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Master Thesis:

**TRADE UNION RESPONSES TOWARDS PLATFORM CAPITALISM IN
THE NETHERLANDS**

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Abstract

This thesis sets out to investigate some of the issues arising from the expansion of platform capitalism, approaching it from a critical, industrial relations perspective. Going beyond misleading conceptualisations such as the “sharing” or “collaborative” economy, it examines how the changes brought about by platforms are imbedded in the wider context of contemporary capitalist political economy, with prevailing trends towards flexibilisation and labour market recommodification. This research aims to find out how the trade unions in the Netherlands are currently shaping their strategies in response to these developments. These questions are answered, first by identifying and classifying union responses through frameworks developed for researching trade union responses to non-standard labour and secondly by discussing several potential explanations for these responses. The thesis claims that one of the main issues of platform capitalism from the perspective of trade unions is the misclassification of workers as self-employed persons. Consequently, the main instrument used by trade unions at this moment is litigation, with organising and media campaigning the preferred options for the future. Finally, the thesis argues that the most probable explanations of trade union strategies in response to platform capitalism are those that take into account the context of flexibilisation and deterioration of labour market standards as well as changing trade union ideologies.

Key words: platform capitalism, sharing economy, flexibilisation, trade unions, the Netherlands.

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I dedicate this thesis to those who inspire me the most – the invisible, powerless and unrecognised men and women who keep this world running, the weak whose names we won't find in history text books.

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Introduction

It is a common place in history of capitalism that technological innovations spur speculations about fundamental changes the world of labour, or even capitalism itself, will suffer. The latest impulse for such claims comes from the rise of platforms – business models which employ internet and data as a basis for coordination of production. Some have gone as far as claiming that platforms will entail an “end of employment” (Sundarayan, 2016), while others claim, in a more critical manner, that platforms open the horizons for intensive exploitation and precariousness of those selling their labour power under these terms (Scholz, 2016, Srnicek, 2016, Huws, 2014).

A particular area of interest for scholars, policy makers and stakeholders are working rights and labour regulations. This has been recognised at the EU level with the European Commissions “Agenda for the Collaborative Economy” (European Commission, 2016) and by some trade unions with the “Frankfurt Declaration on Platform-Based Work” (2016).

An aggravating circumstance when researching platform capitalism is the lack of precise information on its size and relevance. However, there are some estimates which we will mention here. Firstly, Huws and Joyce (2016) conducted research on crowdwork in Austria, Netherlands, Sweden, and United Kingdom. Their results suggest similar numbers of people who at some point engaged in crowdwork (defined broadly as any work done through an online platform) in all countries – in the Netherlands this number is around 9% of the working population. However, only 5% claim they do crowdwork on a weekly basis. Another estimate is provided by SEO Amsterdam Economics, in a research commissioned by the Dutch Ministry of Social Affairs and Employment (ter Weel et al., 2018), in which they focus only on work which is conducted physically but commissioned through an online platform. Their estimate is significantly smaller – only 0.4% of the working population is reportedly engaging in this kind of work. In any case, it does not seem that labour under platform capitalism in the Netherlands is a significant phenomenon in terms of its size. However, its rise in the last couple of years could be interpreted as rapid. Moreover, based on previous insight into the topic, it is assumed that the changes of employment relations that the expansion of platform economy entails are not entirely novel - they resemble, and fall into the larger context of proliferation of nonstandard labour contracts which has been studied in last decades. In this sense, researching platform capitalism is relevant as it provides insights into deeper trends in contemporary capitalism.

Existing research on the topic of platform capitalism is at an early stage. Most studies have been case-oriented and descriptive. Furthermore, as evidence for the underdevelopment of research in the field, it should be noted that there is very little agreement on key terms and concepts (Fabo et al, 2017). Terms such as the “sharing economy”, “collaborative economy”, (Acquier et al. 2016; Dolvik, Jesnes, 2017; Murillo et al. 2017) “on-demand economy”, “platform economy”, (Dolvik, Jesnes, 2017; Rogers, 2016; Schor, 2018) “gig economy”, “crowd-sourced economy”, “crowd-based capitalism” (Sundarayan, 2016; Kalleberg, Dunn, 2016; Aloisi, 2016; De Stefano, 2016; Bergvall-Kareborn, Howcroft, 2014; Berg, 2016; Webster, 2016) and others are used interchangeably, without widely accepted definitions, hence these terms can signify very different aspects of the reality.

In this thesis, we wish to embark on an analysis of platform capitalism from an industrial-relations perspective. As a general starting point, we take inspiration from Richard Hyman’s (1975: 12) definition of industrial relations as “the study of *processes of control over work*; and among these processes, those involving collective worker organisation and action are of particular concern”. Hence, we wish to explore the actions of unions, which we perceive as relatively autonomous actors. In this sense we wish to draw upon the vast literature on the declining power of unions, as well as their revitalisation in spite of the proliferation of non-standard labour relations. Furthermore, we believe it is important to look carefully into the implications platform capitalism has on labour relations – as Hyman points out, a broad understanding of industrial relations as a study of job regulation must “take into account the *sources* and the *consequences* of industrial conflict” (Hyman, 1975: 12). It is precisely because of this need to understand the sources of conflict that we wish to understand platform capitalism thoroughly. The research thus, builds on more critical approaches while going beyond them, towards a developed research agenda which would help better understand the choices and challenges social actors (in this case trade unions) face. Such a research framework would contribute to academic discussions by applying a different perspective and open room for further development and application. Furthermore, such research would help highlight key policy areas and problems which deserve attention of both researchers and policymakers when discussing platform capitalism

Our main research question is what are the strategies and responses formed by trade unions towards platform capitalism in the Netherlands, and how can we explain them. In order to answer it, we have conducted several interviews and reviewed other primary sources, such as policy documents and press statements of trade unions.

Existing literature on the Dutch context suggests certain aspects which are important for our research. Namely, discussion about trade unions in Netherlands usually focuses on the notion of the “Polder model”, a term used to express the cooperative, social-partner nature of Dutch trade unions. Since the 2000s however, with the proliferation of flexible employment in the Netherlands, the unions have started paying more attention to and devising strategies towards workers “at the lower end of the labour market” (Boonstra et al., 2012). It is in this context of emerging union interest towards the issues of contingent labour that we wish to investigate the question of labour unions and platform capitalism.

After the introduction, chapter 1 is dedicated to defining platform capitalism and ways we can understand in a wider political economy context. Chapter 2 is dedicated to problems of labour relations under platform capitalism – from different types of work to possible ways labour relations can be and are organised. Chapter 3 presents a discussion, and overview, of trade union challenges and responses and how these are tied to platform capitalism. In chapter 4 we will present the framework for researching union responses and strategies and in chapter 5 we will take a look at the empirical findings. In chapter 6 we will discuss some of the potential explanations for the trade union responses. Chapter 7 concludes.

1. Platform capitalism and its embeddedness

There are two main goals, or theoretical considerations, about platform capitalism that we wish to elaborate in this chapter. The first is to clearly define the scope of this novel phenomenon from a labour perspective. This involves not only looking at the different types of labour and related problems, challenges and open questions, but also going through the array of interchangeably (mis)used terms and definitions in the existing literature. The second task faced in the following sections is explaining the embeddedness of platform capitalism in the context of the political economy of capitalism and its contemporary trends. This, of course, exceeds by far the scope of our paper, however in order to truly understand the challenges faced by trade unions, we believe it is crucial to present the debated issue within the context of flexibilisation of employment and of labour market recommodification.

1.1. Defining platform capitalism

Platform capitalism is fast becoming a significant topic of research in fields such as sociology and economics. Research, however, is at an early stage, marked by lack of common definitions (Fabo et al., 2017: 164). Crucially, there is a general lack of contextualising research into existing theories and frameworks. Lastly, we could argue that the research itself is primarily descriptive. Nevertheless, there have been several important contributions we wish to draw upon in our research. In the following section, some of those will be reviewed before a number of key questions the platform economy raises will be considered.

The first task when doing research on platform capitalism is clearly defining the scope of the researched phenomenon. This is, of course, a crucial part in any scientific research, but in the case of platform capitalism, it is particularly challenging. As mentioned, there is a noticeable lack of shared definitions or concepts, but more importantly there is a perceptible tendency to group conceptually diverse phenomenon in the same category, all while mislabelling them.

The first and most important of such ideologically misleading terms used is the “sharing economy” (Sundararajan, 2016; Acquier et al., 2017). This term is surrounded by a value positive discourse (Pasquale, 2017; Martin, 2016). Its proponents, for example, argue that sharing economy can “transcend capitalism in favour of community” (Ravanelle, 2017: 281) or that it presents a new pathway to sustainability through a critique of consumption (Martin, 2016). The American economist Sundararajan, a frequently cited expert on the matter, named his book “The Sharing Economy: The end of employment and the rise of crowd-based

capitalism” (2016). In it, he proceeds to list five crucial characteristics of this economic model: firstly, it is market-based, in the sense that it “creates markets that enable the *exchange* of goods and services”; secondly, it is high-impact capital, i.e. it enables assets and skills to be used closer to their full capacity; thirdly, it uses crowd-based “networks” rather than centralised hierarchies; fourthly, it blurs the lines between personal and professional; finally, it blurs the lines between work and leisure (Sundararajan, 2016: 27).

While the exact traits of this “economic system” will be discussed later, at this point serious doubts about the term “sharing economy” can be raised. It is rather difficult to identify the sharing component within these characteristics which put emphasis on the market exchange character of this economic model.¹ Sundararajan himself, of course, is not oblivious towards this objection, hence he notes that, while he sees the term “*crowd-based capitalism*” more acceptable, he uses the term *sharing economy* because it is already the most widely accepted one (Sundararajan, 2016: 27). It can be argued then, that the term “sharing economy”, when used for such a broad array of phenomenon’s, is more of an ideological term rather than a theoretical or scientific one.

The term “sharing economy”, of course, has its origins in the ideal of a truly different economic model based on sharing assets – as such it can still be used for non-profit platform. However, as explained, those kinds of “philanthropic” (Sprague, 2015: 3) initiatives are a far cry from platform capitalist business models.

A similar term used as is “collaborative” economy (Dolvik, Jesnes, 2017). This term has, for example, been used by the EU Commission in official communication (EU Commission, 2016). The definition provided states that the collaborative economy refers to “business models where activities are facilitated by collaborative platforms that create an open marketplace for the temporary usage of goods or services often provided by private individuals” (EU Commission, 2016: 3). Furthermore, the triangular nature of this model is accentuated, pointing out the three categories of actors involved: service providers, users and intermediaries. Importantly, the term “collaborative economy”, as used by the Commission, is an umbrella term which includes both profit and not-for-profit transactions. Finally, it’s worth noting that

¹ Calling such practices “sharing economy” Söderqvist (2017: 349) eloquently describes as a “stretch of imagination”. Another note which dampens the enthusiasm of the sharing economy prophets is that sharing itself is not new, nor a pre-capitalist notion – as Franken and Schor (2017: 4) put it “the claim that sharing is new ignores the higher levels of sharing that the working class, poor and communities of color have historically practiced and have partially maintained in the face of the growth of markets.”

the Commission qualifies service providers as actors “who *share* assets, resources, time and/or skills” (EU Commission, 2016: 3; emphasis by PM). Again, the exact “collaborative²” nature remains elusive, unless we subscribe to the view that the triangular model described is a collaboration based on sharing between actors³. Such a view, we would argue, is broad and misleading, not least because of its implication for labour relations - a topic that will be discussed later.

Another set of idioms which can be found in the literature includes terms such as on-demand, crowd-based, crowdsourced or gig economy (Kalleberg, Dunn, 2016; Aloisi, 2016; De Stefano, 2016; Bergvall-Kareborn, Howcroft, 2014; Berg, 2016; Webster, 2016; Todoli-Signes, 2017). These terms are rather descriptive, focusing on the types of work or relations between actors involved. While it could be argued that they are more precise than some of the terms discussed earlier, they are somewhat narrow since they describe only certain types of platforms.

The term used in this paper is platform capitalism, inspired by the definition given by Nick Srnicek (2016), who, on a general level, defines platforms as “digital infrastructures that enable two or more groups to interact” (Srnicek, 2016: 43). This model rests on one important resource and two key processes – namely the collection and analysis of data, i.e. digital information. The novelty of this model lays in its ability to fulfil functions which were more complicated, expensive or unachievable before. According to Srnicek data: “educates and gives competitive advantage to algorithms, enables the coordination and outsourcing of workers, allows optimisation of flexibility, makes possible the transformation of low-margin goods into high margin services” (Srnicek, 2017: 41-42). When it comes to collecting and analysing data, it is also important to keep in mind that this process is marked by monopolisation and privatisation of data. While we could argue that the source of the data is the general public i.e. people who leave any kind of digital information behind – which is, given our reliance of smartphones,

² This is also misleading in the sense that collaboration can be associated with the concept of worker cooperatives or worker self-management, which, in a way, present traditional ideals of the labour movement. Thus, the “collaborative economy” concept, the way it is used by its proponents, is not to be confused with terms such as “platform cooperatives” (Scholz 2016, 2016a) which present a truly different form of ownership, namely the worker-owned cooperatives which use the platform technology (the potentials of digital technologies and platforms for reducing precarity are also discussed in a report by Co-operatives UK, see Conaty et al. 2018; for a brief overview of some existing examples see Johnston, Land-Kazlauskas, 2018: 18-19)

³ Of course, from a functionalist or a neo-classical perspective, it could even be argued that the market itself is a form of collaboration. We, however, maintain a conflictual perspective, captured finely by Hyman (1975: 12): “[...] the notion of industrial relations system [...] is of analytical value only if it incorporates the existence of *contradictory* processes and forces, and hence treats instability and stability as of equal significance as ‘system outcomes’”. From this perspective, we argue that collaboration is an obvious misnomer when used for platform capitalism, in so much as it is riddled with contradictory forces, discussed here.

virtually unavoidable (Greenfield, 2017) – its owner is a private company. Moreover, as this business model is based on economy of scale, it has a natural tendency towards monopolising, or having as much data as possible, while excluding competition. More importantly however, platforms tend to monopolise data, not only *vis-à-vis* competition but also the users and those working through them. Hence, it is worth acknowledging that this kind of monopolisation also serves to create information asymmetries between platforms and workers, a problem which is discussed in the next section.

Acknowledging that the novelty of this model rests on the new technological tool (i.e. the described use of data; Langley, Leyshon 2017) is an important starting point for a more sceptical, or even critical and historical analysis, as it doesn't presuppose any kind of difference in the ownership model (like the term sharing economy). Hence, a common term found in the literature is “platform economy”⁴ (Dolvik, Jesnes, 2017; Rogers, 2016). However, the term platform capitalism, apart from accentuating the technological innovation, also includes the term *capitalism*, which should signify its embeddedness in the context of the capitalist political economy (Srniczek, 2016; Tucker, 2017: 5; Murrillo et al. 2017).

The latter is particularly important, as Srniczek argues that “we can learn a lot about major tech companies by taking them to be economic actors within a capitalist mode of production” (Srniczek, 2017: 3). By moving their cultural or ideological representation from the spotlight, research can focus more on platforms as actors, playing along the rules set and imposed by capitalism itself. Their strategies and behaviour are not any less driven by the need to expand to new markets and seek out new avenues for profit than any other companies operating within this context (Srniczek, 2017: 3). This, however, raises additional questions. Van Doorn, for example, writes: “When reflecting on the impact of digital technologies on capitalism, what exactly are we referring to when we use the term ‘capitalism’?” (van Doorn, 2018: 103). Thus, it is important to highlight which traits labelled as “capitalist” shape platform capitalism. As we will argue, we see commodification and the related drive to flexibility as the main drivers of the development of platform capitalism.

In conclusion, compared to the terms “sharing” and “collaborative economy”, the term platform capitalism, we argue, is less ideologically misleading, and at the same time more

⁴ This term has been used, for example, by Swedish and Danish trade unions who claim that it allows “more balanced or even critical assessment” (Dolvik, Jesenes, 2017: 9).

historically embedded than the term “platform economy” and broader than the terms “gig, crowd based, crowdsourced or on-demand economy”.

1.2. Types of platforms

The next step towards narrowing down our research subject is identifying the main types of platforms. In the existing literature, we can find several typologies. A good place to start is Srnicek’s typology (Srnicek, 2017: 36-88) which builds on his broad definition of platform capitalism which we discussed earlier. Here, he identifies the following types of platforms: advertising platforms, cloud platforms, industrial platforms, product platforms and lean platforms. It is clear that this is a broad group of diverse platforms, and it could be argued that the main distinctions between them are made based on their function. From the listed types, of biggest concern for our topic, are the so-called lean platforms - models based on offshoring. While offshoring itself is not a new invention, lean platforms, thanks to exploitation of data and the “networking effect”, manage to do it on a much larger scale, while keeping the transaction costs lower. The ownership model rests on the idea of having as few assets as possible and the smallest number of directly employed workers possible. However, as Srnicek rightly points out, the crucial part of the model, namely the ownership over the platform software itself remains private (Srnicek, 2017: 76).

