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LESS IS MORE, OR MORE IS A MUST?

A study on how European cross-sectorial social partners navigate when advocating their position on platform work.

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Abstract

This thesis aims at examining how cross industrial social partners seek legitimacy in a European context; a context defined by a patchwork of welfare regimes where the same kind of actors can come to contradictory solutions to the same problem. In focus are the European Trade Union Confederation (ETUC) and BUSINESSEUROPE (BE), and how they balance between claims on the social good and their own interest as an advocacy group while acting on a labour market, shaped by digitalisation and structural transformation. The problem examined is how legitimacy is maintained by the union and employer side respectively, by drawing on the theoretical framework of the institutional logic perspective.

The method used is document analysis with both a quantitative and qualitative approach. Regarding the results, ETUC and BE is shown to direct focus to different problems and to construct different problem representations. Regarding the responsibility they see for political actors, ETUC engage more in protecting rights and BE more in developing resources. They derive legitimacy from mainly the same institutional logics but not in the same way, uncovering a tension between understanding the platform worker as exploited (ETUC) or as autonomous (BE). State logic is found to be the main area of conflict.

The European context is also handled with different strategies, ETUC lifts the problems facing the workers and emphasise the need of protecting workers from unfair working conditions, regardless of national context. BE focuses on the need of respecting the different Members States own systems and uses the European context to argue against further regulations as minimum rights for platform workers as drawing on the principle of subsidiarity and the need of a regulatory framework that lets innovation flow and jobs and the economy grow.

Keywords: platform work, social partners, ETUC, BUSINESSEUROPE, EU, legitimacy, digitalisation

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List of abbreviations

BE: BUSIENSSEUROPE

ETUC: European Trade Union Confederation

CEEP: European Centre of Employers and Enterprises providing Public Services

CJEU: Court of Justice of the European Union

ICT: Information and Communication Technology

LO: The Swedish Trade Union Confederation

MS: Member State of the European Union

OMC: Open Method of Coordination

SME: Small and Medium-sized Enterprises

WEF: World Economic Forum

Introduction

Studies often describe how the world is moving fast, some argue faster than ever before, and many claim that there is no sign of it slowing down, rather just picking up more speed. The technological advances and the innovation of new forms of communication, is placed in the heart of this development, described as the Fourth Industrial Revolution (Schwab 2017). The transformation is associated with: artificial intelligence and the way new technology is changing how we interact with each other and with the digital world around us; with genome editing changing both the crops we can grow and which diseases we can cure; with blockchain technique giving rise to decentralised currencies as Bitcoin and new approaches to governance. These developments bring many opportunities but are also described as having three main areas of concern: inequality – as a result of polarised labour markets; security – as technological development brings consequences for physical as well as digital warfare; identity – as the increased connectivity has consequences for our privacy and how we understand our selves and what it means to be human (Schwab 2015).

One aspect of the ongoing changes affecting the labour markets is the development of the gig economy and digital work. Distribution of resources (as cars, housing, work etc) has become possible in ways that was unthinkable before the Internet and the intermediating platforms (Todilí-Signes 2017, Mair & Reischauer 2017). As a result, prospects of boosted economic development with rising income levels are expectations held by governments in some developing countries. This can be realised for some workers who successfully benefit from digital work and make earnings far greater than working on the local labour market. However, the reality for the majority of digital workers might just as well be characterised by lack of bargaining power as a result of global competition between workers (Graham et al 2017). The development has the potential to affect the power balance between workers and employers and between their respective organisations. The resources, possibilities and limitations for digital workers need to be better understood; both in order to avoid a digital precariat and to ensure that the opportunities brought by technological development can be reaped and made available not just for the few (Standing 2016).

For organisations, such as labour and employer organisations, who are affected by these changes and whose members are affected, a position must be found to make sure the positive effects are amplified, and the negative minimised. This can be understood in the light of the classical problem of how to be both resource-oriented and at the same time responsible. A challenge described by Walter Korpi, among others, showing how the balance is sought while describing the development of industrial relations in a few western countries (Korpi 1978, 1979). Social partners navigating on a constantly changing labour market need to display both behaviours in order to emerge as legitimate representatives for their members. And while the continuous changes taking place today are not respecting any national borders, the approach must be found on a supranational level. For European social partners this means actively being part of the ongoing debate on the EU-level and constantly navigate different European contexts in order to find legitimacy for their positions.

Aim and research question

The aim of this study is to better understand how supranational cross-sectoral social partners on the European labour market navigate in order to be credible and stay legitimate while advocating their position toward changes on the labour market, due to digitalisation. The study aims at identifying differences between the trade union party, represented by ETUC, and the employer party, represented by BE. The case is platform work.

The research question is twofold:

How do ETUC and BE navigate in order to gain legitimacy for their position on the *resources*, *possibilities* and *limitations* they attribute to *platform workers*?

How do ETUC and BE navigate in order to gain legitimacy while framing the *responsibility* that *platform companies* and *policymakers* have, in relation to the development of platform work?

Digitalisation, platforms and structural change

Before answering the questions, we first need to zoom out for context. Klaus Schwab, founder and CEO of World Economic Forum (WEF), was the first to frame the aforementioned changes by stating that we're living in the Fourth Industrial Revolution (Schwab 2017). Some countries are argued to be approaching or moving over the doorstep into this new phase of development and some societies and industries are not just on the doorstep but have taken distinctive steps to utilise the arising benefits.

The ongoing development is changing the preconditions for our industries and is building on the same underlying premises connected with the third industrial revolution, namely the development of electronics, IT and automated production which gave way to new ways of sharing, processing and generating information. Alongside these changes, globalisation and a stronger emphasis on deregulated markets as a provider of growth and distribution of wealth, had an effect of rolled back regulations of the labour market and an increased focus on flexibility. These developments have been connected to a growing number of workers in precarious conditions (Standing 2016, Kalleberg 2011).

New forms of distributing resources are described using many related terms, especially when work in a digital economy is discussed. Sharing economy and collaborative economy are common, but here the terms "platform economy" and "platform work" will be used since this makes a distinction of relevance. The platform concept captures the fact that decentralised providers and performers of tasks get the possibility to meet over an intermediary platform, it's not *why* a transaction is being made but *how* it is made that is captured (Söderqvist/Unionen 2016:21, Alsos et al 2017:15). Different terms can also be associated with different ways of conceptualising the platform economy as different actors have an interest in emphasising different aspects. As an example, 'collaborative economy' is often used when a distance from the more commercial aspects of the sharing economy is wanted (Martin 2015).

The literature distinguishes between two types of platforms; intermediaries for work (labour platforms) and intermediaries for things, as cars, apartments etc (capital platforms). In this study labour platforms are in focus, which can be divided into two groups; one where work is distributed digitally but performed locally, often referred to as platform work, and another where work is both distributed and performed digitally, often referred to as crowdwork (Alsos et al 2017).

Resource-oriented or responsible?

For social partners, trying to be both resource-oriented and responsible while navigating within the structural development and technological change, different points of view have impact on how the platform economy can be perceived; as a major possibility for innovations with new forms of producing wealth, or as a new way to exploit workers. Taking the viewpoint from the first perspective, attempts to regulate the platform economy pose a risk of strangling the potential in its early stages. The current labour market laws can be seen as problems that hinder the development of new companies and innovative solutions. In this approach the problem lies in the idea that laws and regulations make it difficult for these companies to grow and for resources to be used at their full potential. This position is often connected to the discussion of innovation and digitalisation (Weber/ETUI 2017, Dohmen 2017). Another position is that labour markets are not neutral systems where power is equally spread and technological developments risk strengthening this imbalance,

having the same effects as globalisation has had (Standing 2016, Kalleberg 2011). In focus here is the fact that employers have more power than employees concerning how the work is distributed, how it's supposed to be done, when it's supposed to be done, by whom and what it's worth. And not to forget, how the profits of the work is shared, or not shared. A responsible approach towards the development is thus understood as strong regulations protecting workers from exploitation.

The problem of being resource-orientated and being responsible is regaining relevance as working life is being digitalised. Labour platforms such as Amazon Mechanical Turk, TaskRabbit, TaskRunner, UpWork, and many more, make it possible for workers and task providers to find each other online for big and small tasks, globally or locally. This has implications on salaries, working conditions, and also on such things as welfare systems and labour market laws. It's not always clear who is the worker and who is the employer when work is distributed over a platform. Can the platform be an employer (Alsos et al 2017)?

The European context

This theme of being both pro-development and pro rationalisation can also be found on the European level. The same year as WEF discussed the Fourth Industrial Revolution the European Commission published a communication aiming to “reap [the] benefits and to address concerns” arising from new ways of distributing work through online platforms. *A European agenda for the collaborative economy* (Commission 2016) addressed the challenges concerning taxation and regulations that companies such as Uber and Amazon Mechanical Turk impose upon the functioning of the labour market. The challenges are found in a number of areas: how should these companies be defined – as transportation and staffing companies or digital services? The answer has implications on such things as which rules to apply and the level of tax. Are they to be understood as employers or only as intermediary actors who link those in need of labour with self-employed? The answer has implications for whom to hold responsible for insurances, paying taxes and creating a safe working environment.

In many cases we can assume that the answers can be found on a supranational level since the platform companies and the digital development do not stay within national borders. European social partners must seek solutions on a European level where they have many different interests to take into account when approaching the transforming labour market; they are comprised of member organisations based in different national contexts, in different welfare regimes with the consequence that even within one actor contradictory interests may arise, for an example see Hartzén (2017:212-220). If their position gets too close to a certain country or branch of industry, their legitimacy might be questioned and their possibility to credibly speak for all affiliated organisations is weakened. This, in turn, has the consequence that their possibilities to steer the development in the direction they see most fit is weakened.

