



ECONOMICALLY DEPENDENT SELF-EMPLOYED WORKERS:

Statistical measurement, challenges and opportunities





**Publication developed as part of the Project *TRADE – European Network for the Support of Self-Employment and Economically Dependent Work*. Ref. nº VS/2012/0434
Implemented in the framework of the Industrial Relations and Social Dialogue Programme by the General Directorate of Employment, Social Affairs and Inclusion. European Commission.**



Project developed with the financial Support by the European Commission

Authors:

Union of Professional and Self-Employed Workers - UPTA
Association Work, Employment, Europe, Society - ASTREES
Association Bruno Trentin – ISF-IRES
Confederation of Independent Trade Unions – CITUB
National Association of Entrepreneur and self-employed women – ANMEYA
European Federation of Building and Wood Workers - EFBWW

Statistical Development:

Proentia S.L.

Director:

Sebastián Reyna Fernández

Coordination:

Union of Professional and Self-Employed Workers - UPTA

Production:

Daimon Consulting S.L.

Layout, design and printing:

Daimon Consulting S.L.

Printed in Spain

Year of publication: 2014

All rights reserved

The partial or total reproduction of this work is authorised provided that previous authorisation to the authors has been requested and the source is acknowledge, as provided for in Royal Legislative Decree 1/1996 of 12 April approving the Law on Intellectual Property

TABLE OF CONTENTS

1. PRESENTATION	5
2. INTRODUCTION.....	7
3. THE TRADE PROJECT.....	9
4. CONTEXTUALISATION OF ECONOMICALLY DEPENDENT SELF-EMPLOYMENT IN THE DIFFERENT COUNTRIES OF THE PROJECT PARTNERS.....	11
4.1. The Economically dependent Self-employment in Spain.....	11
4.1.1 Legal or juridical recognition	11
4.1.2 Working conditions of the target group	12
4.1.3 Collective representation of economically dependent self-employed workers.	13
4.2. Economically dependent Self-employment in France	13
4.2.1 Legal or juridical recognition	14
4.2.2 Working conditions of the target group	14
4.2.3 Collective representation of economically dependent self-employed workers	15
4.3 The Economically dependent Self-employment in Italy	16
4.3.1 Legal or juridical recognition	16
4.3.2 Working conditions of the target group	17
4.3.3 Collective representation of economically dependent self-employed workers	18
4.4 The Economically dependent Self-employment in Bulgaria	19
4.4.1 Legal or juridical recognition	19
4.4.2 Working conditions of the target group	19
4.4.3 Collective representation of economically dependent self-employed workers	20
4.5 The Economically dependent Self-employment in the Construction industry.....	20
4.5.1 Specific features of the construction industry.....	20
4.5.2 Special incidence of economically dependent self-employment on the immigrant workers	21
4.5.3 Collective representation of economically dependent self-employed workers in the building sector.	22
5. THE ISSUES OF MEASUREMENT OF THE TARGET GROUP: THE METHODOLOGICAL PROPOSAL BY THE TRADE PROJECT.....	23
5.1 Methodological description of the survey	24
5.1.1 Criteria for the identification of the EDSE workers group	26
5.1.2 Definition of the group of EDSE workers	27
5.2 Approaching the concept of bogus self-employment.....	27
6 MAIN FINDINGS FROM THE PILOT IMPLEMENTATION OF THE STATISTICAL METHODOLOGY	29
6.1 Description of the survey results in Spain.....	29
6.1.1 Definition of the EDSE workers group in Spain.....	29
6.1.2 Socio-labour situation of the target group	29
6.1.3 Reasons for becoming self-employed workers.....	31
6.1.4 Challenges that EDSE workers have to face.....	32



6.1.5	Degree of Independence in the development of their activity.	33
6.1.6	Perception about the level of representation and protection that they enjoy	35
6.1.7	Description of EDSE women in Spain	36
6.1.8	Bogus self-employment in Spain	36
6.2	Description of the survey results in France	38
6.2.1	Definition of the EDSE workers group in France	38
6.2.2	Socio-labour situation of the target group	38
6.2.3	Reasons for becoming self-employed workers	39
6.2.4	Challenges that EDSE workers have to face	40
6.2.5	Degree of Independence in the development of their activity.	41
6.2.6	Perception about the level of representation and protection that they enjoy.	43
6.2.7	Description of EDSE women in France	44
6.2.8	Bogus self-employment in France	45
6.3	Description of the survey results in Italy	46
6.3.1	Definition of the EDSE workers group in Italy	46
6.3.2	Socio-labour situation of the target group	46
6.3.3	Reasons for becoming self-employed workers	47
6.3.4	Challenges that EDSE workers have to face	48
6.3.5	Degree of Independence in the development of their activity.	49
6.3.6	Perception about the level of representation and protection that they enjoy	51
6.3.7	Description of EDSE women in Italy	52
6.3.8	Bogus self-employment in Italy	53
6.4	Description of the survey results in Bulgaria	54
6.4.1	Definition of the EDSE workers group in Bulgaria	54
6.4.2	Socio-labour situation of the target group	54
6.4.3	Reasons for becoming self-employed workers	56
6.4.4	Challenges that EDSE workers have to face	56
6.4.5	Degree of Independence in the development of their activity.	57
6.4.6	Perception about the level of representation and protection that they enjoy.	59
6.4.7	Description of EDSE women in Bulgaria	60
6.4.8	Bogus self-employment in Bulgaria	61
7	CONCLUSIONS	63
7.1.	Principales conclusiones en torno a la metodología estadística de medición del colectivo	63
7.2.	Principales conclusiones en torno a la representación del colectivo en las relaciones laborales y el diálogo social Europeo.	64

1. PRESENTATION

All the recent studies about the evolution of the labour market in the European Union coincide to point out the strong transformation that it is undergoing, due, amongst other reasons, to the emergence and developing of “new forms of work”, including the independent, particularly when this is developed for only one company under conditions of economic subordination, despite having juridical independence.

There is nothing new about the existence of practices of third party work outside the labour relationship in Europe. However, the extension of such phenomenon to business areas which, until now, had been considered as reserved for the labour relationship is quite new.

The fact that an important number of million workers in Europe are now developing, by means of civil or commercial contracts, business activities which were considered as labour activities, is a concern for many public and social partners.

Nevertheless, there is a significant lack of study and analysis of the problem and also of executive political resolutions on this regard, a silence which however, cannot hide the reality. The solution is not just considering all the workers in this group as bogus self-employed workers, circumventing the labour law, which may be the easiest solution. The problem is much more complex since in most of these situations, particularly in sectors related to ICT, culture, design, etc. there are not the classic conditions of a salaried employment, except for the subordination factor and the economic dependence.

As a summary of all the steps taken in the last year, the recent Resolution of the European Parliament of 14 of January 2014 about “social protection for all, including self-employed workers” adequately focus on the work to be done and ask the social partners to include in their agendas all aspects related to labour rights and social protection of self-employed workers, on the basis of reciprocity and according to the principle of non-discrimination.

With the implementation of the TRADE project – European Network for the support of self-employment and economically dependent work, the Union of Professionals and Self-Employed Workers of Spain, UPTA, has tried to advance in one of the main requests that had been made for years, to solve the lack of specific statistical data about the target group and at the same time, bring together wills and efforts of other key partners in the European Social Dialogue, to work in an adequate representation of the interest of economically dependent self-employed workers.

This publication summarises the main results and conclusions of the work done during the project and I hope, on behalf of the entire working team, that reading it will be useful and enlightening for you. For further information, we invite you also to consult the final project report in which all the detailed results will be included and that will be available in the project website www.tradeworkers.eu.

SEBASTIAN REYNA
Secretary-General of UPTA Spain



2. INTRODUCTION

The increasing processes of outsourcing together with the socio-economic situation that Europe is living and the reforms of labour markets, are leading to a special category of workers taking more and more prominence in the last year: the economically dependent self-employed workers, specifically known as TRADEs in Spain and that we will call as EDSE workers for short.

The figure of self-employed work has traditionally been the one of a small enterprise, the vast majority of them in the retail trade, hotel and catering and craftwork sectors. In the last year, this traditional concept of self-employment has radically changed due to the emergence of new professions and new forms of work and to the new ways of business organization. Therefore, it has been necessary to create new figures in the legislation and/or in the doctrine, defining the labour realities between the pure salaried employment and the independent self-employment.

The concept of “**economically dependent self-employed worker**” has been used to denominate all those workers falling between the two established categories of “employee” and “self-employed”, since they have not a labour contract to be considered as employee and despite being officially self-employed, according to their Social Security contributions, their incomes comes from a single client of which they economically depend.¹

However, despite this general definition, the social and legislative reality is very different from one country to another of the European Union. It is possible to find as many cases as countries, since the social protection of workers is a national competence of each member state, although there is coordination at the European Union level.

The progress in the social dimension of European integration and the increasing intra-EU labour mobility of workers make necessary an intervention at communitarian scale to regulate this phenomenon and guarantee and adequate social protection to these EDSE workers across the EU

The **European Commission** has been working with the issue of economically dependent self-employment. After the publication in 1998 of the report “*Transformation of work and the future of labour law in Europe*” by Alain Supiot, in which the outsourcing or subcontracting of work to companies which are economically dependent of a main one is already identified and in which Supiot talks about a “grey zone” between dependent and independent work, the European Commission raised this question in the consultation to the social partners on the modernisation and improvement of industrial relations. The study “*Economically dependent /quasi-subordinate (parasubordinate) employment: legal, social and economic aspects*” by Adalberto Perulli is a result of such consultation and was commissioned to by the European Commission to know more on the issue and published in 2003.

In 2006, the green paper of the European Commission “*Modernising labour law to meet the challenges of the 21st century*” talks about the definition of the phenomenon of economically dependent self-employment, falling between labour law and civil and commercial law, and draws attention to the fact that economically dependent self-employed workers must be clearly distinguished from the bogus self-employed workers who fraudulently use self-employment to evade the law.

In 2010, the **Economic and Social Committee** adopted the own-initiative opinion on “*New trends in self-employed work: the specific case of economically dependent self-employed work*” with Jose María Zufiaur as rapporteur and in which the following main recommendations were made:

¹ EUROFOUND. European Industrial Relations Dictionary.



- “Means of drawing up an accurate statistical picture of economically dependent self-employed work in the European Union should be developed.”
- “The European social partners should be encouraged to include economically dependent self-employed work in their work programmes, at cross-sectoral and sectoral level.”