Another useful, if a bit broad typology, which connects platforms to more familiar economic spheres, is provided by Codagnone et al. (2016:21). They distinguish between three types of platforms, based on their primary function: 1) recirculation of goods (second-hand and surplus goods market); 2) increased asset utilisation (production factors markets); 3) service and labour exchanges (labour market).

These typologies are a useful starting points, in the sense that they give an overview of the broad spectrum of economic sectors which employ the technology of platforms. One could, however, think of more analytically nuanced typologies. There are several other dimensions through which platforms are divided. One example of this categorisation is elaborated by Codagnone et al. (2016) who look into the division between for-profit and not-for-profit platforms. Secondly, platforms are divided by whether they intermediate the usage of capital and assets (for example Airbnb⁵) or labour and services (for example Uber, Deliveroo etc.).

⁵ It should be noted that even the asset based platforms can foster the development of labour relations, for example, someone renting out Airbnb apartments might also hire cleaning personnel for those apartments. However, in this

Finally, a distinction is made on the basis of whether platforms intermediate between peers (p2p platforms) or between peers and businesses (p2b platforms).

From the perspective of our topic, it should be clear that we focus only on for-profit platforms⁶ and in terms of intermediation we focus on platforms that intermediate labour, or in other words, platforms that outsource labour. The final distinction between p2p and p2b platforms seems misleading from an industrial relations perspective. It is precisely in this realm that platforms disrupt the employment relation by attempting to present themselves as intermediaries, rather than employers. Hence, rather than referring to platform actors as peers, we will try to identify the “traditional” categories of workers and employers within the platform models.

1.3. The emergence of platforms

In order to understand the embeddedness of platform capitalism, it is useful to look into the historical context in which it first appears. Situating the emergence of platforms usually begins with the post-crisis period of recovery – the period after 2008 (Van Doorn, 2017). It is argued that the financial crisis and subsequent recovery created a pool of unemployed ready to engage in any kind of work – a fertile land for development of hyper-flexible work offered by platforms (Schor, Attwood-Charles, 2017: 7). However, as van Doorn rightly points out, it is wrong to focus only on trends in the last decade, as the labour market insecurity is the product of longer trends (van Doorn, 2017: 900-901). A similar view is presented, rather convincingly, by Srnicek who argues that platforms emerged at specific point, on top of certain short business cycles – but also certain long term trends (Srnicek, 2017: 35).

Let us consider the long term trends first. Both Srnicek and van Doorn start their analysis at the period which begins at the turn of the 1980’s (Srnicek, 2017; van Doorn, 2017). Wolfgang Streeck labels this period as the legitimisation crisis, which presented a break from post-war capitalism to neoliberalism (Streeck, 2017: 26-32). The notion of post-war capitalism or the post-war settlement refers to a model of functioning of the economy and society based on the institutions of welfare state and state market intervention, with a proclaimed goal of full

case the labour relation is not necessarily intermediated by a platform (i.e. no one is hired for work through Airbnb). For this reason we believe that the analytical distinction made is still relevant.

⁶ We also maintain that non-profit platform should not be included under the umbrella term of platform capitalism. Even if they do not present an alternative to it, they simply present a different sector and reflect a different business logic.

employment. This settlement, as argued by Streeck, was brought into question by a growing number of companies, industries and representatives of capital (Streeck, 2017: 27-28). The result was a multi-sided process of liberalization and deregulation also labelled as the age of neoliberalism (Harvey, 2007), which has been well documented and researched. In this paper there is no space to further discuss it, but we will only briefly mention its general implication for the labour market: the promise of full employment was abandoned and a proliferation of non-standard labour contracts followed. The result was growing market dependency and rise of inequality (Streeck, 2017: 32). It is during this time that the concept of flexibility became “a leading objective in the organization of labor markets and employment” (Streeck, 2009: 6).

As for the short term trends, Srnicek points towards several which emerged after the 2008 crisis. Firstly, tax evasion and cash hoarding left the tech companies and venture capitalists with great amounts of capital, which, when combined with loose monetary policy, meant high risk-high yield investments could be made. Those kinds of investments were well suited for projects based on the rapid development of data technology. Along with “cash hoarding”, a significant impulse which propelled the rise of platform capitalism (or rather, employment through platform) was the, already mentioned, rising pool of the unemployed and precarious, who presented a viable future workforce (especially in the case of women, immigrants and other groups with a disadvantaged position in the labour market) (Srnicek, 2016: 32-33).

Van Doorn (2018: 103) rightly criticizes Srnicek’s overly economic view, which might give the impression that these long term trends were somehow autonomous to the economic sphere. Alternatively, van Doorn argues that we should conceptualise neoliberalism, in which platform capitalism is embedded, as a political project (along the lines of Harvey, 2007). The important takeaway here is that the trends towards flexibilisation and deterioration of social and working rights are products of conscious political decisions (which include breaking the power of trade unions). Along these lines, we would argue that these trends are best grouped under the term “administrative recommodification” introduced by Claus Offe (1984: 122-124) which refers to government strategies aimed at bringing larger parts of the population under direct dependency of the market, therefor reversing the trend of decommodification. Further elaborated by Greer who defines it as “any institutional change that reinstates the discipline of labour market competition on workers, whether in or out of work and whether through reforms to welfare states, industrial relations, or labour markets” (Greer, 2016: 165). The importance of this intervention is reflected in the way we conceive the embeddedness of platform capitalism – as much as it is based on economic trends, it is embedded in political and regulatory decisions.

For this reason, a significant part of discussion on platform capitalism should focus on these issues.

2. Labour under platform capitalism

*It looks like the road to heaven,
But it feels like the road to hell.
(George Michael – Freedom '90)⁷*

After defining platform capitalism and situating it in a historical context, in this chapter we will look more closely into the types of work emerging under platform capitalism as well as the main challenges it poses in the sphere of labour relations.

Looking more closely at platform intermediated labour, an important distinction to be made is between different types of labour. Following De Stefano (2016), Schmidt (2017) and Todoli-Signes (2017) we start from the distinction based on the physical location of work: gig work which is done locally and cloud work which is done online, from any location⁸.

2.1. Gig work

Gig work is comprised mostly of “traditional services” such as transport, delivery, cleaning etc. This kind of work can thus, be explained as a type of outsourcing of already existing services by using platforms as a digital tool for coordination, rather than a completely novel model. Kallenberg and Dunn (2016: 13) discuss two types of gig work: transportation platforms (for example Uber, Lyft) and delivery/home task platforms (for example Deliveroo, Foodora, Helpling, Trink Trink etc.). They compare those in terms of job quality by looking at the level of worker control as well as the level of pay. In this framework, transportation gig-work rates somewhat better, due to higher average wages while the level of worker control rate is low in both. However, in our opinion, the ranking of wages doesn't seem justified – there is nothing inherent about transportation jobs which would make them higher paid. In order to get a clearer picture, we could add a couple of other dimensions, such as the level of skill required and entry barriers. Considering this, we could argue that transportation work ranks even higher, as it more

⁷ The applicability of these lyrics to free-lance work was first recognised by the filmmaker and writer Hito Steyerl in her essay “Freedom from everything: Freelancers and Mercenaries” (2012: 122)

⁸ De Stefano (2016: 471) makes the same distinction but uses somewhat more bulky terms “crowdwork” and “work-on-demand via app”.

often includes certain entry barriers (albeit in most cases still lower than the “traditional” service it replaces, see Tucker, 2017). However, entry barriers are set by regulation, or rather, by applying existing regulation (taxi regulation) to new companies (Uber). This, again, reinstates the importance of regulation for outcomes in platform capitalism.

In any case, an important characteristic of gig-work are the online ratings system where users of the service can rate the person providing it. This system is often cited as a primary form of control of platform workers (Tucker, 2017: 21). In a sense, one could argue this system is a market based solution, which outsources management control towards consumers, effectively clearing the platform companies from some of its roles as employers. However, this would mean overlooking additional control mechanism employed by platforms. One example is what is usually labelled as “branding” (Tucker, 2017; Kallenberg, Dunn, 2016). Essentially, as Tucker argues on the example of Uber, the platform supplies more than just a dispatch software for its drivers – it’s a well-known brand and as such has interest in maintaining certain service standards and efficient operation. Among other measures, this is achieved through tight metrics, background checks and various manuals and instructions for the drivers (Kallenberg, Dunn, 2016: 74). Additionally, researchers have written about various behavioural “nudges” and scheduling prompts which serve to push workers into working at certain hours (such is, for example, the infamous system of “surge pricing”) (van Doorn, 2017: 903).

Apart from tight control of supposedly “free-lance” workers in the offline gig economy, another important feature is what van Doorn (2017: 902) labels “immunity” – i.e. the strategies at the disposal of platforms to protect themselves in disputes or in cases of negative feedback from the part of the workers. These are embodied in the “unilateral discretion” (van Doorn, 2017: 902) of the “terms of service” contracts which effectively serve to protect the position of the platform company. Furthermore, the power imbalance is reflected in “orchestration of information asymmetries” meaning basically that platform always have the edge over workers because they operate with more information (data)⁹, whereas workers can only work with what the app front end shows them. Finally, there is a tendency to outsource any kind of human

⁹ This problem was recognised at the union level as well, with UNI Europa, the European trade union federation of service workers calling for more a transparency in the way data is collected and used (UNI Europa, 2018: 9-10), as well as in the “Frankfurt declaration” which states: “Increasing transparency has two goals: to allow workers and clients to make better informed decisions while acting in or choosing between online labor platforms, and to allow policy makers to develop sound policy to govern online labor platforms.” (Frankfurt Paper on Platform-Based Work, 2016: 9).

resource or management work to third parties, excluding the platform company itself from dealing with complains (van Doorn, 2017: 902-903).

2.2. Cloud work

Cloud work can further be divided into freelance marketplaces, micro tasking crowd work and contest-based creative crowd work (Schmidt, 2017: 5). Kallenberg and Dunn (2016: 12-14) again classify these jobs based on the level of worker control and the level of wages. We believe, however that it is more insightful to line them up on continuums representing skill levels and the fragmentation. Freelance market places could be placed at the end of the continuum representing a high skill level needed, and the end representing the least fragmented work. Jobs which could be classified this way are for example, translating, graphic design etc. According to Kallenberg and Dunn these jobs are also higher paid – however, this seems to be a consequence of skill level needed i.e. even if there is global competition for these jobs, there is still a limited workforce able to fulfil them. Contest-based work is similar in terms of skills but usually involves more fragmentation of work tasks, and features a form of “Dutch auction” where cheapest labour wins. Finally, micro tasking crowd work is situated at the end of both continuums and is characterised by extremely fragmented work with no skill requirements. Here the competition is truly global, as any person in the world with access to internet can compete for the job. A prime example of such work is the well documented practice of Amazon Mechanical Turk. Interestingly, research has shown that most requesters (commissioners of tasks) are large companies, with smaller companies, start-ups and the academic community being less important players (Bergvall-Kareborn, Howcroft, 2016). This points towards an assessment of micro crowd work as a convenient outsourcing technique for companies. Instead of their full-time employees completing these tasks, they are put out on a global market where they can be completed at a much lower cost – without any obligations for the employers. Again, in order to make this model really efficient while maintaining a certain level of quality, companies have developed intermediary mechanisms such as internal rankings and databases (again based on information asymmetries) (Bergvall-Kareborn, Howcroft 2016: 219-220).

2.3. Conceptualising labour under platform capitalism

In conclusion, we would like to argue that, no matter whether executed locally or globally, platform labour is based on shifting responsibilities towards workers while stripping them of

security and certainty of income and working conditions. In a way, one might say that some of the premises of the “sharing” economy discourse do come true with platform labour, albeit in a far more dystopian way than presented by the Silicon Valley ideologues¹⁰. As mentioned, one of the pillars of this vision of the economy is enabling “assets and skills to be used closer to their full capacity”. It is unclear how low skilled labour is used closer to its full capacity – but we would argue that the “asset” which the platform is utilizing to its maximum is one’s free time. With no restrictions on working time and with payments based on fulfilling small tasks, the only way to earn more is working more. It is easy to see that in conditions of low pay this is a strong incentive for many workers – but as if that is not enough, the platforms have at their disposal a toolkit for ensuring the maximum utilisation of one’s time, such as, the already described, metrics system, gamification and various behavioural nudges built into the algorithm.

Going back to our worker – in the Silicon Valley discourse, he or she, are not seen as sellers of their labour force, but as entrepreneurs. It is, of course, an echo of the neoliberal idea, described by many, and captured finely by Foucault who famously describes this *Homo Economicus* as “an entrepreneur of himself, being for himself his own capital, being for himself his own producer, being for himself the source of [his] earnings” (Foucault, 2008: 226). This “entrepreneurship” is a far cry from the idealised, Schumpeterian hero. Indeed, this issue was researched by Ravanelle (2017) who found that workers do not perceive themselves as entrepreneurs. Ultimately, we may argue that far from introducing anything new, the only “creative destruction”, emerging from the initiative of these bogus entrepreneurs, is of their own free time - it is up to their own initiative to maximise the utility of their only “asset”. What emerges is thus, the ultimate “flexitime” (Sennett, 1998: 59) skewed against the low paid, low skilled workers.

Finally, we must ask: what makes platform capitalism so efficient in perfecting the flexibilisation of work? We argue that it is the ability to utilise data. This makes it possible to quantify all aspects of life, measuring and storing information of one’s habits, preferences, tastes, movements, thereby always being able to calculate the best, most effective outcome. No asset or skill is left underutilised, and human life can theoretically be used to its maximum – i.e. the most profitable outcome for the tech monopolies. This is not only a hyper efficient form

¹⁰ What we refer to as “Silicon Valley discourse” is called “Californian Ideology” by Barbrook and Cameron (1999) and presents a mixture of neoliberalism and technological optimism.

of scientific management as argued by some (Scholz, 2016a: 9) – it goes beyond the workplace, blurring the difference between work and leisure (Sundararajan, 2016) and effectively colonising life. It is crucial to understand, however – and here lies the importance of Srnicek conceptualisation, despite its economism – that the purpose of the data driven colonisation is profit maximisation¹¹. In the German critical sociological tradition this drive of capital to colonise and explore new avenues of profit is termed *Landnahme*, and was successfully used to conceptualize platform capitalism by Boes et al. (2017).

The extreme end of this process towards casualization of work through platforms could resemble what Andre Gorz (1999: 50-52) envisaged decades ago as the abolition of wage labour in a post-job society, brought about by the drive to outsource workforce. This dystopian vision entails a completely flexible workforce, commodified, and tied to the market where labour power is sold as any other commodity, under the conditions of commercial, rather than labour contracts – greatly resembling the conditions of early capitalism. It is rather important to keep this distinction of labour and commercial contracts in mind. As argued by Offe (1985: 20), the labour contract is a specific institution which is based on the recognition of labour as fictitious commodity - in this sense it is a crucial element of the relation between labour and capital in advanced capitalist societies. In the next section we will look into the way the institutionalised system of labour relations is affected by platform capitalism.

2.4. Labour relations and collective bargaining in platform capitalism

There are obvious obstacles for the functioning of an institutionalized system of labour relations in the realm of platform capitalism. In this section we will focus on three groups of problems, differentiated by their source: the first two groups of problems arise from regulatory deficits, while the third one arises from the nature of work.

2.4.1. Worker (mis)classification

There is a fair amount of agreement in the literature that the central problem lies in the question of (mis)classification of workers in platform capitalism (Scholz, 2016; Donini et al., 2017; Killhofer et al., 2017; Fabo et al., 2017; Todoli-Signes, 2017; Sprague, 2015; Körfer, Röthig, 2017; Garben, 2017). Whether or not workers are recognised as employees or as self-

¹¹ An important implication here is that technologies which enable the massive collection and analysis of data, and data itself, are not inherently profit driven – the question is who owns the data and how he uses it (see Greenfield, 2017; Pasquale, 2015).

employed/freelancers has significant consequences on a whole array of regulations and laws, not least because the system of labour relations as we know it is, in most cases, based around the concept of a standard employment relation (De Stefano, 2017). Among regulations and laws, whose specific application is dependent on this distinction, of particular interest for our research are collective organisation rights and social protections.

When it comes to collective organisation rights, the issue arises in relation to anti-trust or competition laws¹². The argument here is that self-employed workers are in essence independent contractors, collectively organising and bargaining can be characterised as cartel-building. The literature mentions an important case related to this problem. In 2014, before the European Court of Justice a case was brought by *FNV Kunst*, representing self-employed musicians (De Stefano, 2017: 194). The ruling of ECJ in this case in some way left more questions than answers about organising self-employed. It was declared that bogus self-employed can collectively organise, while proper self-employed cannot (*ibid*). However, the tests which determine whether a worker is bogus self-employed or not are still debatable, which brings the problem back to square one.

