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Closing Social Protection Gaps for Flexible Workers through Social Dialogue

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Policy Brief: Closing Social Protection Gaps for Flexible Workers through Social Dialogue

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1. Flexible workers in Europe and their access to social protection

Flexible forms of work have become a defining feature of European labour markets. Temporary agency work (TAW) has existed for decades and has evolved into a regulated segment of employment. Platform work is a more recent phenomenon but has been expanding rapidly and even surpassed TAW in several European countries and at EU level (EU-averages: platform work 3% for EU-17, Eurostat 2023), TAW, 2.4% (EU-27, Eurostat 2024), although taking rather marginal shares in most European labour markets. Both forms are characterised by contractual flexibility, whether through short or intermittent contracts, reduced working hours, or self-employment arrangements.

These features create challenges for European social protection systems, which are still largely built around the standard employment relationship: full-time, open-ended contracts with a single employer. Flexible workers such as TAW and platform workers often struggle to qualify for sickness benefits, unemployment insurance, pensions, parental leave, and health and safety protections. The question of how to extend social and employment protection to them has become central to ongoing debates about the future of work in Europe.

This policy brief examines how industrial relations institutions – trade unions, employer associations, and collective bargaining, and broader forms of social dialogue – help close protection gaps for flexible workers such as TAW and platform workers. Drawing the authors' assessments of original and secondary evidence from Austria, Denmark, Sweden, Poland, Slovakia, and the United Kingdom, it contrasts corporatist and pluralist regimes and compares the role of social dialogue for temporary agency workers and platform workers in their access to social protection. Table 1 illustrates the differences between the industrial relations regimes of these countries, including Nordic corporatist and social partnership on the one hand, and liberal and embedded neoliberal on the other. The countries differ in their estimated bargaining coverage (over 80% in the corporatist cluster, and below 30% in the pluralist cluster), and the

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extent to which institutional conditions allow negotiated vs. statutory access to social protection.

Table 1: Industrial relations regimes as institutionalised channels for social dialogue and collective bargaining for securing access to social protection

Industrial relations regime	Country	Ghent system (trade unions in unemployment insurance)	Bargaining coverage (estimated)	Trade union density	Employer organisation density	Predominant channel for securing access to social protection
North - corporatist	Sweden	Yes	80–90%	65,9% (2024)	89,1% (2024)	Negotiated upon a legal minimum protection floor
North - corporatist	Denmark	Yes	80–90%	60,4% (2024)	68,5% (2023)	Negotiated upon a legal minimum protection floor
Centre-West – social partnership	Austria	No	95%+	20,2% (2024)	100% (2024)	Negotiated upon a legal minimum protection floor
Centre-East - Embedded neoliberal	Poland	No	15–20%	9,4% (2022)	56,3% (2022)	Statutory/legislative
Centre-East - Embedded neoliberal	Slovakia	No	20–25%	11,8 (2022)	62,6 (2022)	Statutory/legislative
West - Liberal pluralist	United Kingdom	No	25–30%*	22% (2024)	47% (2017)	Statutory (courts, primary law) and negotiated at the company level

*For the UK, bargaining coverage refers to the private sector, yet bargaining coverage is higher in the public sector.

Source: Visser (2009), Boonjubun et al. (2025), Bohle & Greskovits (2012), Bechter et al. (2012), ICTWSS database.

2. Flexible work in Europe: Scale and forms

Platform work remains marginal in most European labour markets, but its spread is uneven. The scale and composition of platform work does not show large differences across countries, with 1-3% of workforce engaged in this type of work as a relevant form of their work and income (Piasna et al., 2022; Sieker, 2022; Urzì Brancati et al., 2020, EU LFS 2022). Since there is large diversity in the scope and income from platform work, Piasna et al. (2022) defined the threshold for platform work as a dominant form work via two indicators – working for a platform for at least 20 hours per week and earning at least half of income via platform work. Not all available data (e.g., Huws et al., 2019) strictly follow this threshold when referring to platform work as relevant source of work and income, but it is important to acknowledge the difference between substantive and marginal platform work, e.g. someone working once a year for a platform, and exclude the latter, in our analysis.