How to navigate in this context is of great importance to social partners and politicians, but also everyone else with a relation to the labour market. Technological development and its consequences for working life must be better understood since the share of the workforce who work full or part-time over platforms is likely to increase over time (Rolandsson et al. 2017, Söderquist/Unionen 2016). There are many interlinked questions of relevance to this development; how do we uphold decent working conditions? What role will work play in the future when it comes to creating meaningful lives? What does the education system need to prepare students for? This thesis will not address all these questions but focus on how the new ways of distributing work is discussed by employer and employee organisations on the European level.

This study aims at analysing how the cross sectorial social partners on the European level handle this development. The unit of analysis is the political approach the social partners in the European context take in relation to this digital development, meaning how do they *navigate*?

Outline of the thesis

The introductory chapter introduced the problem to be studied, the context it is situated within and has also provided an explanation of why this is a relevant problem to study.

The following section will give an overview of what previous research has said about work flexibility and digitalisation, social partners and digitalisation, platform economy and the labour market and, finally, platform economy and the social partners. After this follows a theory chapter in which the institutional logic perspective and the concept of legitimacy will be discussed and how this is used to understand how the organisations in focus, ETUC and BE, navigate in a changing context in order to remain and gain legitimacy for their positions. This is followed by an outline of the method used and the methodological choices made.

This leads up to a discussion of my results, which are presented in a thematic way and, finally, a concluding chapter that also includes some ideas for further research.

Previous research

Research in the field of platforms and their impact on the labour market has gotten quite extensive over the last years. This study will give an overview of some of the relevant themes such as; social partners and digitalisation, platform economy and the labour market, and platform economy and the social partners. I will start by placing it in the context of work flexibility and digitalisation.

Work flexibility and digitalisation

The research on platforms, digital economy and the sharing economy is situated in the wider context of digitalisation, which has been in focus for many research projects connected to, for example, innovation and work flexibility. Some of this research will be mentioned in the following section.

Flexibility in connection to industrial or business organisations has been discussed and studied for many years, attempting to provide answers to questions like how companies can get the right number of workers and the competence they need in order to sell their services or products at the lowest production cost possible. Many scholars have drawn upon the ideas developed by Atkinson of core and peripheral workers (Atkinson 1984). Digitalisation has changed the playing field when seeking this balance as flexibility has been accelerated, both when it comes to numbers of staff and in relation to the competence needed. The content of work has been showed to be shifting as some parts of the labour traditionally performed by humans is being automated and performed by algorithms. This means that some of the tasks performed by core workers is no longer needed to be done by humans and the work is redistributed over humans and algorithms. Having the consequence that previous core-workers (previously high-skilled and in secure jobs) easily can become peripheral (previously low skilled with insecure employments) and vice-versa (Ilsøe 2017). As a consequence, the prospect of building a career with rising income and advancement in tasks gets weakened. A study performed by Eurofound found that the development of new forms of work in a European context since the year of 2000 has given rise to nine different forms of employment or work relations, where crowd employment via platforms is one (Eurofound 2015).

Two main trends have been identified in connection to digitalisation and work (Ilsøe 2017). Firstly, work automation is being accelerated by digitalisation leading to ‘technological unemployment’, which refers to the speedy technological development where computers substitutes for a growing number of former professions, such as telephone operators, functions of cashiers and others (Frey & Osborne 2013). This keeps unemployment figures high, as companies stemming from this development do not employ as many as the companies they replace. Often referred to as job-less growth. This description has also been contested and examples of a net-growth in jobs due to technological development in digital front runner countries in Europe has been shown (McKinsey & Co 2017).

Secondly, work without jobs is being created, work often referred to as ‘gigs’ and distributed over labour platforms (Ilsøe 2017). New forms of labour relations have emerged, and many names are used to describe them: gig-work, platform work, digital work, crowdwork etc. However, one can argue that this is not new; short and unsecure work relations have always been a part of the labour market. The only difference is that in a digital economy the possibility to connect workers and those in need of labour has gotten easier. The distance between the workers and those in need of labour has in many cases gotten further since it is common that crowdworkers have no relationship with the one they work for. Positive implications can be found for people connecting to employers found worldwide, but the same workers might also have to compete with workers on a global level, putting secure working conditions and remunerations under pressure; for examples see Milland (2017).

Research on the income distribution in the group of digital workers show that a small group of workers collect almost all the rewards, with the consequence that not much is left for their

collaborating peers (Fabo et al 2017). Also, the scope of the information accessible for the worker is often limited to the very task to be done. Workers have thus no understanding of the bigger picture the task is situated within, making task advancement difficult (Graham et al 2017). There's also an ongoing discussion of how the workers should be labelled legally: are they employed or self-employed? Platform companies have claimed that they only provide a technical solution for consumers and providers to meet (e.g. people wanting transport with drivers, in the Uber case) and thus have no responsibility as employers. This position has been contested by some scholars who argue that labour laws have always had the purpose of protection of workers as they are in an unbalanced power relationship with the employer. An adaptation of the laws is thus seen as needed to keep pace with this development (Todilí-Signes 2017). The position of labour platforms as only being intermediaries has also been rejected by courts in the UK, the US, and recently by the Court of Justice of the European Union (CJEU) in the case C-434-15, *Asociación Profesional Elite Taxi v Uber System Spain SL*. In this case, the court ruled to define Uber as a "service in the field of transport" and thus more than just "an intermediation service" (CJEU 2017).

Social partners and digitalisation

Another strand of research has given some answers to what type of work a digital economy brings and how social partners handle a digitalised working life. According to Valenduc and Vendramin "The virtual work carried out by ICT-based mobile workers is undoubtedly an offshoot of remote work, but it is now a feature of increasingly intangible and globalised environments which are not rooted in time or space and where the boundaries between work and home, between employment and self-employment and between producers and consumers of digitised information are blurred" (Valenduc and Vendramin 2016:46). This creates difficulties for trade unions to organise workers and mobilise members since a common perception of problems and possible solutions become hard to reach.

For employers in traditional businesses and industries, digitalisation has been showed to make drastic changes to the organisation of work with greater flexibility affecting where, when and how tasks are performed. Other changes found are that the existing structures for organisation and management has been greatly affected due to higher flexibility of work, changing methods for monitoring work, new recruitment strategies, skills and training needs. The challenge for traditional business and industries, is argued to lie in the challenge of engaging in their own digital transformation before they are forced out of business by disruptive competition (EESC 2017).

But, technological development is nothing new and previous research has shown how trade unions and employer organisations have handled this in the past, even though it can be argued that the current changes are more profound and are happening at a greater speed than the technological changes in the past. Rolandsson (2003) studied the period from 1976 to 1996, a period when internet and the first mobile phones saw daylight as information technology drove a transformation of western industry. He showed how the Swedish Trade Union Confederation (LO) embraced the development and the legitimacy problems that otherwise easily could have occurred, by approaching the development with a broadened strategy, who instead of moving within previously known frames, put emphasis on the need of new knowledge for all actors involved, on all levels (Rolandsson 2003:144). This balancing act between showing concern for the members, whose jobs might be at risk due to new technology and embracing the new technology by acknowledging its potential for increased productivity and wealth is thus something at least Swedish LO has been able to perform in the past. The German union IG Metal has also been showed to redefine the organisational boundaries to include peripheral workers as a response to shifts in the power-balance between employers and unions as traditional industrial relations is eroding (Benassi & Dorigatte 2015).

Platform economy and the labour market

A consequence of a digitalised labour market has been shown to be that the legal concept of an employee has become less adapted to new circumstances. Studies show how new forms of companies

have developed, selling services without employing the provider of the service and instead relying on self-employed causing legal uncertainty about which rules to apply (Todilí-Signes 2017). Hence, company structures are changing and Srnicek argues that labour platform companies follow a logical trend considering how capitalism and technology has developed. According to him, platform companies are an extreme example of outsourcing where almost every part of the company has been subjected to outsourcing – except the core part which has become extracting, analysing, repackaging and selling data (Srnicek 2017:76). A consequence of this outsourcing, especially when outsourcing the labour needed to provide the service the platform exists to intermediate, is that the platform company holds no costs of training, maintaining a safe working environment, office space, overtime, sick-pay, or any other benefits since this is for employees only (Alsos et al 2017, Srnicek 2017). But workers still get sick, need training etc and the cost for this is transferred from the company to the worker. A critique of the platform economy, or the sharing economy as some scholars chose to call it, is that it erodes workers' rights by increasing labour market flexibility and commodifies labour, since aspects of life that were previously out of reach of the market becomes commercialised (Martin 2015).

Studies also show how platforms connect individuals, peer-to-peer, and in relation to labour platforms some researchers stress the importance to recognise the dominant role of the platforms in setting the conditions for the interaction/transaction. Dølvik & Jesnes defines the relationship as a tri-part one, with the platform, the worker and the task provider. In most cases the platform determines the terms for the relation by unilaterally determining the revenue accruing to the platform and the rules for how the interaction can happen (Dølvik & Jesnes 2017, Fabo et al. 2017). Dølvik & Jesnes and Fabo et al. also note that sharing of risks and revenues are not happening on the labour platforms; the added value the workers contribute to is not shared with the worker, whereas in traditional employee-employer relationships increased productivity in part often befalls to the workers in the form of pay rise. Also, risk connected to working life is carried solely by the worker. For example, as getting sick or hurt, being unemployed, not being able to work due to childcare or sick/old relatives.

Donini et al (2017) discuss platform economy and the labour market with a strong emphasis on the perspective of responsibility. According to them, the main problem from a labour law perspective is how to classify the relationship between the worker and the platform since the relationships range from something that looks very much like an employer-employee relationship to only having the function of intermediating services. They also note, “The supplier of the service is the platform rather than the worker, and, for this reason, workers who provide their activities ‘for’ the digital organisation, irrespective of their self-employed or employee status, need legal protection in relation to the platform” (Donini et al 2017:210). A position that have been confirmed with CJEU rulings saying that digital workers are not necessarily bound by anti-competition regulation, leaving the door open for specific collective agreements on their behalf (Donini et al 2017:213). They also argue that depending on how the social partners decide to act, this might be a way forward for safer and more secure working conditions for self-employed platform workers, since the main obstacle to protect platform workers via regulations or collective agreements is understood as the dichotomy between employed and self-employed.