As for the question of social protection, situations differ among countries in relation to what protection applies for self-employed, temporary agency workers etc. In the case of Netherlands, since self-employed workers are not employees, labour laws are in general not applicable. This includes regulation on dismissal and working time regulation, as well as sickness absence and unemployment (Boonstra et al., 2012: 20-21). Importantly, this also means insurance is the responsibility of the worker. To conclude, in this case, if a worker is misclassified as self-employed, this means that basically all of the responsibilities are shifted towards the worker.

There is however, less agreement on what the source of this misclassification is. Generally, we can talk about two stances towards this problem. One view, which was mentioned briefly, is that platforms are purposefully misclassifying their employees (Garben, 2017: 14). The other idea would be that, no matter how active the employers are in pursuing this agenda (and how active unions or regulators are in suppressing them), there is something qualitatively different about platforms which renders the existing categories inadequate, or as Sprague (2015) put it, fitting platform workers into them is like “square pegs trying to fit in round holes”.

¹² Same as with many other issue discussed here, this is not a problem of the platform economy *per se*, but of bogus self-employed in general.

Going down to less abstract, policy options, the literature distinguishes between four regulatory approaches to the question of status (Garben, 2017: 19-23). These are:

1. Applying existing regulations to online platform work;
2. Taking specific action to narrow the group of person that considered 'self-employed' through the addition of an intermediate category;
3. Decoupling the application of existing regulations from the status of employment (making employment rules applicable to the self-employed);
4. Providing specific protection for online platform workers regardless of their employment status.

2.4.2. Mystifying the role of the employer

Not less significant are the obstacles on the other side of the employment relationship - namely, the insistence of platform companies on blurring and mystifying the employment relation through repudiating their role as employers. Platform companies try to present themselves as “intermediaries”. This is recognisable as well in the official discourse¹³ of the platforms, who refer to themselves as “tech companies” (Sundarayan, 2016: 157) rather than transport, courier, rental etc. companies. In line with this strategy is the lack of participation of platform companies in representative business organisations which might engage in collective bargaining (Killhofer et al., 2017). Platform companies are, nevertheless, organised in a different way - focusing attention on lobbying activities to influence regulation (Scholz, 2016: 46).

2.4.3. Practical difficulties

When it comes to practical difficulties to organising workers there are two broad problems we think deserve to be mentioned. The first refers to physical obstacles in organising workers. These exist in both types of work mentioned, the offline gig-work and online cloud work, albeit to different degrees. With the latter, the problem is that, not only are the workers completely physically separated and disconnected, but they might not be familiar with any of their co-workers, who might be sitting behind a computer at the other side of the world. This situation

¹³ A good illustration is the example of Deliveroo which was documented in press – the company had devised an official vocabulary to be used in official communication in order to avoid suggesting the existence of any kind employment relation (Butler, 2017).

which makes workers “separate and precarious”, as Webster (2016) put it, seriously hampers the development of any kind of community or solidarity. One way which these trends have been countered is using the same technology which “separates” the workers to unite them. Namely, using online forums or websites dedicated to rating employers has proved a viable option towards the formation of an online community of workers. For this reason even some trade unions have embarked on this road, by providing the necessary infrastructure¹⁴ (Killhofer et al., 2017: 28-31). While a welcome first step, this is still far from an organised bargaining position, especially in combination with the obstacles discussed earlier. However, the fact that some unions are taking up this form of organising signals that it can present a viable short-term strategy, even if it presents an innovative, and for trade unions unorthodox, method.

As for the offline gig-work, the same obstacles exist, but to a lesser degree. The structure of employment usually denies the workers any contact with co-workers. Namely, in most cases the communication with the employer flows only through a smartphone app, and all the coordination is done through an algorithm. Essentially, this means that co-workers might never meet each other or their employers. However, the obvious advantage of gig-work compared to cloud-work, is that workers still operate within the same physical space, namely the city¹⁵. This allows to make the second step after organising online – having physical meetings. This was, for example, shown in the Turin Foodora riders’ case, where workers of the food delivery platform managed to organise (Tassinari, Maccarrone, 2017: 356).

There are two more problems which deserve attention, both of which are applicable to both gig-work and cloud work. Firstly, the disorganised workforce is also one in mutual competition. The workers competing for the same gigs might see others as competition, rather than allies. In a lot of cases, the rating of the worker goes down if he is not taking orders, which makes any kind of industrial action during “online hours” hard, especially if there are workers not willing to strike – they might even earn more, if they are taking more gigs during this period. Secondly, as with all ultra-flexible forms of work, there is talk of the “implicit threat” (De Stefano, 2017). This concept essentially entails that workers who lack a permanent contract

¹⁴ Such is the example of Fair crowd work (<http://faircrowd.work/>) a joint initiative of the signatories of the Frankfurt declaration - *IG Metall* (a German trade union confederation), *AK (Arbeiterkammer)*, the Austrian chamber of labour), *Unionen* (a Swedish union) and *OGB (Österreichischer Gewerkschaftsbund)*, the Austrian trade union confederation). The website, among other things, enables workers to rate their experiences with online platforms, similarly to the way platforms rate their workers.

¹⁵ A city can still be a broad space, however, there are certain points where more workers could meet – such is the example of restaurants where food delivery riders could meet their colleagues while waiting for orders.

will refrain from collectively organising out of fear that they will not get their current status extended. In case of platform capitalism, this can be done even more easily, with workers simply being dropped from the platform.

3. Trade unions and flexible labour

In this chapter we wish to review some of the existing literature on trade unions and atypical, flexible and precarious employment. Since we are, as explained, researching platform capitalism as embedded in wider trends of labour market flexibilisation, we will discuss the applicability of existing research frameworks and insights into the question of trade union responses to labour market flexibility.

3.1. Trade union challenges

Looking at the bigger picture, Gumbrell-McCormick and Hyman (2013: 32-34) write about changes which have created the new situation for unions. Firstly, there are changes that occurred in the world of work itself, namely the proliferation of non-standard employment. Secondly, changes occurred in the social and generational composition of the working classes, with the destruction of their “traditional” communities. Furthermore, we could add what Visser (2012) described as the decline of industrial unionism. The main implication of these changes is that unions, to a certain degree, lost their “normal worker” i.e. the male worker with a standard employment contract as well as the appropriate model of the union, the industrial union. Gumbrell-McCormick and Hyman thus claim that this has led to a situation where unions are “widely perceived as tired, archaic bureaucracies, largely irrelevant to the major issues of the contemporary world” (2013: 35). We find this insight particularly important for contextualising our research, since they explicitly refer to the “Facebook and YouTube” generation (*ibid.*), a generation we might also call the platform generation.

Broadly speaking, the literature on trade unions in the last couple of decades habitually focuses on the theme of their decline, not just in membership but also in relevance and power. For example, Frege and Kelly (2003) discuss several types of problems unions face. Firstly, the loss of membership – not just in absolute numbers, but within certain groups, such as young people. Secondly, they mention the “problems of interest definition and aggregation” (2003: 8), a problem we could trace back to the segmentation of the labour market, leading to a pluralism of interests of different parts of the labour force (this idea is echoed in the dualization literature (Palier, Thelen, 2010)). Thirdly, the authors mention the erosion of structures of interest representation. We could add that this problem is particularly prominent with flexible and non-standard work, and nowhere more so than in platform capitalism, where novel ideas

are needed. Frege and Kelly, further list the declining capacity for mobilization, institutional change and diminishing power resources as problems trade unions face.

The discussion on the decline of unions necessarily spurs one on union revitalisation. Here a common theme is looking into the ways unions can, and are, trying to redefine their position, by applying the “principle of active recruitment and representation”. The idea is that unions might “take a step back” in history before they became institutionalized, closer to some form of bottom-up organising. For this, new methods would be needed in order to attract disenfranchised workers from “non-traditional” labour market groups.

In the next section we will discuss existing research on how trade unions are dealing with challenges posed by changes in the labour market, namely the rise of contingent labour, flexibility and precarity.

3.2. Trade union responses

3.2.1. Institutional and regulatory factors

Firstly, we will take a look at research which discusses the impact of institutional and regulatory factors on the formation of union strategies towards atypical employment.

Rebecca Gumbrell-McCormick (2011) offers an overview of trade union responses to ‘atypical’ workers in 10 European countries. Her study shows the persistence of difference in union response to different types of ‘atypical’ employment. Importantly, she shows that the union responses vary based on how regulated the work in question is. For example, part-time work has been regulated and, according to Gumbrell-McCormick, has become less precarious than other types of non-standard work. This coincides with a higher level of union activity in this part of the labour market. The situation is different with less regulated and highly precarious sectors such temporary agency work, where unions have encountered more problems organising. Additionally, her study finds variation in union responses towards different groups, namely the young, female workers or immigrants. While unions have had certain success in organising female workers, young and immigrant workers remain outside (Gumbrell-McCormick, 2011: 306).

Finally, we find that an important insight from the Gumbrell-McCormick study is the perceived importance of union structures. According to her findings, confederal structures have been

proved to be more successful in organising atypical workers than more centralised structures with sectoral divisions (Gumbrell-McCormick, 2011: 307).

Interestingly, she lists the Dutch FNV as an example of the former, however, since the time this research was conducted, the FNV underwent big structural changes, moving towards union divided in sectors, with a central congress.

Benassi and Dorigatti (2014), applied a somewhat different approach, by conducting a longitudinal research. Their question was, how has the unions stance towards what they call the “casualization of work” changed during a period of 30 years. Specifically, the way they frame the problem is that unions face a choice of different strategies and their decision to pursue one or the other depends on how unions set their boundaries, i.e. how they delineate where their direct interest begins and ends (Benassi, Dorigatti, 2014: 2). Again, this is a theme discussed earlier, of how unions perceive their interest in given circumstances. Less emphasis is however put on union identities or ideologies (than for example, in Heery, Abbott, 2000) and more on the direct interest of unions.

The advantage of the longitudinal approach lays in its ability to look for correlation between union strategies and medium term trends, such as institutional change. Indeed, the central and most important finding of this research has been on the importance of institutional reforms of the labour market. Benassi and Dorigatti argue that Haartz IV reforms have led to a proliferation of atypical employment, or “the casualization of work” - this development was recognised and anticipated by the unions. Consequently, the unions have redefined their boundaries, fearing that their “core” membership’s immediate interest is jeopardized (Benassi, Dorigatti, 2014).

In conclusion, research within this line of thought highlights the importance of analysing the institutional context. Looking at platform capitalism, this kind of research agenda would suggest delving into the way platform are regulated. Given the persistence of the earlier described regulatory vacuum in which platform capitalism is currently developing – spurred both by the general flexibilisation policies pursued, but also the lucid way platform companies avoid existing regulation – such a research agenda should provide important insights. It could be expected that it is precisely within this context that unions will try to form their strategies.

3.2.2. Dualization argument (and counter-argument)

A significant theme in labour market and labour relations literature is the idea of the “insider-outsider” or “dualization” argument. Put simply, the argument is that labour markets are split between “privileged” insiders who enjoy union protection and secure jobs and outsiders who are facing insecurity and less employment possibilities. The role of the unions in this set-up is oriented towards the protection of insiders and serves to further reinforce the dualization of the labour market (Pulignano et al., 2015: 809). Research has since moved on, arguing that unions are not behind labour market dualization, but face institutional obstacles when trying to counter it (Palier, Thelen, 2010).

Another research on a number of European cases was conducted by Keune (2015). Here, the focus is more specifically on *precarious* employment, rather than “atypical” employment in general. The findings of research go very much in the direction of debunking the insider/outsider debate by showing that unions are aware that the “the fate of two groups is interrelated [...] [r]educing precarious employment and/or improving the quality of precarious jobs is therefore seen as a way to uphold labour market standards in general” (Keune, 2015: 396). Furthermore, an important theme which emerges in this research, one which again testifies in favour of high interest of unions into precarious employment, is the perception of unions that precarious workers present potential new members. In the context of declining union membership, mentioned before, this could present a valuable resource for unions.

Finally, unions use highly diverse strategies like collective bargaining, litigation, influencing policies, organisation, mobilisation and media campaigns. The variation between countries in terms of strategies the unions opt for is explained by different contexts and resources unions can draw upon, those are conversely, rooted in the national labour relations context. For example, Dutch unions, because of their national corporatist institutional position, are touted to target government policies more often (Keune, 2015: 397).

For the topic of platform capitalism this is significant because it points towards the idea that unions will have a natural predisposition to counter labour market deterioration brought about by platforms. The question however, is how they can work towards achieving that goal, and how effective the instruments at their disposal are.

3.2.3. Union ideology and identity

A different approach was suggested by Benassi and Vlandas (2015), looking at the role of power resources and union ideology in determining “union inclusiveness” towards a particular group of contingent workers – the temporary agency workers. The most interesting finding worth mentioning here is the insight into the varieties of union inclusiveness. Benassi and Vlandas argue that there two different sets of conditions under which unions are more inclusive towards the temporary agency workers – the “Northern path” which includes high unions density and bargaining coverage and the “Southern path” where union inclusiveness rests mainly on their working-class oriented ideology (Benassi, Vlandas, 2015: 8-9). This pluralism of explanations for union strategies is an important theme we wish to explore.

A significant stream in research on trade unions has focused on the role of union ideologies and identities. Famously, Richard Hyman (2001) wrote about the triangle of trade unionism – the three ideal types of unions which reflect their strategic choices. Firstly, Hyman distinguishes unions with a predominantly labour market function, which makes them “interest organizations” focused mostly on protecting the interest of their members on the market. Secondly, unions oriented towards the “society” tip of the triangle were born out of concern for the integration of the working classes into society, mainly by raising their living standards. Finally, on the “class end” we find the most radical unions interested in representing the working class in the class conflict with the capitalists, thereby radically the challenging the system itself. As mentioned, all three tips of the triangle are ideal types – in reality unions are often positioned somewhere in between the tips and, looking at the topic historically, can change positions (Hyman, 2001: 1-5)

The importance of this theoretical framework lays, not just in acknowledging that “not all unions are the same”, but that their strategic choices are not necessarily based on whatever their immediate interest in a given context might be, but that they also might reflect long term orientations and choices.

This is however, a broad conceptualisation. A similar idea, brought on a lower level of abstraction, closer to the empirical reality is to look at trade identities which should reflect how unions see their role in society and refers to the “main patterns of choice with regard to interest representation” (Heery, Abbott, 2000: 157), This approach was again championed by Hyman, but also convincingly applied by Heery (2009).

Heery's and Abbott's research framework is highly influential. Similarly to other research reviewed here, Heery and Abbott start off with the idea of certain autonomy of action for unions to react to, in this case, political challenges. They list two calls for union protection in relation to what they label as the "insecure workforce": firstly, existing members might feel threatened, secondly, contingent workers, otherwise unrepresented, might ask for union protection (Heery, Abbott, 2000: 156). The unions' strategic choice is then guided by their identity, of which Heery and Abbott list the following:

1. Guilds – a narrowly defined union, interested only in protecting the interest of its core membership;
2. Friendly societies – unions which seek to provide service for its members;
3. Company unions – developing "productivity coalitions" with the management, with the main interest in enhancing the company performance;
4. Social partner unions – which seek to promote social welfare and broadly define their interest;
5. Social movements – unions which are similarly broadly oriented but with more focus on organising and mobilisation (Heery, Abbott, 2000: 157).

3.2.4. Classifying trade union responses

Another of Heery's lasting contributions to the matter is his 2009 article on trade unions and contingent labour. There are several important takeaways from this research we wish to address. Firstly, Heery develops an analytical framework to map out possible union responses to the proliferation of contingent labour. He distinguishes between three dimensions through which union responses to contingent work can be measured (Heery, 2009: :

1. Legitimacy of interest – i.e. whether (and how) the interests of the contingent workers are recognised by unions;
2. Internal representation – i.e. how are the contingent workers represented in the unions;
3. External representation – what are the public policies and agreements concerning contingent workers that the unions are oriented towards.

Based on these three dimension, Heery (2009: 431) distinguishes between four types of union responses to contingent work: exclusion, subordination, inclusion and engagement. The exclusion response is a way for unions to, first and foremost, protect their core members, by not allowing contingent workers to join unions. It is, however, according to Heery, seen as a way to combat the spreading of contingent labour by denying its legitimacy. Subordination,

similarly, is a strategy based on “low evaluation of the interest of contingent workers” (Heery, 2009: 431). The difference is that in this case unions do recognise the rights and needs of contingent workers but regard them as “second-grade” participants on the labour market, and consequently as “second-grade” union members with lower rights than full members. In terms of policy and regulation, the preferred option of the union in this case would be to have separate regulation for contingent workers, denying them the same labour market position as standard workers. Inclusion is the next strategy which rests on high acceptance of interest of contingent workers. Here, those workers are seen as equal to all other workers, deserving same protections. Finally, Heery distinguishes the approach of engagement. Here, again, there is awareness of the needs and problems of the contingent workforce. Nevertheless, this interest is seen as even requiring diverse treatment. The idea is that contingent workers are in a particularly vulnerable position, hence they need to be represented in dedicated structures in the union, and that unions should push for agreements and policies that recognise this position.