For its part, the **European Foundation for the Improvement of Living and Working Conditions** (Eurofound), published last year a background paper on the working conditions of economically dependent workers, using data from the 2010 round of the European Working Conditions Survey. In this paper the lack of statistical data specifically considering the category of economically dependent workers is remarked one more time.

Finally, the **European Parliament** is concluding the series of more relevant studies on the topic of economically dependent self-employed workers with the publishing, in April 2013 of the report, “*Social protections rights of economically dependent self-employed workers*”.

This report includes six key policy recommendations, being the first one the inclusion of “questions concerning dependent self-employment in the European Labour Force Survey. This would allow a finer grained assessment of the situation and a better-tailored policy approach.”

3. THE TRADE PROJECT

The diagnosis of the problematic around economically dependent self-employment and the real working situation of these workers has been clarified by means of all the studies and reports developed so far and by different European institutions. In all these reports there are two key aspects that must be highlighted:

- The **lack of data about the target group and the consequent need for detailed and reliable statistical information**
- The **structure of the collective representation of this group of workers and their effective participation in the European social dialogue.**

In order to provide an answer to such questions, the Union of Professionals and Self-employed workers, in collaboration with other key institutions in the field of industrial relations:

- **Association Employment, Work, Europe, Society** – ASTREES – France
- **Association Bruno Trentin – ISF-IRES** – Italy
- **Confederation of Independent Trade Unions** – CITUB – Bulgaria
- **European Federation of Building and Wood Workers** – EFBWW
- **Association of Entrepreneur and Self-Employed Women** – ANMEYA - Spain

proposed to the Commission the implementation of the Project *TRADE* – *European Network for the support of self-employment and economically dependent work* (www.tradeworkers.eu), in the framework of the Industrial Relations and Social Dialogue of the Directorate General Employment, Social Affairs and Inclusion.

The final goal of the project has been to bring the real situation of economically dependent self-employed workers into the agenda of European social dialogue. Project work has been developed in line with the recommendations on which most of the studies

and reports on this topic by the different European institutions coincide.

Therefore, the target group of the project activities has been, in the first stage, the social partners at national and European level having the opportunity to promote the inclusion of the EDSE workers situation in the agenda of European social dialogue at a sectoral or cross-sectoral level. In the final stage, the beneficiaries of the project are the own workers who are in a situation of economic dependency of a single client without having a labour contract, since the project means an important step toward a better representation of their interests in front of the European institutions and the protection of their rights both at European level and in every member state.

The specific goals of the TRADE project have been:

- i) **To define and better understand the figure of economically dependent self-employed workers.**
- ii) **To collect legal definitions and contractual experiences** in order to better differentiate between the figure of the “bogus” self-employed worker and the one of the economically dependent workers, in order to achieve that labour law can be directly applied to them, as a way to protect their rights.
- iii) **To analyse the protection given, in different aspects, to the economically dependent self-employed workers** in different European countries.
- iv) **To get a specific overview of the situation of those women who economically depend on an employer**, quantifying this specific target group and analysing the specific needs for protection and association that they have.
- v) **To reinforce the association of economically dependent self-employed workers** to their respective national trade unions and employer’s organisations, contributing to a stable



framework for the participation in the European Social Dialogue.

- vi) **To study the impact of the current economic and financial crisis on the target group**, in the different EU countries and in the reference sector of Building. This is one of the sectors registering a higher number of economically dependent self-employed workers, and a greater impact of the economic crisis.
- vii) **To get conclusions from the experience** – in terms of evolution of self-employed work – **in some countries** where the figure of the economically dependent self-employed worker has been legally recognized.
- viii) **To propose a statistical methodology to gather quantitative information** about this target group.
- ix) **To define measures addressed to change the precarious situations of the economically dependent self-employed workers**, and the medium term scenarios for the evolution of economically dependent self-employment, the risks inherent to every scenario and the suitable measures to combat such risks.
- x) **To establish a European Network, supported by an online platform** and made up of all the project partners, as well as any other organisations, institutes or institutions interested in the project subject. This Network will support the achievement of all the previous objectives, enabling the continuous dialogue and exchange of information between the members and a monitoring of the achievement of the previous goals.

This publication is a synthesis of the activities developed and the main results achieved by the project and intends to draw the attention of the different social partners at European level on the need to articulate and coordinate actions to promote the adequate protection of the social and labour rights of all the self-

employed workers across Europe who are in a situation of economic dependency.

A more detailed report with all the results of the study is available for download at the project website www.tradeworkers.eu.

Without a doubt, the goal of proposing a statistical methodology for the specific measurement of the target group has had a special relevance within the project and the results on this regard are presented in detail in the following chapters of this publication.

In addition to this, the project has intended to contribute to a better knowledge of the real situation of the target group in Europe by means of an analysis of their particular situation and collective representation in the countries represented by the project partners: Spain, France, Italy and Bulgaria.

We start in the next section with the synthesis of the analysis of these different national realities.

4. CONTEXTUALISATION OF ECONOMICALLY DEPENDENT SELF-EMPLOYMENT IN THE DIFFERENT COUNTRIES OF THE PROJECT PARTNERS

The analysis of the figure of economically dependent self-employed workers which has been developed in the project has started from the consensus of all the partners on the main features of this category of workers in Europe, according to the previous studies developed on this topic:

- The economically dependent self-employed workers **are not tied to an employer by a labour contract and therefore they are not legally subordinated**, despite they have an economic dependency
- **The majority** of them work on their own and they **don't have employees**
- **They work for the same employer in a percentage higher than 70%**
- They keep a continued relation of collaboration with the employer.
- They work in the framework or with the reference of a company or organisation which depend on the employer.

Starting from these basic features which define the target group, every partner has analysed the particular situation in their respective countries and in the case of the European Federation of Building and Wood workers, they have focused on the special incidence of Economically dependent self-employment in such an important sector as building is for the European economy.

4.1. The Economically dependent Self-employment in Spain

In Spain, the figure of the economically dependent self-employed worker (trabajador/a autónomo/a dependiente económicamente – TRADE) is legally recognized in the Statute of Self-Employment adopted in 2007.

4.1.1 Legal or juridical recognition

The main feature of the Statute of Self-employment is its comprehensive nature: on one side, it establishes all the rights and obligations of all the self-employed workers and their basic professional regime, on the other side, it includes also the commitments on social protection for this group of workers.

Chapter III of the Statute covers the professional regime of the economically dependent self-employed worker. It establishes that to be consider as economically dependent, the self-employed worker has to fulfil the following conditions:

- a) The worker must not have in his or her charge, third-party account workers, nor contract or subcontract part or all of the activity to third-parties, both in respect of the contracted activity with the client on whom he or she depends economically, and the activities which he or she may contract with other clients.*
- b) The worker must not execute his or her activity in a manner that is not different to those workers who provide services under any type of labour contract for the account of the client.*
- c) To possess productive and material infrastructure necessary for the carrying out of the activity independent of those of his or her client, when in said activity these are economically relevant.*
- d) To implement his or her activity with his or her own organizational criteria, without prejudice to the technical instructions which he or she may receive from the client.*
- e) To receive an economic compensation as a result of his or her activity, in accordance with that agreed with the client, assuming the risk and fortune of this.*

Then, the law regulates the contract between an economically dependent self-employed worker and his or her client: it must always be formalized in writing and the condition of economic dependence on the client must be expressly stated by the self-employed worker. Finally, the contract must be registered in the relevant public office.



In 2009, the Royal Decree 197/2009 of 23 February was adopted, developing the Statute of Self-employment with regard to the contract of economically dependent self-employed workers and their registry and the State Registry of Professional Associations of Self-Employed workers.

4.1.2 Working conditions of the target group

The Statute of Self-Employment summarizes the social protection benefits for the economically dependent autonomous workers in Spain. The Statute establishes the same guarantees for them as for the rest of self-employed workers. The main benefits can be summarised as follows:

- **Professional rights** (Chapter II of the Statute)
 - The right to work and the free election of profession or trade.
 - Freedom of economic initiative and the right to free competition.
 - The right to intellectual property in respect of his or her protected works or services.
 - The right to equality before the law, and not to suffer discrimination, direct or indirect, by reason of birth, racial or ethnic origin, sex, marital status, religion, convictions, incapacity, age, sexual orientation, the use of any of the official languages within Spain or any other personal or social condition or circumstance.
 - The right to the respect to his or her privacy and considerations of dignity, as well as adequate protection against sexual harassment and harassment because of sex or for any other personal or social circumstance or condition.
 - The right to professional training and adaptation.
 - The right to physical integrity and to adequate protection in matters of safety and health in the workplace.
 - The right to the punctual receipt of the agreed economic compensation for the

professional exercise of his or her activity.

- The right to the conciliation of his or her professional activity with personal and family life, with the right to suspend his or her activity in situations of maternity, paternity, danger during pregnancy, danger during nursing and adoption or fostering, both before adoption and permanent or acute.
 - The right to sufficient assistance and social provision in case of need, in conformance with Social Security legislation, including the right to protection in situations of maternity, paternity, danger during pregnancy, danger during nursing and adoption or fostering, both before adoption and permanent or acute.
 - The right to the individual exercise of the actions derived from his or her professional activity.
 - The right to the effective legal protection of his or her professional rights, as well as access to extralegal measures for the solution of conflicts.
 - Any other rights derived from contracts to which they are party.
- **Social protections rights** (Part IV of the Statute)
 - The right to maintain a public regimen with the Social Security, which guarantees them sufficient social assistance and provisions in situations of need.
 - a) Health care in case of maternity, common illnesses or professional illnesses and accidents, whether or not these are work-related.
 - b) Economic benefits in situations of temporary incapacity, pregnancy risks, maternity, paternity, nursing risks, permanent incapacity, retirement, death and survival and dependent child family members.
- **Basic collective rights** (Chapter III of the Statute)
 - To be affiliated to the union or association of their choice, under the terms established in the corresponding legislation.

- To be affiliated to, and to found, professional associations specifically for autonomous workers without previous authorization.
- To exercise the collective defence of their professional interests.

In the process of trying to put the social protection of self-employed workers on a level with that of employed workers, as pursued by the Statute, the Law 32/2010 of 5 August 2010 was approved. This law establishes a specific protection system for self-employed workers in case they stop their activity and it was developed in the Royal Decree 1541/2011 of 31 October.

The main aim of the benefits for the cessation of activity is to cover those situations in which the self-employed workers have to involuntarily stop their activity. In any case, they have to properly prove the causes in order to access the corresponding economic benefit.