Platform economy and the social partners

Not much has been written on how the social partners deal with the platform economy. It seems like the most interest for this aspect is in the Nordic countries. A report from the Nordic Council of Ministers concludes that unions in Sweden, Denmark and Norway have published position papers on the sharing economy where they acknowledge the importance of technological development and innovation, but where they also express concerns about “casualization of work, protection of labour rights, health and safety, and risk factors related to surveillance, taxation, and social security” (Dølvik & Jesnes 2017:14). Concerns are lifted both in relation to platform workers and in relation to the effect it might have on workers in more traditional areas. A central concern relates to the claim made by employee organisations to represent all employees and to “secure platform workers decent, equitable

employment and social conditions, and to ascertain that all firms and workers pay their fair share of the taxes funding the welfare state” (Dølvik & Jesnes 2017:46). The same report also gives examples of how some trade unions in the Nordic countries have handled the emergence on a more practical level, as they have started to recruit freelancers and initiated discussions on how framework agreements with employer organisations could be designed (Unionen/Söderquist 2016). Another service that trade unions are seen to be able to give relates to the fact that labour platforms collect a lot of data on their workers. The data could be a potential for employee organisations to act upon unfair working conditions (like not getting paid) if the platforms shared their data with the unions (Fabo et al 2017: 171).

The employer side in the Nordic context has been less concerned with issues regarding job security and has mostly lifted the potential for innovation, growth and job creation. Emphasis has been on the need of not regulating the area too extensively or prematurely. The peak employer organisations have mostly been silent when it comes to workers’ rights or pay levels. A reason might be conflicting interests within the organisations who might very well be comprised of both the “new” and “old” businesses and since Uber and other start-ups relying on technological development clearly is competing with the traditional taxi business, or hotels in the case of Airbnb, the employer organisations must thus balance between the needs of the old members and the needs of the new emerging ones (Dølvik & Jesnes 2017).

Specific examples of how trade unions have dealt with technological development, and more precisely the platform economy, is faircrowd.work, a collaboration between the Swedish trade union Unionen, German IG Metall, ÖGB and Arbeitskammer in Austria (Dølvik & Jesnes 2017). Or the proposal made by Unionen in Sweden, discussing how the platform economy can be regulated in a Swedish context (Unionen/Söderquist 2016).

Based on previous research there is however a gap in studying the social partners on the European level and how they deal with the changing labour market and the rise of platform companies. My contribution is about better understanding how European social partners navigate in order to stay legitimate in this changing context while balancing on a patchwork of competing interests by placing the study in an institutional understanding.

Theory

To better understand how the social partners on the European level navigate to stay credible and legitimate in the eyes of associates and supranational decision makers the institutional logics perspective will be used (Thornton et al 2012). The definition of an institutional logic is “the socially constructed, historical pattern of cultural symbols and material practises, including assumptions, values and beliefs, by which individuals and organisations provide meaning to their daily activity, organize time and space, and reproduce their life and experiences” (Thornton et al 2012:2). The theoretical framework is used to understand how the organisations’ behaviour and positions are shaped by their institutional environment. Institutional logics “guide *how to act* in a particular situation” (Thornton et al 2012:129) which in this study is translated to the unit of analysis ‘navigation’. The theory described by Thornton et al gives ways of analysing on micro, meso and macro level, and they emphasise the theoretical gains that can be made by linking these perspectives within one study. As the scope of this study does not allow for such complex analysis, the focus will be on the meso level.

In the following part an overview of the theoretical foundation of the study will be provided, including the institutional logics perspective, legitimacy and a short description of the institutional fields the organisations have to navigate upon, namely the European welfare regimes. Concepts of importance in the analysis is institutional orders and the elemental categories linked to these orders. Other concepts of importance are ‘focus of attention’ as a part of the theory of decision making. These will be explained further down.

The Institutional Logics Perspective

The organisations in focus of this study are situated in a complex setting, not just by the fact that they themselves are comprised of several different organisations based in different contexts and industrial relation regimes, but they are also active on the European arena, maintained by the European Union, comprised of a number of member states (MS) and supranational institutions. European perspectives and solutions might come in conflict with national or organisational traditions and logics. The setting is thus a multilevel institutional system where the individual, organisational and societal levels all impact the institution’s/organisation’s space of manoeuvre while navigating to stay legitimate.

Also, as institutional logics shape both collective and individual identities (Thornton et al 2012:130) the logics of being a social partner in a European context have impact on both organisations. Their identities are shaped both by the organisational identity of being an employer or an employee organisation, but also of being a social partner; the latter a trait they share. How they navigate and relate to the changing context and the specific case of platform work should thus be influenced by both the complex field they must navigate upon and the organisational identity of the organisation.

Institutional orders and their elemental categories

The institutional logics perspective is a metatheory and can be conceptualised by a matrix where the x-axis represents the institutional orders and the y-axis represent “the elemental categories that compose an institutional order” (Thornton et al. 2012:52). These institutional orders can theoretically be described as ideal types, to reduce researcher bias and make the analysis more stringent. Thornton et al (2012), describe seven ideal types; Family, Community, Religion, State, Market, Profession and Corporation.

Table 1. Interinstitutional System Ideal Types *

Y-Axis:	X-axis: Institutional orders						
Categories	Family	Community	Religion	State	Market	Profession	Corporation
Root Metaphor	Family as firm	Common boundary	Temple as bank	Redistribution mechanism	Transaction	Relational network	Hierarchy
Sources of Legitimacy	Unconditional loyalty	Unity of will Belief in trust and reciprocity	Importance of faith & sacredness in economy & society	Democratic participation	Share price	Personal expertise	Market position of firm
Sources of Authority	Patriarchal domination	Commitment to community values and ideology	Priesthood charisma	Bureaucratic domination	Shareholder activism	Professional association	Top management
Sources of Identity	Family reputation	Emotional connection Ego-satisfaction & reputation	Association with deities	Social & economic class	Faceless	Association with quality of craft Personal reputation	Bureaucratic roles
Basis of Norms	Membership in household	Group membership	Membership in congregation	Citizenship, membership	Self-interest	Associational membership	Firm employment
Basis of Attention	Status in household	Personal investment in group	Relation to supernatural	Status of interest group	Status in market	Status in profession	Status in hierarchy
Basis of Strategy	Increase family honour	Increase status & honour of members & practises	Increase religious symbolism of natural events	Increased community good	Increased profit	Increased personal reputation	Increased size of firm
Informal Control Mechanism	Family politics	Visibility of actions	Worship of calling	Backroom politics	Industry analysis	Celebrity professionals	Organization culture
Economic System	Family capitalism	Cooperative capitalism	Occidental capitalism	Welfare capitalism	Market capitalism	Personal capitalism	Managerial capitalism

*From Thornton, Ocasio and Lounsbury (2012:73)

The terms in the table will be used to identify which elemental categories the organisations base their positions on. Considering that the organisations must balance a dilemma of being socially responsible and resource-oriented, some logics become more relevant than others. Therefore, examples of state logic but also of community, market, corporation and profession logic is expected to be found in the material since we’re dealing with organisations focusing on the labour market. By following the same argument, family and religion logic are assumed to be less prevalent. In most cases coexisting logics can be found, which create tensions as they do not always support each other, especially if one logic is subordinate to another (Thornton et al 2012, Friedland and Alford 1991). The elemental categories will be used as frames, meaning that the terms “unity of will” or “democratic participation” etc. are not expected in the material. Instead the material will be connected to these frames by using search terms and codes to see which elemental categories and thus which logics that can be found.

The interinstitutional systems institutional order varies over time and modern societies are often more influenced by logics of the state, market, profession and corporation (Thornton et al 2012:12). Community logic is a more recent contribution to the theory. Institutional systems are not understood as completely permanent structures but rather as undergoing continuous change.

Thornton et al (2012) describe three different processes of social interaction happening within organisations: decision making, sense making, and collective action. This study will focus on decision making and, more precisely, how the organisations frame problems and direct the focus of attention to make their solution or position relevant. If being successful, their position should be considered by other parties, as the Commission, in their process of decision making. An organisation's focus of attention is shaped by both top-down attentional perspectives and bottom-up environmental stimuli "through the availability, accessibility, and activation of identities, goals and schemas" (Thornton et al 2012:92). This should be understood as shaping both the decision making process of the organisations in focus and of the institutions and actors they wish to affect.

Legitimacy

Each of the logics described in the table above describes preconditions for legitimacy, which is a core focus of this study. Legitimacy is defined in various ways in the literature covering organisational institutionalism (Deephouse & Suchman in Greenwood et al 2008). This study draw upon the definition developed by Meyer & Scott (1983) where the cognitive aspects of legitimacy are emphasised as "legitimacy mainly refers to the adequacy of an organisation as theory" (Meyer and Scott cited in Deephouse & Suchman in Greenwood et al 2008:51). In their definition, an organisation with complete legitimacy is an organisation who is unquestionable. Meaning that no alternatives are perceived as possible since the organisation's goals, means, resources and control system are necessary, specified and complete. This connects with the institutional logics perspective and organisational identity: for a position to be found legitimate it must make sense in relation to the identity of the organisation that advocates it.

Legitimacy research has generated up to twelve dimensions of legitimacy, how sources and subjects of legitimacy are to be understood, and how the process of legitimation can be described. In brief, the dimensions of legitimacy can be divided into two over-arching dimensions, cognitive and socio-political legitimacy, the latter has in its turn been subdivided into regulative and normative (Scott 1995) and into pragmatic and moral legitimacy (Suchman 1995). Legitimacy assessments are made by different actors (relevant actors in this case are the Commission and the organisation's associates) observing how organisations maintain and foster legitimacy and how they draw upon sources of legitimacy, stemming from different institutional logics, such as democratic participation in state logic, or professional expertise in profession logic. Subjects of legitimation are "those social entities, structures, actions, and ideas whose acceptability is being assessed" (Deephouse & Suchman in Greenwood et al 2008:54).

