- do less together, but more effectively: focus on achieving results more effectively and more quickly in certain policy areas (innovation, trade, security, migration, border management and defence), with less focus on other issues;
- do much more together: speaking with one voice on the international stage, tackling key issues together, especially security and defence.

In the new Strategic Agenda for 2019- 2024 of 20 June 2019 the European Council identified four priority areas to guide the work of the EU institutions over the next five years in response to the challenges and opportunities arising from the emerging global situation. These areas are:

- protect citizens and freedoms;
- develop a strong and resilient economic base;
- build a climate-neutral, green, fair and social Europe;
- promoting European interests and values on the global stage.

The six priorities include:

- The European Green Deal;

- A Europe Fit for the Digital Age;
- An economy that works for people;
- A stronger Europe in the world;
- Promoting our European way of life;
- A new push for European democracy.

In the aftermath of the COVID-19 pandemic, a European recovery plan called "NextGenerationEU" has been developed to provide an opportunity to rebuild after the emergence of the coronavirus, which caused enormous social and economic damage. The funds are intended to support recovery in many areas. Europe after the COVID-19 pandemic must be more digital, greener, more resilient and better prepared for current and future challenges. The main objective is to transform it into a modern, competitive and resource-efficient economy and society. These changes must be accompanied by the creation of better quality jobs. Reforms should cover the following areas:

- green transformation;
- digital transformation;
- smart, sustainable and inclusive growth and jobs;
- social and territorial cohesion
- health and resilience;
- policies for the next generation, including education and skills.

## **IMPORTANT**

**"NextGenerationEU" is the largest programme of measures to revitalise the European economy.**

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In particular, the Digital Europe funding programme aims to bring information and communication technologies closer to businesses, citizens and public administrations in order to maximise benefits and meet innovation needs, notably in the field of industrial relations. A globally competitive market must offer modern, safe and fair working conditions, promote the skills of the workforce needed for change, provide

opportunities for career development and foster social inclusion. Europe must strive for an open, democratic, and sustainable society based on the values and principles developed so far. In this context, reference should be made to the Charter of Fundamental Rights of the European Union of 7 December 2000, which states that every worker has the right to working conditions which respect his or her health, safety and dignity. They have the right to limitation of maximum working hours, to daily and weekly rest periods and to an annual period of paid leave.

As a result of the measures taken to prevent the spread of the coronavirus, platform work has become increasingly popular and is now seen as a typical service for the transport and delivery of shopping and food. As a driver of innovation and a factor in employment growth, it has triggered the need to study the working conditions and social aspects of those who carry out this work. Platform work is very heterogeneous, which makes it difficult to regulate in order to better balance the interests of users and standardise labour rights. Some are freelancers who value autonomy, but there are also those who experience subordination and control in terms of wage levels and working conditions. An attempt to address the fundamental issues of eliminating misclassification and granting certain rights is the draft Directive of 9 December 2021 on improving working conditions through online platforms.

## **IMPORTANT**

**Due to the spread of modern digital technologies, efforts have been made to regulate atypical forms of employment that depend on them and to create protective working conditions.**

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Another example of the regulatory impulse for atypical work is the European Parliament resolution of 21 January 2006 with recommendations to the Commission on the right to disconnect, i.e. not to engage in tasks outside working hours and not to participate directly or indirectly in communication via digital tools. It should also be noted that a new European social partners' agreement on telework is in the process of being adopted. It aims to revise the previous social agreement of 2002, which was not converted into an EU directive. Although there is no general regulation, remote work appears in the directive on work-life balance for parents and carers of 20 June 2019. It states that workers with children up to a certain age (at least eight years old) and carers have the right to request flexible working arrangements for personal care. According to the definition adopted, flexible working arrangements are defined as the use of remote working, flexible working hours or a reduction in working time.





**D. EVALUATION QUESTIONS:**

1. Was the "White Paper on the future of Europe" intended to initiate a process of moving forward to prepare to meet the challenges and opportunities of the near future?
  - a) yes
  - b) no
2. "NextGenerationEU" is an EU recovery fund to facilitate recovery from the COVID-19 pandemic by transforming national economies and creating opportunities and jobs in Europe.
  - a) yes
  - b) no
3. Do the recommendations on the right to disconnect establish a definition and standards for remote working?
  - a) yes
  - b) no
4. The conditions for working through online platforms are regulated at EU level and protect those who are presumed to be self-employed.
  - a) true
  - b) false
5. Remote work is a flexible working arrangement designed to make it easier for parents or carers of young children to reconcile work and private life.
  - a) true
  - b) false



CORRECT ANSWERS			
<b>A.</b>	<b>B.</b>	<b>C.</b>	<b>D.</b>
1. b	1. a	1. b	1. a
2. a	2. b	2. a	2. a
3. a	3. a	3. a	3. b
4. a	4. a	4. c	4. b
	5. a	5. b	5. a
	6. b	6. b	
	7. b	7. b	
	8. a	8. b	
	9. a		
	10. b		



# Atypical

employee involvement of atypical workers – example of service sector



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