A second important contribution of Heery’s study is his discussion on scale and method. Looking at the case of UK, Heery (2009) concludes that union strategies towards contingent workers follow the path of “upscaling” meaning that instead of focusing on organising at the enterprise level, unions are trying to influence regulation and reach agreements which might encompass the whole contingent workforce. This is an important theme, especially in the case of platform workers, as it, essentially, means bypassing the described difficulties of organising the dispersed, insecure platform workers. Secondly, Heery points towards the change in union methods, namely looking at other options other than collective bargaining, such as media campaigns and influencing regulation. Again, this could prove to be an important strategy in the case of platform capitalism, given the difficulties of collective bargaining described earlier.

4. Research framework

4.1. Union responses and potential explanations

As mentioned, in our research we will rely on the framework developed by Heery (2000, 2009). From this framework we have adopted three responses, and added the fourth, which reflects the specific obstacles to organising platform workers. We can lay out the following ideal-typical responses unions might have towards the workers in platform capitalism:

1. *Exclusion of platform workers from the union and from the labour market.* In this case, unions will not try to organise platform workers, and will instead pursue strategies that favour their core membership.
2. *Subordination* - platform workers are seen as a secondary group compared to non-platform workers. In this case unions might organise platform workers, but will give them only secondary membership rights (i.e. not the same as “full members”). As for the external dimension, unions will pursue policies which give platform workers a special position on the labour market, without giving them the same protections as standard workers. This approach is based on the idea that platform workers deserve different regulations. In practice, unions will pursue the “third category” option, i.e. classifying platform workers between workers and self-employed.
3. *Inclusion* - where platform workers are seen as all other workers, with the unions representing their interests. In this case platform workers will be organised and unions will pursue policies aimed at bringing platform under existing regulation, giving them the labour market status and protections of normal workers.
4. *Engagement without membership* - where platform workers are assumed to have specific needs compared to other workers and unions are using available instruments to address those needs. However, platform workers are not necessarily members of the union. This response combines the acknowledgement of the interest of platform workers, and the acknowledgment of the difficulties of organising platform workers.

Which of the four responses will be chosen by the union can potentially be explained by a number of factors which we can summarize in several specific research question, formulated as hypothesis we wish to test. Our guiding hypothesis draws on previous research on Dutch trade unions as well as the unique challenges of platform economy mentioned above.

These potential explanations are the following.

1. *The unions perceive the interests of platforms as synonymous with the interests of their core membership.* This hypothesis goes against the literature on dualization, which claims unions favour interests of insiders (Palier, Thalen, 2010). Rather, we assume that the developments of platform capitalism unite the interests of workers, whether or not they are in the union.
2. *The unions perceive platform capitalism as a part of the general trend towards flexibilisation which they are interested in stopping* – especially given the regulatory vacuum in which platforms operate, a context which might seem threatening to all workers; we expect that the most important factor determining trade union strategies will be the lack of regulation of platform economy, which unions might perceive as damaging to their interest since it can lead to a proliferation of platform mediated non-standard employment relations. Thus, this hypothesis is closer to institutional accounts of trade union strategies which look into the way the labour market regulations and institutions shape strategies.
3. *The unions have an identity as a social actor* which needs to act in the interest of workers, regardless of whether or not members of the union; We expect to find less support for arguments based on trade union identities, discourses or ideology
4. *The unions see platform workers as potential new members;* In this case unions will be interested in organising platform workers since they can increase membership rates and are a potential power resource. Given the perception that platform workers are mostly young people, this hypothesis might also suggest the unions want to increase their visibility and membership rates among young people.

None of the mentioned factors are mutually exclusive. In reality we expect to find a combination of several of these factors.

4.2. Instruments

Following Boonstra et al. (2011) we can also identify several instruments which unions can opt for. To this list, we added one more instrument which is unique to the platform economy. The list of instruments at the disposal of unions is the following:

1. Collective agreements;

2. Litigation;
3. Influencing the legislative process;
4. Mobilising and organising;
5. Media campaigns.

Which of these instruments the unions will use depends on several factors: the general responses they have towards the platform economy, their resources and the regulatory context. Here we would hypothesise that unions will be more inclined towards litigation and influencing the legislative process, given the already discussed lack of regulation of platform economy. Furthermore, collective agreements don't seem like a viable strategy given the lack of employer associations to negotiate them with. Finally, there are many practical difficulties in organising and mobilising a diffused workforce employed through platforms.

4.3. Research design

Initially, it was planned to conduct a series of semi-structured interviews with relevant union representatives from the two most important trade union federations in the Netherlands - the *FNV (Federatie Nederlandse Vakbeweging)* and *CNV (Christelijk Nationaal Vakverbond)*. Unfortunately, respondents from the *CNV* were unwilling to participate. The only empirical evidence about the *CNV* is the position paper presented at the *Tweede Kamer*¹⁶ during a hearing on the platform economy on November 16th 2017 (CNV, 2017). Since this evidence is not enough to draw extensive conclusions about the position of the *CNV*, this presents a significant drawback for the final conclusions of the paper. However, unwillingness to participate in a research about platform capitalism on the part of the *CNV* might also indicate that this union is less interested in the issues surrounding it. In conclusion, the response of the trade unions studied in this thesis is the response of the *FNV*. Nevertheless, since the *FNV* is the largest trade union in the Netherlands, our research still aims to provide significant and relevant insights.

Through semi-structured interviews we tried to indirectly find out whether any union strategies exist and what they are. The structure of the interviews was based around questions that differentiate between *what is actually being done* and what union representatives believe *should be done*. Furthermore, in order to test of all our hypothesis, through interviews we will

¹⁶ The lower chamber of the Parliament of the Netherlands.

also try to find out the perception of the role of the unions in the society that the union representatives might have.

As a starting point, existing contact with a number of organisers on the issue, was used. Additional respondents were found through snowball sampling, i.e. by recommendation of the earlier respondents. In the end, four union officials in total have been interviewed. Three of them are union organisers, from different campaigns (*Young & United* and *FNV Jong*) and one of them is a senior policy advisor. While this method has its drawbacks, mainly in the lack of representativeness and potential bias, we believe it is appropriate as it can help identify the key personnel within the unions. In this sense, it is crucial to note that through the interviews we were mostly looking for factual information. Hence, any broader conclusion about the value orientation or opinions that dominate within the unions cannot be made. For these, a different methodology, possibly a survey should be used. Insights from our research, could, however, be used to form guiding hypothesis for such research in the future.

Apart from interviews, additional primary and secondary sources were used. These include policy documents, position papers and press releases of the unions. Two of the documents are position papers presented in front of the *Tweede Kamer* by the unions (FNV, 2017; CNV, 2017), and as such they testify about the political recognition of the issues platform capitalism. Apart from completing the picture about the stance of the unions towards platform capitalism, these sources provided valuable information about the regulatory preferences of the unions, especially the question of worker classification. Additionally, newspaper reports provided important information about the litigation processes initiated by the *FNV*, which are currently underway.

5. Trade union responses

5.1. Unions perception of platform capitalism

In this section we will outline some of the general perceptions of the platform economy among trade unions, based on interviews and other primary sources. Since in our theoretical framework we presented the development of platform capitalism as embedded in the trend of flexibilisation of the labour market, we will now try to see how the unions see these processes and their interrelation. In other words, we will try to see what unions perceive as the unique challenge of platform capitalism from their point of view, as well as whether these challenges are the same as with other forms of contingent work. This will help us understand the general context in which trade unions form their strategies.

When discussing flexible labour in general, the respondents were keen to highlight its negative consequences for the workers while also acknowledging a certain degree of positives which could arise from flexibility. The position paper presented by FNV in the *Tweede Kamer* acknowledges this as well, saying that platform offers “new opportunities” for workers (FNV, 2017). While the positive sides could be that people with lower education, no language skills, and from groups usually disadvantaged in the labour market can find jobs – there is recognition that this opportunity is, as one union organiser from the *FNV* said, a “false friend” (Interview 2, R1) given how the jobs are insecure and precarious. Another respondent claimed that flex workers are “more exploited” (Interview 2, R2). Among the flexible workers, this especially applies to temporary agency work which, from the union perspective, seems to resemble platform work the most. Even though temporary agency work is regulated, there seems to be, according to our respondents, additional vulnerability compared to standard workers, which prevents them from asking for full rights.

There seemed to be a lot of agreement among our respondents that, from a labour perspective, platform work presents a form of hyper-flexible work. This hyper-flexibility is reflected in the way, as one respondent put it, the platforms have “the ability to hire and fire people at will” (Interview 3) but also change the terms and conditions, i.e. the wages, without notice. Furthermore, there is recognition that this problem stems from inadequate contracts, or rather, a lack of employment contracts, as one respondent from the *FNV* put it:

“For example in construction you still have companies who outsource, but they sign contracts with companies who hire ZZP, but in the end it’s still

kind of a traditional structure. But with *Uber*, *Deliveroo* and so on, we have a change: the peer to peer idea gets true. [...] even if you have a flexible contract, you have a contract, you cannot just be fired like that, you have some protection. It is of course limited, and there is a Dutch saying “they will always find a stick to hit you with”.” (Interview 1)

As suggested in our theoretical framework, the main issue, around which unions develop their strategies, is the issue of worker classification. A union organiser from the *FNV* claims that “Platform economy would not be possible if it wasn’t for laws pushing for ZZP” (Interview 1). Most of the instruments used seem to be chosen in order to tackle this problem.

We can now go back to Heery’s organizational framework for identifying the response towards platform workers. Looking at the first dimension, the legitimacy of interest, we can conclude that there is a high level of recognition of interest on the part of *FNV* of platform workers. This interest is seen, as we discussed, as a part of the general union attitude towards the flexibilisation of labour market. Hence, while acknowledging the specificity of platform work, the interest of platform workers is seen as synonymous with the broader group of insecure workers.

The second dimension, internal representation is somewhat harder to specify. According to our interviews, the union policy on platform work is that every sector should take up platform workers in their respective sectors. The examples that came up in the interviews, however, contradict this. This is the case with *Riders Union*, a group of riders of food delivery companies *Deliveroo* and *Foodora* who initially self-organised. While there are opinions (Interview 2) that, as delivery couriers, these riders fall within the organising domain of the transport sector of the *FNV*, the sector that actually reached out to the *Riders Union* and helped them organise is *FNV Jong*, the youth wing of the union. However, as one organiser put it:

“This also doesn’t fall into the group that *FNV Jong* normally organises. It is mostly people who don’t work yet, or have side jobs. And this is a side job for some people. But there’s quite a few people who do it as a full time job.”
(Interview 2, R1)

Hence, it is obvious that, while there is an interest to reach out to platform workers (or at least some groups) on the level of the union, on the lower level of the sectors themselves, there is certain friction between the official policy and its enactment.

Finally, the last dimension in Heery's framework is external representation which refers to policy and regulatory preferences of the trade unions. These will be discussed in detail later, but at this point it is sufficient to recognise that, rather than looking for specific regulation for platform workers, the union's position is to bring more platform workers under existing regulation for standard, temporary, or agency work. This strategic orientation seems sensible given the relatively high level of regulation of temporary and agency work in the Netherlands compared to some other countries where unions might look for alternative regulation all together.

Putting all of these elements together completes the picture. We can conclude that the union's response to platform workers is that of *inclusion*.

5.2. Instruments used

Having looked at the broad response of unions towards platform capitalism in the Netherlands, in this subsection we will review some of the strategies and instruments used to address the issues deemed important.

5.2.1. Media Campaigns

Media campaigns were suggested by a number of interviewees as a potential future strategy, but there are no campaigns currently in place specifically aimed at platforms. The FNV however, does have a campaign aimed at flexible work of young workers called "Young and United". The goals of that campaign have so far been aimed at the general public, raising awareness about the issues surrounding flexible work. The most concrete action of the campaign was a petition with a set of demands. The potential of campaigning, it could be argued, lays in the way public support can turn into a power resource. The first step is making sure that the problem of flexible labour is visible, as many people who are not working under such conditions, might not be aware of it. A policy advisor from the *FNV* put it like this:

“Personally, I think we should organise also the public opinion. Because when you order a meal, we say the person who brings you the meal should earn a normal wage. And you as a consumer should realise that you're supporting a system with things we don't want.” (Interview 3)

The potential of this strategy seems particularly important with the platform work, as it is such a novel phenomenon, and it could be argued that the level of awareness among the general

population of the issues surrounding it is even lower than for flexible labour in general. It could also be argued that campaigns can raise awareness not just of the issue, but also awareness about the unions and their potential to fight these trends. Media campaigns could, thus, be a way for unions to increase their own visibility and credibility, which could be important, given the challenges of declining union membership and influence discussed earlier. However, it is a form of non-traditional union activity, and still far behind collective bargaining. There is however, recognition among our respondents that media campaigns are only the first step, rather than a long term strategy. One respondent claimed:

“We have a petition which has demands, we are looking for people, politicians to sign it. That seems really vague though, right? Anyone can support it. We need to make it more concrete now. We will say: ok, this is what we support, we now want you to do something about it.” (Interview 1)

Based on our interviews we can conclude that, while there are media campaigns in place concerning flexible work in general, there is as of yet no such campaign concerning platform work. We can however, speculate, that this trade union instrument will be used more in the future if the problems of platform capitalism persist, but as a secondary instrument, used to reinforce other instruments such as influencing regulation, or starting a political debate.

5.2.2. Litigation

Litigation, or bringing cases to court is an important union strategy in relation to platform capitalism. As explained already, the question of worker classification is the central issue, and one way of reacting to it is through litigation, i.e. calling upon judges to rule whether or not an employment relationship between the platform and the worker exists. If the employment relationship does indeed exist, then the employers are required to take up employer responsibilities which include paying social security contributions, statutory sickness pay and accident insurance, as well as statutory pension contributions. In our research this has proven to be one of the main strategies used by the *FNV*, in the Netherlands.

The litigation process is also seen by our respondents as one of the ways to tackle the described problem of employers not willing to acknowledge unions as partners in discussion. By solving the problem of worker misclassification through courts, a major hurdle for establishing a system of industrial relations could be removed. Indeed, this is the main approach adopted by the *FNV*. At the moment of writing of this research, the *FNV* has launched a lawsuit against the bicycle food delivery platform company *Deliveroo*. The argument of the union is that there

is a clear employment relationship and that workers are misclassified as self-employed (Het Parool, 2018; Pelgrim, 2018). The impetus for the lawsuit also came from the fact that *Deliveroo* offered a kind of insurance for its nominally self-employed riders (Basekin, 2018) – this was used by the *FNV* as evidence that there is, in fact, a proper employment relation, and that full rights and duties should apply. Importantly, the *FNV* lawsuit is not just aimed at proving that an employment relationship exists – the union also wants *Deliveroo* riders to come under the collective agreement for the delivery sector (Pelgrim, 2018). According to our interviewees, lawsuits are considered as a strategy against other companies as well (Interview 3).

This example shows that there is a twofold importance of litigation strategies at this stage – if a favourable verdict from the perspective of the union is reached – on the one hand they can enforce already existing regulation, and on the other, they can introduce, or extend, collective agreements where they were not present before. This also shows litigation to be a *defensive* strategy, as it relies on existing rules and collective agreements. It can, however, be used as a starting point from which different regulation or collective agreements can be negotiated, and a system of industrial relations can be established.

5.2.3. Organising

Despite all of the challenges involved, our interviews point towards the conclusion that organising is still perceived as the central instrument at disposal of the trade union. It is seen as the traditional, but also most effective way of countering tendencies going against the interest of the workers. As one interviewee put it:

“[T]he only way to have counter balance is to organise workers, and show the big companies, we are a countervailing power, and we demand more.”