In this study the focus is placed on how the organisations navigate in order to make themselves and their positions legitimate. To achieve this, they must present their arguments and describe their positions so the actors making legitimacy assessment find them legit and relevant. The Commission should thus act and decide according to their will, and the affiliated organisation should feel that the peak organisations speak for them. Since the navigation is taking place on a multilevel institutional system, those making legitimacy assessments are likely to fill the concept of legitimacy in different ways, focusing on different dimensions of legitimacy and connecting it to different institutional orders. The right balance between being resource-oriented and responsible are most likely perceived in different ways by the Commission and the affiliated organisations, which makes the navigation in order to stay legitimate complicated.

The subjects of legitimacy in focus of this study are the positions and ideas presented by ETUC and BE. These positions and ideas need to connect to one or several elemental categories in order to be understood as legitimate. How these links are constructed tells us how the navigation is performed and which institutional logics that are being used.

Whether the positions/subjects of legitimacy are found to be legitimate or not falls outside the scope of this study.

Welfare regimes

We may keep in mind while studying social partners acting on the European arena that they must relate to both national and European contexts in their quest of being perceived as legitimate. This patchwork can be described by using theories of welfare regimes since preconditions for legitimacy differ depending on which context/regime the organisations relate to. With each regime containing its specific set of logics that legitimacy can be derived from.

The organisations in focus must thus navigate on multiple welfare regimes, regimes having traits from different logics described in table 1, in their strive to emerge as legitimate. Each regime has a base in state logic, but also shows characteristics from other logics and the composition differs between the different regimes. This means that each regime has its unique set up of institutional orders and elemental categories, which has implications on the balancing act of the organisations when aiming for a legitimate position in order to be understood as both resource-oriented and responsible.

Welfare regimes coexisting within the frames of the EU (Beaudonnet 2015), will be briefly presented beneath:

The *Universalist regime*, found in Denmark, Finland and Sweden, provides the most extensive coverage when considering population and types of risks. The Universalist regime is the regime most purely connected to state logic as it is based on citizenship and being built on the economic system of welfare capitalism. The state is the dominant source of security for the individual. References to the universalist regime can also be in dependency on bureaucratic/state actors to take responsibility for (social) problems.

The *Corporatist regime*, found in the Netherlands, Belgium, France, Germany, Luxembourg and Austria, provides extensive coverage with a strong structural connection to the occupation sector and family situation. This regime relies thus on a mix of state, corporation and family logic. Social security is based on citizenship but is also dependent on the occupational relationship and on being included in a household.

In *Familialist regimes*, Spain, Italy, Portugal and Greece, families are seen as the first provider of social protection and the state offer a limited coverage. As in all regimes citizenship is the key to inclusion in state provided social security. The family and being included in a household coexist as a basis of norms.

In the *Residual regimes*, found in United Kingdom, Malta, Ireland and Cyprus, markets are the first provider of social protection and the public system is only a safety net providing a limited coverage. This regime draws upon state logic and market logic and is connected to citizenship as well as the individual's ability to provide for his/her own level of security. Emphasising the self-interest in relation to social security can be understood as a reference to the residual regime.

The *Post-communist regime* is found in a heterogeneous category of countries, such as Poland, Slovenia, Czech Republic, Hungary and others, who all have undergone structural reform since the 1990s and are being "characterised by a strong reference to the state's involvement in the social protection" (Beaudonnet 2015:459). State logic provides the base, just as in the others, but there are also traits of market logic.

Countries with high trade union density are found in the two first categories: the Universalist and Corporatist regimes. Depending on regime, different logics and traditions exist from which legitimacy can be drawn. For example, in Universalist and Post-communist regimes state logic dominates, while it is subordinated to market logic in Residual regimes and to family logic in Familialist regimes. This affects how organisations can emerge as legitimate actors on the European level where the dependence on different logics within each regime must be taken into consideration. In relation to these different regimes we might assume that the combination of logics in a European context can be rather complex.

Method

Research design

To answer the research questions documents found on ETUC’s and BE’s webpages discussing the collaborative economy, platform economy and atypical work has been analysed. The documents are categorised as press releases and position papers. The choice of ETUC and BE is based on the fact that they are social partners listed under “General cross-industry organisations” (Commission 2017) active in the private sector. Also, as federations their policy and positions should be influenced by their member organisations. Based on this we may assume they give a fair picture of the “mainstream positions” of the respective side. Employers often push the development and transformation of organisations and companies, whilst the employed often are subjected to the changes, the difference makes it relevant to look at both sides. In the list of general cross-industry organisations we also find CEEP, European Centre of Employers and Enterprises providing Public Service. They are kept outside the scope of this study since they have produced very few documents of relevance in relation to the research question. This may not be surprising since the discussion is more prevalent on the private sector and for private services. The private employers are to a greater extent being challenged by, or acting as, platform companies, and the trade union side see the effect on their members and non-affiliated workers. This does not seem to be a topic of the same relevance for the public employers - at least not yet.

The applied method is document analysis and, more specifically, content analysis in order to look at what is brought up and what is not. Where do ETUC and BE direct their focus and how do the organisations navigate in order to frame their positions as legitimate in relation to different institutional dimensions in a European context?

Content analysis is used to quantify and describe the organisations’ positions. Content analysis as a method can be both qualitative and quantitative (Bergström & Boréus 2005:44). I will do both; starting with a quantitative approach. The reason for this two-step approach is to first analyse what is discussed, and what is not, and which part of my grid (table 2) the organisations put most emphasis on. In the second step the results of the first step are used to provide a structure for the qualitative analysis.

Coding

Coding of a material can be concept driven or data driven; the first uses codes developed in advance and the other in connection to reading the material (Steinar & Kvale 2015:228). By using a coding process, an overview of the material is constructed which makes the analysing process easier and more reliable. The downside is that a vast material is fitted into a few categories and can be criticised for implying that the world is more explicable than it is, (c.f Brinkmann & Kvale 2015:228). For the purpose of this study a combination of concept and data driven coding is found to be a relevant tool for guiding the analysis of the material, both by the overview it offers and by the possibility to discover patterns and themes in the material.

Table 2.

	<i>1. Resources</i>	<i>2. Possibilities</i>	<i>3. Limitations</i>	<i>4. Responsibility</i>
<i>a. Platform workers</i>	1a	2a	3a	
<i>b. Platform companies</i>				4b
<i>c. Political actors</i>				4c

The grid described in Table 2, which have been created from the research questions, will be used as dimensions. The dimensions provide information, in relation to theory discussed in the previous chapter, on how the organisations emerge as legitimate representatives of platform workers on the institutional field and how a space of manoeuvre is created for platform workers on the European level. Each dimension is attributed a number, 1-4, and consists of a number of categories. Each category is in turn connected to a list of search terms, listed further down.

The dimensions are derived from theory in such a way that they represent key words in my research questions. The categories within the dimensions are data driven since they are constructed while reading and getting to know the material. Each category is given a code and the terms, category and code, are hereafter used interchangeably.

The construction of the final coding instrument (that is, finding the relevant categories and search terms) was done by going through the material to learn which categories and search terms have relevance for the dimensions. This phase was abductive since a back and forward process between the coding instrument and the material took place to create a robust instrument without ambiguities or overlapping codes (Bergström & Boréus 2005:49). A problem that occurred while constructing the coding instrument was that ETUC and BE uses different words as they approach the subject of the thesis. Therefore, it proved difficult to construct a coding instrument fit for all documents in the research material. This was solved by lengthening the list of search terms, some with ETUC in mind and others with BE, but also by putting related words in different categories, as for example “collective bargaining” and “collective agreement” which are used to describe different things by the two organisations. ETUC refers to “collective bargaining” as a way for platform workers to fight for better conditions. BE talks about “collective agreement” and that these must be respected by supranational institutions. “Collective bargaining” is thus used as a possible tool for platform workers and “Collective agreement” as a framework to be respected.

The structure used to analyse the material is as follows.

Dimensions	Categories	Search words
Resources (1a)	Remuneration for work → Working conditions → Workers assets →	wage, pay, remuneration, income rights, working conditions reputation
Possibilities (2a)	Means to impact → Job growth → Industrial democracy →	collective bargaining, negotiation job opportunity, stepping stone board-level representation
Limitations (3a)	Workers position → Relation with platform →	self-employed, precarious information, control, contract
Responsibility... (4b) (4c)	...of platform → ...of political actors →	cooperate, employer, account regulation, legislation, social security, tax, collective agreement, sovereignty, Commission, Member state

To search and code the documents a software for document analysis¹ was used. It is worth noting that a search term has not automatically been connected to a code each time it has been found; coding has been based on *how* the search term is used. Also, in the category ‘responsibility of political actors’, The Commission and MS are often mentioned in the same sentence, but not always. Therefore, every time a search term has been found in the texts the use of it has been considered before adding a code.

¹ QDA Miner lite

The frequency of the different codes has thereafter been analysed to see to which extent the categories are discussed.

After the quantitative phase described above was accomplished the texts have been studied more deeply. The qualitative phase took the following steps; the first step was very close to the material with cutting out relevant parts and sentences, the second step took a more abstract approach to the cut-outs to find what they could reveal about the navigating process. To answer the research questions, both what the organisations say and how their respective positions relate to each other have been studied. Also, themes and findings within the categories was considered and thereafter used to structure the presentation of the results. While searching for themes and meanings it was also noted how the focus of attention is projected, which problems are lifted and how they were represented (Bacchi 1999).