The regulations includes the special situation of economically dependent workers and establishes that they are in the legal situation of cessation of activity if they stop working due to the expiry of the contract with the client which they economically depend of, in the following cases:

- Termination of the duration established in the contract or completion of the work or service.
- Serious breach of the contract by the client which is adequately demonstrated
- Unexcused or excused rescission of the contract by the client.
- Death, disability or retirement of the client provided that this prevents the continuation of the activity.

4.1.3 Collective representation of economically dependent self-employed workers.

Even since before the legal recognition of this category of workers, in Spain there are specific self-employment organizations which provide an association opportunity to the economically dependent workers.

This is the case of UPTA, created in 1998 and selected by the government, in 2011, as the most representative association of self-employed workers.

Although legislative and executive authorities have been sensitive to the need for a regulation of this group, there is no doubt that the influence of the association of collective representation has been essential.

The Statute of Self-Employment has reinforced the role of the professional associations of self-employed workers, regulating them in detail, though it leaves the own worker full freedom to associate to these associations, to the trade unions or to the business associations.

The associations or trade unions representing the economically dependent self-employed workers and the companies for which they develop their activity can arrange "Agreements of professional interest", in which they can state the conditions on the way, time and place of implementation as well as other general terms and conditions of the contracts.

Such Agreements are the equivalent of the collective agreements of the employed workers and they are probably the most innovative element in the Statute in comparison to the rest of European legislations on the matter.

4.2. Economically dependent Self-employment in France

In France there is not an official recognition of the economically dependent self-employed workers and they are not mentioned as legal category of workers.

Nevertheless the workers' "economical dependence" has not been totally ignored in French law, and it is taken into account by means of specific mechanisms that award some rights that are usually assigned only to employees, to certain profiles of workers under this economic dependence situation

Such mechanisms are based on the type of occupation or profession as for example the cases of professional journalists. Live show artists, models, etc.



4.2.1 Legal or juridical recognition

The French legal system lies on a strict dichotomy between, on the one hand, the “employees” (*travailleurs salariés*), and on the other hand, the “self-employed workers” (*travailleurs indépendants*). The distinction between the two categories mainly depends on the existence or not of a “legal subordination bond” (*lien de subordination juridique*), a concept referred to the employer’s power to control, manage and punish his employees.

Even though the figure of economically dependent self-employed workers is not a legal category as such in French Law, it has been the subject of many doctrinal papers and reports considering the creation of a third category of worker in France.

Throughout this literature, a certain number of criteria defining the figure of economically dependent self-employed workers have been established which can be summarized as follows:

- To have a single client or at least a minimum percentage of its turnover from only one client.
- The professional activity should be executed personally (with no employees)
- The worker should participate to the risk of the activity.
- Length of the contractual relationship (minimum of 2 months)

With regard to the figure of bogus self-employed worker, there is not an automatic conversion of the contract into a labour contract but this conversion has to be done before the courts by a judge. The basic condition to distinguish the case of a bogus self-employed worker from the one of an economically dependent self-employed worker is the employer’s power to control, manage and punish to the worker.

4.2.2 Working conditions of the target group

In France, two differentiated social protection regimes have traditionally existed: the “general regime” for all the employees and the

“autonomous regimes” for all the own account workers. The first one is much more favourable in terms of benefits. After the reform made in 2006, the protection of workers under one or another regime has become more and more similar and today the social protection for employees and for self-employed workers is practically the same with regard to family, disease, maternity, old age and death. However, none of the self-employed workers, except the agricultural professions, benefit from a specific protection against occupational diseases or accidents.

Concerning the protection against unemployment – which is not considered as being part of the social security’s scope as such in French law – the self-employed workers do not benefit from the general public unemployment insurance that is automatically applicable to employees whenever they lost their job unintentionally. However, self-employed workers can subscribe voluntarily to unemployment insurance. Indeed, the employment public service offers this possibility through two different business associations (AGSC and APPI), managed by UNEDIC which is the management institution for the general public unemployment insurance. They can also subscribe unemployment insurance from a private insurance company.

Within the general regime, there are two special types of contracts which were created to foster self-employment and entrepreneurship, with particular conditions that have to be highlighted:

- The “*auto-entrepreneur*” status was created in 2008 and offers a certain number of advantages in comparison to the regular status of the self-employed workers:
 - Tax exemptions and benefits in the payment of social security.
 - Maximum turnover to use this status: 81.500€ for commercial activities / 32.600€ for service activities.

There is a debate about this status and a reform is expected in the near future.

- The “*Portage salarial*” is another specific type of work which was created also in

2008 and establishes a triangular relationship between the “porté” or employee, the client and the employer organization (*société de portage*).

This is based on the employee status despite existing autonomy in the development of the activity. The gross minimum wage is 2.900€ including unemployment insurance.

In 2009, the creation of the “auto-entrepreneur” contract led to a great increase in the number of new business start-ups, most of them created by means of this figure. If the number of start up business in 2008 was 331.000, this number increased up to 580.000 in 2009. At the end of august 2012 there was 828.400 administratively active “auto-entrepreneurs” which means the 3% of the working population.

However, it appears that the large majority of “auto-entrepreneurs” generate a very low remuneration. Actually, after 3 years of activity, 90% of the “auto-entrepreneurs” make less than the minimum wage from this activity. Therefore, and despite the success of this status, it is being analysed in depth due to the risk of this status being used to bypass the employee status, that is, the risk of bogus self-employment being amplified with this simplified regime of self-employment.

4.2.3 Collective representation of economically dependent self-employed workers

In France, there are no organizations providing an institutional coverage to economically dependent workers as this category does not exist in legal terms.

Beyond, mapping all the collective organizations able to represent self-employed workers and especially own account workers proves to be impossible. For this reason, a not exhaustive list of the most relevant / representative or peak organizations explicitly or possibly interested in the support of those kind of workers, keeping in mind that the latter may relate to a lot of different legal status (craftsmen, liberal professions, “auto-entrepreneurs, etc.):

FEDAE – Federation of “auto-entrepreneurs” (www.federation-auto-entrepreneur.fr)

- CCI France. Representative of the French Network of chambers of commerce and industry. (www.cci.fr)
- APCMA – Permanent Assembly of Chambers of artisans and craftsmen (www.artisanat.fr)
- UPA – Crafts Industry Employer’s Association (www.upa.fr)
- CAPEB.- construction sector (www.capeb.fr) CNAMS of the services sector (www.cnams.fr) and CGAD of the food retail, hotel and restaurants (www.cgad.fr) area national confederations of associations of these workers.
- CGPME – General Confederation of small and medium sized enterprises (www.cgpme.fr)
- UNAPL – Inter professional confederation representing the liberal professions (www.unapl.org)
- ONTPE – National Organisation of very small enterprises (www.ontpe.org)
- UAE – Union of “Auto-entrepreneurs” – (www.union-auto-entrepreneurs.com)
- SDI –Union of Independents (www.sdi-pme.fr)
- SYCFU – Union of self-employed trainers and consultants. (www.sycfi.org)

Regarding the general trade unions, their membership is principally employees. The self-employed who are unsalaried, are difficult for unions to work with. From the union perspective, it is hard to reach and organise these workers and therefore no significant action to organise them may be identified. However, it’s worth highlighting that part of the own-account workers, ie the “auto-entrepreneurs”, may hold concurrently this status with the one of employee. In that extent, it’s perfectly possible for some auto-entrepreneurs to be unionised.

In addition, a suspicion may be noticed from representative trade unions towards what is usually called “atypical forms of employment” since they are afraid that these forms of employment may result in bogus self-employment.

As for the representative employer’s organisations at cross sectoral level, all of



them support business creation including through the development of self-employment; however, own account workers are not necessarily their main target in practice.

4.3 The Economically dependent Self-employment in Italy

Despite in Italy there is not a legal recognition of the figure of economically dependent self-employed worker, this country has a long tradition in the recognition by the doctrine of the terms "*lavoro autonomo economicamente dipendente*" and "*parasubordinazione*" and the legislation has been successively reformed to advance in the protection of these workers. Nevertheless, there is an increasing demand for a specific law regulating this phenomenon and establishing a concentric model of protection, with a minimum of common protection.

4.3.1 Legal or juridical recognition

Although the concept of parasubordinated workers "*parasubordinati*" was established by the labour law doctrine in the 70s, the Italian law is not yet mentioning this concept neither the one of economically dependent self-employment ("*lavoro autonomo economicamente dipendente*").

As in the case of France, the basic legal definitions are those of 'employee' and 'autonomous worker', pillars of the whole system of classifying employment contracts and the relative rights and protections.

What in Italy takes the legal shape more similar to the concept of economically dependent self-employment, are the "continuous and coordinated contractual relationships" (*Collaborazioni coordinate e continuative* the so-called "*co-co-co*") and the "on project work" (*Lavoro a progetto*), both named and ruled by the legislation. They can be described as contractual relationships which involve the performance of activities in favour of a principal, in the framework of a 'unitary and continuous relation', without subordination or the 'utilisation of organised means', and in exchange for a periodical and pre-determined

compensation. These activities must not be provided as part of professional services.

The traditional historical and juridical partition – subordination and self-employed – has been eroded during the years by the emerging of new forms of work organisation.

The *outsourcing* and subcontracting processes of the companies reveal elements of economic and social dependence and weakness which the law and policy makers now consider to deserve more protection because there's a "dependency within independence".

Employers, on their side, are strongly tempted to use (and abuse of) the weakness of protections and cheaper labour costs of self-employment and quasi-dependent work to "escape from labour law", through strategies of outsourcing and individualization, in the sphere of civil law contracts. It allows them to reduce costs of payroll taxes, administrative costs, wage liabilities, obligation to recognize and bargain with unions.

Economically dependent self-employment emerge as a new category between the traditional ones of employee and self-employed, and cover a very heterogeneous reality and several contractual relationship. The key element for identifying economically dependent self-employment in Italy is the so-called "Partite IVA" and the efforts of the last legal reform on this regard are addressed to distinguish between those "bogus" or "false" partite IVA and the true ones and therefore the escape of employers to the social security obligations.

"Partite IVA" are presumed to be *de facto* nothing but dissimulated "collaboratori coordinate e continuative (co.co.co)" in the following case:

- when the collaboration lasts more than overall 8 months in 2 years (**duration**);
- when compensation amounts to more than 80% of the collaborator overall total earnings in 2 years (**economic dependency**);
- when the collaborator has a fixed workstation at one of the client's premises, where "fixed" means that it is non-movable or temporary (**work organization**).