(Interview 3)

Like litigation, organising also seems to be the preferred solution to one of the main challenges of platform capitalism, namely, employers denying their role. By organising, the union has the needed power resource to gain recognition:

“If the people get organised they can talk to the employers. They can pretend, but as soon as you organise, your counterpart is there. So that part is not really a challenge.” (Interview 1)

There are several challenges to organising which came up in the interviews, in line with some assumptions made in our theoretical framework. Firstly, the most obvious challenge of workers not sharing a common physical location of work was mentioned. One way of overcoming this challenge is through the use of social media which allows for easier communication and coordination. This does not, however, mean that social media can replace physically organising workers:

“First they organised over *Telegram*¹⁷, which is good, but not enough, in my opinion, if you do not meet physically, you are not organised. It’s good, but not relevant, the whole social media is amazing to get ties, but to get people together you need to get people *actually together*.” (Interview 1)

It seems that overcoming this particular challenge is first and foremost a practical question and there doesn’t seem to be much disagreement on whether it should be done. On contrary, one of the interviewed organisers expressed the view that organising platform workers is not more difficult:

“And I don’t think it is that hard to organise platform workers. You have to do social media, you have to do strange hours, weekends and evenings, but once you start doing that, the workers are actually hungry for community. I find them easier to get into motion than workers in the workplace.” (Interview 2, R1)

A different challenge for organising comes from, what some interviewees described as “ideological difficulties”. This reflects the notion that platform workers are mainly young and have certain reservations when it comes to trade unions. According to one of the *FNV* organisers:

“In Netherlands there is a subtle anti-union sentiment. In the sense that it’s something old, something that doesn’t fit the modern economy. And media are also usually pro-business. The idea that is portrayed is that young people don’t want a permanent contract, they don’t want the union, they don’t want to work for their boss their whole life, but obviously that’s not what the permanent contracts is about, right?” (Interview 1)

¹⁷ *Telegram* is an instant messaging smartphone app.

However, this is again a practical question of approaching young people:

“But when I tell them that the reason there has been no improvement in the last 10 years is that we haven’t organised, they agree. But it’s not something they say themselves at first. Obviously there are people who want to work in platforms: students, artists, writers, people who want to build something and the flexibility suits them, but if you ask people how they see themselves in 10 years, they want a permanent contract.” (Interview 1)

Lastly, next to practical and ideological challenges, another mentioned obstacle is the vulnerability of platform workers, stemming from a lack of an employment contract.

Despite the difficulties, organising is often mentioned as the main strategy. However, there is little evidence of successful organisation attempts at this point. Most of the union efforts were focused on the case of the *Riders Union* where the *FNV* helped *Deliveroo* and *Foodora* riders self-organise and subsequently integrate them into the union structure. Their case has gained the most public attention and is seen as the paramount case of precarious platform work.

In conclusion, organising is not yet the main strategy, in the sense that it is currently not extended towards more platform workers. Its advantages, however, seem obvious and future developments rest mostly on how practical difficulties and the question of union structure is resolved in the future.

5.2.4. Influencing regulation

When it comes to regulation, the position of the *FNV* seems rather clear. Our respondents, as well as the position paper presented by the *FNV* at the *Tweede kamer*, reinstate the union’s position: “[the] labor law is clear in itself: there is either a labor or temporary employment contract or a (real) self-employed person. The technological progress of the platforms does not change this” (FNV, 2017: 1; translated by PM). Going back to the set of options available to unions, discussed in the theoretical framework, it is clear the position of the union is to enforce existing regulation.

Our respondents were asked to express their opinion about other options, such as devising a third category for platform workers, but the official position of applying the existing law was repeated. For example, one of the respondents argued that the discussion about the third category is fuelled by the employers:

“You get a category that has less protection in the labour law and less rights for the minimum wage etc. than the regular employee, but also doesn’t have the income like a real freelancer. So this is an option that works only for the big companies“. (Interview 2, R1)

In a sense, we would argue that this is also a form of a *defensive* strategy, and one that is complementary with others, such as litigation. Based on this however, it is fair to assume that the *FNV* would oppose any kind of deterioration of current regulation, and that platform economy would not be accepted as *an* excuse for such changes.

5.2.5. Collective bargaining

Based on our interviews and the sources available we can conclude that collective bargaining is not yet a viable option for trade unions. It seems that certain preconditions are yet to be met. As discussed in our theoretical framework, there are numerous and quiet different obstacles for the establishment of an institutionalised system of collective bargaining. As the organising problems have already been discussed, as well as the ways the problem of the unwillingness to negotiate on the part of employers can be overcome, something remains to be said on the topic of legal obstacles, namely the competition and anti-trust regulation hampering collective representation of platform workers. According to our interviews this does not represent an insuperable problem. One organiser put it like this:

“We can organise and we can speak for the freelancers - that is not a problem. But the problem is with the competition law, as soon as we start talking about the minimum tariffs, and what is and is not a freelance. But the anti-competition agency says that cannot be done. We have some tariff agreements, and it’s justified like this: if you come below this it’s no longer self-employment.” (Interview 2, R2)

However, like many of the problems already discussed, the challenges of collective bargaining can potentially be overcome if the union wins court cases i.e. if self-employed are reclassified as employed. Hence, collective bargaining is a potential future strategies, pending on the resolution of regulatory and legal challenges.

6. Explaining trade union responses

In this chapter we will try to offer several potential explanations of the strategies and instruments used by trade unions in response to platform capitalism which were outlined in the previous chapter. As explained in our research framework, we intended to test several non-exclusive hypothesis, i.e. potential explanations. At this stage however, we would like to stress that the empirical material available does not allow us to make conclusive statements. Rather, we will offer several “educated guesses” which can serve as guiding hypothesis for future research on the matter.

6.1. Dualization hypothesis

The first hypothesis discussed is the dualization hypothesis. According to this hypothesis there will be little interest on the part of labour unions towards platform workers since their interest is perceived as different to that of the union core membership. Based on the evidence present we believe this hypothesis is an unlikely explanation. Firstly, based on the framework applied we concluded that platform workers interest is recognised within the *FNV*, that platform workers are joining the union as regular members and that policy solutions are discussed – in other words, we identified that the *FNV* is taking, what Heery calls the *inclusion* response.

However, there are certain reservations about this that need to be taken into account. As explained, our interviews indicated that there are certain important differences in the level of commitment to organising platform workers in different sectors. This is a question that would require further research to determine why certain sectors are more active in following the central directive. Here, the dualization hypothesis might be investigated, to determine whether in certain sectors the “core” membership is more protected. In sum, we would argue that the initiative shown by the *FNV* towards addressing the issues of platform capitalism goes against the dualization argument – however, on a more micro level, within different sectors, it might be used as a potential explanation.

6.2. Flexibilisation and deterioration of the labour market hypothesis

According to this hypothesis, the issues of platform capitalism will be taken up by unions as a part of their general outlook towards the flexibilisation of the labour market. In our opinion, based on the evidence present, we would argue that this is the most probable explanation of union strategies at this point. Previous research has shown that unions are interested in stopping

further flexibilisation of the labour market. From this perspective the challenges brought about by platform capitalism present the most extreme form of trends which the unions are already devising strategies against. Platform capitalism does bring challenges of its own – our interviews have brought up those of organising and employers avoiding their obligations. But the biggest danger from the perspective of the unions, we would argue, is the possibility to “overtake” segments of the labour market where certain regulation already existed. This idea of “platformisation” or “uberisation” was mentioned by organisers and policy advisors. One organiser, asked whether he sees the platforms spreading across different sectors, answered:

“Well, yes. But the difficult thing is, and I talked about this with a colleague of mine who works with the flex workers, in 90s and 80s we had a same dilemma: you can’t know what you don’t know yet. So the question now is which jobs are possible to platformise. We knew about *Uber*, now we have *Deliveroo*, and then we found stuff like *Helpling*, where you can hire house cleaning. [...] if [it] is possible with temp agencies, it is also possible with platforms. The problem is, where does the working sphere end? And with temp agencies we set the boundary. But with platforms we have the same discussion again. Theoretically, you can platformise anything.” (Interview 2, R1)

While this view seems a bit overly pessimistic, as we could argue that certain types of jobs will still require a long-term relationship, it does serve to show that there is a realization within the *FNV* that platform capitalism presents a threat to labour market standards in general. This understanding can, thus, spur the union to form strategies against platform capitalism, especially in these early stages when regulatory questions are still unresolved.

6.3. Union identity hypothesis

According to this hypothesis, the union’s willingness to organise platform workers and form strategies in response to platform capitalism will be determined by the union’s self-perception as a social actor which has a responsibility to fight the deterioration of the labour market. Based on our interviews, we would argue this is a viable explanation. In our interviews, the role of the unions in the society was discussed, and answers point towards a wide understanding of this role.

“A union should be there for all people who work, want to work. So very broad. To organise them, bring their differing interests together in one large force, group, community. This is a way to achieve that against companies or states, or any groups which are powerful and already together. Divided we beg, united we bargain!” (Interview 2, R2)

If we now go back to Heery and Abbott’s understanding of unions – this perception falls within the broad category of “social movement” unions. As explained, their role is broad, with a focus on organising and mobilisation. Hence this might explain the union’s willingness to organise platform workers even if their membership is not the immediate goal. This conclusion also goes against the historically presupposed “social partner” character of the Dutch unions. Hence, the union’s willingness to engage in a more “activist” and “bottoms-up” could be interpreted as stepping out of the highly institutional role. This goes in line with the idea of union revitalization, where, as mentioned earlier, unions are taking a “step back” in time, to a period where their role was organising the atomised workers. This was finely captured by one of our respondents, a union organiser from the *FNV*:

“[...] but we have to organise people. This is how the unions started. Organising the workers on the docks, the harbours waiting for piece work, that can never be used as a reason not to organise.” (Interview 2, R2)

We would argue that the union ideology hypothesis and the flexibilisation hypothesis are the most probable explanations of union strategies. Because platform capitalism (just like other trends of labour market deregulation and the proliferation non-standard employment relations) revokes past times where the workers were more insecure and unorganised, the unions need to revoke times where they took up a more combative, activist approach.

However, from this perspective, union ideology by itself is hardly an explanation – rather it is the wider trends that cause a change in union ideology. This is, needless to say, still a hypothesis in need of more thorough investigation. A good way of researching this topic would perhaps be a comparative research of different unions, ones we assume hold different ideological positions (for example a comparison between the *FNV* and *CNV*, which for practical reasons mentioned, wasn’t possible).

6.4. Membership hypothesis

This explanation of trade union strategies is based on the premise that unions will be engaged in organising platform workers because it is believed they can be a new source of members. As discussed earlier these strategic choices are made in the context of both the declining power and relevance of unions, and related, the decline in union membership. We find this explanation improbable, for one main reason, namely that the pool of platform workers does not seem to be large enough in the Netherlands at this point, hence it does not seem obvious that organising platform workers would bring a significant increase in union membership.

The second element of this hypothesis is that unions will be interested in platform workers not as new members *per se*, but new *young* members. However, the perception that platform workers are mostly young people is not supported by empirical evidence at this point. Moreover, the unions themselves do not perceive them as exclusively young, as shown earlier when discussing *FNV Jong* and the Riders Union.

Finally, as we said, while organising is seen as an important strategy, it is not yet pursued as persistently as some other instruments. This finding also goes against the hypothesis discussed here. However, it is a reoccurring theme here that the biggest problem is that of worker misclassification and that the instruments will be chosen by the union, based on their ability to tackle this problem. It is reasonable to assume as well, that if these problems are successfully overcome, and the pool of platform workers increases, they will indeed become a desirable power resource for the unions.

7. Conclusion

In this thesis we sought out to investigate some of the problems arising with the expansion of platform capitalism. We took a critical, industrial relations perspective comprised of two important tasks: firstly, we tried to provide an overview of a set of issues which arise in the labour relations sphere, looking beyond technological deterministic views and value positive discourses and trying to identify the lines of contradiction and conflict. Secondly, we wanted to provide an overview of the potential of trade unions to act within this context. Focusing on the example of the Netherlands we took an in-depth look at trade union responses and offered several potential explanations.

Conceptualising platform capitalism, we argued, should start by dispelling some of the misleading and mystifying labels present in both public discourse and academic sources. The importance of this lays not only in finding the best and most practical conceptualisation for a novel phenomenon, but also in counterbalancing unjustifiably optimistic views which provide a skewed image of reality. Platform technology, as an innovation, using data collection and analysis as its fuel, has opened up possibilities for fulfilling organisational tasks at a scale unimaginable in the past. However, it also presented new ways of organising work – based on global outsourcing. The consequence has been a development of various highly flexible forms of work. Without appropriate regulation, these models are highly biased in favour of employers, thanks to, as we argued, different forms of subtle yet persistent forms of control, through ratings, tight metrics, branding and crucially, data asymmetries.

In order to truly understand the implications of these technological changes, we argued that it is crucial to understand the wider context in which platforms operate. Hence, we have relied on critical approaches using the term platform capitalism. Based on arguments put forward by Wolfgang Streeck, Nick Srnicek, and the critical interventions of Niels van Doorn, we maintained that the political and economic context of neoliberalism and the destruction of the post-war settlement provides the best explanation for this rise. The short and long term economic trends combined with a political offensive in direction of (re)commodification of the labour market, allowed platforms to present a hyper flexible model of organisation of work and, in a way envisaged by André Gorz, present a threat to the wage-based society we know.

From this, we deduced that the main line of contradiction and conflict in platform capitalism arises around the issue of regulating the work, going back to basic issues of labour contract. In

a sense, it is a step back to a point in history when labour power was sold as any other commodity. Based on a growing amount of secondary literature and empirical observations, we have identified several key obstacles for the establishment of an institutionalised form of labour relations. These obstacles have different sources and appear at both the labour and employer side – since the system of labour relations is mostly based on the notion of standard employment, the central issue is the classification of platform workers, with many empirical examples pointing out that platforms are misclassifying employees as self-employed, denying them the rights guaranteed by labour laws. This is also reflected in the way platforms try to present themselves not as employers, but as intermediaries between “peers”. Finally, the highly individualised and remote nature of work in platform capitalism provides many practical difficulties for successful organising on the part of workers.

Moving away from a structural perspective, in this thesis we proposed to look into the strategic orientations of a social actor which forms the pillar of industrial relations – namely, the trade union. A review of some of the recent literature on trade unions showed that the main issues surrounding the topic are the decline of trade union power, and the novel challenges posed by the changing labour market. From this, a perspective of union revitalisation ensued i.e. the idea that unions are trying to reinvent themselves to regain relevance.

By looking at the literature explaining trade union responses and strategies, we have identified three groups of (non-exclusive) explanations. Firstly, there are explanations which are based on the way unions react to regulatory and institutional changes. From this perspective, the key determinant is how existing regulatory contexts provide incentives for unions to broaden their interest spheres to include workers who have, thus far, not been the locus of union activity. Secondly, we identified a perspective which maintains that unions have an interest in representing a wide range of workers, irrespective of their labour market status, but their strategies and options are limited and their choices will depend on available resources and power balance. Finally, a set of explanations is based on the ideas of union ideology and identity, arguing that the strategic choices of unions are based on the way they perceive themselves – the implication being that unions are not guided by the immediate interest of its members, but by a broader idea of the role of unions in society.

Based on these insights, and relying heavily on the framework developed by Edmund Heery, we have tried to classify union responses to platform capitalism. This endeavour consists of looking into the way trade unions perceive the interest of platform workers, how workers are

represented in the union, and what their preferred policy and regulatory options are. Additionally, we looked into the different instruments unions use to tackle problems they perceived as important.

Our findings provide several important insights. Due to empirical issues discussed, the conclusions we can draw are relatively limited and applicable on to the largest Dutch trade union, namely the *FNV*. However, we maintain that they can provide a useful starting point for future research. In terms of our general research question, the response of trade union to platform capitalism, there are several points to be made. Applying the research framework, we concluded that the approach of trade unions is one of *inclusion*, meaning that there is a high level of acknowledgment of interest of platform workers on the part of unions, that they are seen as potential (equal) members of the union and that the policy and regulatory preferences are on the side of adopting existing regulation to platform work. In general, we showed that the perception of platform capitalism within the union is shaped by the general outlook on flexible labour. Platform work in this sense is perceived as a hyper flexible version of trends which the union already perceived as threatening. The central practical issue around which trade unions form their strategies, as anticipated by our theoretical framework, is the classification of workers. Especially in the context of the Netherlands, whether a worker is an employee or self-employed has important consequences, and crucially determines the labour market outcomes in platform capitalism. It is precisely this issue that determines the manoeuvre space of trade unions, and the instruments chosen by trade unions reflect this.

The main instrument used by unions in the Netherlands is litigation. Its goal is to challenge the classification of workers as self-employed in front of courts. We argued that this is a defensive instrument, as it does not bring an advancement from existing regulation, which by itself is not the most favourable one, from the perspective of trade unions. However, the misclassification significantly narrows down the space for unions to make any advancements, due to organisational limits and the resulting high precariousness of workers. In other words, for both legal and practical reasons, it is easier to organise workers who are classified as employed. Thus, it could be argued that litigation is a necessary first step before a more offensive role can be assumed by unions.

