

From: [REDACTED]
Sent: jeudi 18 mars 2021 09:21
To: OLSSON Stefan (EMPL); PEREIRA Ana Carla (CAB-SCHMIT); [REDACTED]
[REDACTED]
Cc: [REDACTED]
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Subject: FLASH REPORT - Meeting between European platforms (Glovo, Bolt, Wolt, Delivery Hero) and CAB SCHMIT, 17 March 2021
Attachments: SoP.pdf

Dear colleagues,

Please find below a flash report on yesterday's meeting between Cabinet Schmit and 4 European platforms (Glovo, Bolt, Wolt, Delivery Hero).

Their draft statement of principles mentioned in the report is attached.

Best regards

[REDACTED]

FLASH REPORT - Meeting between European platforms (Glovo, Bolt, Wolt, Delivery Hero) and CAB SCHMIT, 17 March 2021

Participants:

Platforms

- Ionut LACUSTA, Miguel FERRER, Magali GURMAN, Glovo
- David MOTHANDER, Bolt
- Samuel LAURINKARI, Wolt
- Christian POPPE, Delivery Hero
- Milan PAJIC, Grayling (consultancy)

Commission

- Ana Carla PEREIRA, Member, CAB SCHMIT

- [REDACTED]
- [REDACTED]

Main takeaways:

- The platforms presented themselves and their business models (all European companies mainly active in on-demand delivery and ride-hailing) and stated their interest in the EU tech conversation.

- They are aware that they need to be fully accountable of the externalities of their business models; because they are data-driven, that is possible.
- To engage with EU institutions, the platforms have drafted a statement of 9 principles covering different aspects of platform work, agreed by their leadership. After a first discussion with policymakers, this statement of principles will be made public. It will then be further developed into a book of best practices, maybe a Code of conduct, open for additional co-signers (including non-European ones) and could feed into a CEO Summit. It should be seen as an evolving policy input for the coming years.
- COM welcomed this initiative bringing platforms with European roots together as a team, despite being competitors. COM asked whether Uber is not part of the initiative due to their non-EU origin.
- COM explained the formal processes in the social policy area, with the social partners as main interlocutors, and encouraged platforms to seek contact with them.
- COM asked the platforms on their views regarding:
 - Access to social rights linked to employment status. Many court cases across EU are focussed on it.
 - Cross-border dimension and diversity of regulations in different markets
 - Algorithmic management and accountability for data.
- The platforms provided the following responses:
 - Employment status:
 - Platforms do not believe a third status is needed, but a meaningful choice should be given to platform workers.
 - Platforms have not yet found a model to employ couriers where they have the freedom to choose when to work and which tasks to accept. Employing couriers means: fixed shifts, they have a manager, the efficiency is being monitored, they cannot choose which tasks to accept etc. This would kill the gig economy. Not convinced that it's a better deal for couriers.
 - Platforms are pushing back against the employment status because it takes away flexibility, not for other reasons. They want legal certainty and clarity on the two statuses (worker and self-employed) and the reclassification risk.
 - Cross-border dimension: Platforms would welcome a high degree of harmonisation and coordination. The fragmentation of regulations is detrimental to their business models. European platforms are not interested in fiscal optimisation; Glovo, for instance, has full subsidiaries in every EU MS.
 - Algorithm management: Platforms want to be open and transparent. This should not be a binary debate between publishing the algorithms' source code or nothing at all. This is an issue of intellectual property rights. But platforms would be happy to publish flowcharts explaining how the algorithms work (e.g. for assigning tasks). The topic of robo-firing is of concern; dismissal should not happen without human control. However, as the couriers value efficiency, algorithms correspond to their needs.

- The platforms explained that Uber was not disinvited, but they want to first reflect the ideas of European companies. Other platforms are welcome to join in a second phase.
- The platforms also explained that they have engaged with the social partners, in particular SME United. Sometimes platforms are seen as killing the local economy, but they are interested in the opposite, they are hyper-localised businesses supporting SMEs on the ground, in particular during the pandemic.
- In conclusion, the platforms stressed that they are allies in the search for the best employment model. They are agnostic about its shape, as long as it is simple, harmonised and coordinated and provides flexibility. There is room for employment, there is room for self-employed work. Bogus self-employment is a problem and cannot be accepted. Fragmentation of the legal landscape and uncertainty are the biggest difficulty.