If at least two out of three these conditions of objective weakness should be realized, then self-employment, performed in the form of Partita IVA, will be presumed and converted to “co.co.co”, which is the Italian version of what in other legal systems is named economically dependent work.

The presumption of co.co.co doesn't apply when tasks to be performed require high skill levels. And in fact, the presumption and following conversion doesn't take place in case:

- When tasks to be performed require high theoretical skills acquired through meaningful learning careers or high level practical skills acquired through proved experience”
- When the annual earnings are no lesser than 18.000€
- When membership to professional association (special registers, professional bodies, and so forth) is legally required (architect; lawyers; etc.).
- When clients have the burden of the proof they've been hiring “pure” self-employees (lack of coordination)

4.3.2 Working conditions of the target group

The Italian law does not mention in any law the quite widespread concepts of “parasubordinazione” or “.lavoro autonomo economicamente dipendente”. Nevertheless, these terms are quite commonly used in the courtroom language, to mean lack of stability and social security. Generally speaking, there is a juridical recognition of a scale of atypical work contract associated with a range of more or less types of precariousness.

The different types of contracts are associated to different social protection rights and moreover, there is a legal provision for converting these contracts into labour ones if the conditions established for every type of contract are not respected. The social protection benefits that have been achieved by means of the successive legal reforms are as follows:

- Harmonization to the standard work for what concerns labour disputes, where

they can enjoys of the guarantees and facilities, mostly in terms of rapidity, before the labour courts.

- The access to a public pension, through social contribution which – gradually – have risen up from original in 10% of the overall pay, to 27% of today (it's 33% for standard workers). Since the pensions reform of 1995, the objective has been double: a) to build a public pension system (a “small pension”) even for professional activities and work for a long time discovered by these kind of social protection; b) to reduce the “social dumping” which, because of the different weight charges on labour costs, the co.co.co. have exercised on the more burdened standard subordination. Since most of such a cost is charged by the client to the collaborators, they dislike this measures, thinking that they will never receive a decent pension, while they see reduced just now their direct pay.
- Since March 2000, workers employed through 'continuous and coordinated contractual relationships' have also been covered by the compulsory insurance against accidents at work/industrial accidents and occupational illnesses administered by the National Board for Insurance against Accidents at Work (*Istituto Nazionale per l'Assicurazione contro gli Infortuni sul Lavoro, Inail*). The coverage is mandatory provided that the workers perform some specific tasks, notably those which involve the use of machinery or driving motor-vehicles.

They are not covered by social shock absorbers in cases of unemployment. Governments accept responsibility for the social protection of dependent workers but not of those who are formally self-employed, regardless of the reality of the employment relationship.

In any case, what is a fact is the remarkable growth of self-employment through all the different types of contracts. The term “second generation self-employment” has been used by some expert to describe all this multi-faced universe of knowledge workers, plenty of professional expertise and high skills, proud of



their job and autonomous profile, but also claiming for more attention by policy makers.

More pessimistically, others scholars describe most of this phenomenon in terms of a new "proletariato dei servizi", condemned to fragmentation and precariousness, far away from their "fathers", active in the liberal/intellectual professionalism, with their highly recognized status and privileges.

There is, however, a broad consensus about the fact that a systematic legal discipline and support for these workers is needed, but not much has been done except to fight possible elusive and abusive uses of these non standard forms of employment

In the last years influential scholars, policy makers and advisers have been repeatedly suggesting the adoption of a Statute for self-employed, in the line of the Spanish one. Their proposals recommend to avoid a too much rigid definition of typologies, assuming instead the internal articulation of needs and interests within such a various universe. They propose to select a list of priorities within a legal statute of self-employment, aiming at the same time to guarantee to these workers more market and more regulation. Access to credit and liquidity, facilitation for administrative duties, are considered a sort of premise, while more and better protections are recommended in at least three ambits:

- **Contractual relationships:** a detailed description of tasks, services and results expected within the contract, date and duration, compensation, proportionate to the quantity and quality of the work performed, timely payment and terms and causes justifying the interruption of the contract
- **Welfare and social security:** unemployment benefit, lifelong learning opportunities, right to access to sickness, injuries, maternity and parental leaves provisions and right to old age pension
- **Collective rights:** freedom of association and right to union activity and networking, solidarity and collective bargaining

Finally, a special mention to the figure of bogus self-employment in Italy has to be included here.

Traditionally, the cases of fraud by means of self-employment had been judged by the Labour courts, but the rapid and spectacular increase of the number of self-employment relationships has induced law makers to regulate all these cases, ending with the 2012 reform, addressed to avoid the fraud in the use of the self-employment contracts by reducing their scope and increasing the social contributions, to match those of the atypical workers and those of the employees

4.3.3 Collective representation of economically dependent self-employed workers

In the last years, a significant improvement has been achieved concerning the collective representation of the "atypical" workers in Italy.

All the categories of professionals, freelances and intellectual self-enokited are mainly organized according to a dual system: mandatory and volunteer.

Some kind of professional jobs are ruled by the law into monopolistic professional orders, called "*Ordini*" or "*Albi professionali*". The adhesion and membership, in these cases, is mandatory after rigid State examinations and eligibility criteria. There are currently 26 "typical" and recognized professions organized within the *Ordini* and *Albi*: lawyers; notaries, architects, medical specialists, etc.),. The total membership into these structures was esteemed to be just over two million (2011). About the half of them works in the field of social and health care only.

On the other hand, volunteer professional associations concern other typologies of professional job for which the law doesn't prescribe any specific form of inclusion and organization; they're just ruled by the private law. There are roughly 225 associations, representing about seventy non-regulated intellectual professions. However, the membership levels are quite low. Some representative associations of this group are CoLAP – Coordination of Free Professional Association. (www.colap.it) and ACTA -

Associaziones Consulenti del Terziario Avanzato (www.actainrete.it)

Finally, one of the most important and recent achievements of the Italian trade union movement concerns the specific organisation of the atypical workers: a socially and juridical heterogeneous universe, composed by agency temporary workers and «semi-subordinate» workers. Fixed-term workers and part-time workers are instead affiliated to the traditional industry-wide federations.

There are three main trade union, affiliated to the three main trade union confederations:

- NIDIL – Nuove Identità del Lavoro , is affiliated to the Confederazione Generale Italiana del Lavoro and is the one covering more atypical work categories, not only the Agency temporary workers but also para-subordinated workers and economically dependent ones. (www.nidil.cgil.it)
- ALAI – Associazione Lavoratori Atipici e Interinali , affiliated to the CISL.
- UILtempo, affiliated to the UIL

4.4 The Economically dependent Self-employment in Bulgaria

In Bulgaria, as happens in France and Italy, there is not a particular legal definition of the term economically dependent self-employed worker.

In order to better understand the analysis of the figure in Bulgaria, the socio-political contexts of the country during the 20th century has to be taken into account: a socialist economic model belonging to the Eastern bloc countries between 1945 and 1989.

4.4.1 Legal or juridical recognition

At the end of the 20th Century, before the occurrence of significant changes in the socio-political system of governance in the Republic of Bulgaria was adopted Decree N° 56 for business activity. The decree was issued on 9 January 1989. This legal document allows individuals to work as self-employed by establishing of their own businesses. The Decree states that “economic activity is carried out on the basis of all forms of property” and the “basic form of doing business is the

company”. Companies can be owned by: state, municipals, cooperatives, public organizations, companies and ‘citizens’. The strategy of socio-economic development is planned by the government, but the companies act as comply with the law and ‘market mechanisms’.

In 1991 the Commercial Law was adopted, regulating the status of a trader and what is a commercial transaction. The Act defines as a trader any individual or legal person who executes an economic activity. Not considered as dealers are explicitly the individuals engaged in agriculture, the craftsmen, the persons who carry out personal services or freelancers, unless their activity can be defined as an enterprise under the Commercial law, and the persons providing hotel services by providing rooms at the dwellings occupied by them.

By 1992, the regulation on social insurance of persons working as freelancers or as traders, or working without labour contract was adopted, being included later in the Social Insurance Code adopted in 1999

Finally, in 2000 a new Social Insurance Code was adopted which even today regulates who are the insured persons for the purpose of the Public Social Insurance, namely:

- the persons registered as self employed and/or craftsmen;
- the persons working as sole entrepreneurs, owners or partners in commercial companies and individuals who are members of unincorporated associations;
- registered farmers and tobacco producers;
- persons who work without labour contract and receive a monthly salary equal to or greater than a minimum salary, after deduction of the operating costs;

4.4.2 Working conditions of the target group

Analysing the conditions under which the economically dependent self-employed workers operate is very difficult since their identification themselves is very difficult too.



It is recognised that there exist workers in this situation. They work and pay social security on their own, but they cannot be identified through specific contract relationships as in the case of France or Italy.

In general terms, we can consider that the economically dependent self-employed workers are dispersed among those who are registered to practice as freelancers and/ or craft work (lawyers, architects, journalists, artisans, accountants, auditors, etc.) or persons engaged in activities as sole traders, owners or partners in companies and individuals, members of unincorporated associations.

4.4.3 Collective representation of economically dependent self-employed workers

In Bulgaria there is a lack of specific organisations representing self-employed people. There are associations representing specific professions or target groups in which economically dependent self-employed workers would have a major representation, as for example:

- the Bulgarian Chamber of Commerce
- the Branch Chamber of Craftsmen
- the Association of home based workers
- the Association of beekeepers
- the Association of interpreters and translators in Bulgaria

Some of these associations are affiliated to the Confederation of Independent Trade Unions in Bulgaria, CITUB but the real situation is that there still not exists a social awareness on the problem of economically dependent self-employment.

Workers are difficult to identify themselves as self-employed and they don't feel that they have fewer rights than the employees for being self-employed and therefore, there are not specific protests on this regard.

However, that does not alter the fact that economically dependent self-employment is present in the country which is currently immersed in a liberal economic system and therefore undergone the same processes of de-regulation of the labour market as the other European countries., despite the effects would be felt in a lesser scale by the workers.

4.5 The Economically dependent Self-employment in the Construction industry

The phenomenon of economically dependent self-employment is growing in all the economic sectors and particularly in the construction industry, which deserves a particular analysis not only because of the relevance and representativeness of this industry in the European economy, but also because all the special features of the sector which make it particularly exposed to high rates of semi-legal and illegal work.