Media campaigns are another instrument which our respondents suggested, which is illustrated by the high media attention for campaigns and legal cases in the last year in the Netherlands. The main goal of this instrument is to raise public attention, strengthening the position of the

union when pushing for different regulation and policy solutions. Organising, which is traditionally the locus of union strategies, has only limited application in the case of platform workers in the Netherlands. While our respondents were keen to highlight its importance, at present it seems that only certain parts of the union (namely *FNV Jong*) are actively pursuing this strategy, and facing significant and expected practical difficulties while doing so. It remains to be seen how important this strategy will be in the future, but we would argue that its success will depend on resolving structural issues in the union (i.e. making sure that every sector takes up organising, as decided by the central union bodies) and whether or not the union assigns more resources towards organising (as our respondents explained, organising is not impossible – put simply, it requires more work, and methods which can be seen as non-traditional, like the use of social media). Influencing regulation and collective bargaining are the final two instruments at the disposal of unions, and ones which can be seen as the most *offensive* ones as they provide significant advances for trade unions. At this moment, they do not represent realistic targets. However, if litigation, media campaigns and organising prove to be successful strategies, the possibilities for collective bargaining and wider political mobilisation towards influencing regulation could open up. This is illustrated as well by the ongoing court case of *FNV* versus *Deliveroo* where one of the demands of the union is to include meal delivery bike riders under collective agreements for the transport sector.

Finally, in this thesis we have tried to delineate some potential explanations for union strategies. The empirical material available is not sufficient to make such conclusions. It does, nevertheless, provide some potential directions for future research. Our educated guess at this point is a combination of two hypothesis discussed. Namely, we argue that the most probable explanation of trade union strategies is that labour market deregulation and consequential recommodification of labour present a significant threat to working population and that unions might change their ideological positions and identities towards a more activist, social actor position. As neoliberalism is a political project, as much as it is an economic one (albeit the two can only analytically be distinguished), the unions will move towards a more political position in response to it. Importantly, this conclusion goes against the common perception of Dutch trade unions as social partners in the “Polder model”. Based on our findings, we could hypothesise that the *FNV* is moving away from this role.

There are views, some of which we also mentioned in this thesis, that unions represent an outdated formation, and that their relevance is diminishing in the age of a supposedly different capitalism. However, the original idea of unions was never that of social partnership – it was

about organising and representing labour against the much more powerful and organised forces of capital and state. In this sense, we would argue that the relevance of unions is higher than ever before – precisely because the conditions of insecurity, precarity and massive power asymmetries in favour of capital are more actual than ever before in recent history of advanced capitalist democracies, with platform capitalism developments a case in point. With capitalism taking a step back, so should the countervailing powers of organised labour. This however evolves in a new context, with technological changes, as much as they are threatening, presenting possibilities to imagine and invent a different future.

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Annexes

Interview 1

Interviewee: Trade Union organiser, FNV campaign Young & United

Date: 24/4/2018

Duration: 1h15m

Describe your position within the union?

I am a union member since I was 18 or 19, because I only moved to Holland after I grew up in Germany, I wanted to study here. I didn't start my studies right away, I was working in a supermarket, and there you are really exploited, it's insane. I worked full time for 800e. Then they provided us with some information proving that we got paid even less than we deserve. So we started organising in my shop, together with my colleagues. We achieved a lot, lot of money back, and the working conditions got better, we got sick pay. So from there on I just became an active member of the union, for the supermarkets, which is really thought because there are a lot of young people don't want to stay there, so the union is weak. Supermarkets are a new thing, it's an industrialisation of retail, and union position had to be rebuilt, but they never were. They put me in the Young and United campaign which fights for a youth minimum wage, which is really low. So we did a lot of cool actions against that. I was already involved being just a member. Now I work for it, and now it's against the whole flex work thing which is even more important, but also more complex to fight. So we are a campaign, which means that the union has a parliament which represents different workers. They said flex work is something we need to address, in different companies but also on a political level. And Young and United already did stuff on that level. We cover not so much platform economy per se. It's really broad. No matter what – the worker needs security, and wage security. That directly relates to the platform economy. We have a petition which has demands, we are looking for people, politicians to sign it. That seems really vague though, right? Anyone can support it. We need to make it more concrete now. We will say: ok, this is what we support, we now want you to do something about it. We do actions towards companies that abuse flexible work, think of retail, cinemas, for example *Pathé* which has 85% people on fixed term contracts (only because they want it cheap).

So you are doing a political, but also a media campaign?

We are more directed at the general public than at the companies per se, but right now we are making more of shift towards specific companies, because we believe if we achieve something with a number of companies, it will become obvious for the public that they are wrong, and we can put more pressure to companies and media. That's also a way to change the bigger picture.

Are you also organising workers?

It's harder to organise, but I also think it's necessary to do it. And it's necessary to organise people who are bigger than the company. If we have an organisation at a higher level, we will make an impact. But to be honest, we don't. What we do at Y&U: we don't organise on the shop floor that much, but we have been checking out companies. It's not that we won't do it, but it just too hard. There is a level of fear of losing a job, because they don't have permanent contracts. We also looked at Action, where they have contracts but flexible hours. But again it's a big step for people to take. It's more important to grab the attention now. You can always organise if you put enough effort, but the question is, is it strategically important now if you have a higher goal.

Younger people are harder to approach?

Yes. In Netherlands there is a subtle anti-union sentiment. In the sense that it's something old, something that doesn't fit the modern economy. And media are also usually pro-business. The idea that is portrayed is that young people don't want a permanent contract, they don't want the union, they don't want to work for their boss their whole life, but obviously that's not what the permanent contracts is about, right? Nowadays you just need a laptop and you're a self-made man – that's the current narrative. So what we did is we just spend months and months on the street, approaching people (I say I'm from Y&U, can I ask you some questions about work) and then we have a conversation. But they don't think negatively about the union. In Holland young people always work – it's different to other countries. So everybody experiences this. Maybe you don't want a contract because you're young and cheap. But, the idea that you cannot even get [the permanent contract], this feeling of not being appreciated, that is very strong. It is easy to relate to that feeling, that's what we do. We chose to call ourselves Young and United, and then maybe say we are FNV or a union – we want to overcome stereotypes about unions. In my opinion we need to look at the bigger picture – we can talk about this little issue, and that little issue. If you talk to a worker they just say: yeah man, we are getting screwed. Everybody, or at least most of the people, feel like that. Then they realize they want to do

something about it and the question is, do they believe they can do something? Many people don't. It's our task to show that if we get together, we can achieve something.

Platform economy narrative: one of the ideas is that young people want to work like that, flexibly? Do young people want a permanent contract?

That's a good question. The level of the awareness is low. But when I tell them that the reason there has been no improvement in the last 10 years is that we haven't organised, they agree. But it's not something they say themselves at first. Obviously there are people who want to work in platforms: students, artists, writers, people who want to build something and the flexibility suits them, but if you ask people how they see themselves in 10 years, they want a permanent contract, or they want to be self-made man.

When did you, as a union, first hear about the platform economy?

I don't know. But the whole independent worker (ZZP) thing is pretty important in the Netherlands. Platform economy would not be possible if it wasn't for laws pushing for ZZP. I think that is something important to realize: these are not natural events, these are very direct and targeted policies that have been made, to push this true, these policies have only focused on the flexibility on the part of workers and on the security. For example, you have platforms in construction. But also, with Deliveroo this idea is pretty hard, this platform economy is a new development. The main player pretends not to be the employer – that's the biggest issue. For example in construction you still have companies who outsource, but they sign contrast with companies who hire ZZP, but in the end it's still kind of a traditional structure. But with *Über*, *Deliveroo* and so on, we have a change: the peer to peer idea gets true. But that's also applicable only to a small part of the economy – you can do this with services, but with anything that's producing anything it's not going to work. And it's going to be even worse because you have this big companies abusing the model.

So what would you say are the unique challenges of the platform economy compared to just general flexibility?

Lot of the things are the same. But even the ones that are the same are more extreme. For example, people not seeing each other. If you don't know your colleagues and you don't consider them your colleagues, you cannot organise. There is also an ideological challenge I think, that people who work in the platform economy often even want to see themselves as non-workers, they like to see themselves as these individuals. And only when they hit the

problems and the constraints. For example, I talked with a girl who works as a tour guide, but she works through a website. And the website is just changing the terms and conditions, and pay, without even telling them (like, by the way, we are taking 10% more now, good bye). And they are starting to organise now. But they are really people who use platforms to make something for themselves. Going back to challenges – getting people together physically and ideologically is more challenging, that’s a big thing. But also the vulnerability – even if you have a flexible contract, you have a contract, you cannot just be fired like that, you have some protection. It is of course limited, and there is a Dutch saying “they will always find a stick to hit you with”. Which is, when you talk to workers, a phrase you hear all the time. But yes, they can just take you off the platform, you have no rights, it’s just one company dealing with another company, there’s nothing there. So if you don’t get a big collective, people are more vulnerable. So that’s an extra challenge. Also, if you go on strike, you lose money.

But the employers ignore their role? What should the union strategies be there? Should unions target regulations, or the bigger picture as you said, or should they still try to organise workers at a company level?

I think both. I think if you still manage to organise workers at a company level, then you can talk to the platform. Like with Deliveroo, they try to ignore things but they are still perceived as employers and act as employers. If the situation was different, more would’ve been possible. If the people get organised they can talk to the employers. They can pretend, but as soon as you organise, your counterpart is there. So that part is not really a challenge. The problem is that there is no regulation in place to support. So I think we need to look at how this whole ZZP thing is governed. That’s only achievable through political pressure and going against a big, big, lobby. For example Amazon in Germany has a pool of a million workers, a lot of companies want to do this shit. So if you want to put stop on this at a political level it is going to be a big fight. But, most Dutch people would agree. It’s incredible how big the public support against this shit is.

What about people in secure jobs, do they perceive like that as well?

Yes.

Did the self-organising unions from Deliveroo approach FNV first?

It worked both ways. I wasn’t involved with it at this stage directly. I was later, with this strike in Haarlem, which was an awesome experience. It was another part of the union that supporting

the Riders Union, but within the Y&U we have member who is a rider for *Foodora*. She went to the meetings and she told we should catch up and get involved. I said let's go. Then when it came to striking, the benefits of being in a union became obvious because you could get strike pay and legal support. What happened is that they did this first action, kind of a demonstration, and the union was involved. First they organised over telegram, which is good, but not enough, in my opinion, if you do not meet physically, you are not organised. It's good, but not relevant, the whole social media is amazing, to get ties, but to get people together you need get people *actually together*. So they started doing that, having these meetings, and from the start union people were present telling them about their experience and offering them help. And then in December they asked me if I can help temporarily organise them in Haarlem, because I live in Haarlem. There were a couple of people active there but not really a group, so they called me, asked if I can set something up. And I never done something so successful so quickly, and actually I haven't done anything. That was the beauty of it, you know? So I just called them and told them what the situation is, that I work for the union, for the campaign that fights this flex shit, I am going on vacation but I can meet you, help you set this up. So I had a meeting with four of them together. And we just talked it through, I told them what's up, I told them you need to go on strike, they agreed, I said we should take the biggest, they said first of January... alright. Do you believe in this? Yes. Want to join the union? Yes. Then I said ok, now we need to get everybody. Who do you know? Made a list with all the names, I said: ok, I already had the names of these people, I will talk to them. All the other people I don't know, you know them. So we took the list with all the names. So I didn't talk with any of those people. They did. I gave them a handout with how you can talk we people, because you need to be careful, see if they are angry, if they are trustworthy, and then you tell: we are thinking, or people are thinking, to do this and this...and then people start joining the union and go on strike. And Haarlem was down on first of January. And I wasn't even there, I was on vacation.

So it's obviously possible. But most of the examples are about the riders, they are only a part of the platform economy. Are you aware about any other workers organising?

Yes. There is the Postnl. They are the package delivery guys. There has been a lot of action there, and the union has been involved. I don't know who exactly. But they did the same thing. They had their package delivery [service] and then they fired everybody, and then they rehired them, and they had to buy everything themselves, their van...and it's fucked up obviously. And they get paid per delivery. And the time is calculated way too short, so they just end up working themselves to death. It's just fucked up. And they actually went on strike, well not on

strike since they are not workers, but they didn't deliver anything. And in the few days there was a bit more fighting but now they can chose to comeback. Like they have a choice: they can work for the company, with a lower gross salary, but they can have all the benefits. Or they can work for a higher salary (which is still only kind of ok) as independent delivery people. That was already a couple of years ago. That's something you could look into. And well, I'm thinking about other platforms...but there's not too much yet. The others are like hired labour. This is another, I think even illegal structure which is used a lot. And there it's also hard to organise people, they can just be fired whenever. In the end with the *Postnl* they have organised and won big victories...these are also examples where the union really sent out organisers, and tried to set things up, and it worked. That is also kind of happening in the healthcare, the home care system...that is not so much platform but *ZZP*, inside a company that just puts them on *ZZP*. There was a lot of fighting there: "don't touch our people" - that just works. I don't know about any organising in *Über*, it's more the taxi drivers fighting *Über*. But also, I have to say, Uber is quiet decent in Holland, compared to a lot of other countries. Like, they have to have an actual taxi driver's licence, and with that comes a lot of rules and securities.

So you said, on the example of Haarlem, people who were organised were joining the union. Do you have an idea about how many platform workers are actually members of the union? And are they actually joining the union or just coming to actions?

With the riders, yes, if they come to actions they join the union. Also for young workers it is quiet cheap. Until the end of last year, the first year was free if you are under 23, now we stopped that, because free membership is nothing in the end. Now it's 2e per month...which is still...symbolic. I think it's still an important symbol I think. If you want to join its two euros per month, but then it's something. But if you say: "do you want to join, it's nothing, just sign here". If you're older then it's still just a percentage of your income. So with Deliveroo really a lot of people joined.

So once they are in the union, how does that usually work? Are they involved in decision making?

Here we come to a more sensitive topic. I'm actually quite critical about how things went with Deliveroo in the end. Because there was one, young people union that got involved, and they called the shots. And I don't it should be like that. They should make it more collaborative. It's also not so straightforward, that they call the shots, but... Yeah I don't know, I think things could've gone differently. If there was more effort in the beginning on structuring and

organising the workers... Not in the sense let's go to that action, but in the sense let's get together and we plan... It's still somehow, semi-separated from the union. Like the riders union calls a meeting, and the riders come and discuss and there is still someone from the union. But it's still not exactly. And I think the unions are also to blame for that. I can't really explain how it got to this...but I have a feeling I understand.

Is that something you see changing? If there are more platform workers? I imagine they would want more voice or generally democracy in the union?

I hope so. I think that's necessary. Like, how much do you know about how the FNV is structured?

I know a little bit, if you can explain it would be great.

Well it's really complicated, but not rocket science, so it's possible to summarise. But thing with the FNV is that it's product of a long development and different groups coming together. So, FNV is a union federation. In the past, a lot of the parts of the federation were also federations themselves. This led to a very weird power balance. Because every member organisation of the FNV had one vote. There was 16 of them but 3 of them had 2/3 of all the members. These were also the more radical ones, or I wouldn't say radical....more principled, let's say. Therefore, in 2010, when the politicians started changing the pension age, there was a big clash in the union. Because parts wanted just to fight it, tell them to fuck off, don't take anything, and the other wanted a compromise. In the end the compromise side was bigger, which resulted on parts of the union going on demonstration, like against other parts of the union, which is not good. So we said, ok, we need to organise ourselves differently, this is just going to blow up. So this led to the merger, which was basically the restructuring of the three biggest unions: the industry and service one, the construction one and the public sector ones. They split themselves up into sectors within this merged FNV. So there are different sectors and a parliament where all the sectors are represented, but also the small unions which didn't merge and are then counted as sectors, and have similar size. It's a way better structure. But with these platforms, it's always something that didn't exist. So you don't have a structure yet. So how it goes is, you have this bunch of workers, and they are mad, and maybe they call themselves the union, maybe they don't, but they are somehow involved with the union, the union sends some people there, works out their working hours, and then those people go there and organise actions. There's not much democracy in actions, that's not how actions work. You need to have a few people organising, gathering the people, finding the strategy, and going.

This part is not about building democracy, this part is about building power. And once you achieve that, you obviously already have a committee with a few people who represent the rest, and who are kind of the leaders, because they take the responsibility, they talk to their colleagues. And this is how it also goes with Deliveroo. But then the question is, you need to formalize that, and you need to formalize that into actually a union body, rather the Riders union body. And this is already where this challenge comes. And we are putting more and more attention into this. It's really one of the questions on our agenda. Because these campaigns end, and you need something that sustains itself, you need empowered people, and organised people, so they don't need a full time organiser pushing and pushing. And this is the question of democracy. And we are addressing it, but there is not a definite answer now. But yeah, I hope that there will be. But still you see, even in the traditional so to say parts of the union you have the split, you have the *werkorganisatie*, which is the people who work for the union, and the *leide*. There is always a problem with the democracy. So just to tell you how I do my work: we have this campaign, and I like democracy, I think you should really do things with people, but I have fulltime time: tomorrow we're going to *Gemeente* in Haarlem tomorrow and we're going to give a talk at the meeting, I am going to write that talk, someone else is going to read it. I will sit with this person tonight, and go through it. And other people are not going to be involved in it at all. And I don't think they will be mad about it, because we know what our general strategy is, we agreed on that and so on. But, it's just that, within the amount of work you do, you get power, right? So this is always a theme. And I think, especially, with these platform workers there is a potential to be more democratic, because they are less approachable by union members like me, so by definition, the work has to be done by others. So I think there is a lot of potential there, so as you said, I agree, this needs to change. And, the thing is you have some in a traditional strike, you can only vote for the strike if you are a union member. But maybe we should also change that. We can make a committee of all the people who are a part of the action, and everyone who is can have a say. But on the other side, you also want people to be in the union, you don't want much free-riding you know. But with the Riders Union, it worked kind of organically, because people were joining. But everyone who went on a strike, he or she was a member of the union.