From a country perspective, in Austria, around 2 percent of individuals report having found work through online platforms as their main form of work (Löschnigg, 2019; Huws et al., 2016). In Denmark, about 1 percent of the working-age population engages in platform work according to Eurostat (2023). In Nordic countries in general, platform work has not developed into a significant form of employment (Huws et al., 2019). In Poland, 1,9 percent of workers earn a significant part of their income and spend over 20 hours per week working for platforms Piasna et al. (2022). The sector is concentrated mainly in courier and delivery services, highlighting its narrow occupational focus. In Slovakia, platform work has grown in recent

years and is recognised as a rising segment of the labour market, although its overall share remains marginal at 0,9 percent (ibid.). In the UK, recent figures suggest that around 1.4% of the UK workforce worked as platform workers in 2023 and they often work in multiple sectors and occupations but with transport being the largest subsector (Forde et al., 2023; Cockett and Willmot, 2023).

Temporary agency work is more firmly established. In Austria, despite regulation and the long-term operation of agencies, this form of is often viewed negatively by the public. In Denmark, although marginal - 0.6% of all employed, TAW is the dominant form of flexible employment in manufacturing, regulated through collective agreements. Sweden's TAW sector is small yet notable for its challenges with job stability during economic downturns. In Poland and Slovakia, TAW has become a regulated and integrated segment. In Slovakia, it is particularly significant in manufacturing and logistics, drawing extensively on migrant labour. In the UK, agency work accounts for 0.9% of all employed (Official National Statistics, 2025) and is sometimes criticised as a means for employers to circumvent statutory employment rights, as access of agency workers to social protection is tied to meeting defined conditions. Such eligibility criteria exist across the countries studied, although their impact varies with the strength of collective agreements and enforcement.

3. Access gaps in social protection

Both forms of flexible work generate gaps in access to social protection, but the scale and nature of these gaps differ.

For temporary agency workers, access gaps are generally smaller in corporatist regimes such as Austria, Denmark, and Sweden. Equal-treatment provisions, sectoral agreements, and conversion rules integrate agency workers into social protection systems and provide relative stability. In Denmark, however, many TAW hold very short contracts (often renewed fortnightly), meaning that requirements for accrued hours and tenure can still limit access in practice. In pluralist regimes such as Poland, Slovakia, and the UK, however, short or fragmented assignments, civil-law contracts, and statutory eligibility thresholds create persistent barriers to pensions, sickness, and unemployment benefits. While bogus self-employment is a challenge in Poland and Slovakia, it is not characteristic of the UK TAW sector; instead, access gaps result primarily from eligibility rules such as the 12-week qualifying period for equal treatment, expected to be removed under the forthcoming Employment Rights Bill (anticipated Autumn 2025).

For platform workers, access gaps tend to be larger and more pervasive. Even in corporatist regimes, collective agreements remain company-specific and tend not to generalise across the workforce, leaving platform workers uncovered. In pluralist countries, the classification of workers as self-employed systematically excludes them from statutory entitlements. A similar challenge is also emerging in Denmark and partly Sweden for some platform workers despite otherwise stronger systems. Whether through Polish civil-law contracts, Slovak freelance arrangements, or the UK's hybrid "worker" status, platform workers face structural shortfalls in sick pay, unemployment insurance, pensions, and paid leave.

4. The role of social dialogue

The role of social dialogue varies significantly across countries and types of flexible work. In corporatist regimes, social dialogue has been most effective in integrating agency workers into standard regulations, including collective agreements. Austria's legislation on TAW combined with sectoral collective agreements guarantees equal treatment in pensions, sick pay, and leave. Denmark's Temporary Agency Work Act paired with collective bargaining ensures predictability of rights, while Sweden's staffing-sector agreements and conversion rules anchor agency workers firmly into the welfare system and stable employment.

For platform workers, however, initiatives remain fragmented: Sweden's Foodora deal, Denmark's Hilfr and Just Eat agreements, and Austria's courier agreement are important breakthroughs but remain limited in scope and do not extend social protection on to the whole segment of platform workers.

In Poland and Slovakia, social dialogue on behalf of both agency workers platform workers is weaker than for standard workers and is also less institutionalised. In Poland, civil-law contracts undermine protections despite targeted legislative reforms. In Slovakia, bogus self-employment remains widespread and beyond the reach of collective bargaining. In the UK, temporary agency work is regulated by different pieces of legislation such as the Employment Agencies Act (1973), the Conduct of Employment Agencies and Employment Business Regulations (2003) and the Agency Work Regulations (2010), but enforcement challenges and eligibility thresholds (the principle of equal treatment first comes into force after 12 weeks employment) limit their effectiveness. For platform work, litigation and company-level agreements have delivered targeted improvements, such as minimum wage and holiday pay, but these gains remain partial and uneven.