4.5.1 Specific features of the construction industry

Construction is a specific sector, in particular because of the following features:

- Natural high level of flexibility
- Very strong cyclical dependency (external and internal): climate, production, deliveries
- High price competition
- labour intensive
- SMEs and micro companies constitute the majority of the sector
- The construction sector is particularly exposed to circumvention and exploitation (taxes, social security, working conditions)
- High frequency of work related accidents

Besides these features, the fragmentation of the economic activity and the high tendency to subcontracting are also the factors which expose the sector to a high risk of labour exploitation, in particular with regard to migrant workers. Extremely long subcontracting chains, up to 15 levels, make it extremely difficult for the authorities to monitor the compliance with labour law and social obligations.

One-man companies (also called sole-traders) and very small/micro enterprises are a widespread reality in the construction sector, which does not necessarily lead to bad working conditions and exploitation. Nevertheless, evidence shows that workers, especially

migrants, are often registered as self-employed by dishonest enterprises or agencies with the aim of circumventing labour law and social obligation, while they are treated as employees in terms of control and subordination.

Additionally at EU level in the last years there has been a strong impulse for liberalization and simplification. The European institutions have been pushing for a deregulatory policy which favours the free market over social concerns. But the labour market reality of SMEs and individual enterprises in the construction industry is indeed completely different from the ideal model of a fair competition between efficient actors providing a flexible supply to the global demand.

Self-employed and economically dependent self-employed are the first victims of the current crisis, as the lack of protection and guarantees exposes them to the fluctuations of the market. The phenomenon of “working poor” is in continuous expansion and the myth of self- entrepreneurship is often used to hide the reality of the increasing number of failures and bankruptcies of small, medium and micro enterprises.

The duality of the social security system often leads these workers to be excluded from protection schemes such as unemployment benefits and pensions. Social cohesion and solidarity instruments are being progressively dismantled, with the result of favouring market distortions and jeopardizing the creation of a level field for fair competition amongst contractors.

Based on the described typical features, the long term sustainability of the construction industry is to a great extent determined by the social cohesion of the industry. Countries with a sustainable construction industry are all characterized by:

1. Strong autonomous industrial relations at national/regional and company level,
2. Flexible sectoral paritarian social funds for vocational and/or professional training, occupational health and safety, supplementary pensions, supplementary social security (in case bad weather

unemployment, occupational accidents ...) and

3. Strong regulatory framework with the required enforcement tools.

Therefore it's absolutely vital that all workers – regardless their employment relation – should be included in these 3 points.

It should be highlighted - once more - that self-employment working relationships are often not dependent on the “free will of the parties”, but created with the aim of circumventing labour law obligations. These cases, labelled as “false” or “bogus” self-employment, which are illegal in all European countries, should in principle not be confused with economically dependent self-employment, which is a legal working relationship falling between self-employment and subordination. Nevertheless, in the construction industry it is extremely hard to make a clear distinction between economically dependent self-employment and false self-employment created with the aim of circumventing labour law.

A European regulation providing a general framework to distinguish self-employment from subordinate work and other working relationships has been repeatedly called for by social partners, NGOs and stakeholders but so far nothing has been concretely done in this direction, consistent with the political and ideological orientation towards deregulation.

4.5.2 Special incidence of economically dependent self-employment on the immigrant workers

The issue of false/genuine self-employment has a strong impact on cross-border migration and provision of services. For an employer, resorting to using self-employed workers instead of employees can lead to considerable savings in terms of labour costs, taxes and social security payments and other labour obligations. In addition, the process of deregulation which has taken place in the last years in Europe has in many countries simplified the procedures for individuals to register as self-employed, which is now often



possible in a couple of hours with very few, and sometimes unreliable, supporting documents. Therefore, in addition to ambiguous cases of “dependent self-employment” we have an increasing number of cases of “disguised” workers, who appear and behave to the external world as employed, but are registered as self-employed. These workers enjoy a lower level of protection and undermine, being at a lower level of contributions paid, the stability of the social security systems.

At EU level this problem has probably been worsened by the “transitional measures” accompanying the accession of new EU member states. The Accession Treaties allowed Member States to temporarily restrict the free movement of workers from countries that joined in 2004 and 2007.

The loophole is that self-employed workers, as free providers of services in another Member state, are not covered by these limitations.

The natural consequence is that a huge number of citizens of the new member states move to other EU countries to work under a self-employed status resulting from a registration in the country of origin.

Temporary migrant workers falsely registered as self-employed lose their protection with regard to minimum salary, social security and working time.

The control measures put in place by authorities of the EU countries in order to identify and prevent bogus self-employment, are often insufficient and not effective. Moreover, the difficulties to determine the criteria of which member state (the country of origin or the host country) have to prevail.

Dishonest employers take advantage of all these situations and use self-employment to circumvent labour law within the EU.

4.5.3 Collective representation of economically dependent self-employed workers in the building sector.

There is a consensus within the construction industry that several legal and political steps need to be taken to create a framework for self-employment and self-entrepreneurship,

which at the same time creates the conditions to put in value these important economic realities and prevents workers from being exploited.

The construction trade unions began years ago to integrate self-employed and economically dependent workers in their structures. At EU level the European Federation of Building and Woodworkers , EFBWW extended the scope of its representation to include self-employed workers as from 2012 with the aim to assure that all workers, regardless the contractual relationship they have, count on the minimum levels of social protection, avoiding further precariousness in the labour market.

5. THE ISSUES OF MEASUREMENT OF THE TARGET GROUP: THE METHODOLOGICAL PROPOSAL BY THE TRADE PROJECT

Once the figure of economically dependent self-employed workers has been analysed both in the EU and in all the countries represented by the partners of the TRADE project, the deepening in the study of the phenomenon and any step toward a better representation in the social dialogue process inevitably lie in the adequate quantification of the target group

As already mentioned, one of the main problems on which all the previous reports and studies coincide is the lack of quantitative information about the group of the economically dependent self-employed workers.

Since this category of workers is not officially recognized in all the EU countries, this is not included as a category listed as such in the Labour force survey, neither at European or national level.

This fact poses serious difficulties to quantify the target group and therefore, to offer and adequate response from the different institutional and associative frameworks.

The recent study of the European Parliament "Social Protection rights of the economically dependent self-employed workers" includes as one of the key policy recommendations of the report: "including questions concerning dependent self-employment in the European Labour Force Survey. This would allow a finer grained assessment of the situation and a better-tailored policy approach", given that the empirical evidence is not yet fully clear, and there is a lack of reliable information on the frequency and working conditions of dependent self-employed.

The main attempt to measure the target group is carried out by the European Working Conditions Observatory, EWCO, by means of

the European Working Conditions Survey which is carried out every 4 or 5 years. The last EWCS was implemented in 2010 and it included questions addressed to identify those respondents who have been said to be self-employed without employees are in reality economically dependent self-employed workers. After analyzing the results, the EWCO finally established 4 categories of workers:

1. Economically dependent workers
2. Self-employed with employees
3. Self-employed without employees
4. Employees

Given that the analysis is developed using a subsample and considering the small size of such subsample, the data are not fully representative of the real situation. In a first analysis of the data referred to economically dependent workers, the EWCO recognizes the limits of the survey and includes a very interesting description of the target group according to the different variables established in the survey. According to the results, the percentage of self-employed workers across Europe is low, a 0,9% of all the labour force in all the countries, existing significant differences from one country to another.

The highest percentages are the ones in Italy, Cyprus, Greece and Portugal, followed by central-eastern countries like Slovakia, Czech Republic, Latvia and Romania.

By sectors, the highest proportion of economically dependent workers would be in the other services sector, followed by transport and construction.

Even more interesting than the estimations about the target group, it is the analysis of the variables which determine the working conditions of the target group, namely:

- Organisation of work
- Place of work
- Autonomy for developing the activity
- Training and intrinsic rewards
- Health and safety at work
- Exposure to physical risks



- Psychological risk factors
- Well-being
- Work-life balance
- Incomes
- Career development

Most of these variables have been included in the survey implemented in the framework of the TRADE project as explained below.

The TRADE project, proposed to the Commission 2 years before the publication of the study by the European Parliament has tried to take a firm step in that direction by means of developing a methodological proposal addressed to the reality of self-employed workers being officially taken into account, as a new category of workers, in the statistics prepared by Eurostat and by the national institutes of statistics of the member states.

In this sense, and in the framework of the project, the partners have established contact with the statistical institutes of the countries represented in the project consortium: Spain, Italy, France and Belgium-

This is the first time that the target group is directly asked about the perception or not of their situation as economically dependent workers

In the pilot survey, attention has been paid to all the factors influencing the economic dependency as the sources of the incomes or the working conditions of the target group: .

- Sector of activity in which they operate
- Organisation of work for developing their activity
- Reasons for becoming self-employed
- Seniority as self-employed worker
- Challenges and difficulties that they faced due to their condition of self-employed
- Degree of independent for the development of the activity in relation to the client's requirements
- Protection and collective representation of their rights

- Membership or not in any kind of collective organizations.

5.1 Methodological description of the survey

One of the main goals of the Project has been the development of a methodological proposal for the statistical measurement of the group of economically dependent self-employed workers in Europe.

This methodological proposal is based on the analysis of economically dependent self-employment already developed in previous activities of the project.

According to the agreed definition of economically dependent self-employment, a protocol for the statistical measurement has been defined, which comprises two main phases:

- **PHASE 1. Collection of statistical information in Spain, France, Italy and Bulgaria with the aim of defining the Universe of economically dependent self-employed in those countries**

During this phase the statisticians developed a data collection form in order to know how the statistical information about the group of self-employed workers in general and the economically dependent SE workers in particular, is classified in every one of the countries.

By means of this first collection of information, the statisticians analysed the data related to the definition, measurement and profile of economically dependent self-employed workers.

Since the information collected was not homogeneous and due to the lack of data about the EDSE group, it was clearly impossible to clearly define the universe of EDSE workers in every one of the 4 countries. Therefore, the decision was to define an universe made up by all the self-employed workers without employees, for whom specific data from Eurostat exist, and by means of the

survey, find out how many of the self-employed without employees can be considered as economically dependent self-employed, and define their profile.

The identification of the EDSE workers has been developed, as explained in the following section, according to the answers to the 3 key questions of the questionnaire. These are questions enabling to classify the respondents as economically dependent or not.

- **PHASE 2. Final Statistical description of the target group.**

With the information collected in Phase 1, the statisticians were able to define the universe of the study: “self-employed workers without employees in Spain, France, Italy and Bulgaria”.

