

A Social Ethical Approach to the Challenges of the Gig Economy

As we heard in the previous presentation and discussed in the working group, work procured through platforms is regulated by laws different from those governing regular employment.

Work found through platforms can be performed anywhere and at any time, and thus seems to be self-determined to a significant extent. Job markets become platforms and workforces converge to become a global crowd.

Companies such as Airbus, Daimler, postal and telecommunications companies, and other organizations outsource work to a large number of people. This is done through the Internet. Registered crowdworkers then fulfill these assignments. These people are not salaried employees but self-employed individuals.

Although these services are provided in a different way, they are subject to the same social ethical criteria as conventional work in regular employment relationships. The criteria for good work are applicable.

The criteria for good work from the Protestant perspective are based on the biblical message of the Old and New Testaments. This includes the requirement of Sunday rest called for in the Old Testament. Human labor is based on both interruption as well as God's creative action. "Then God blessed the seventh day and sanctified it, because on it He rested from all His work which God had created and made" (Gen 2:3).

The Sabbath applies to all people: "But the seventh day is the Sabbath of the Lord your God. In it you shall do no work: you, nor your son, nor your daughter, nor your male servant, nor your female servant, nor your cattle, nor your stranger who is within your gates" (Ex. 20:10). On the Sabbath day the person, created in God's image, is celebrated. Regardless of social status, in the eyes of God the person is not the result of his work. He is free and independent of his job performance.

The freedom of the person also manifests itself in the fact that he should have his part in the good life. And part of this is that the wages he receives for his work should be enough so that he can live on them, and not have to depend on alms.

This idea is described in the parable of the laborers in the vineyard (Mt. 20). Over the course of a day the employer in the story, a winemaker, employed several workers for different lengths of time. At the end of the day, he paid each worker the same wage. They received as much as they needed to live for a day. The message of the parable is that everyone will be paid the same no matter how long he has worked. The fact that there was no work at the beginning of the day had no negative consequences for the workers, who still received their money. In other words, the risk of the job market was borne by the employer and not by the workers. The employer assumed entrepreneurial responsibility for his employees and did not allow himself to be driven by profit maximization.

This is an aspect which has been turned upside down by the gig economy. The risks of market fluctuations and changing demand are borne solely by self-employed individuals. If there are no jobs, they receive no pay. There is no predictable income in this open market with global competition.

The world of the gig economy can enable a good life only if it succeeds in embedding anew the forces of global competition. The existing provisions of welfare and labor law are not sufficient. State social security systems must be designed in such a way that all workers can benefit from them and all clients pay into them. Self-employed individuals who earn their daily bread through platforms need lobbies that are able to negotiate minimum standards with both clients and platforms.

In addition to biblical testimony, Martin Luther's understanding of work is also helpful in characterizing good work. Through Martin Luther, human labor and secular professions are given a tremendous reevaluation. Each person is called by God to fulfill a commission. All professions are fundamentally equal since all Christians through their faith in God are considered ordained priests, and since all professions are dependent on each other and therefore contribute to the benefit of all. In all of this work the person needs spiritual times

and spaces in which he can be assured of the love of God. Here daily devotions and Sunday church services come to mind. In our times, we need diverse forms of interruption and slowing down work, of limiting working hours and availability, and Sunday rest. Work must be put into perspective and limited. Respect for work and its limitation must be kept in balance; only then will work be something good.

During the Enlightenment, the understanding of work was further developed. Work guaranteed recognition, material benefits, and political participation – in short, a good life. This promise of work held true for a long time. However, at the beginning of the 21st century at the latest, this promise was broken. The situation was exacerbated by the crises in Europe, particularly by the 2008 financial crisis with all its consequences. The social situation deteriorated rapidly. The idea that one can live off what he earns is no longer valid. To this day this is not the case even in the rich countries of Europe. Subsequently, limitations on work have been removed and the protection of Sunday as a day of rest has been relaxed. The following developments are being reinforced by the gig economy:

Wage dumping, the one who gets the bid is the one with the lowest price, no social security, and the provision of privately purchased work equipment, for example, bicycles by bicycle couriers. Removal of limits to work (which can be done at any time and in any place).

Small steps that can mitigate these risks are being discussed in Germany. As for other European countries, I do not have any information.

A significant risk for crowdworkers is social security. Until now it has been very difficult for crowdworkers to enjoy social security. Currently under consideration is a model - similar to that used for artists - according to which clients, i.e. platform operators, pay a certain sum into a social security fund in addition to the wages paid for services, and according to which a similar tax is levied on crowdworkers.

Another positive development for cloud-based employees is the establishment of an ombudsman's office at IG Metall (the dominant metal workers' union in Germany). Here crowdworkers can seek advice and network with each other. In addition, the office represents those interests that are not advocated by any other workers' organization, against the enormous power wielded by the platforms.

At the European level we can mention the European Pillar of Social Rights, which was adopted in Göteborg in November 2017 by the EU Parliament, the Council of the European Union, and the EU Commission. This stipulates that "workers have the right to fair remuneration that enables them to enjoy an appropriate standard of living." (...) "In-work poverty is to be prevented. "

It also underscores: "Regardless of the type and duration of their employment, workers and the self-employed have the right to adequate social protection under comparable conditions."

From a social ethical perspective, it is necessary to apply the requirements of the European Pillar of Social Rights to the gig economy. These rights must also apply to people who pursue gainful employment as self-employed individuals in the gig economy.

Their implementation is difficult and requires discussion. The social ethical approaches mentioned in my presentation can be used as criteria for this.

I would like to ask the following questions:

1 a) If Europe-wide social welfare standards are established for workers of the gig economy, which criteria should be used to determine them?

There are very different levels of social welfare in the countries of the EU. Should standards be geared toward the lowest level of social welfare and thereby give rise to accusations of social service dismantlement? Or should they orient themselves toward the highest levels and bring about accusations of protectionism?

1 b) Should the plans for Sunday rest that forbid platforms from being active between 6 p.m. Friday evening and 6 a.m. Monday morning be implemented?

2) In which country should the taxes be levied? In the country from which the order originates or in the country where the order is processed and the work is done? Which country's wage levels should serve as a benchmark for payment: the country of the client, the service provider, or the country where the platform has its domicile?