

- **Statement of interpretation on Article 12§3 - Social coverage for digital platform workers**

The Committee recalls that it put a question to all States Parties under Article 12§3 of the Charter on social security coverage for persons employed or whose work is managed through digital platforms. There may be (or there are) cases where platform work (also referred to as “gig work”) is a legitimate response to the nature of the tasks and the needs of employer and worker. However, developments in the platform economy have led in particular to a practice of fragmenting work that has resulted in contracting for services for (micro) tasks. This fragmentation bears the danger of disguising that workers perform a job and have an employment relationship by being misclassified as self-employed workers.

The use of algorithmic management by digital platforms (or employing entities) often leads to a weakening of the position of workers. In particular, platform work may have an adverse impact on access to and enjoyment of a range of rights guaranteed under the Charter for the workers concerned. This includes not least the right to social security under Article 12 of the Charter.

In order to counteract these negative effects, States Parties must take all necessary steps to ensure that all workers in new forms of employment such as platform work have a legal status (employee, self-employed or other category) and that this status is in line with the actual situation thus avoiding abuse (such as the use of “bogus” or “false” self-employed status to circumvent the applicable social security regulations) and conferring adequate social security rights as guaranteed by Article 12 of the Charter on the platform workers concerned.