By means of a simple random sampling, the sample size in each country was calculated, enabling to know and contextualise the weight and profile of the economically dependent workers, and taking into account an adequate level of statistical significance

The estimated theoretical simple for every country was the following:

TABLE 1: Theoretical sample in every country

Country	Nº of self employed workers without employees. (Eurostat data 2012)	Theoretical sample CL: 95% e: 0,07
Bulgaria	218.000	196
Spain	2.025.800	196
France	1.714.100	196
Italy	3.739.300	196

Once the survey was implemented and the data was collected, the real sample and the achieved significance level have finally improved the theoretical parameters established at the beginning.

TABLE 2: Comparison between the theoretical and the real samples in every country

Country	Theoretical sample	Real sample	
	Theoretical number of respondents	Real number of respondents	Accuracy level
Bulgaria	196	203	NC: 95% e: 0,069
Spain	196	641	NC: 95% e: 0,039
France	196	306	NC: 95% e: 0,056
Italy	196	205	NC: 95% e: 0,068

Thanks to the final number of collected answers to the survey, the sampling error has been reduced below the 7%. The cases of Spain and France are particularly noteworthy because the results for both countries can be extrapolated with a sampling error of 3,9% and 5,6% respectively.

The data collection tool that was designed for and used in the survey is a semi-structured questionnaire including 14 questions. The contents of the questionnaire can be consulted in the final report of the TRADE Project

The objectives established both for the questionnaire and for the surveying process were:

- To define a questionnaire that would provide a suitable tool to achieve one of the main Project goals, namely “to develop a statistical methodology and measurement of the economically dependent self-employed workers.”
- To encourage and motivate the self-employed without employees who participate in the survey to cooperate with the project by answering each and every question. The questionnaire was design to avoid tiredness or lack of interest of the respondents, looking for them providing complete, sincere and serious answers.
- To minimize the mistakes when answering them, trying that the answers get answered in the right



order, with the same level, in the same way and under the same conditions.

The method chosen for the distribution of the questionnaire has been the CAPI method (Computer Assisted Personal Interviewing). It consists on a self-administered questionnaire through the computer, and requires an easier questionnaire and a medium easy to use.

For this purpose, we have used Survey monkey as an easy to use web tool.

The participants answered the questionnaire by using the keyboard and mouse of their computers.

In addition and to achieve a higher level of answers, the survey has been disseminated using a combination of the following actions:

1. Use of mailing list
2. Use of web 2.0 y social networks (Facebook, Twitter, LinkedIn ...).
3. Mention in workshops and events in the fields of self-employment and entrepreneurship.

The broad dissemination through these means has enabled a significant increase in the number of answers and a consequent decrease of the sampling error when it comes to extrapolate the data.

Dissemination was developed in a coordinated and simultaneous way in all the countries. The period established for answering the questionnaire was from 16 September 2013 until 26 November 2013 and the final number of answers is 1.355 distributed as follows: 641 in Spain, 306 in France, 205 in Italy and 203 in Bulgaria.

The criteria that we have established for identifying those EDSE workers included in the total number of self-employed without employees who answered the questionnaire, are explained below.

5.1.1 Criteria for the identification of the EDSE workers group

The statistical methodology proposed for the measurement of the target group of economically dependent self-employed workers starts from the complexity in the definition of

the target group, the lack of a juridical definition and the heterogeneous treatment the figure receive in the different EU countries.

Such particular features lead us to propose that the perception or feeling of the own self-employed as economically dependent or not, expressed by means of the questionnaire, can determine if they are effectively an EDSE worker or not.

What the worker feel and report through the questionnaire is the element that balance up the conceptual differences and allow us to homogenise the concept of EDSE worker in the different national contexts. This element enables to develop a more exact quantification when making comparisons of the target group between the different EU countries.

The questionnaire included 3 specific questions looking to define the group of economically dependent self-employed workers:

1. How did you develop your activity during the last year? (Question 7 of the questionnaire)

The possible answers were:

- have my own business and I look for and attend my clients
- I have an almost exclusive client but I also work with other clients when requested
- I work in or for a company or business which provide me with the work I do
- I don't know / no answer

2. Do at least 75% of your incomes come from a single client? (Question 8 of the questionnaire)

The possible answers were Yes / No and Don't know / no answer.

3. Do you feel that you are a self-employed worker economically dependent on a single client? (Question 12 of the questionnaire)

For this question, the options to answer were:

- Yes, absolutely
- Yes to a certain extent
- Rather no
- Absolutely no

- Don't know/ no answer

Finally, the identification and measurement of our target group through the answers to the survey have been developed taking into account the following criteria:

1. To identify those who have responded affirmatively to the 3 questions
2. To identify those who, despite responding negatively to the question about the source of the incomes, declare to develop the activity exclusively or almost exclusively for only one client and they feel like economically dependent self-employed.
3. To identify those workers who despite declare not feeling like economically dependent self-employed, declare to work for a client or for only one client, which means that they are in fact economically dependent.
4. To identify those who despite not being economically dependent with regard to the way they develop their activity, declare that at least 75% of their incomes come from a single client and that they feel like economically dependent self-employed.

The analysis of all the collected information has been developed by means of quantitative analysis techniques like descriptive analysis, frequency analysis, cross-tabulations, etc.

Previously to the analysis, all the variables have been labelled and the categories of answer have been defined in order to be able to tabulate the answers to the survey.

For the processing and analysis of the information, the SPSS statistical software has been used.

5.1.2 Definition of the group of EDSE workers

The definition of the group of EDSE workers has been developed by studying the socio-labour features of the respondents (age, sex, level of studies, seniority as self-employed and sector of activity in which they work)

In addition, a detailed analysis of the rest of variables in the survey, according to these socio-labour features:

- ✓ Reasons for becoming self-employed.
- ✓ Challenges or problems that they have to face
- ✓ Degree of Independence they enjoy in the development of their professional activities
- ✓ Perception about the level of representation and protection that the collective organizations provide them.
- ✓ Membership of trade unions, professional association or employer's organizations.

When it comes to develop the description of the target group, gender has played a key role, with the goal of getting detail information about the special situation of EDSE women in the labour market of the different countries. In the present publication you can find a section devoted to analyse the results of the survey with regard to women situation for every one of the 4 participant countries.

5.2. Approaching the concept of bogus self-employment

When defining the economically dependent self-employed workers, we find several categories according to the level of organizational and economical dependence that they enjoy in the development of their activity.

One of the objectives of the project was precisely to look for suitable tools enabling to improve the measurement of economically dependent self-employed to get a more precise definition of this group of workers. In this sense, the implementation of this task evidences the need to identify suitable tools enabling to distinguish between those "true" self-employed and those who are in reality bogus self-employed, that can be considered as salaried workers.

Within this category of "bogus" self-employed, we have to distinguish also between those who despite developing their activity for only one client have characteristics of EDSE workers in opposition to the pure bogus self-employed who have not any of the special characteristics of the economically dependent workers.



The “bogus” self-employed should not be part in a civil contract because for all intents, they have to be considered in the group of the employees. The “bogus” self-employed is not an economically dependent worker, his or her situation is just the result of a bad practice of the employer, meaning a fraud to the social security system and therefore, for the purpose of his or her statistical measurement, should be included in the category of salaried employees.

The “bogus” self-employed cannot be considered as an own account worker, mainly because:

- He/she has not decision power about the productive process of the business
- He / she is obliged to daily “visiting” his or her “client”, which is really his or her employer. .
- He/she cannot refuse the orders of work that he or she receive.
- He or she receives a monetary reward agreed on an unilateral basis.

Therefore, the “bogus” self-employed;

- Has not organisational (he/she cannot decide about working hours or place of work) and economical dependency.
- Has total subordination of the company for which he or she works, both at technical and organisational level.
- He or she should has a labour contract (voluntary nature, periodical rewards and dependency)

In this regard, we consider important to highlight three of the considerations included in the European Parliament resolution of 14 January 2014 on social protection for all, including self-employed workers (2013/2111(INI)):

- *“ it could be useful to lay down a clear definition of bogus self-employment and to prevent abuses in this regard so as to avoid violations of workers’ social rights, distortions of competition and the risk of social dumping”*
- *“false self-employment is basically a form of partial contribution evasion that is difficult to detect and undermines the sustainability and adequacy of pension schemes, depriving them of vital*

resources”

- *“the particularly high unemployment levels in many Member States, compounded by the constant pressure to reduce (unit) labour costs are leading to national labour market trends and practices which encourage the further development and growth of false self-employment”*
- *“For the identification of “bogus” self-employed workers we have taken as a reference the answers of those respondents within the EDSE group about the degree of independence for the development of their tasks.*

We have selected the following variables as the ones which can better distinguish between the bogus and the true self-employed:

1. I organise my own work
2. I decide my working hours and timetables
3. I decide the place where I work
4. I am my own boss

According to such variables we have identified those workers initially identified as EDSE workers who declare to be not independent at all for any of these variables.

Once we have explained the general structure of the study, we proceed to explain in the following sections the detailed results of the survey for every one of the four countries.

6. MAIN FINDINGS FROM THE PILOT IMPLEMENTATION OF THE STATISTICAL METHODOLOGY

6.1 Description of the survey results in Spain



6.1.1 Definition of the EDSE workers group in Spain

A total of 178 EDSE workers have been identified in Spain from a total of 641 respondents to the survey, which means a percentage of 27,8%

125 out of this group of 178 EDSE workers (70,2%) strictly fulfil all the criteria and therefore, they are considered within the target group.

However, since the methodology proposes to analyse the general perception of the respondents, those self-employed workers who, not fulfilling the 3 criteria, shows a behaviour clearly similar to the one of a EDSE worker., have been also include in the group. According to this principle, the 3 following subgroups of respondents have been included in the final group of EDSE workers:

- 25 respondents (14%) who declared to have their own business and 2 of them (1,1%) who didn't answer to question 7 of the questionnaire.
These 27 people has been included in the group of EDSE workers because of their answers related to the origin of their incomes and how they feels about being economically dependent of their clients.
- 8 self-employed workers who answered that 75% of their incomes comes from more than one client, but they develop their activity exclusively or almost exclusively for a single client and declared

that they feel like economically dependent SE workers.

- And finally, 18 people that despite not feeling like EDSE workers, the way in which they developed their activity in the last year (they have one or almost only one client), evidences that they can be also included in the final group of EDSE Workers

6.1.2 Socio-labour situation of the target group

According to the **gender** variable, the group of EDSE workers in Spain consist of 57,9% of men and 42,1% of women. Below, in section 6.1.7 we will analyze in detail the features of EDSE women in Spain.