Data

The sampling strategy is a step-by-step process (Titscher et al 2000:58), beginning with the selection of the senders of documents, which in my case are cross-sectorial social partners active on a European level: ETUC and BUSINESS EUROPE. The next step is to select documents published on the respective web page in the categories: position papers, statements and press releases, and filter out those concerning atypical work/the future of work published from the 1st of January 2016 and forward. From ETUC documents labelled “Country report” will not be included since actions in MS are not in focus, but rather ETUC’s position. Finding material from BE proved somewhat harder since “atypical work” and “future of work” gave no hits at all. Instead, a choice was made to search for BE comments on the same Commission papers ETUC had made comments on and labelled as atypical work. This had the benefit of finding documents from both organisations discussing the same proposals. Also, one BE position paper on a public consultation on regulatory environments for platforms was found; this paper is also a part of the material. Material available on the organisations’ respective websites is used since their official position is of interest and also to make the sampling clearly delimited.

A relevant objection to this strategy is that ETUC has been given the privilege to guide the choice of material and their labelling has steered which material that has been chosen from BE. Finding relevant labels on BE’s material and choosing the material based on those would have been preferable, but unfortunately this was not possible since their labelling does not sufficiently specify the theme of focus for this thesis. When looking at BE labels close to the area of interest, such as digital economy, the scope was too wide and did not sort out the relevant material. As a consequence, the strategy described above was followed.

Documents stating a position has been chosen and searched looking for the organisations’ positions, or lack of positions, in relation to the research questions above. These documents are part of an ongoing debate on the European level and can therefore be used to describe and analyse how the organisations navigate within this debate. The documents show their positions in relation to both each other as organisations but also in relation to other actors such as the Commission, the European Parliament and the MS. The documents is understood as produced and used by the sending organisations as a way to position themselves, affect other actors and to make their position legitimate.

The reason for choosing the period from January 2016 until March 2018 for the retrieval of material is that the most recent positions is wanted. This is a field of constant, and fast, development. New companies and possibilities are opened thanks to technical innovations almost every day. According to the theories developed by Ray Kurzweil, computer capabilities and the information technology that uses them are doubled every twelve to eighteen months. There is no way the organisations studied can keep the same pace, but the speed makes it relevant to look at the latest positions. Also, in June 2016 the commission published a communication *A European agenda for the collaborative economy*. This shows that the issue has become part of the politicians’ agenda and that common solutions are

perceived to be needed. By including half a year before the communication, the discussions leading up to it should also be covered.

Another methodological choice could have been to conduct interviews. It would have had some advantages when it comes to finding lines of argumentation closely connected to the case of platform work. But, it would have had the disadvantage of being less connected to the ongoing debate on a European level. Rather than studying the debate itself, it would have given material describing the debate.

Reliability, validity and generalisability

To ensure a high validity of the thesis, documents have been chosen from reliable and transparent sources, the material studied is easy to find and examine for anyone who would wish to do so. Guaranteeing a reliable interpretation of the results has been one of the more challenging parts. In this part the researcher is the lens the material and theory are passing through before they end up as findings in the results section and efforts to be as transparent as possible describing how this process was handled was made.

The combination of a quantitative and a qualitative approach adds validity since the frequency of words gives one picture of where the focus of attention of the organisations is put, and the qualitative analysis gives a complementary one (Gray 2014). The two methodological approaches strengthens each other since the quantitative part gives an overview and structure which guides the focus of the qualitative analysis. In brief, the quantitative part gives a hint of where the focus is placed and the qualitative part gives a chance to study specific statements. This also makes crosschecking possible since it is not always the mere quantity that is of most importance. One specific statement might give resonance throughout the entire material and the qualitative analysis gives room for detecting this, as well as describing what the quantitative analysis shows.

Since the focus of the thesis is on European cross sectorial social partners and the material is strongly connected not only to the case of platform work but also to a present-day discussion of Commission proposals having a larger scope than this thesis, the abstracted findings might be more connected to how the organisations position themselves to the specific proposals and have less to do with how they in another case would position themselves in relation to the different institutional orders. The generalisability of the study is thus difficult to assess and more studies within the same context would be helpful.

Results

The following section will present the results, beginning with a quantitative part followed by a qualitative one. Using this approach, a picture of what is found to be of most importance will be drawn, as mentioned in the method section.

Quantitative analysis – placing the focus on responsibility and resources

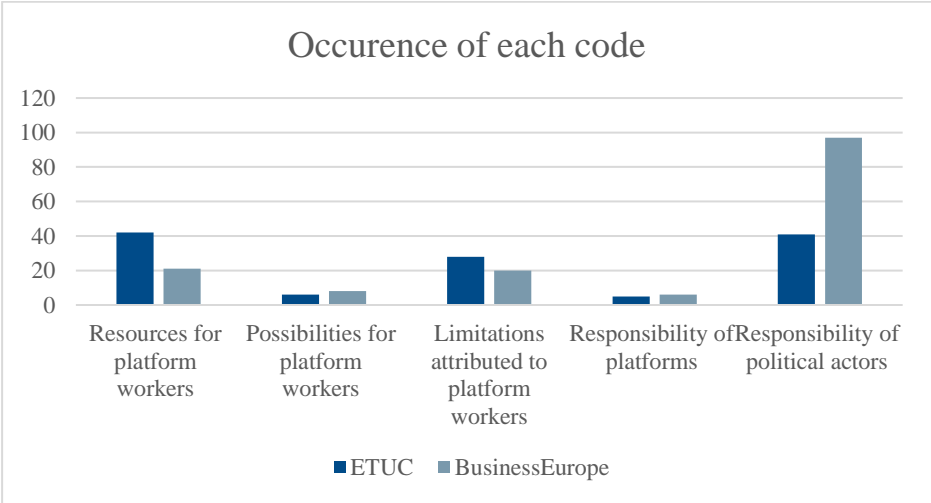
To get an overview of the material, the quantitative analysis will first be presented by describing what the dimensions capture. The first dimension, *resources* for platform workers (1a), captures the organisations’ positions towards income levels, working conditions and assets attributed to platform workers. ETUC discusses this to a greater extent than BE does: categories within this dimension have been coded 42 times for ETUC and 21 times for BE.

The second dimension, *possibilities* for platform workers (2a), captures possible openings for platform workers to impact their working life. Categories within this dimension have been coded 8 times for BE and 6 times for ETUC and can thus be interpreted as less in focus for the organisations than categories within dimension 1a.

The same can be said about the third dimension, *limitations* attributed to platform workers (3a). This dimension apprehends the platform workers position and relationship to the platforms. Material from ETUC is coded 28 times and BE 20 times. The most frequent search terms found is ‘self-employed’, which is used very differently by the two organisations. ETUC connects it to exploitation by referring to ‘bogus self-employment’ whilst BE sees it as category in its own right, just as ‘employed’ or ‘employer’.

The fourth dimension, *responsibility*, is subdivided into Responsibility of platforms (4b), and Responsibility of political actors (4c). 4b does not receive much attention from the organisations; categories within it are coded 5 times for ETUC and 6 times for BE. Platform companies and their responsibility is thus not what the organisations want the focus to be directed towards, but 4c is salient. This category is coded 41 times for ETUC and 97 times for BE. Within this category the actors assessing legitimacy is discussed to a large extent, namely the Commission and the social partners. It is within the regulatory context the focus is placed; for BE it is clearly dominating whilst ETUC divides its focus between responsibility for political actors (4b) and resources for platform workers (1a).

Figure 1.



Since there are different numbers of categories and search terms within each dimension, the exact numbers are not particularly telling. But, the size of each bar tells us within which dimension the organisations want the focus of attention to be placed and thereby the dimension where the problem representation can be expected to be found.

The size of the bars raises questions. The material from BE mostly revolve around responsibility for political actors; does that mean that they feel a need to argue against, or for, political influence and decisions? How come ETUC divides its focus between resources and responsibility, are these dimensions somehow supporting or related to each other in their argumentation? Are the platforms themselves neglected in the discussion or are they mentioned in other dimensions not captured by my codes?

We'll now move over into the qualitative analysis, which will shed light on some of these questions as we'll get closer to the content of the material.

Qualitative dimensions – same logics, but used differently

The dimensions previously presented; *resources*, *possibilities*, *limitations* and *responsibility*, will give the overarching structure of this qualitative part and the themes found within each dimension will be presented. The dimensions are in the following section named *Resources needed to build a sound working life* – focusing on working conditions and workers rights, *Possibilities for negotiation and improvement of conditions* – focusing on frameworks such as collective bargaining and certifications, *The strong and weak individual on the labour market* – showing how the platform worker is perceived and *Role and Responsibility of social and political actors* – capturing the roles given to different parties and decision makers.

The themes found in the material will be presented within the frames of each dimension and the logics found within them will be discussed in the last section called Discussion.

Resources needed to build a sound working life

The first dimension captures the resources platform workers are perceived to have, or not have, in order to build a sound working life. Themes found within this dimension are *Rights and regulations* and *Norms and status*. As shown in the quantitative analysis, this dimension is an area of great interest for ETUC, while BE is found to have their focus directed elsewhere.

Rights and regulations

For ETUC much of the discussion within this theme revolves around wages, working conditions and rights for platform workers as they are focusing on the lack of fair wages and the lack of basic employment rights and consequently the need of fair rules, access to social security, pension schemes etc. They support the revision of the Written Statement Directive, namely the proposal for a Directive on Transparent and Predictable Working Conditions², and the introduction of minimum rights on a

² The proposal stems from the REFIT evolution of the Written Statement Directive and is meant to repeal the current directive from 1991. In brief, the Commission is proposing in the Directive on Transparent and Predictable Working Conditions that workers in all forms of work, including the most flexible and non-standard forms of work, as platform work or zero-hour contracts, have the right to;

- “more complete information on the essential aspects of the work, to be received by the worker, in writing, at the latest on the first day on the job (rather than up to two months afterwards),
- a limit to the length of probationary periods at the beginning of the job,
- seek additional employment, with a ban on exclusivity clauses and limits on incompatibility clauses,

European level. The fact that the level of pay and working conditions in many cases are dictated by labour platforms is problematised with the argument that it leaves no room for workers to negotiate to improve remuneration or benefits. Platform work is connected to extreme levels of control over workers, low skill jobs and precarious working conditions. Altogether, ETUC describes the platform worker as having few or no resources compared to the employed worker. A telling quote is found in the *ETUC resolution on digitalisation – towards fair digital work*:

This new digital precariousness is a segment of the workforce whose work is temporary, who subsist on very low wages and who receive few or no benefits or social protection. This precarious condition is about to spread around the globe. According to the terms and conditions of many workforce platforms only one out of the crowd is paid, it is like a lottery and so the situation is worse than for day-labourers (ETUC 2016.1).