What would you say is the role of trade union? What it is, or what it should be?

A union is workers who organise themselves to fight for their rights. That's what I tell everyone. And if a union is big enough it can hire people to be professional, and to be good about it. That's the idea. But in Holland the FNV is really big. They say unions are outdated,

but we are the biggest democratic organisation in Holland. But then, this means that the union is also really institutionalised. So, in Holland you have this whole Polder model, social partnership. But this was also at the time that unions were stronger and there was this threat of socialism, which made employers and politicians say: here, we'll give it to you, it's fine. When that changed, things changed really quickly. Basically, the real wage level is the same as in 1990s. Which is just insane. And this is tied to the unions being social partners vs. really a fighter. And in FNV we realise that. And we are quiet open about that this has to change. One of the most important things I was trained with was that there is no shared interest between boss and workers. Because the boss takes what the worker makes, and the worker wants more of it. And there is not shared interest there. That's very important. Right now you see that the social partnership institutions are more and more failing. Because the bosses only want to cut, to flexibilise and to cut. And the union, at least the FNV, says, we are not going to accept any deterioration. We're not going to sign for anything going backwards. Ever. So a lot of the things, we just don't sign them. And then comes the next question. Can we fight them? And the answer is no. We cannot fight them, we are not strong enough, our membership is not activist enough, and organised enough to stand up and fight. Which leads to the situation where more and more bargaining agreements are done without the FNV and the unions. It's legal to make not a collective agreement, but something similar, but just applies to your company. But that's fucked up. But the FNV says, if you're not going to give us any serious pay increase, only deterioration, we say fuck you. And then we go to the members and then do nothing, and we lose. And that's something that's happening. And the answer to that is basically to fight harder. But that's a long process. But you see now for example in the pensions they want to individualise the pension system, which is horrible. And the union is going in attack mode. There is also already an advice from three years ago from the SEC to go that way. And the FNV signed it, but we are still fighting it now. We are doing actions. This is great. And this is also happening with the flexibilisation. There were talks, and the FNV said "Bye - there is nothing to talk about. We'll see you in the streets". And this were we need to go to, and this should be our role. And we are more and more aware that that is our role and we should take it. But the people like when the union just does things for them. It's easy. But we need to convince people that that is the reason for this situation. Don't tell people it's their fault because it's not, but it's also not the fault of the unions. But we need to fight, that's our role.

What would say the major differences between the FNV and CNV are?

Well it's the Christian ideology, I don't consider the Christian trade unions unions. I consider them fascists. I am strong worded about them, but I really hate them. But I was in the supermarket union and they just signed our rights away. The only thing they had to do was not sign. Their ideology is very different. It's the ideology of social partnership, it's the idea that we are part of God, and we need to build a God's community here. And to me that's actually fascist. Just they (fascists) don't talk about god, but about nation. And that's the same ideology and the same unions that the fascists built. So, no, fuck them, no sympathy there. Their role always differs. They would always be the less radical ones, but often they also say radical things but don't do them. I don't think there ever was a strike initiated by the CNV. There has been a lot of strikes where they were involved. For example in the metal industry, CNV is reasonable, so they strike with FNV. And that applies to a lot of sectors, but they are always the weaker link. Two years ago they said: this year we will not strike. I'm sorry but then you're not a union. It makes no sense to say that.

What about the good sides of platforms? Could the technology also be used for something different?

Well, I think the technology can be used for good if it's in the hands of the workers. It's always a power question. The thing is what does it do? The platforms? To provide the level of security, you need a contract that is not within what the platform economy really is. So if you apply the technology in a traditional worker boss or worker cooperative, that would be awesome. But that's not what it does right now. We need to use technology of course. There are always people who say technology is bad, but I say no, it's because of capitalism that uses it to fuck us over. Technology is good, we need to work less, so we can get more stuff done. The problem is the power relations within our society. If we can address them, we can use the technology for the greater good, but right now we just use it for profit. But to get into details: then you would have the Deliveroo riders on a flexible or even fixed minimum hour contract with Deliveroo. It wouldn't be a platform, a peer-to-peer model. So that part of the platform economy, I don't think it's useful. The technology behind yes, obviously. But that's not what characterises it.

Interview 2

Interviewee 1: Organising trainer FNV

Interviewee 2: Enforcement department FNV

Date: 11/5/2018

Duration: 1h15m

What is your position within the union?

R1: I'm an organising trainer. I'm an organiser from the US, from the SEIU. My job is to help the FNV in a variety of capacities as it tries to transition back to a more activating mode of working instead of third party unionism.

R2: My role is as following. I'm from the enforcement department. We are busy tackling constructions on the labour market. Stuff that shouldn't be happening but is happening. Me and a couple of colleagues of mine are temporarily lent out to FNV Jong – the one that is doing the project on the Riders Union. My job is to look into the constructions, to do the calculations. I'm also partly organising and giving input for policy. So it's a double role.

How would you describe the biggest challenges of flexible labour markets? What are the unions doing about it?

R1: So for the workers the issue, on the one hand, people who don't have a lot of education, or who come from another country and don't know the language, the flexible labour represents an opportunity, but it's an opportunity that is sort of a false friend. You can never get ahead. The way this business operate is that it seems like as time goes on, as companies accumulate power over the workers, over the consumers, the data, the worker positions gets worse instead of better. That's my perspective on what it means for the workers. For the union, this is a very different way of reaching out to workers and bringing them into motion, because there are no work places, you have people from lots of different countries, you have young people, old people who have burned out. It's much more like what we have in the US, this ever changing workforce, it's not what they're used to here.

R2: what I saw, for the workers, platform workers are the most extreme form of what we already knew in NL, the flex workers. You have the temp agencies, but it's the least amount of security. Right now they do have the right to salary of fix workers. But because their position is so vulnerable, they are no in the position to claim these rights. Flex workers are generally

more exploited and underpaid than regular workers. And what you see is that platform companies are using the rules that are already there and even combining it with freelance work. Our whole point is that this is not freelance work in the right sense of the word. Because they work in a way that is similar to normal employees, but they don't have the rights. So that brings me to the perspective of the union. The union has managed, to a certain extent, to organise these workers. But I've noticed to do that successfully, you have to go to them, to their world, their issues. Even more than normally, because they don't have a building, a normal meeting place, the canteen. But we have a situation where 80% percent of the company have normal contracts, and 20% are flex workers. And you organise the 80% successfully because they have no fear of getting sacked. So, at the end, if you have a company with 100% platform workers.

What parts of the union are dealing with platform workers? Is there a particular department for it?

R1: The FNV is an organisation, and most of the unions are affiliated directly.

R2: We have the intention of all parts, joining in one big union. But right now we still have parts, which are only affiliated. Those are the parts you expect, the military, the seamen and so on. Most of the others are part of the FNV as one organisation. Within that organisation we already had the discussion of who should be the one concerned with flex workers. We have 4-6 hundred union officials, and the classical structure is that every one of those people has certain number of companies in his or her account. So anything that happens in his or her company is divided in sectors.

But what we also have is three officials specifically for flex workers. And we used to have this discussion a lot. If for example a company has 30-40% fixed workers, 70% flex workers, but the fixed workers are the traditional base, those are the ones the traditional officials deal with, and if the flex workers have issues, they can just say "ok, those are not my people, they belong to the flex official". But then we made the official decision that we should look at this like the following. There is a company, there different levels of workers, they all belong to the official for that company, and even if they are not officials yet, we could see them as potential members. This is still a struggle with some sectors, some do it better than others. Platform workers are just the most extreme form. If a company has 100% platform workers, this leads to the discussion, should we do this at all. Some people say that this is so flexible that [organising] is not possible. But we don't agree.

R1: There's also a congress resolution that says that every sector should take on the platform economy within that sector.

When did the platform economy become an issue?

R1: It was relatively recently. 2016/2017. There was a union campaign, like a brainstorming event, where various groups gave suggestions for a concentrated union campaign. And Deliveroo was one of the issues. They didn't decide to go with the Deliveroo campaign at that moment, but they were already thinking about the platform economy.

A: Before that we already had Uber. And it was mostly seen as a problem for our traditional members that were the taxi companies. So it came into our picture. But the idea of organising workers in other platform companies, I think that came later. After 2016.

R1: What is also interesting here, compared to countries where the unions maybe don't have the same institutional power, is that the employers see the platform economy as a problem. So they come to union in some sectors, informally, saying you know, we need these companies to operate under the contract, this is creating problems for us, this is undercutting us.

R2: We have the largest organisation of temp employers, the ABU, their chairman sees as a problem. He says we are flex companies, and we might not agree with the unions on that, but at least we acknowledge that we are employers. There is a CLE, we might not agree with the content, but there is still a contract. TEMPR for example is a market place for temp workers. But they don't have an office or personnel. They are working cheaper, but still get 6-7% of everything that happens. So this is a threat. But also for traditional temp agencies. And Uber is a threat for traditional taxi companies. So we have some unlikely allies.

What would you say are the unique challenges of the platform economy?

R1: It's more of a mind-set issue. People are more... they understand the concept within the union that you need to talk to people, to temp workers. That is more acceptable. They might not be comfortable doing it but the fact that it should be done is acceptable.

R2: The next step should be made with the platform workers. I can say that our concern is that not everyone within our union is setting the step. In relation to your question. I am now doing research about the different platform companies, and what I see is that Deliveroo is not even the biggest issue yet. It doesn't acknowledge that it is an employer but it is acknowledging that it is a company, a commissioning agent. This CA in relation to free lancers who are working

for them, although we do not see them as freelancers, we think they are employed. But the discussion is whether they are free lancers or employees. But what you see now is that there are platforms like Tring-Tring. If you look at their contract they are not even acknowledging to be a legal person! They don't even have a registration in the chamber of commerce. What they say is "Oh we're just a bunch of guys and girls that invented a piece of software, it's just a digital marketplace and they are all free people on that find each other, in exchange for providing this market place people give us 6-7%". So sometimes they don't even have offices in the Netherlands. So this is, legally, a much more challenging construction to tackle. It also starts with people, people who work for them, so we need to start we them, and try and organise them, to prove that they are workers.

R1: I'd like to say more about how that works out for the workers. So one of the problems is taxes. Because they are not working under a real construction in the Netherlands. So we sat down with a guy who worked for them. He needed to know whether he was an employee or a freelancer. He could not get an answer. He would send them a mail saying I need to do my taxes, am I an employee or a freelancer, and they would say neither. And he would say I have to be one or the other.

R2: And he really gets into trouble, because he has to say something.

R1: He had a fine of 5000e he had to take care of. So we just said he is going to write he is a freelancer, because he doesn't seem to be an employee. Then he has to figure out if the company has already paid the BTV, the sales tax. The company claims that they already paid the sales tax for the employees. That is not legal in NL. And there is not appearance because he just gets money in his PayPal account, when he delivers something, so there's no evidence that the sales tax has been paid. And if you mess up the sales tax in the Netherlands the police are going to be at your door. So he has to go through, and figure out how to calculate it, and they will not answer him.

Generally – what are the regulatory changes that are preferred by the union? For example the third category solution?

R2: The union has a paper on this. The official position is that there are only two groups. Employed people and free lancers and everything between has to be even here on there. And the politics is that there should be an even more clear line. But there is a discussion in society, mostly fuelled by the companies, and inspired by developments in the UK, to create a third category, somewhere in between, in UK they call it the "workers". On the one hand I do

understand the wish to create a category for everyone. But what is their motive? You get a category that has less protection in the labour law and less right for the minimum wage etc. than the regular employee, but also doesn't have the income like a real freelancer. So this is an option that works only for the big companies.

R1: From my perspective, most of the flexibility that these companies want is scheduling flexibility that can easily be accommodated in a normal union contract with regular employees, there's no need to sacrifice their rights in order to have the scheduling flexibility.

R2: True, we have the zero-hour contract, we have the min-max contracts, we have the possibility, if you are working for temp agencies you can have 5 and a half years of flex work with a few obligations as an employer. We were already not happy with those, but why create even more flexibility and insecurity. The argument they use: one, they say the people themselves want that (and that is not true), they have the fake surveys with suggestive questions, asking people if they want more flexibility, which people don't understand really. Then they show the results and say people want flexible contracts. You can have flexibility within existing contracts. And one more thing, they usually do these surveys with young people. And in the Netherlands, flex is a cool, hip word. Once they finish their studies, however, they look for a house, a family, etc, they look for more stability in their life. Then they are realising what the other side is. It's that I work when I want, but they call me when they want me, up to 60 hours a week sometimes. And if there is little work, they don't call you at all. That's why we, as unions, call it insecure work, and not flex.

Is there an official strategy on the level of the union, towards the platform economy, or is it more down to the people working on the things?

R1: There was a person in the board of the union, the *Bestuur*, that had a working group on this, but she resigned so that offer is put on hold. But, there are people who are thinking, should we connect this, should we make this bigger. The platform economy, does look different in different sectors, and not all companies behave the same way. But there are some similarities. For instance, the Riders have used telegram to organise, and that seems to work well in the platform economy in general. Uber, *Thuisbezorg* etc.

R2: As I said the classical place where workers meet, used to be the canteen, it is now the digital communication. You have to be able to organise digitally, that is one of the lessons that we learned. What it used to be is that you had to talk to everyone in person.

R1: When we were striking, if we would get someone's contact information on *telegram* we would send them a text on the day of the strikes, and it worked!

R2: Yes, it makes for a new opportunity to meet people, and maybe even get new members. The logic was usually the other way round, what the colleagues were used to. This also creates challenges, but also opportunities.

Is organising still the main tactic? Or media and influencing workers?

R1: It has to be both. And I don't think it is that hard to organise platform workers. You have to do social media, you have to do strange hours, weekends and evenings, but once you start doing that the workers are actually hungry for community. I find them easier to get into motion than workers in the workplace.

R2: Also something I found, they are usually free-spirited people. There is a reason they do this and in a supermarket or something with more surveillance. This works in our favour. If it's the weekend, the weather is bad or it's the holidays, it's usually when the food companies are most active. You can then find a lot of workers on the street. You can stand on a street corner and speak to maybe 30-40 people. Not all of them will become members of course.

R1: We were actually getting, during the most intense period of the Deliveroo campaign, 3 out of 4 people who would contact would join as members of the union.

R2: Yes, you just need a couple of good people, at the right places. Like Amsterdam.

What are the other groups that are picked up by unions?

R2: Yes, we have Uber drivers, but it's slower than Deliveroo. Because Deliveroo is more new. And most of the taxi drivers in the Netherlands were freelancers in the first place. But they were freelancers with one of the big companies. The way that operate is like companies with employees. That was the status quo. Then came the new version, like Uber and Lyft. These Uber drivers are sometimes hard to get to meetings, like Deliveroo, but they themselves have a large telegram group. But you have to have people who get the vibe of the group. So maybe do something more fun, flash mob, parade or something. Find other ways of attracting people.

R1: We have spoken to other platform workers as well, during the Deliveroo campaign, because there is a lot of cross-over, people working for one company switching to the other, or working at both. But in the rest of the union, efforts towards the platform economy are limited to sort-of air campaigns or legal issues. But there is still a lot of crossover.

R2: We already had the thing you have in the US, with people working lots of small jobs in order to earn enough. What you see with platform workers is that you might see people working for cool blue during day, and after 17:00 they switch to delivery jobs, and maybe even on weekends they work for Helping or something like that. All these things together generate a minimum income.

R1: They may also do *Deliveroo* and *Tring-Tring* and then do *Tring-Tring* when they are mad at *Deliveroo* and vice versa. The jobs and working conditions there are a little like the Wild West, usually the marketing professionals are really good in the platform economy, and the backend people, the HR, they are really bad. So they may not have insurance even when people are employees. Or just change terms and see what happens.

