

# RFAS

Revue française des affaires sociales

Multidisciplinary call for papers on:

## **Forms of collaborative economy and social protection**

For the January-March 2022 issue of the RFAS

The section will be coordinated by:

**François-Xavier Devetter** (International Management Department IMT Lille  
Douai - Clersé Laboratory, University of Lille)

[francois-xavier.devetter@imt-lille-douai.fr](mailto:francois-xavier.devetter@imt-lille-douai.fr)

and **Laura Nirello** (International Management Department IMT Lille Douai -  
Clersé Laboratory, University of Lille)

[laura.nirello@imt-lille-douai.fr](mailto:laura.nirello@imt-lille-douai.fr)

This call for papers is addressed to researchers in economics, management, sociology, political science, philosophy, law, geography, demography, and anthropology, as well as to actors in the health and medico-social field.

**Papers are due by Monday 6 September 2021**

## **Introduction**

*Following a first issue of the RFAS devoted to the collaborative economy and social protection (issue 2/2018), a seminar was organized by DREES (Research Mission) and DARES (Research Facilitation Mission) in 2017-2018 to review existing work and the questions raised. In particular, this seminar showed the diversity of forms taken by the collaborative economy and the emergence of new forms of employment and work that affect access to social protection for workers in this economy (Nirello, 2017). In this context, DREES and DARES launched a research programme, which is still ongoing, to investigate the issues surrounding this trend. It therefore seemed appropriate for the RFAS to propose a new call for papers on the theme of “Forms of collaborative economy and social protection”, to review the progress of knowledge and reflection. Another call for papers, from the journal Travail et Emploi, will be launched before the end of 2021. It will focus more specifically on issues related to the diversity of economic models and their direct impact on the forms of activity, remuneration and working conditions in the collaborative economy.*

The development of the collaborative economy and the expansion of the digital technologies on which it is based have led to changes in the consumption, production and even financing of goods and services. There is no consensus on the actual scope of the collaborative economy. Rachel Bostman (2013), who defines it as an economic system allowing direct contact between suppliers and users, emphasizes the fact that it encompasses widely diverse actors. Use of the term collaborative economy is therefore increasingly criticized, particularly because of the significant weight of highly lucrative platforms (Dujarier 2018). In this call for papers, we would like to focus more specifically on the notion of intermediaries, and we take into account their different legal forms. Thus, commercial digital platforms fall within the scope of the call, as do other types of organization such as shared workspaces, work and employment cooperatives, and wage portage companies. Although this subject has been examined in numerous public reports, including by the *Inspection Générale des affaires sociales* (Amar, Viossat, 2016), the *Haut conseil du financement de la protection sociale* (HCFIPS, 2016) and, more recently, by the *Commission des affaires sociales* of the Senate (2020), social science research is only starting to investigate them.

The collaborative economy presents new challenges for public authorities and private actors alike, particularly with regard to the social protection of workers. The blurring of the boundaries between work and non-work, independence and salaried employment, and amateur and

professional work, has major impacts on forms of employment and forms of solidarity. While the future scale of the transformations and the weight of the collaborative economy are not yet known, these new forms of activity raise questions about the social protection system. We are taking into account here a broad definition of social protection covering all the mechanisms that enable individuals to be protected against social risks (social security, supplementary social protection, unemployment insurance, social assistance, etc.). The present issue is thus examining the subject from a broad, multidisciplinary perspective.

This call for papers is structured around three axes. The first aims to stimulate reflection pertaining to the impact of collaborative economy workers' qualifications and income on the functioning of social protection (rights and modalities of coverage, financing, access, etc.). The second focuses on the perception of workers in the collaborative economy, and the way in which they articulate their need for security with the established social protection and the corresponding forms of solidarity. Finally, the last axis will consist of papers on current regulations, from the point of view of public actors and of the actors of the collaborative economy themselves.

