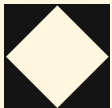


Ulrich Becker | Olga Chesalina (eds.)

# Social Law 4.0

New Approaches for Ensuring and Financing Social Security  
in the Digital Age



**Nomos**

Studien aus dem Max-Planck-Institut  
für Sozialrecht und Sozialpolitik

Band 74

Ulrich Becker | Olga Chesalina (eds.)

# Social Law 4.0

New Approaches for Ensuring and Financing Social Security  
in the Digital Age



**Nomos**

**The Deutsche Nationalbibliothek** lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data are available on the Internet at <http://dnb.d-nb.de>

ISBN 978-3-8487-7149-3 (Print)  
978-3-7489-1200-2 (ePDF)

#### **British Library Cataloguing-in-Publication Data**

A catalogue record for this book is available from the British Library.

ISBN 978-3-8487-7149-3 (Print)  
978-3-7489-1200-2 (ePDF)

#### **Library of Congress Cataloging-in-Publication Data**

Becker, Ulrich / Chesalina, Olga

Social Law 4.0

New Approaches for Ensuring and Financing Social Security  
in the Digital Age

Ulrich Becker / Olga Chesalina (eds.)

393 pp.

Includes bibliographic references.

ISBN 978-3-8487-7149-3 (Print)  
978-3-7489-1200-2 (ePDF)

1st Edition 2021

© Ulrich Becker / Olga Chesalina (eds.)

Published by

Nomos Verlagsgesellschaft mbH & Co. KG

Waldseestraße 3-5 | 76530 Baden-Baden

[www.nomos.de](http://www.nomos.de)

Production of the printed version:

Nomos Verlagsgesellschaft mbH & Co. KG

Waldseestraße 3-5 | 76530 Baden-Baden

ISBN (Print): 978-3-8487-7149-3

ISBN (ePDF): 978-3-7489-1200-2

DOI: <https://doi.org/10.5771/9783748912002>



Onlineversion  
Nomos eLibrary



This work is licensed under the Creative Commons Attribution  
4.0 International License.

## Preface

The contributions to this book are based on presentations at a two-day conference held at the Max Planck Institute for Social Law and Social Policy in Munich on 12 and 13 December 2019. The revised papers consist of five “general” contributions and nine “case studies” covering Belgium, Italy, the United Kingdom, the Netherlands, Denmark, Sweden, Spain, France and Estonia.

We would like to thank the authors for taking part in our project and their great commitment. Our meeting in Munich was not only a very fruitful but also a very enjoyable event. We look back to it now with even more fond memories, in times in which Europe is caught in the midst of a raging pandemic and measures like lockdowns and travel restrictions are making personal encounters impossible.

We would particularly like to thank *Fritz Thyssen Stiftung* for their generous financial support of our conference. We are also grateful for the help from many colleagues at our Institute with various matters regarding organisation and publication. Last but not least, we would like to thank Christina McAllister for her proofreading and corrections.

Munich, November 2020

Ulrich Becker  
Olga Chesalina



# Table of Contents

|                 |    |
|-----------------|----|
| List of Authors | 11 |
|-----------------|----|

## ***Part I: Starting Points: The Changing World of Work as a Challenge for Social Security***

|                                                                   |    |
|-------------------------------------------------------------------|----|
| Chapter 1                                                         |    |
| Social Law 4.0: Challenges and Opportunities in Social Protection | 15 |
| <i>Ulrich Becker and Olga Chesalina</i>                           |    |

|                                                                                                   |    |
|---------------------------------------------------------------------------------------------------|----|
| Chapter 2                                                                                         |    |
| Platform Work: Critical Assessment of Empirical Findings and its Implications for Social Security | 39 |
| <i>Olga Chesalina</i>                                                                             |    |