ETUC does not explicitly discuss how to effectively handle the use of resources or the potential for innovation and growth. Resources discussed are more prominently the workers themselves and the need of handling this resource with care and responsibly.

ETUC stresses that platform companies must respect national labour laws and should take their responsibility as employers. But, as employment contracts or employment relationships are refused by platforms, this responsibility is not taken. ETUC fears that platform companies, by using crowd workers, facilitate the circumvention of laws and regulations regarding the labour market, such as minimum wages, working hours, maternity/paternity leave and paid holiday. Platforms that ignore local labour laws are argued to be having a large competitive advantage.

BE on the other hand does not discuss wages earned by platform workers or the rights they have as workers. The discussion is more closely connected to the Written Statement Directive and how the information about remuneration should be given, not the remuneration itself. Consequently, they do not discuss whether platform workers lack workers' rights, since in their perspective they are self-employed and therefore are not to be included under the umbrella of rights entitled to employees.

BE strongly opposes the introduction of minimum rights in the proposal for a Directive on Transparent and Predictable Working Conditions, which they argue to be in conflict with the REFIT-platform³ and not respecting the European pillar of social rights. Minimum rights are understood as a risk of interfering with national collective agreement and not respecting the European Pillar on Social rights. BE sees a risk that "Social partners would have to renegotiate existing agreements. And in a number of Member States legislation would be introduced where today it is only for social partners to regulate". (BUSINESSEUROPE 2017.1).

Within this theme the tension between responsibility and resources are not seen within the organisations as much as between them, since ETUC is focusing on responsibility and BE is resource-oriented. However, this analysis might be too simplistic. BE can be understood as taking another

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- know a reasonable period in advance when work will take place, for workers with very variable working schedules determined by the employer, as in the case of on-demand work,
 - receive a written reply to a request to transfer to another more secure job,
 - receive cost-free the mandatory training that the employer has a duty to provide". (Commission webpage <http://ec.europa.eu/social/main.jsp?catId=1313&langId=en>)

³ The REFIT-platform is set up to make EU-regulations more efficient and to reduce burdens but without undermining policy objectives. It consists of a Government Group and a Stakeholder Group, which gives advice to the Commission and has been in place since 2015. For more information see https://ec.europa.eu/info/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-and-less-costly/refit-platform/role-structure-and-working-methods-refit-platform_en

approach towards responsibility: instead of taking responsibility for the worker, they take responsibility for a functioning system and predictable regulations.

Norms and status

This next theme within the dimension of resources relates to unwritten rules and structures, such as norms and status. Within this theme only BE has been found to have expressed ideas and opinions.

BE discusses reputation as a resource the platform worker has, which might be understood as part of their CV; i.e., something they can use to increase their status on the platform. This relates to platforms' business models with rating systems, which are used to improve quality and to create a feeling of safety for both the consumer and the provider. But again, the discussion is not about how the worker can use the reputation to improve remuneration or working conditions, it's the regulatory aspect of the reputation that is discussed – who owns the information if the platform workers wishes to change labour platform? Can the information/reputation be brought to another platform?

ETUC does not mention the platform worker as anyone with different assets compared to the employed. Neither is their status in relation to the platform discussed.

Possibilities for negotiations and improvement of conditions

This dimension captures the possibilities platform workers are perceived to have, or not have, in order to negotiate and improve their conditions. Themes found are: *Greater flexibility: A possibility for whom?* and *Self-regulation and certification*. As found in the quantitative analysis, this dimension does not attract much attention by the organisations and as in the previous one they approach it differently.

Greater flexibility: A possibility for whom?

ETUC, on their hand, is framing platform workers as bogus self-employed and as such missing out on the tools historically used by workers to improve working conditions, such as collective action. Collective bargaining is understood as unavailable to platform workers. Therefore, trade unions should organise self-employed to give them collective strength as a means to improve remuneration and working conditions. The same line of argument can be seen as ETUC discusses the (lacking) possibilities of board-level representation for internal crowd workers. ETUC can be understood as trying to frame the platform workers just as workers in the same meaning as employed as they problematise the lack of traditional trade union tools of power.

BE does not mention the possibility of collective bargaining or negotiations while discussing platform work since their approach is not to discuss the power balance between workers and platforms/employers. Instead of platform workers lacking power, BE sees potential in an increased variety of forms of employment; partly due to digitalisation, which brings opportunities and flexibility for workers as well as for companies. They perceive new forms of employment as stepping-stones towards full time and/or permanent jobs.

Whilst we acknowledge that by its very nature a mandatory approach would lead to broader social protection coverage, this is likely to deter employers from using different forms of work, e.g. by increasing labour costs. It is also important not to deter people who are already or who wish to become self-employed, or those who wish to move to a different form of work, for example through too high contributions. [...], these varied forms of work provide opportunities for both employers and individuals and make a positive contribution to the economy. Any approach must take account of individual choice, by giving the possibility of social protection coverage in a way that responds to actual needs and wishes of individuals (BUSINESSEUROPE 2018.1).

ETUC, on the other hand, takes a more sceptical position towards the positive consequences described by BE and emphasises the risk of unemployment due to disruptive changes to the labour market and the development of more precarious work. As in the theme *Rights and regulations* ‘the lack of decency’ is recurring. Some possibilities are sketched out, which are all traditional trade unions ways of improving workers conditions, such as the possibility of being organised and performing collective bargaining. But, none of these are seen as something platform workers have access to.

BE directs the focus of attention to the macro level and the possibilities coming with the development for people, companies and the economy, rather than the possibilities platform workers have to strengthen their position. The focus is thus on more jobs and a growing economy by which workers can benefit, regardless of their employment status.

Self-regulation and certification

Task providers are not mentioned much by any of the organisations. But, a possible way of improving working conditions related to the task providers are lifted by ETUC with the introduction of a “Fairwork Certification” to ensure level playing field with other actors. The idea behind it is to give task providers the possibility to use their power as consumers by only using certified platforms, which in turn would improve the remuneration and working conditions for the platform workers. This is depicted as a possibility, but only as a partial solution.

The strong or weak individual on the labour market

This third dimension captures the limitations platform workers are perceived to have or not have. Themes found are *(Self)-employed* and *Power balance*. Much of the discussion revolves around the concept of self-employment, which is used with different connotations by the organisations. The tension between the organisations and the struggle to have their version of the problem/the stage accepted by those assessing legitimacy shows clearly.

(Self)-employed

ETUC and BE draw the picture of the platform worker, or the self-employed, in completely different colours. ETUC sees someone in need of greater protection as platform workers are being framed as ‘bogus self-employed’, understood as lacking information about the identity of the task provider, about the context of the task, about other workers (making collective action impossible) and having no guarantee of equal pay for equal work⁴. It is not explicitly mentioned, but it is fair to assume that they mostly refer to crowd workers. Following this line of argument, ETUC supports the proposal for a Directive on Transparent and Predictable Working Conditions but are calling for even stronger actions and further steps “to address the worst forms of precariousness” (ETUC 2017.8).

BE approaches this subject with a completely different narrative. Self-employment or agency work is not understood as necessarily more insecure than other contractual forms. Self-employed should be able to choose the type of insurance for social protection they need (private, state, occupational, etc.) and should ensure they’re not dependent on tax-financed systems in the case they do not contribute to them. BE acknowledges gaps in protection in case of sickness or unemployment, but the solution is not seen as a strengthened regulatory framework.

BE does not want a European definition of an employee, arguing that it would create legal uncertainty. Accordingly, BE argue that self-employed should not be covered by the revised Written Statement Directive.

⁴ The principle of equal pay for equal work has been enshrined in the European Treaties since 1957 (today Art 157 TFEU). With the European Pillar of Social Rights, proclaimed in November 2017, the right to equal pay for equal work was reiterated as a principle.

*[...] the term “platform worker” used by the Commission is unclear and can be misleading as it does not correspond to any specific form of work contract. People providing services with the help of online platforms can be employees but can – and often are - self-employed. There is no “one-size-fits-all” solution and national criteria to determine the status of the person (employee/self-employed) can be applied on a case-by-case basis. In any case, **self-employed should not be covered by the written statement directive. We are thus concerned that the reference to “platform workers” in the written statement directive would risk reclassifying genuinely self-employed as employees** (bold in original, BUISINESSEUROPE 2017.1).*

Overall, BE gives self-employed more agency as this form of occupation is seen as something positive giving new possibilities for people and companies.

BE is balancing between being both resource-oriented and responsible, stressing that existing gaps in protection in case of sickness or unemployment might lead to costs passed on to taxpayers if the self-employed aren't paying their share. This might be interpreted as BE taking responsibility for the system and the resources attributed to it. ETUC on the other hand argues for the system to take responsibility for the worker.

Balance of power

Another theme found within the dimension of limitations is the imbalance of power between the platform worker and the platform, connected to a structural transfer of risk from firms to workers.

ETUC fears spill over effects from cyber platforms to traditional companies as quality jobs might be replaced by precarious jobs.

Crowd and clickworking facilitates the possibilities of undermining or circumventing minimum wages, work time regulation, social security, pension schemes, taxation, etc. The rapid increase in crowdworking might lead to an extension of the shadow economy and illicit work and the establishment of a new digital precariousness (ETUC 2016.1).