### **Axis 1: The impact of collaborative economy workers' qualifications and income on social protection**

The generalization of wage employment appeared as a fundamental movement organizing the mobilization of the workforce, and the extension of social protection during the 20th century was largely based on the wage-earning model. But two phenomena have complicated these links. The first is the undermining of the traditional wage relationship due to the (re)development of forms of employment marked by greater flexibility. The second relates to changes in the rules of social protection itself. With reforms to social security, its universal vocation (Article L. 111-1 et seq. of the Social Security Code) has been strongly emphasized. Similarly, the increased role of socio-fiscal contributions compared to social contributions and the appearance of so-called non-contributory benefits aimed at achieving a minimum income (such as the *prime d'activité* to encourage low-wage earners to return to or remain in employment) have profoundly changed the definition of and access to social protection. These two developments are having a particularly obvious impact in the field of the collaborative economy. They challenge not only the way in which social protection institutions perceive

workers and the law applied to them, but also the ways and means of providing social protection that is appropriate for collaborative work and ensures the effectiveness of the rights granted.

### **1.1 New statuses stemming from the collaborative economy and access to social protection: the question of the affiliation regime remains open**

For a social protection system that was first built with reference to and for the wage-earning world (Castel, Haroche, 2005), the emergence of multiple forms of the collaborative economy constitutes a major challenge. The first issue is ‘simply’ to define what workers are, for we are witnessing a wide diversity of occupational situations of workers in the collaborative economy<sup>1</sup>: economically dependent independent workers, volunteers, employees under various contracts, amateurs, etc. These forms are part of older transformations of the labour market and organizational models that respond to greater flexibility. The wage-earning system has been destabilized both by the progressive casualization of forms of employment (part-time, fixed-term contracts, multiple employers, etc.) and by the development of other work statuses (franchising, subcontracting, intermittence, independence). We are thus witnessing the expansion of “grey areas” between the two traditional/cardinal statuses of employee and self-employed (Chauchard, 2017).

Whereas the description and analysis of these new forms of employment are primarily the subject of the call for papers in the journal *Travail et Emploi*, we are interested here in the impact of these transformations on social protection. The difficulties of qualifying the nature of the employment relationship raise the question of the type of social coverage from which these workers can benefit. Thus, the question of social protection for workers in the collaborative economy still seems to revolve around the qualification of their status. Although a large part of the coverage of social risks is now closer to a universal logic (health and family in particular), not only certain risks (income loss and occupational accidents, typically) but also the way in which these risks are covered continue to depend heavily on the affiliation regime (Gauron, 2018).

Viossat (2019) thus outlines several possible avenues for change. While there is perceived consensus around the introduction of a principle of neutrality of social protection in relation to the status of workers, its full implementation comes up against difficulties of financing and

---

<sup>1</sup> This refers to workers who have the characteristics of the self-employed (no employment contract, choice of working hours, ownership of their work tools, etc.) but who are economically dependent on a single principal.

differences in terms of subjective perceptions of different incomes (particularly with regard to employers' contributions). The other avenues envisaged illustrate the existence of still major ambiguities. The reclassification of these workers as employees is driven by trade union demands and has a definite legal resonance at both European and national level, but it is often in contradiction with the business model of digital platforms. The broadening of the definition of employee status, particularly around a possible hybrid status of "economically dependent self-employed", is raised. This would correspond to the gradual shift from legal subordination to economic subordination, to a greater or lesser degree. The development of situations in which the worker is legally independent but reports to a single principal or intermediary thus appears to be largely facilitated by the collaborative economy, as the role played by numerous digital platforms for initiating relationships illustrates. Finally, mechanisms based on voluntary commitments by both workers (optional insurance) and platforms (commitment to social responsibility) may also appear to be attempts to reconcile divergent interests.

The emergence of these "grey areas" creates situations where individuals remain poorly covered or not covered for part or all aspects of social protection. How does social law adapt? Does it favour the development of new intermediate categories between independence and salaried employment? What are the main characteristics? What situations remain uncovered? This question, far from being peculiar to France, concerns all European countries (Pedersini, 2002) as well as Canada (d'Amours, 2006) and Brazil (Mondon-Navazo, 2017), among others. Thus, the criteria used to define the status of employee have evolved slightly, depending on the country (change in the criteria but also presumption of employee status for certain activities). Some countries (Italy, Spain, Germany) have sought to create new legal categories, to extend some forms of protection theoretically reserved for employees to "economically dependent self-employed workers". Experiences in this respect in other countries could shed light on possible developments.

