



**ECA**  
Piloting Safety

## ECA<sup>1</sup> contribution to the consultation on “A fair & competitive digital economy”

### *1. Do you consider that the European Commission has correctly and sufficiently identified the issues and the possible areas for EU action?*

The European Cockpit Association (ECA) agrees that the main topic is the **question of correct employment status classification**. It is important to note, as indicated in the consultation paper, that the majority of the digital platform workers consider themselves as employees. The document rightly identifies the main issue, by denying digital platform workers an employment status, i.e. that fundamental rights are violated (just, fair, safe and healthy working conditions, fair remuneration, freedom of association, non-discrimination, family life, access to social security and to social welfare, privacy...).

However, ECA believes that the Commission has not considered the **impact of incorrect classification of digital platform employees on social security**. The European Social Model and social security systems are threatened in many ways. Misclassified workers and their employers do not contribute to the social security system. Because platform workers are precarious, the social security system ends up having to compensate and helping those workers with public financed support. It is for the remaining workers with employment status and their employers to contribute to these funds that end up paying for bogus self-employed workers. This creates unfair competition conditions. As the number of atypical workers increases and the number of typical workers that finance the social security system decreases, the social welfare system is no longer sustainable.

The issue of **unfair competition with non-digital companies** is not addressed. Some of the services provided by digital platforms are identical to the services provided by companies not using a platform and employing their workers. The creation of a digital platform does not justify a different status for workers and lower working conditions. Digital platforms not paying the fair price of labour is eroding the conditions of workers and the benefits of companies that comply with their legal obligations.

ECA contests the statement that jurisprudence has not removed possible legal uncertainty of employment status for people working through platforms, or more broadly for people who are misclassified as self-employed. **There is consistent jurisprudence** – even in very open economies such as the UK – considering that **e.g. workers in Uber, Delivero, Glovo and other well-known platforms are actually employees**.

<sup>1</sup> The European Cockpit Association represents the collective interests of professional pilots at European level, striving for the highest levels of aviation safety and fostering social rights and quality employment.