TABLE 3: Distribution of EDSE workers by age range (Spain)

Age range	Frequency	Percentage
16-19	1	0,6%
20-24	4	2,2%
25-29	15	8,4%
30-39	64	36,0%
40-49	54	30,3%
50-59	28	15,7%
60-64	10	5,6%
65-69	1	0,6%
>70	1	0,6%
TOTAL	178	100%

According to **age**, the majority of the identified EDSE workers are included in a range between **30 and 49 years old**. The 66,3% of the total respondents are within this age range and specifically between 30 and 39 years old (36%).

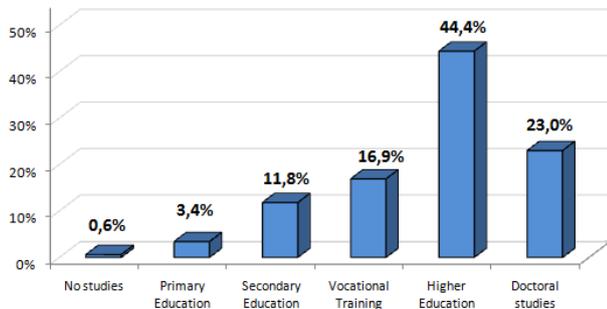
The EDSE workers below 30 years old represent the 11,2% of the total and it is noteworthy that in the total group of self-employed workers they represent less than 6,5% of the total, which means that they have special relevance as EDSE workers.

By **level of studies**, most of the identified EDSE workers, the 67,4% of the total, have



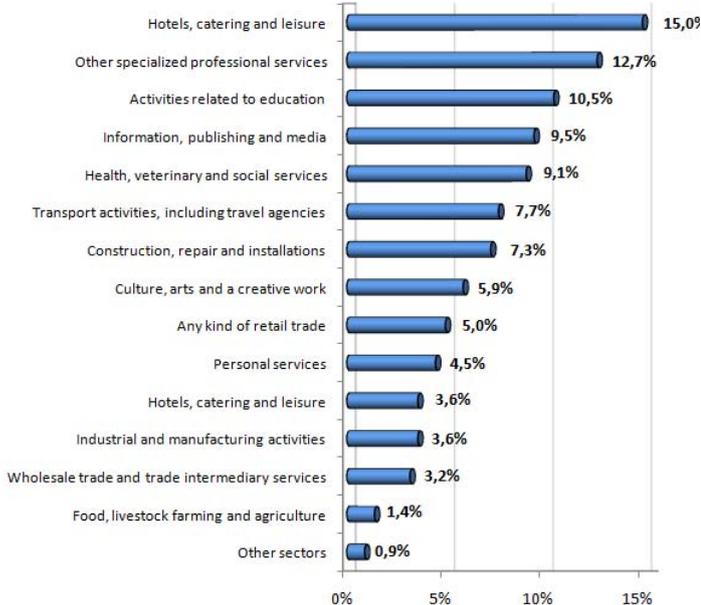
got a university degree, a master degree or a PhD

CHART 1: Distribution of EDSE workers by level of studies (Spain)



It is remarkable that there is a higher proportion of workers with higher education between the EDSE workers group than within the general group of self-employed workers, in which the percentage stands at 53,1%.

CHART 2: Distribution of EDSE workers by sector of activity (Spain)



By **sector of activity**, the EDSE workers group mainly develop their activity in:

- *ICT related professional and technical services* (15%)
- *Other specialized services* (12,7%). This category mainly includes business

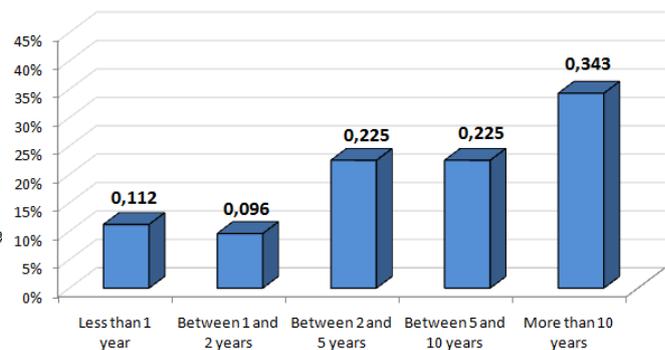
advisors, consultants in real states, juridical services, human resources specialist, etc.

- *Other training related activities* (10,5%)

After these sectors, we find the traditional ones: Transport (7,7%) and Building related activities (7,3%)

According to the **years for which the respondents have been paying social security as self-employed workers**, the 34,3% of the respondents have been self-employed for more than 10 years, the 22,5% between 5 and 10 years and other equal 22,5% between 2 and 5 years.

CHART 3: Distribution of EDSE workers by seniority as self-employed (Spain)



Those within the EDSE workers group who have been paying as self-employed for less than 2 years represent the 20,8% of the total. If we consider the group of self-employed workers without employees who answered the survey and have been not identified as EDSE workers, the group of those being self-employed for less than 2 years is only 15,3% which means that in the EDSE workers group there is a higher proportion of relatively recent self-employed workers.

The general profile of the EDSE worker in Spain correspond to the one of a man between 30 and 49 years old, with higher education and who has been self-employed for to 10 years.

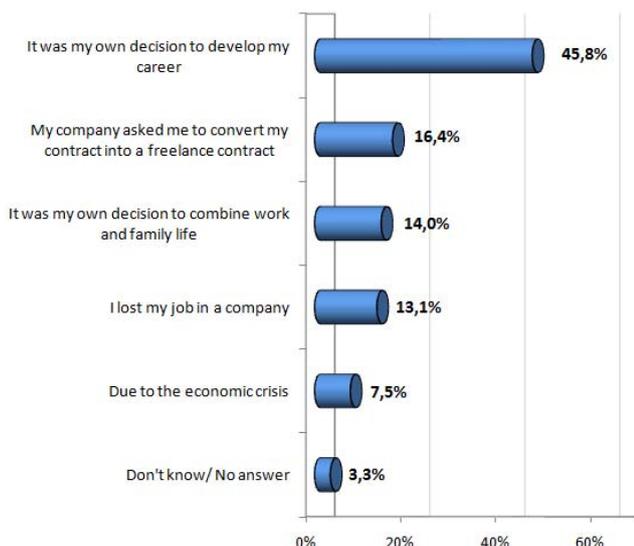
The professional activity that he develops is ICT related professional services and/or other specialized services like business, real state, juridical, human resources or training services.

6.1.3 Reasons for becoming self-employed workers

According to the reasons why the respondents become self-employed workers, nearly the half of them (45,2) declared that it was **their own decision** to improve their careers and the 16,4% of them declared that **their company proposed them to convert their labour contract into a civil one**. These are the two main reasons indicated by the respondents.

Regarding this last reason, only 2,3% of the non EDSE workers who answered the survey pointed out this reason, which evidences that this is a reason to be taken into account for the EDSE workers.

CHART 4: Reasons for EDSE workers becoming self-employed (Spain)



If these reasons are analyzed according to the level of studies, years as self-employed workers and sector of activity, we cannot find significant differences.

It is interesting to note that for those EDSE workers with higher education or who only have primary studies, the second more important reason, pointed out by the 27% of them, was the own decision to combine work and family life. This is also in the second main choice for those ones who have been self-employed for more than 10 years.

By sector of activity, the main reason of the EDSE workers to become self-employed has been to develop their professional career. More than 50% as an average point out this one as the main reason, except for the sectors of Industry and manufacturing, trade and hotel and tourism industry, in which only the 32% as average have mentioned this reason.

It is noteworthy that 57,1% of the respondents in the hotel and tourism sector declared to have become self-employed because their companies asked them to convert their contracts into civil ones. Therefore, the conversion of labour into civil contracts by decision of the company seems to be the main reason why there are EDSE workers in the hotel and tourism sector.

Other sectors in which the conversion of the contract by the company is indicated as second main reason are:

- Industry and manufacturing – 25% of the EDSE workers indicated this option
- Transport, including travel agencies. Option indicated by the 17,6%.
- Wholesale trade - the 28,6% indicated this option
- Information, publishing and media. – the 28,6% indicated this option
- Health, veterinary and social services. 30% of the EDSE workers in the sector has indicated it as one of the main reasons.

The own decision to develop the career is the main reason why the identified EDSE workers decided to become self-employed.

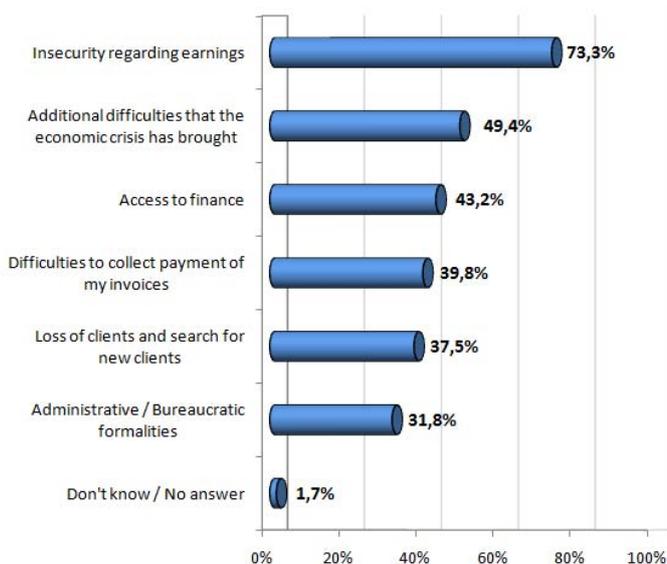
The decision by the company of converting their labour contracts into civil ones is the second reason.

6.1.4 Challenges that EDSE workers have to face

The main difficult situation that they have to face is the **uncertainty regarding their incomes**, which is recognized and pointed out by 73.3% of the respondents to the survey.

The perception on the importance of the different difficulties they were asked for, is very similar between those respondents who are in the EDSE workers group and those who not.

CHART 5: Main difficulties that EDSE workers have to face (Spain)



Due to the nature of the situation of EDSE workers, the difficulty related to the loss of clients and search for new ones has been pointed out more by the non EDSE workers (61%) than by the ones who are in the group of the EDSE and by definition, depend on only one or almost only one client.

When analyzing the answers according to the level of studies of the respondents, those EDSE workers having secondary education or below, point out the uncertainty about the incomes (73,5%) and the additional difficulties brought by the economic crisis (69,6%) as the main problems that they have to face.