R2: And they can be very bad. So for example on King's Day, every one orders food that day, so there are more bonuses, so they draw more people to work, but then they say "oh this was a mistake, the bonus will be lower" and they already solved their problem. What I also saw, talking to Uber drivers, Uber presents their model as, if you work more you can become rich. But the drivers I have spoken to, they usually drive, not only for Uber, but another taxi company as well, they have to work up 70 hours per week, during taxi times, which are also evenings, weekends. And they say have to do so like that to support their families. And the percentage of relationships broken like this is high, there is not life, no spare time in this work. We see it also in telegram groups, people are online during the night.

R1: This also interesting with people who work in the platform economy in other cities. So we noticed people who live Almere and are going to Amsterdam to work. They get called by the company during busy hours, but then they show up and there are no more orders. So they go back home and pay a ticket. So it's even more vulnerable.

R2: What I thought about now are also some bits and pieces of our labour law, like the part about time. It is written and it is only applicable to employees. So right now you have people working seven days a week, but because they are free lancers it is not applicable to them. And that has really high impact on health and safety. We have research showing that life expectancy is much higher with standard factory workers.

R1: There are problems for all platform workers, but riders are especially vulnerable. They work fast and have physical problems, because the faster you work, the faster you finish. And that creates problems.

R2: People are also not protected from themselves. We saw minors working for as much as 11 hours, just to make as much money as possible, but in a normal situation, the employers should mandate breaks. But they don't.

Are those problems only due to their freelance status?

R1: Yes, but it's a problem for the workers as well, not just the freelancers. It is already evident in the way the apps are designed. They are set up in such a way to pressure you into it. If you don't respond, your rating goes down. So they feel pressure. They feel pressure if they go to the bathroom, their rating is going down. If they shut off their app, they don't get payed. So there is pressure from the app itself, a kind of control that doesn't exist normally.

R2: One of the riders, they call this the *Pokémon* generation. We are always on our smart phones and platform exploit this. So I thought this is just something about the young generation. But then I had meeting with Uber drivers, and they are all around 50 years old. But they all have two smartphones, they look at them all the time, they are nervous, and they are so into the app, from the fear of losing clients.

How are the platform organised within the union? Is only in terms of sectors?

R2: Normally, yes, for example with the *Über* drivers. But sometimes we're not so sure. For example with the riders? My understanding is that they are on bikes, which means they should be under transport contracts. But the department that first made the contact was FNV Jong.

R1: Yes. Transport was not interested. They are mainly truck drivers, that's their base. And this is a very strange thing for them.

R2: Legally it's their backyard, but if you look into their base, it's different, it's mainly truck drivers.

R1: This also doesn't fall into the group that FNV Jong normally organises. It is mostly people who don't work yet, or have side jobs. And this is a side job for some people. But there's quite a few people who do it as a full time job.

R2: And especially in Amsterdam.

R1: So that might have been a misunderstanding on the part of the FNV Jong when they reached out to the riders. They thought they're just young people, they are cool, and the FNV Jong can then fulfil their part of the resolution on the platform economy. So I think it's great they did it,

but it might have a bit of a misunderstanding. And in Amsterdam, which has the most platform workers, they are not young people.

One more question: are there legal problems with organising freelance workers, in terms of anti-trust laws etc.?

R1: you can do the wage floor and contract.

R2: We can organise and we can speak for the freelancers - that is not a problem. But the problem is with the competition law, as soon as we start talking about the minimum tariffs, and what is and is not a freelance. But the anti-competition agency says that cannot be done. We have some tariff agreements, and it's justified like this: if you come below this it's no longer self-employment.

R1: But the union doesn't only look into the rate.

R2: True, the rate is only one of the things. Someone in my opinion can still be a false self-employed with a big tariff, you should look into the way this person works and is instructed, and the freedom he has or not. For example the Dutch tax authority has a list of criteria through which they judge whether someone is a worker or not. Unfortunately, you have a deficient between the labour law, the tax law and social security, three ways to look at the problem, so they might be that someone is labour-wise a freelancer, but the other two don't think so.

Do you see the platform economy expanding more generally and taking over "normal" jobs?

R2: Well, yes. But the difficult thing is, and I talked about this with a colleague of mine who works with the flex workers, in 90s and 80s we had a same dilemma: you can't know what you don't know yet. So the question now is which jobs are possible to platformise. We knew about *Über*, now we have *Deliveroo*, and then we found stuff like *Helpling*, where you can hire house cleaning.

R1: That's going to work. Babysitting, cleaning etc. The meal delivery ones might not stay, the market place is cut throat, and none of the companies are making a profit. Only the ones that are providing the software and not the delivery itself profit. The only way to make it profitable is on smaller model or just take over the restaurants, make their own.

R2: *Tempur* is right now focusing on restaurants. But they are doing what a temp agency does, providing workers to all sectors – teachers, call centres everything. So if that is possible with

temp agencies, it is also possible with platforms. The problem is, where does the working sphere end? And with temp agencies we set the boundary. But with platforms we have the same discussion again. Theoretically you can platformise anything.

Do you see the unions stopping this?

R1: No.

R2: No, not the platforms as such, but we have to organise people. This is how the unions started. Organising the workers on the docks, the harbours waiting for piece work, that can never be used as a reason not to organise.

R1: Yes, and I think it's critical not have this third category. The in between one. Because the erosion of worker's rights you see here with bogus free lancers, it does massive damage to the ability to have solidarity, to bring workers into motion, to buy into the importance of a social safety net. And the structural damage that it does to ability of workers to have a decent standard is massive. And if you create this category is going to be worse. Just look at who is proposing it: it's never the workers, it's the companies, who are having problems with their bottom lines. They say it is a great opportunity for them to strip these securities and protection which cost money.

Finally, what is a trade union according you, what should it be?

R2: A union should be there for all people who work, want to work. So very broad. To organise them, bring their differing interests together in one large force, group, community. This is a way to achieve that against companies or states, or any groups which are powerful and already together. Divided we beg, united we bargain!

R1: I always thought about union as an organisation for people who do work, fighting for justice. That's it.

Interview 3

Interviewee: Policy Advisor, FNV

Date: 30/5/2018

Duration: 1h

Describe your position within the union?

I work as a policy advisor, for the construction industry. Last year, there was a special project on platform work and its consequences for the workers. That's why we made the paper. From then on it was a little bit quiet. This year we will give it more attention. We delivered the paper, but that's kind of where it stopped for now. But, some colleagues, especially the ones that organise young workers, they organise the Deliveroo workers. There we could see, most of them are not organised, have low wages and they are trying to make them self-employed and those things we don't want. That's why we had FNV Jong working on it.

The union policy is that each sector deals with the platform economy its own sector, is that right? Are there challenges in your sector?

Yes, well you talk about the platform economy, our paper was on platform work. It's a part of that economy. The platform organises workers, and we focus on that.

That is interesting, because in our sector we don't see that much involvement of platforms – yet. I asked the union officials from my sector about platform work – at the moment it's not clear. But in other sectors it's clearer. So what we did was kind of an overview, or a warning for the union officials. Telling them to look in their own sector.

Do you see platform spreading to all sectors, or is just for some sectors?

I think it's possible to spread across all sectors. And I think people who are developing platforms are just, let's say, trendy. They have an idea with a new technology to arrange work in a different way. And they just started it, they tried it. I think when you take a look at the sectors, a lot will be possible. Till now, we have many self-employed, and temp agency workers. But it's also possible to make a platform out of that.

A lot of the discussion on platform comes within flexibility?

I would say it's hyper-flexible labour. Because it has the ability to hire and fire people at will. There is a difference between work in, let's say, Deliveroo, you have to be physically present

for that kind of work. But there is also a different kind of work. It's on a world scale. And that's hyper flexible. For example, you have a task, let's say a translation, and you cut it in different pieces. And that work can be done at a very small price. But the workers are divided. We say, when you introduce small tasks it is not good for the workers. Why? Because you don't use the competences that the workers have. This is a new kind of scientific management. When you use the platform work like this, it is a new form of scientific management, in a new era, with new technologies. The principles are the same. When you use people for a small task, you can lower their wages. That's what we call a race to the bottom.

What's the role of the unions in this story?

We want to put this process on the agenda. Warn the workers. We also want to warn the union officials to look at their own sectors. When you cut all the work into small pieces, introduce flexibility, in a new, modern way. I saw that there is an app for the restaurants, and this is a good example, I told the union officials for those sectors, and they didn't know it was happening. For some of them it's completely unknown. That's, I think, the tragedy of unions, always look at the negative aspects. We see lower wages, self-employed, etc. But you can also look at the positives, for some people it is hard to work in the labour market, they might find a job like this. That's the other aspect. It is difficult to see the outcome of this process.

Let's focus on the negative sides for now. The impression is that they are mainly labour law issues, and seeing how the workers are classified? What are the regulatory solutions?

Our government doesn't want to regulate this. We talked with the ministry of social affairs. I don't think they have the intention to regulate this. They say it's the market, and it will resolve itself. Perhaps the EU can help. I don't know. The negative effects are also on the income. The platform workers don't have a minimum. The social security needs regulating. The working hours, working time needs regulating. Now delivery is working on it a little bit. Because you are not insured. When you are a professional you are supposed to pay your own insurance, and that's a problem with the riders, it's too expensive. Next, the problem is privacy. The platforms, they gather a lot of data, of the costumers and riders, but what is going to happen with the data? How are the algorithms dealing with the data? There are few aspects which are not clear at the moment. Our position- we are not enthusiastic about the self-employed – if you are on the pay list you are the worker. And if you look at the riders, for example, they use the clothing of the company, they get instructions. So we believe there is a kind of a relationship between the

platform and the workers. When there is a hierarchy, when there is a boss and a worker, then you are an employee. And that means you have rights, according to our labour.

Does that mean that, at least in the short term, the idea is to classify workers correctly? There are also some examples of introducing the third categories, between workers and self-employed. How do you see that?

We are not enthusiastic about that. We say: there are three categories: workers, self-employed, temp agencies. And that is enough.

Could we then say that the regulation is already there, but the platform companies are just avoiding it? How should the union deal with that?

At this moment we are thinking about different strategies. Organising is one of them. But there is a lot happening in the platform work. So we say we must know what is happening, it is going really fast, and I think we only know a part of what is going on. So we need to know more. But then, step one – organising the platform workers, which is not easy, because they are not working together, they work as individuals. From time to time they meet each other, but usually, they don't. The question is how we can organise them. The next one is litigation, bringing the case to court. We also want to have discussions with the platforms. Finally, we want publicity. I was also suggesting making a rating website for platform. Like the German unions did (faircrowdwork). Like for example AMT, the workers can complain this way. That's a kind of warning.

Would you say those are non traditional union activities? Are those activities more important than the traditional ones?

I don't know. As a minimum, we say, you must earn a minimum wage. That's how the labour law in our country works, and many of the platforms are not doing that. So, it starts with organising collective action, for minimum wages. And make clear what they are paid for. Because if you look at it, you get paid by the platform, but you also need to pay to the platform. When you get your wage, you need to deduce all this stuff from it.

Let's talk about the timeline, when did the platforms first appear under the union radar?

It started with some colleagues of mine from the policy department. We saw the movements in the labour market and we made the paper, we tried to put it on the agenda. It's the normal way. You look at the market and say this is big for the union, we have to look at what is going to

happen. Still, we are just a small group. And I am not sure my colleagues, the union officials, understand the impact of this all. They still think that a collective agreement is a major part of what they are doing. And the platform economy, until now is not a part of the collective agreement.

So is that what you tell your colleagues, that these developments are outside of the collective agreements?

That's what we tell them, and we are trying to look together with them in their sector. For example in taxi division, there union representatives who are very aware of these problems, and they have made in their sector, their branch, a kind of a plan. But this out of the more enlightened union officials who see what's happening.

But maybe in some sectors the core members are not endangered? Maybe that's why there is less involvement. Like in the construction sector?

Well in the construction sectors it's different. You don't see much of platform work. But you see a lot of workers outside the collective agreements. The same amount of workers is under it, same amount is self-employed. There huge differences there. I don't know about sectors. I think, we want to make connections between the different groups. If you don't make that connection, you have the race to the bottom. Because it is always possible to work for a lower wage. That's something we have to avoid.

How should unions work to achieve that, is it more of an organising issue, or a regulatory one?

I don't know. It will be nice to have them under the collective agreement. But there are also platform workers who want to be self-employed. And I don't think we as a union should say what kind of a labour relation you have to work. But we have to make a bottom line. You have to earn enough, be a part of the social security, that's are bottom line. We have to find a best way to organise them. I would say it's kind of a journey. We need to see what the workers want, and what we as a union can do about it. When I look at Deliveroo. The riders were not happy with Deliveroo making them self-employed. And, with our help they organised themselves. We cannot organise all those individuals, but if they want to organise, we can help. It is better that they do it themselves. With our help, we have the expertise, the knowledge and people who can help them.

How do you see the future of these strategies? Is collective bargaining a future goal?

At first, the workers need to recognise they are vulnerable, especially with the wages and social security. I think we live in an era where lots of people think they can solve their own problems. But I think, to a large part that is not true. When you are an individual against let's say Deliveroo – it's a start up, it's a big multinational. Lots of workers don't realize they are dealing with a big multinational, we a HQ in London. They are deciding there how much you can earn here in the Netherlands. So personally I think it is very good to organise, to show them that if they want to have some influence, they have to organise themselves. Ok, we can bring cases to the court etc. But I think those people have to realise they have to organise.

So organising is still the main strategy?

Exactly. That's how it is for the last 200 years. When everyone was self-employed 200 years ago, there was no problem. But when people started working in factories, the owners used them for their working capacity. They didn't want to pay too much. That's just the system. Ford, for example, new that if you pay the workers a bit more, they can also buy something, that's what makes the economy. But now, we have the share holders. And the only way to have counter balance is to organise workers, and show the big companies, we are a countervailing power, and we demand more.

Is it a bigger challenge now then before?

Yes, it's a bigger challenge. All these workers are individuals. It's harder to organise them. With factory it's much easier. And the platform workers, they have to be lucky to meet each other. They meet each other on the street, in the restaurants. But usually, it doesn't have to be so.

It order to have labour relations you need both sides. What happens when the employers, the tech companies, deny their role?

Yes, that's their strategy, to say "we are not employers". That's the same everywhere. They just say we are bring supply and demand. We say "you have your responsibility". That's why we bring it to court. WE want the judges to say if it's just a tech company or if there is an employment relation.

How is that working out? Are there any decisions?

It's still in process. We told Helping we are bringing them to court. Personally, I think we should we should organise also the public opinion. Because when you order a meal, we say the

person who brings you the meal should earn a normal wage. And you as a consumer should realise that you're supporting a system with things we don't want.

Are there any campaigns in place, or is it for future?

For the future mostly. But we already had it with Deliveroo. In Haarlem for example, riders were organised, giving soup to passer-byes etc.

Is there enough attention among politicians for this?

Some parties yes, the left-wing ones. They are interested in it. But the government are right-wing liberals, and in my opinion they are not interested at all. So it's something to fight for outside the parliament. I think with this government, we have little chance. Out of parliament, public opinion, bringing them to court. Perhaps on an EU level. But we know are government when there is a regulation from the EU, our government doesn't listen. Perhaps we should make a platform for the platforms. Like IG Metall.

There are sometimes views that unions are outdated. What do you think the role of the union should be nowadays, in the 21st century?

Outdated, yes, I can understand that. As a union we are not always good at following the new trends and developments. A lot of people say we are against something. Are we against technology? Good luck. That's not reasonable. But we can look at the technology and say, we have some demands about it, about the quality of work, the wages, the conditions. So let's look at those developments from a labour union perspective. And then we have something to say. In a way we don't want to go back to 19th century. We want to be a civilised country. And the employers have a different agenda. There are good employers as well. We need to look at them, they are friends. There could be good platform organisations as well – we should look at them and set them as an example. And make use of modern technologies ourselves. Very slowly, we are thinking about it. I think it is good to use technologies to organise workers and inform them. Or make flash mobs for example. Or online petitions to influence the politicians. We have to explore all these new ways of organise to people.

So, for the last questions, what is the responsibility of unions?

A lot of people think that stuff like the wages or employment standards are given. They don't see the role of the union. For example the collective agreements – they think it's just there, like the weather, it just happens. But it doesn't just happen. There are a lot of people, my colleagues,

who are working on that. That is also good for employers, it's easier. I still think unions are necessary but they have to modernise themselves, which is a really difficult internal discussion. Sometimes maybe we need a lean collective agreement. Make it more specific to a company.

But for the platform economy?

On a sectoral level. Otherwise you get a race to the bottom. But that's a short term policy. There are of course people from other countries that earn less, they would work for less. But still, with our wages, we can buy things.

I would just add that platform usually present themselves as start-ups. And start-ups are good, but if you look at companies like Deliveroo, they are just not a start-ups, they are a big multinationals. I also think that delivering meals is not their biggest interest, it's a coincidence. They are about collecting data. When they have data they can deliver lots of different products, not just meals.