By making the case that precarious conditions might spill over to more traditional parts of the labour market, ETUC can be understood as trying to make more people being concerned and feeling affected by the development and thereby supporting the ETUC position.

BE takes another approach while discussing imbalance of power between platforms and workers. As with reputation, BE discusses new features of the world of work. They point to the potential problem of deactivation of a worker's account on a labour platform for reasons he/she might find unfair. What kind of consequences can it have for the individual worker who might lose their entire business? How should platform companies deal with this and what responsibility do they have? By lifting this issue BE can be understood as both showing concern for the workers who might face serious problems, but also for the platform companies who need answers to questions with potential of harming the reputation and acceptance of these new business models if not handled adequately.

Role and responsibility of social and political actors

This last dimension captures the responsibility social and political actors are given. The themes found within this dimension are *Being cautious, or being to slow*, and *Who to protect – the system or the people in it?* BE clearly directs their attention towards this dimension and positions taken within the other dimensions becomes more understandable. How the organisations divide the responsibility and whom they see as responsible actors can be understood as their main positions. The findings from the

other dimensions can be interpreted as supporting arguments and problem definitions – it is within this dimension the real tension shows.

Being cautious, or being to slow

There is a clear tension between ETUC and BE when looking at the role they see for legislation on both European and national levels. ETUC argues for a coherent EU-policy framework, including social security systems covering digital workers to avoid the emergence of “a new digital precariousness” (ETUC 2016.1). The institution attributed with the most responsibility to act to ensure adequate protection is the Commission who should “deliver greater security and stronger rights for all platform workers in Europe, and to take important steps towards regulating the platform economy” (ETUC 2017.7). The same rights employed workers have should be guaranteed to digital workers.

ETUC also concludes that the majority of those using the platform in an employer function are situated in USA or Europe. The EU is therefore perceived as a good framework for regulating the platforms. Consequently, the Commission is criticised for not acting fast and firmly enough, exemplified with the response to the proposed Directive on Transparent and Predictable Working conditions which is argued to be too weak and “not the game-changer needed and expected” (ETUC 2017.8). ETUC regrets that the European Commission continues to stress the importance of avoiding, what they see as, premature regulations that might hamper, or even strangle the nascent sharing economy, while recommending that MS abstain from premature action as well.

Disappointingly, the Commission has not brought forward any effective remedies to deal with abusive flexibility, such as workers being promised a day of work but then sent home without pay an hour or two into the shift. ‘Self-employed workers and freelancers are left out in the cold and the expected guarantee of equal pay for equal work for all non-standard workers is missing. Unless this is addressed it creates a major loophole that has the potential to undermine the upcoming initiative on access to social protection’ (ETUC 2017.8).

Opposed to ETUC, BE supports the Commission’s position on not “rushing into proposing legislation or solutions” (BUSINESSEUROPE 2016). They see a risk of unintended consequences of too strict regulation as this might lead to less efficient solutions and hamper innovation. At the same time, they see a need of action at EU level, aiming at avoiding divergent approaches at the national level. New or strengthened legislation should only be an option if “real gaps exist and on a case-by-case approach” (ibid).

The EU role is particularly important to avoid divergent approaches at national level, which are already creating fragmentation within the Single Market. In order to achieve a level-playing field and allow companies to scale-up, innovate and bring growth to the EU digital economy, it is essential to minimise divergent national (and local) regulatory approaches. At the same time, national practices and legislation which are currently well functioning and established in Member States should not be undermined (BUSINESSEUROPE 2016).

While ETUC describes the legislator, almost exclusively as the Commission, as someone who should take a much bigger and leading role to make sure that the platform economy is adequately regulated. The Commission should, according to BE, take an unobtrusive role and be focused on encouraging MS to ensure fair competition, as the MS have found different solutions for social security which must be respected. MS could learn from each other on how to broaden coverage in an effective and efficient way. BE considers the Open Method of Coordination (OMC) as not being used to its full potential in this context. They also want to see social partners involved in line with the industrial relation system of each MS “when assessing the possible need to adapt eligibility requirements to improve coverage” (BUSINESSEUROPE 2018.1).

MS are mentioned by ETUC, but scarcely, and they are not depicted as the main actor or as having the primary responsibility.

Who to protect – the system or the people in it?

As shown in the first theme, ETUC and BE take different perspectives on regulation of the platform economy, to little surprise. ETUC argues for the need of adequate regulation to protect the digital workers and BE takes the view of businesses, both traditional and new. These different outlooks can also be found in this last theme.

In relation to legislation, BE lifts the need of a level playing field where traditional businesses must be able to compete under the same rules and have the same duties as companies using new innovative business models within the same economic activity. The same legal framework should thus be applied regardless of business model as they see no systemic problem unique to platform companies. New innovative business models should not be hampered by constraining regulation as this could have negative effects on innovation, growth and jobs. Instead of creating new rules for new business models, BE sees the need of assessing the existing regulatory regimes to see if they are “still up to date and necessary to fulfil public aims” (BUSINESSEUROPE 2016). BE is thus balancing between protecting traditional businesses and their business models while still arguing for the needs of new business models and for updated regulations.

BE includes actors at all levels and different contexts and they refer rather extensively to the role of the social partners while presenting their position on the proposed Directive on Transparent and Predictable Working Conditions. The role of the social partners should be safeguarded and respected, as should collective agreements negotiated within the different national contexts. BE explicitly refers to the principle of ‘subsidiarity’ in three out of five analysed documents; in the other two the principle is discussed without being explicitly mentioned. The EU level should not set binding rules which might undermine national or sectorial practises and regulations which are well functioning. For ETUC this seems not to be an issue, or is at least not mentioned.

For BE the current system of regulation and practises and the functioning of these should be protected, unless it is malfunctioning in the perspective of innovation and growth. Regulations at the national level should always be the first choice and only if the EU-level is proven to be the most effective should the Commission put forward legislation proposals. The need to respect the system of collective agreements is also a part of the argumentation in line with the principle of subsidiarity. Minimum rights and issues “close to employers’ and workers’ realities”, such as working time schedules, work organisation, parallel employment, training provisions, etc. should not be addressed by the Commission but left to the levels where it can be handled most efficiently, meaning the national level; collective agreements included (BUSINESSEUROPE 2017.1). The argumentation is focused on what is not up to the EU to decide upon and aims to redirect the focus and the power to actors at the national level or even a certain branch of industry.

Discussion – Role of the state: less is more, or more is a must?

Summarising the results, we see that BE argues for less supranational state, meaning EU-level, as being the answer to potential problems and the key for reaping the benefits of the development. ETUC sees more supranational state as a must to uphold decent working conditions and for strengthening platform workers as the workers are considered lacking the means to do this themselves. In the following section I will show how I’ve come to this conclusion.

Resources

To begin with, the result shows how ETUC and BE direct the discussion into two different directions within the dimension Resources. ETUC discusses platform workers and understand them just as any

other kind of worker, regardless of how they have come across their work. The problem is represented as lack of rights and risk of precariousness. BE makes a distinction between employed and platform workers where the latter are discussed as self-employed and therefore to be understood as something else than employed. The same approach towards workers, as a collective or as consisting of several groups, is also found by Hartzén (2017:216). Another example is the position by ETUC stating that undermining or circumvention of minimum pay rates must be prevented – implying that platform workers are bogus self-employed, while BE strongly opposes the inclusion of platform workers in the revised Written Statement Directive since this might give them the status of an employed. BE opposes European minimum rights for workers with the argument that new social rights might undermine growth and employment, go against REFIT and might be in conflict with the principle of subsidiarity. Where ETUC sees regulation that strengthen the workers, BE sees regulatory burdens.

They both frame the identity of the workers in relationship to their status on the labour market, i.e., the workers' professional identities. Connections to the workers status as a professional can be seen in ETUC's argumentation regarding the lack of room to negotiate their position and with BE as "true" self-employed with power over their own position. In ETUC's discussion on remuneration and working conditions they criticise the lack of responsibility taken by task providers and platforms, highlighting the consequence of exploitation of workers. ETUC frames the platform workers as weak, having no network with other platform workers, having limited possibilities to strengthen their personal expertise, being part of no professional association, being referred to low skill jobs and being part of an anonymous crowd where a personal reputation or increased status is available only to a minority. BE on the other hand connects to the same references but frame platform workers differently: as autonomous, with higher status and as self-reliant. In summary, where ETUC sees a worker lacking the rights of an employed, BE sees a self-employed with the possibilities of an entrepreneur. This exemplifies how both organisations use profession logic (Suddaby 2005).

Understood as having a weak professional identity, ETUC also connects the platform workers to a class and social identity framed as precarious, lacking social rights and social security. As such, their rights and position should be strengthened by political action on the European level by increased European regulations. Guarantees of equal treatment and thus a safer working life should be granted by bureaucratic actors on the supranational level, showing reference to state logic (Lee and Lounsbury 2015). BE on the other hand puts the European actors in the backseat as they call for the supranational level to respect decisions already taken on the national and local levels. The supranational level is thus relied on to protect the national and local solutions, not to overrule them.

Possibilities

ETUC argue for stronger negotiations rights to balance employers' "wish for unilateral flexibility and the workers wish for more sovereignty" (ETUC 2017.5). The tension is described as a promise from the platforms of more freedom, control and flexibility but the platform workers report low-skill jobs with extreme levels of control, low pay and "few or no possibilities of bargaining up their remuneration with the platform" (ibid). The platform workers are thus framed in the same way as in the previous theme, understood as lacking, or having a weak, professional identity and low professional status. A possibility to improve the conditions for platform workers is found in the ideas of certification. A certificate can be described as an identity marker, as something telling others something about the values committed to, and what kind of reputation the certificate bearer wants to build. Here the workers are, again, framed as in need of protection or actions from outside the working community. Instead of relying on governmental actors, as in the first theme, the buyers are turned to, which can be perceived as another source of power. In this example traces of both community and profession logic is found (Lee and Lounsbury 2015).