## **1.2 From status to effectiveness of rights: ways and means of appropriate social protection for collaborative work**

For the institutions in charge of social protection, the ambiguities linked to the qualification of workers likewise lead to very real difficulties in identifying and counting potential beneficiaries of certain rights. This requires a new conception of the notion of non-take-up, particularly when

the qualification of a situation becomes tricky for the potential beneficiary him- or herself. The existence of legally ambiguous situations may also imply new individual strategies for accessing or not accessing certain forms of social protection.

At the same time, although French social protection is still largely based on the status of employee and the social law associated with it, the grey areas that are developing make other forms of regulation (commercial law and tax law in particular) increasingly crucial. While the social protection associated with the status of employee may appear to be a model that should be extended to other forms of employment, this extension is not devoid of conceptual and empirical problems. How, for example, should the unemployment risk of non-subordinate workers be covered? What place should be given to professional assets in the constitution of pension rights, etc.? Similarly, incentives for individual providence, particularly for retirement, are largely provided through taxation, which is having an increasingly strong impact on social protection.

Difficulties in qualifying the employment relationship inevitably affect the way in which income should be taken into account. The undermining of the traditional wage relationship, where the parties are clearly identified, disrupts both the ways in which social protection is financed and the ways in which individuals are covered for the social risks they face. The ambiguities that characterize an employment relationship that is both wage-earning and commercial (or forms of voluntary work or complementary activities with an even vaguer status) thus encourage a more profound tendency to shift the basis for financing social protection from employee and employer contributions to a fiscal logic. The question then arises of whether the income received should be considered as wages and accordingly be subject to the same types of compulsory deductions?

Moreover, moreover, when it comes to eligibility, these “grey areas” create numerous difficulties. Unemployment insurance initially implied coverage of employees only, while non-salaried workers were largely left to individually manage the potential risks of loss of income. It was the underlying distinction between a social risk (experienced by a subordinate worker) and an economic risk (chosen by an independent entrepreneur) that limited the benefits of social protection to employees only. But the radical transformation of the non-wage economy, fuelled in part by the collaborative economy, is challenging this boundary and opening up the debate on the establishment of a universal unemployment compensation scheme. Yet how can we differentiate between social risks and economic hazards? What criteria should be used to

establish the right to compensation for the self-employed? What levels of contributions and benefits can be envisaged? The health crisis and the need to “cover” the income of self-employed workers have also made these questions more acute.

These debates are all the more important as the nature of wage income itself is being called into question. The importance of the *prime d'activité* (workers' allowance, with approximately 4.2 million beneficiaries in 2020) illustrates a drastic change in what is a “wage” and what is a “social benefit”. The “productive contribution” of many workers seems insufficient to ensure a standard of living that society considers decent. How then can we characterize these new forms of work and the nature of the income they provide? What rules of social contributions can or should they be subject to? How far are they likely to be “covered” by social protection? Can a salary, by definition attached to a person, be combined in the long term with a family supplement to socialized professional income?

## **Axis 2: Workers' individual uses and perceptions of solidarity**

The profiles of workers in the collaborative economy vary, as do their relationships to work, employment and social protection. The aim of this axis is to examine the actors' uses and practices, with a particular focus on their individual expectations in terms of solidarity, and the way in which they articulate them with existing social protection.

### **2.1 Needs and representations of solidarity**

Workers' needs for solidarity and their perception of social protection depend on their background. For example, research on self-employed workers has shown that for some of them, particularly those who are skilled workers in cooperatives of activity and employment (CAEs), autonomy, choice of working environment and working hours are paramount. Their understanding of solidarity is a close interprofessional solidarity that could however be based on existing capital or family support (Corsani and Bureau, 2014). In other cases, notably for the self-employed with *auto-entrepreneur* status, the objective is often to try to combine unemployment benefits and income: “Auto-entrepreneurs thus aim to insure themselves against the risk of unemployment, far from the collective guarantee structures linked to social security” (Abdelnour 2014). Even if these two examples are very different, a shift away from established social protection is perceptible. Bruno (2014: 49) reminds us that the social protection of the

self-employed has been based on “ownership or on voluntary forms of insurance, favouring essentially professional mutualist groupings”.