5. Policy Recommendations

The analysis does not suggest a straightforward pattern on the relevance of social dialogue in providing flexible workers access to social security. The following recommendations emerge from the analysis.

Employment status as a foundation for protection

The most important step is to clarify and, where necessary, reclassify the employment status of flexible workers. Agency workers usually benefit from employee status, enabling their integration into social dialogue and collective bargaining frameworks. Platform workers, by contrast, are often categorised as self-employed, which systematically excludes them from statutory benefits. Clearer rules on status determination, supported by EU initiatives such as the EU Platform Work Directive, are essential for closing access gaps to social protection.

Sectoral bargaining and equal-treatment rules

Corporatist regimes in Austria, Denmark and Sweden show that strong sectoral bargaining, underpinned by minimum standards set in legislation, is the most effective way to integrate agency workers into social protection. This could serve as inspiration for other countries by

extending collective bargaining coverage, encouraging sectoral or multi-employer agreements, and ensuring the enforcement of statutory legal provisions. A remaining challenge is the representation in the platform economy, namely, identifying who the legitimate social partners are when neither platforms nor platform workers are members of employer associations and trade unions, respectively.

Statutory frameworks in pluralist regimes

Where social dialogue is weaker, legislation is crucial for securing access to social protection of agency workers and platform workers. Lowering eligibility thresholds for sickness, pensions, and unemployment benefits would help ensure coverage for workers with fragmented or intermittent contracts. Reforming civil-law contracts in Poland or tightening bogus self-employment rules in Slovakia would improve such protection continuity. In the UK, the New Employment Rights Bill (2024) aims to address existing social protection gaps by lowering the various thresholds limits for statutory sick pay and other social benefits through the introduction of employment rights from day one along with guaranteed minimum working hours and compensation for cancelled shifts.

The role of company-level collective agreements

Company-level agreements and litigation outcomes, such as Sweden's Foodora deal, Denmark's agreements with Hilfr and Eat, or UK court rulings on worker status and firm-level collective agreements in food delivery, taxi driving and other courier services—demonstrate that progress is possible. Policymakers and social partners could use these initiatives as pilots in other countries and sectors to extend protections sector-wide, as company-specific needs for flexible workers evolve into broader standards.

Improve enforcement and compliance mechanisms

Even where formal rights exist, the countries face enforcement challenges. Labour inspectorates, social insurance bodies, and social partners should be equipped with the capacity and resources to ensure compliance with social protection access of flexible workers. Stronger monitoring, sanctions for non-compliance, and worker support channels are essential to turn rights on paper into actual entitlements in practice.

EU-level regulation as a driver of reform

EU institutions play a vital role in shaping minimum standards and pushing reforms in member states with weaker social dialogue. The EU Platform Work Directive offers an opportunity to harmonise status definitions and strengthen protections across Europe. The Temporary Agency Work Directive (2008/104/EC) has already established a minimum floor of equal treatment for TAW across member states. Similarly, the EC Directive on Adequate Minimum Wages provides tools to raise statutory floors and extend protections to non-standard workers. Social partners should build on these pieces of legislation to negotiate broader agreements in their sector-specific contexts.

6. Conclusions

The evidence shows that industrial relations institutions play a decisive role in determining access to social protection for flexible workers. Temporary agency workers are comparatively well integrated into both the statutory and collective bargained social protection systems in corporatist regimes than workers in standard employment, while platform workers remain only partially covered. In pluralist regimes of Poland, Slovakia and the UK, access depends heavily on statutory provisions, litigation, or company-level initiatives.

The central lesson is that where social dialogue is strong and bargaining is coordinated, flexible workers can be integrated into mainstream welfare protections. Where social dialogue is weak, statutory reform, judicial action, and fragmented collective bargaining dominate. As a result, access of flexible workers to social protection remains fragmented. Social dialogue thus fails to close access gaps for the entire population of agency workers or platform workers. Clarifying employment status and strengthening both collective bargaining and statutory frameworks are identified as preconditions for closing social protection gaps in Europe's evolving labour markets.

This policy brief draws on findings from the related working paper and links to the WP5 working papers series for further detail.²

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² <https://transeuroworks.eu/working-papers/>

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