BE takes another stand. The platform workers are perceived as agents who can make decisions about their professional self, supported by their personal expertise. In relation to social protection, the self-interest should guide the level of protection chosen. The responsibility and ownerships is thus placed

with the market, giving a reference to the residual welfare regime. Flexibility is understood to be useful as much for the worker as for the companies. Here both market and profession logic is shown (Thornton and Ocasio 1999).

Limitations

The platform workers' professional identity stands out in the third dimension as well, as being included or excluded in the concept of self-employed. BE and ETUC also have different perspectives on the welfare regimes they institutionally navigate upon (Beaudonnet 2015). ETUC makes no reference to the different welfare solutions and choices made by the MS. BE on the other hand uses these differences as a means of strengthening its position and can in this be understood as using the institutional patchwork as an argument for less supranational regulations.

In the theme 'balance of power', ETUC, as previously, relates to "the lack of" as lack of access to welfare and lifts risks for platform workers of becoming second-class citizens. The responsibility of handling this is placed on political actors. BE on the other hand focuses on reputation and responsibility within the group of platform companies so that they, themselves, can take the responsibility of both their status as companies but also to guarantee the workers a certain amount of freedom and autonomy.

Responsibility

The crowd working economy are by ETUC portrayed as a dangerous trend as long as fair rules are lacking and the Commission is depicted as having the main responsibility (ETUC 2017.5). Stronger regulation is seen as good for the community and the class perspective is visible as a source of identity for platform workers.

BE does not want to see targeted regulation, targeting specific companies, sectors or business models, which they argue might slow down big companies and knock down SMEs. In line with REFIT: they regard simplifying regulations as the priority and argue for only adding them when necessary. The market is viewed as self-sufficient as this is where the economic development and innovations are happening. The fear of strangling the economic development by overregulation is given a salient position. The supranational level is put in the backseat and the responsibility is placed at the national and local level, as well as with the companies active on the market.

The different approaches to the EU-level and national level shows how BE carefully navigates within the context of different welfare regimes and systems of industrial relations, not wanting to disturb or change the current foundations of the system. ETUC, on the other hand, takes the view from underneath the current system and its complex context, arguing for the people within each welfare regime or system of industrial relation, saying that the context doesn't matter; the need of the generalised worker is still the same. BE is being cautious in relation to the responsibility they see for the supranational level. This can be understood as a will of being vague and a strategy for handling coexisting logics and divergent wills within the affiliated organisations.

Overview of results

In the material examples of state, market, community and profession logic has been found. In relation to the institutional order labelled as logic of profession, BE discusses platform workers as included, while ETUC discusses them as being locked out. BE and ETUC also prioritise differently between the logics used. How the organisations rank the logics and in which themes they are found is showed in table 3.

Table 3.

Actor	Logic	Dimension and theme
BUSINESSEUROPE	Profession logic	Resources – Rights and regulations – Norms and status
		Possibilities – Flexibility for whom?
		Limitations – (Self-)employed
	Market logic	Possibilities – Flexibility for whom?
		Responsibility – Being cautious or being slow? – What to protect, the system or the people in it?
		State logic
	Limitations – (Self-)employed – Power balance	
	Responsibility – Being cautious or being slow? – What to protect, the system or the people in it?	
	Community logic	Limitations – Balance of power
ETUC	Profession logic	Resources – Rights and regulations
		Possibilities – Flexibility for whom?
		Limitations – (Self-)employed
	State logic	Resources – Rights and regulations
		Limitations – Balance of power
		Responsibility – Being cautious or being slow? – What to protect, the system or the people in it?
	Community logic	Possibilities – Self-regulation and certification

For both organisations professional logic is central and strongest as they use it to frame platform workers, either as low status workers with a weak position towards the elemental categories (ETUC) or as self-employed who take their professional life in their own hands and having high status in relation to the elemental categories (BE). This also lays the foundation for different problem representations: workers in precarious conditions commoditised by the market, in need of the state to step in with stronger regulations for support, or, as strong individuals working via platform companies, empowered by the market and facing the risk of having their innovative ideas hampered by an overregulating state.

These differences in the understanding and framing of the digital worker has consequences for how the organisations combine logics to support their positions in order to make them legitimate. For

ETUC, state logic is used to strengthen the weak professional logic. The use of community logic can be understood in the same way. Market logic is not perceived as neutral but needs to be subordinated state logic. This has the consequence that market must be subordinate to state and state must support profession. For BE it's the opposite: market logic is used to weaken state logic as the solutions and responsibility are pushed to the local and national level, or even branch of industry. For BE, profession and market logic converge and strengthen each other: the workers are autonomous professionals acting on the market (Rolandsson et al 2011). State logic is more of a necessity.

The area of conflict is thus state logic, which is given a salient role or being placed in the backseat (Esping-Anderson 1989). This might also explain why the revision of the Written Statement Directive wasn't something the social partners could handle by themselves. If they both had seen the need for supranational solutions based on state logic, or, if they had both refrained from that and instead relied on community or market logic to support the professional logic then maybe the possibility of finding common solutions within the social dialogue would have been possible? This opens up questions and ideas for further research. We could understand the social dialogue in further depth by looking at whether the reliance on institutional logics by the social partners towards an issue must be coherent for negotiations to be considered, or even possible. And, how the different uses affect the possibilities to compromise,

Conclusion

In the quest for a legitimate position ETUC and BE are navigating in a changing context due to digitalisation and structural change on a complex field of different welfare regimes, each composed of its own set of institutional orders. This sets the scene on which the organisations must act upon to gain legitimacy for their positions in relation to platform work, both in relation to platform workers resources, possibilities and limitations, and towards the responsibility of platforms and political actors.

Empirical conclusion – being a blowtorch, or putting in the backseat

ETUC depicts itself as a blowtorch, acting to make the Commission move in the right direction. The Commission should “act faster” to ensure that the possibilities of digitalisation come true. Also, a proper legal framework is perceived as needed, both to ensure a level playing field for companies as well as fair and good working conditions. ETUC takes the whole work force into account, never talking about members, but rather of workers, trade unions and social partners. They use an inclusive vocabulary, which can be interpreted as if they don’t want to be understood as an advocacy group only, but as someone taking responsibility for the greater good. ETUC calls on the Commission to regulate the platforms and to coordinate the MS’s approaches to ensure regional cohesion so that the social and economic divide between different MS won’t increase due to digitalisation. Respect for each MS autonomy and welfare regime is not salient; they’re rather calling for convergence.

BE refers to the social partners and collective agreements to a much higher extent than ETUC does. This comes as no surprise since ETUC is more positive towards the Commission’s proposals, wanting more EU-regulation in the area. BE, on the other hand, wants less regulation and sees the proposals as not being in their members’ interests. BE argues in favour of the proposals to be negotiated by the social partners within the social dialogue, which would then give them more to say and would be a way of stopping undesired regulations. BE is thus trying to downplay the supranational responsibility and instead shift the focus to the national and local level. For ETUC it is the other way around. ETUC won’t be able to take the same steps by negotiating with the employer side. Instead they push the Commission to go even further, consequently emphasising the role of the supranational level. This can, in part, also explain why ETUC leans more heavily on state logic and BE on market logic.

The different welfare regimes are never mentioned by the organisations and no intended references to the different regimes have been found. This doesn’t mean that the regimes are irrelevant. BE takes the welfare regimes and the different industrial relation systems into consideration when arguing for its position that the Commission’s proposals shouldn’t interfere with current systems. Also, both ETUC and BE argue in favour of welfare systems that give a decent protection for all workers, regardless of their employment status. One way to understand this is that it is the absence of references to the different systems that actually shows the respect for all of them. By not saying anything of *how* the welfare is to be organised in the respective MS they embrace all and none at the same time. BE uses the regimes as an argument for being vague towards the supranational level and putting it in the backseat, while ETUC uses them as an argument for being a blowtorch towards the Commission. The conflict around state logic is by this example put on display.

Theoretical conclusion – it is all about the state

I find that ETUC mainly uses state logic and professional logic and refrain from using market logic. In relation to profession logic, ETUC frames the workers as weak in relation to the elemental categories. State logic is thereby turned to, to support profession logic. This complementary use of logics has also been found elsewhere (Thorén et al 2017, Lee and Lounsbury 2015). Market logic can be understood as undermining workers’ positions, causing competition between workers and thus in need of control from the state (Thornton and Ocasio 1999).

BE also uses profession logic for framing the workers but gives them status by portraying them as strong in relation to the elemental categories. Market logic is combined with profession logic, converging and strengthening each other. State logic is more of a necessity and something that cannot be unrelated to, since the state constitutes the underlying base. Questions can also be raised of how this conflict rises to the European level as policy concerning the labour market is a MS competence (Esping-Andersen 1989). But references to the (digital) single market and the four freedoms (free movement of goods, capital, services and labour) necessarily gives the issue a European dimension.

This study finds that within a European context market logic becomes neutral for BE and should not be controlled. With this approach MS can stay autonomous and guided by their interests. For ETUC, market logic is all but neutral and needs to be controlled by state logic, having the consequence that state logic becomes much stronger in ETUC's argumentation. State must support profession and control market.

Suggestions for further research

How platform work affects workers and businesses is an opening for further research. Connected to this is the need of new means for workers' representation and ways to impact their working conditions. How can employee organisations handle this? What's the role of trade unions if the lion's share of workers becomes self-employed? How does it impact businesses' attitudes towards, and need for, employed workers (Mair & Reischauer 2017)?

Suggestions for further research on a more theoretical level have been mentioned in the discussion: can the use and reliance on institutional logics explain the success of the social dialogue? If so, how can the knowledge about it be used by social partners and the Commission to continuously develop the social dialogue?

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