



By email to the Members of the European Parliament

16 January 2023

Re: Platform work – European employers encourage the EP plenary to play its role

At the initiative of MEP Skyttedal (SE, EPP), the European Parliament plenary will vote on 19 January on whether the EP Employment Committee did the right thing when deciding last 12 December to proceed directly to interinstitutional negotiations, without a vote in plenary.

We communicated to the members of the EP EMPL committee our key concerns with the draft EP report prior to the vote held on 12 December.

We recognise that the compromises that were adopted by the EP EMPL committee included some improvements, for example the narrowing down of the definition of “automated monitoring systems” to automated systems only, leaving out broader concepts of “decision making” and “semi-automated systems”.

However, our key concerns remain with the way in which the draft EP report, as agreed at committee level, articulates the rebuttable presumption of employment. In particular, leaving it to individual platform workers to trigger the presumption, without any suspensive effect for the rebuttal, is simply not a responsible solution. A responsible solution should not be politicised but provide the basis for all Member States to secure, while respecting common European rules, the necessary clarity as regards the classification of platform workers as employees or as self-employed based on diverse national law or practice.

Therefore, we encourage the EP plenary to decide on 19 January to play its role by opening the way to the consideration of amendments in plenary based on the version of the EP report prepared by the EP EMPL committee.

This would allow for the EP and Council processes to progress in parallel in the coming months with a view to the two institutions moving closer together, in particular on the modalities of the rebuttable presumption. As you may know, the EPSCO Council meeting that was held on 8 December could not agree to a general approach receiving the necessary support from Member States for a qualified majority. Enabling this final step in the EP is the best chance for both institutions to agree subsequently on a feasible compromise in trilogue.