The perception that the self-employed have of social protection is marked by this origin, even though it is gradually moving closer to that of employees (Papuchon 2016). The relationship with social protection then depends not only on the individual’s past trajectories (experiences of economic hazards) and knowledge of social rights (adherence to principles, need for benefits), but also on the proportion of their collaborative economy work in relation to their overall income-generating activity (main activity, additional income, etc.). Thus, several questions can be raised. What are the impacts of workers’ career path on their perception of social protection? How are trade-offs made between risk/security, autonomy/dependence, immediate gains/future gains? With regard to these questions, contributions are also expected on the impact of the COVID crisis on needs for social protection, in a context of strong uncertainty for the self-employed.

## **2.2 Collaborative economy workers’ strategies**

Faced with the limits of social protection to cover their often uncertain and varied situations, workers in the collaborative economy are “tinkering” with the existing social protection system, the protection offered by platforms, and personal resources (spouse’s income, personal savings, etc.). What strategies do they put in place to obtain social protection despite discontinuity of income and a multiplicity of statuses? What is the contributory capacity of these workers?

First, workers may do “institutional bricolage”, relying, for example, on other sources of income through other jobs. In this respect, it is relevant to understand the share of income derived from the activity within the collaborative economy, and the possible cumulation with other activities. Cumulation is also possible with social benefits (unemployment benefits, minimum income allowance, activity allowance, for example). What are the actual links with the various components of the social protection system (individual insurance, inter-professional insurance, assistance, etc.)? Are the socio-demographic characteristics of workers (e.g. student status, age or family situation) more decisive than the characteristics of the employment relationship itself? Analyses of the mobilization of portable rights (such as the recently introduced personal activity account – CPA) are also welcome. Some platforms offer benefits



such as protection for labour accidents, or supplementary health insurance, so it is relevant to know whether workers are aware of these possibilities and who is offering them. It is likewise interesting to examine the situation of workers on more “alternative” platforms, such as work and employment cooperatives, to understand whether this changes their relationship with social protection. Individuals also mobilize resources other than institutional ones. For instance, some rely on their spouse’s income, or on the extension of certain rights to the whole household. Finally, the question of personal savings is also important for understanding the actors’ strategies. Here, several issues can be highlighted. What knowledge do workers have of their rights? Some studies have shown the significance of non-take-up of social rights (Warin, 2017), and the modes of functioning of the collaborative economy are likely to intensify this phenomenon. Do workers’ demands for autonomy lead to voluntary non-take-up of social protection? Do the material and legal conditions on which they are contingent complicate the demand for access to social rights to the point of discouraging take-up?

### **Axis 3: New regulations and ways of transforming social protection**

The two previous axes illustrate the challenges facing social protection if it is to cover workers’ activities and meet their expectations. The COVID crisis, during which the fragility of self-employed activities was particularly evident, has revived the debate on the adaptation of social protection and the intervention of the State and local authorities. In this axis, we focus on the potential evolutions of social protection, on the paths of reform, and on the reconfiguration of the relations between public actors (State, social partners, public collectives) as well as between private market and non-market actors.

#### **3.1 Towards an overhaul of social protection?**

Social protection has evolved progressively with changes in the way it is financed (increased role of taxation), in the coverage of risks (extension of certain rights to all individuals, as with universal health protection), in the nature of benefits, and in the system of actors. The question is therefore more generally whether, specifically for platforms, regulation should be linked to existing standards by gradual adaptation to the practices of the players or, on the contrary, involve the creation of new standards. Several discussions are underway, for instance on the extension of unemployment benefits to all workers or the creation of a universal basic income. Articles on these debates can be included in this call for papers.

One of the themes concerns changes in the scope of social and labour law. A first debate revolves around the creation of intermediate statuses between salaried employment and self-employment (see axis 1). Other proposals relate to the extension of salaried employment with, for example, the notion of “autonomous employees” supported by the research group for another labour code (GR-PACT), to extend labour law (Dockés, 2017).