## ***Part II: Ensuring Social Security: Employment Status Classification and Innovative Solutions***

|                                                                       |    |
|-----------------------------------------------------------------------|----|
| Chapter 3                                                             |    |
| The Sharing Economy in Belgium: Status due to Taxation or Non-Status? | 75 |
| <i>Yves Jorens</i>                                                    |    |

|                                                                                                                                              |    |
|----------------------------------------------------------------------------------------------------------------------------------------------|----|
| Chapter 4                                                                                                                                    |    |
| Is the Classification of Work Relationships Still a Relevant Issue for Social Security? An Italian Point of View in the Era of Platform Work | 97 |
| <i>Edoardo Ales</i>                                                                                                                          |    |

|                                                                                                                                            |     |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Chapter 5                                                                                                                                  |     |
| Relationship between Employment Status and Scope of Social Security Protection: The United Kingdom Example                                 | 117 |
| <i>Philip Larkin</i>                                                                                                                       |     |
| Chapter 6                                                                                                                                  |     |
| Extending Social Insurance Schemes to “Non-Employees”: The Dutch Example                                                                   | 147 |
| <i>Gijsbert Vonk</i>                                                                                                                       |     |
| Chapter 7                                                                                                                                  |     |
| Collective Agreements and Social Security Protection for Non-Standard Workers and Particularly for Platform Workers: The Danish Experience | 171 |
| <i>Natalie Videbæk Munkholm</i>                                                                                                            |     |
| Chapter 8                                                                                                                                  |     |
| Looking for the (Fictitious) Employer – Umbrella Companies: The Swedish Example                                                            | 203 |
| <i>Annamaria Westregård</i>                                                                                                                |     |
| <br><b><i>Part III: Financing of Social Security: Experiences and New Approaches</i></b>                                                   |     |
| Chapter 9                                                                                                                                  |     |
| The Influence of the Platform Economy on the Financing of Social Security: the Spanish Case                                                | 231 |
| <i>Borja Suárez Corujo</i>                                                                                                                 |     |
| Chapter 10                                                                                                                                 |     |
| Social Security in the Platform Economy: The French Example – New Actors, New Regulations, Old Problems?                                   | 257 |
| <i>Francis Kessler</i>                                                                                                                     |     |

|                                                                                                                         |     |
|-------------------------------------------------------------------------------------------------------------------------|-----|
| Chapter 11                                                                                                              |     |
| New Forms of Employment and Innovative Ways for the Collection of Social Security Contributions: The Example of Estonia | 281 |
| <i>Gaabriel Tavits</i>                                                                                                  |     |

***Part IV: Transborder Perspective: The Future Role of the European Union***

|                                                                          |     |
|--------------------------------------------------------------------------|-----|
| Chapter 12                                                               |     |
| Building Up and Implementing the European Standards for Platform Workers | 309 |
| <i>Paul Schoukens</i>                                                    |     |

|                                                               |     |
|---------------------------------------------------------------|-----|
| Chapter 13                                                    |     |
| Social Law 4.0 and the Future of Social Security Coordination | 335 |
| <i>Grega Strban</i>                                           |     |

|                                                                              |     |
|------------------------------------------------------------------------------|-----|
| Chapter 14                                                                   |     |
| Taxation of the Platform Economy: Challenges and Lessons for Social Security | 363 |
| <i>Katerina Pantazatou</i>                                                   |     |



## List of Authors

*Edoardo Ales*, Dr., Professor at the University of Naples “Parthenope”

*Ulrich Becker*, Dr., Director at the Max Planck Institute for Social Law and Social Policy and Professor at the Law Faculty of LMU, Munich

*Olga Chesalina*, PhD., Senior Researcher at the Max Planck Institute for Social Law and Social Policy, Munich

*Borja Suárez Corujo*, Dr., Professor at the Autonomous University of Madrid

*Yves Jorens*, Dr., Professor at Ghent University

*Francis Kessler*, Dr., Professor at the Sorbonne Law School, University of Paris I Pantheon-Sorbonne

*Philip Larkin*, Dr., Senior Lecturer at the University of Bedfordshire

*Natalie Videbæk Munkholm*, PhD., Associate Professor at Aarhus University

*Katerina Pantazatou*, PhD., Associate Professor at the University of Luxembourg

*Paul Schoukens*, Dr., Professor at KU Leuven

*Grega Strban*, Dr., Professor at and Dean of the Law Faculty at the University of Ljubljana

*Gaabriel Tavits*, Dr., Professor at and Director of the School of Law at the University of Tartu

*Gijsbert Vonk*, Dr., Professor at the University of Groningen

*Annamaria Westregård*, Dr., Associate Professor at Lund University