More generally, the rapid growth of the collaborative economy is re-examining the relationship between social protection and employment. The debates already mentioned above on the progressive universalization of certain rights illustrate this issue. The rise of rights attached to the individual and the evolution of protection linked to self-employment, micro-businesses and entrepreneurship, suggest that we should consider the ways and means of providing appropriate social protection for collaborative work, regardless of the nature of the employment relationship. To go further, the question of linking social rights to the individual rather than to status may be at the heart of the proposals in articles. This brings to mind the work of Alain Supiot (1999) on social drawing rights, but also all the projects for the universalisation of social protection, or portable rights like the CPA. Articles on some of these topics were published in a previous issue of the RFAS (2018). Behind this common idea, there are divergent conceptions and interpretations that can lead to an individualization of protection. Should the platform operator be made responsible for a liability commensurate with its economic power, coupled with a strengthening of the protection attached to work, regardless of its nature? Should a system of rights be devised that allows all persons not to be locked into a professional status, to make choices, and to exercise their work-related freedom?

Other questions then arise. First, there is the issue of the scope of social protection and its consequences. Does the extension of rights to all working people lead to a change in financing? If taxation takes on an increasingly important role, what is the impact on the governance of social protection? Is the role of the State increased? Another issue is the compulsory nature of social protection. Does the need for worker autonomy call this into question? Does the role of private organizations or the patrimonialization of social rights have an impact on the individualization of risks and therefore of behaviours? On all these aspects, it will be interesting to look at experiences in other countries.

Behind these issues of public policy development, the role of private welfare organizations is essential, as is that of other actors who can participate in the construction of social protection for individuals.

### 3.2 The role of the new intermediaries

The change in the scope of social protection raises questions about its governance (Damon, 2017), with a change in the relationship between public actors and also with private actors.

Private market players are playing an increasingly important role, and legislation is moving in this direction by strengthening the possibilities of initiative granted to platforms. In the Labour Code, workers performing tasks or procurement through a platform are seen as self-employed. Nevertheless, when the platform determines the characteristics of the service provided or the good sold and sets its price, the Labour Code recognizes its “*social responsibility towards the workers concerned*”. The content of this social responsibility is now the result of a combination of the provisions of the Labour Code (Article L. 7342-1 et seq.) and the Transport Code (Article L. 1326-1 et seq.). At the initiative of the platform, the conditions and procedures for exercising this social responsibility may be set out in a charter. In terms of social protection, the platform is given two options: to take out a collective contract to cover workers against the risk of accidents at work, instead of co-financing their voluntary insurance as self-employed workers, and additionally, “*where relevant*”, a collective contract for supplementary social protection (Articles L. 7342-2 and L. 7342-9). In this context, the Frouin Report (2020), commissioned by the Prime Minister, recommends that platform workers turn to a third party such as a wage portage company or a cooperative for activity and employment (CAE) to obtain employee status. The complexity of the legal set-up has drawn much criticism (Dirringer and Del Sol, 2021). Several questions arise. Do workers make use of these forms of solidarity? In this context, do collaborative economy actors have a role to play in defining certain social protection rules? Do they have a role to play in its management?

The relationship with trade unions and the modalities of social dialogue will be one of the axes of the call for papers of the journal *Travail et Emploi*. Nevertheless, in this axis, we are interested in the construction of collective movements of workers as well as their claims and, in particular, in all forms of actual cooperation, whether it is by the CAEs, the SCOPs (cooperative and participative societies) or the groups of self-organized freelance workers. What role do these intermediaries play in the development of solidarity between workers? How do these organizations function? What are the motivations for creating this type of collective? What is the role of this professional solidarity in risk protection? How does it fit in with established social protection? What is the situation at European level?

## Bibliographic references

Abdelnour S. (2014), “L’auto-entrepreneuriat : une gestion individuelle du sous-emploi”, *La nouvelle revue du travail*, n°5

Amar, N., Viossat, L-C. (2016), *Les plateformes collaboratives, l’emploi et la protection sociale*, IGAS, report n°2015-121R

Bostman R. (2013), “The sharing economy lacks a shared definition”, *Fast Company*.

Bruno A-S (2014), “Retour sur un siècle de protection sociale des travailleurs indépendants”, *In Célérier S. (ed.), Le travail indépendant : statuts activités et santé*. Liaisons sociales

Bureau M-C, Corsani A. (2014) “Du désir d’autonomie à l’indépendance. Une perspective sociohistorique”, *La nouvelle revue du travail*, n°5

Castel R., Haroche Cl; (2005), *Propriété privée, propriété sociale, propriété de soi*. Hachette.

Chauchard J-P. (2017), “L’apparition de nouvelles formes d’emploi : l’exemple de l’ubérisation” in *Travail et protection sociale : de nouvelles articulations ?* coll.: Grands colloques, LGDJ.

Commission des affaires sociales du Sénat (2020), *Travailleurs des plateformes : au-delà de la question du statut, quelles protections*, Rapport d’information, n°452, May.

D’Amours Martine (2006), *Le travail indépendant. Un révélateur des mutations du travail*, Québec, Les Presses de l’Université du Québec, 2006, 217 p.

Darmon J. (2017), “Le paritarisme : quelles partitions ?”, *Revue de droit sanitaire et social*, n°3, p.525-538

Dockès E. (ed.) (2017), *Proposition de code du travail. Sous l’égide du Groupe de recherche pour un autre Code du travail (GR-PACT)*. Editions Dalloz

Dirringer J., Del Sol M. (2021), “Un rapport mutique sur les enjeux de protection social”, *Droit social*, March, p.223

Dujarier, M. (2018). “De l’utopie à la dystopie : à quoi collabore l’économie collaborative ?”, *Revue française des affaires sociales*, pp. 92-100.

Fouin J-Y (2020), *Réguler les plateformes numériques de travail*, Report to the Prime Minister, December.

Gauron, A. (2018), “La protection sociale à l’heure du numérique : l’enjeu de l’affiliation et des cotisations patronales”, *Revue française des affaires sociales*, p.82-91.

HCFIPS (2016), *Rapport sur la protection sociale des non-salariés et son financement*, October

Mondon-Navazo Mathilde (2017), “Analyse d’une zone grise d’emploi en France et au Brésil : les Travailleurs Indépendants Economiquement Dépendants (TIED)”, *Revue Interventions*

*économiques* [online], 58 | 2017, uploaded on 15 May 2017, accessed on 01 March 2021. URL: <http://journals.openedition.org/interventionseconomiques/3545>.

Nirello L. (ed.) (2018), “Formes d’économie collaborative et protection sociale. Actes du séminaire de recherche de la DREES et de la DARES”. *Les dossiers de la DREES*. N°31

Papuchon A. (2016). “Indépendants et salariés du privé : une vision concordante du système de protection sociale”, *DREES, Etudes et résultats*, n°979.

Pedersini, Roberto. (2002). “Economically Dependent Workers”, Employment Law and Industrial Relations: Dublin, European Industrial Relations Observatory online, European Foundation for the Improvement of Living and Working Conditions.

RFAS (2018), *Tendances récentes à l’universalisation de la protection sociale : observations et enseignements*, No. 2018/4

Supiot A. (1999), *The Transformation of Work and the Future of Labour Law in Europe*. European Commission Report

Viossat L.-C (2019), “Les enjeux clés de la protection sociale des travailleurs de plateformes”, *Regards*, vol. 55, no. 1

Warin, P. (ed.). (2017). *Le non-recours aux politiques sociales*. PUG.

Further information on the content of this call for papers can be obtained from the coordinators at the following addresses:

[francois-xavier.devetter@imt-lille-douai.fr](mailto:francois-xavier.devetter@imt-lille-douai.fr)

[laura.nirello@imt-lille-douai.fr](mailto:laura.nirello@imt-lille-douai.fr)

Authors wishing to submit an article to the journal on this issue should send it with an abstract and a presentation of each author

(see the RFAS “conseils aux auteurs” [[https://drees.solidarites-sante.gouv.fr/sites/default/files/2020-10/01\\_2017\\_plaquette\\_6p\\_pages\\_rfas\\_a4\\_uk\\_.pdf](https://drees.solidarites-sante.gouv.fr/sites/default/files/2020-10/01_2017_plaquette_6p_pages_rfas_a4_uk_.pdf) ])

to this address:

[rfas-drees@sante.gouv.fr](mailto:rfas-drees@sante.gouv.fr)

**before Monday 6 September 2021**