For those EDSE workers with higher education, the loss of clients and the search for new ones is the second main problem, identified by 1 in 2 of them. This problem is also pointed out by 41,2% of those who have been self-employed between 1 and 2 years.

By sector of activity, the main problems identified are:

- All the EDSE workers who answered the survey in all the sectors point out the uncertainty regarding their incomes as the first challenge that they face, except the ones in the personal services sectors for whom the main problem is the difficulty to collect the payment of the invoices.
- The additional difficulties that the economic crisis has brought is the second main problem for those in the Agriculture, Industry, building, wholesale trade, health, veterinary and social services and other specialized professional services.
- The difficulty to collect the payment of the invoices is the second main problems for those in the building, ICT related services, culture and arts sectors
- The access to finance opportunities is the second main problem for those in the hotel and tourism, retail trade and personal services.
- Finally, the loss of clients and the search for new ones is the second problem for those in the information, publishing and media sector.

The uncertainty about the incomes is the main problem for the Spanish EDSE workers.

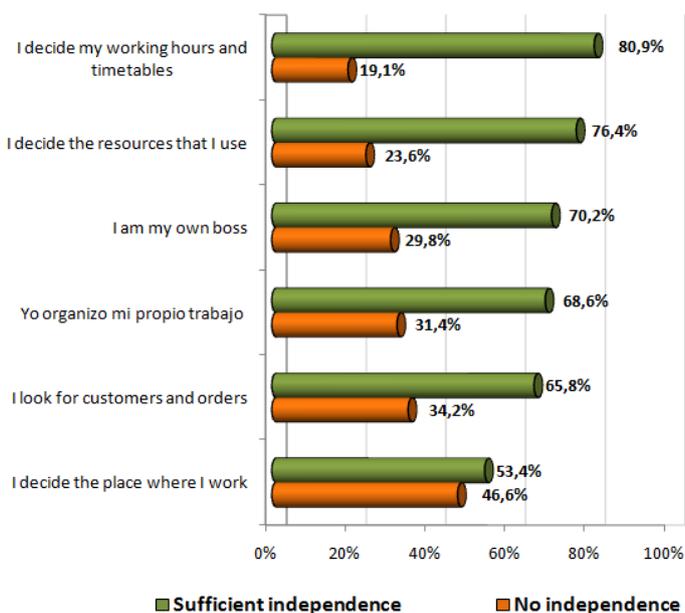
The additional difficulties that the crisis has brought is the second problem for most of them.

6.1.5 Degree of Independence in the development of their activity.

In order to assess the degree of independence of the respondents in the development of their activities, the survey has included a question with different items which the respondents had to rate in a 5 points scale (1 meaning no independence and 5 meaning total independence).

In order to analyse the answers given to this question, we have established two different groups collecting the items for which the EDSE workers have reported to have a degree of independence of 1 or 2 (not independent) on one side, and the items for which they reported 3, 4 or 5 degrees of independence (they are independent enough) on the other side.

CHART 6: Degree of Independence of the EDSE workers in the development of their activity (Spain)



It is very interesting to jointly analyse the qualitative aspects which are more important for the EDSE workers according to their higher or lower degree of independence.

In the answers of the group who declared to be not independent, the aspect which was more highlighted is the decision on the place where they work, followed by looking for the clients and contracts. On the opposite side, the aspects for which they are less independent are the decision on the working hours and the resources and tools to be used.

On the contrary, the group of those who declared to be independent enough highlight precisely the working hours and the tools and resources they can use as the main decision they can take based on their independence. Other relevant aspects for them are the consideration of being their own boss and the possibility of organizing their own work. The aspect less highlighted by this group is the possibility to decide the place of work.

An analysis of those variables for which the EDSE workers have declared to be not independent to decide about, according to the economic sector in which they work, is included below:

The half of the EDSE workers (50% as an average) in the fields of transport, retail trade, hotel and catering and health and social services declare to be not independent when it comes to organize their own work.

With regard to the working hours, 1 out of 2 of the EDSE workers in the sectors of industry, hotel and catering and health and social services declared to be not independent to decide about it.

As for the place of work also 1 out of 2 workers in the sectors of transport, retail trade, hotel and catering, publishing and marketing and health and social services declared to not be independent to decide about.



When deciding on the resources and tools to use, 1 out of 2 workers in the sectors of transport, declare to be not independent to decide on this variable.

When talking about the issue of looking for the clients, 3 out of 4 workers in the transport and hotel and catering sectors say to not be independent to decide about.

Regarding the feeling of being their own boss, one in two workers in the sectors of transport, hotel and catering and health and social services declare to feel not identified with such a statement.

Finally, to conclude this analysis, the answers to this question have been compared with the workers' feeling of being economically dependent or not.

It has to be kept in mind that in the EDSE workers group, we have included self-employed workers who despite not feeling as economically dependent workers, can be considered as such due to the way they develop their activity and to the origin of most of their incomes.

Those workers who feel like EDSE workers declared to be less independent in the development of their activities than those who don't feel as such.

In the group of those who feel like EDSE workers, an average of 36,5% of them (nearly 4 out of 10) declare that they are not independent to develop their activity, however, for those EDSE workers who declared not feeling as such, the average goes down to 21,5%, that is, 2 out of 10 workers declare not being independent in the development of their tasks.

The results were to provide evidence of the feeling of being EDSE worker influencing the perception on the degree of independence to develop their job.

Being able to decide about the working hours is the most relevant aspect for those EDSE workers who declared to be independent enough and the less relevant for those who are less independent.

On the contrary, the place of work is the most relevant factor for those not being independent and the less relevant for those who are independent enough.

The fact of these workers feeling as economically dependent self-employed workers has an influence on the answers given when they were asked about how dependent they are for the development of their activity.

TABLE 4: Distribution of the level of autonomy in the development of the activities according to the feelings about being an EDSE worker (Spain)

Independence degree Factors	They feel like EDSE workers (sum of the answers "yes, absolutely" and "Yes, to a certain extent")		They don't feel like EDSE workers (Sum of the answers "Rather no", "absolutely no" and "Don't know/no answer")	
	They are not independent (Sum of those who answered 1 and 2)	They are independent enough (sum of those who answered 3,4 and 5)	They are not independent (Sum of those who answered 1 and 2)	They are independent enough (sum of those who answered 3,4 and 5)
I decide my working hours and timetables	35,4%	64,6%	16,7%	83,3%
I decide the place where I work	34,5%	65,5%	29,4%	70,6%
I decide the resources that I use	49,7%	50,3%	40,0%	60,0%
I organise my own work	25,7%	74,3%	16,7%	83,3%
I look for customers and orders	39,9%	60,1%	13,3%	86,7%
I am my own boss	34,1%	65,9%	13,4%	86,6%

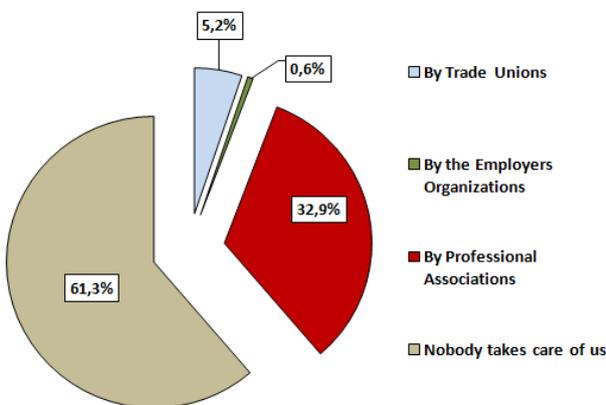
6.1.6 Perception about the level of representation and protection that they enjoy

Regarding the perception of the EDSE workers **about how represented and protected they are by the trade unions or enterprises associations**, the most relevant data is that 61,3% of the respondents who have been identified as EDSE workers consider that nobody take care of their situation, opposed to the 37,7% who declared to feel represented by professional associations (32%), trade unions (5,1%) or employers organizations (only 0,6%).

By analyzing the perception of those workers in the different segments of the EDSE workers group we observe that the ones who declare feeling less represented and protected are those who have been self-employed for less than 2 years (77,2% of them feel unprotected), those in the age range between 25 and 29 years old (66,7% of them) and women in general (61,3%).

By sector of activity, the EDSE workers in the sectors of building, (87,5%), transport (81,3%) and industry and manufacturing (75%) are the ones who recognize feeling more underrepresented.

CHART 7: Perception of the EDSE workers on the level of representation and protection that they have (Spain)

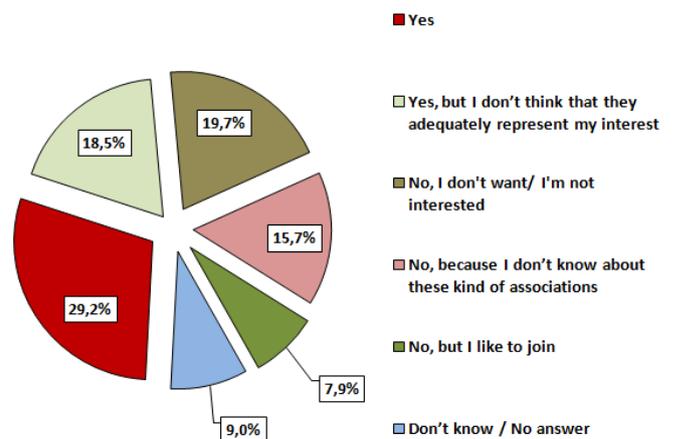


The answers to the last question of the survey, asking the participants if they were members of a trade union or professional association,

reveal that the majority of EDSE workers in Spain are not yet member of the existing associations representing their interest or they don't feel they are represented enough.

However, a 29,2% of them declares to already be a member of one of the different types of association and also a 18,5% declare that despite being members, they don't feel adequately represented.

CHART 8: Membership of EDSE workers in trade unions, professional associations or employers organizations. (Spain)



It is also to be noticed that there is a significant 23,6% of EDSE workers who declare their willingness to be part of these association (7,9%) or who are not member because they don't know about them (15,7%)

In the group of those respondents finally identified as non economically dependent self-employed workers, this percentage is lower: 20,5%, with a 6,9% of them who would like to join and a 16,6% who don't know about them.

The results of the survey for this aspect of the perception about the level of representation and protection that EDSE workers have reveal that they need yet to find a referent organisation for their collective representation. While this group has been growing within the labour market, the organisations representing them have not grown at the same rhythm and this is what the respondents reflect in their answers.



In any case, what seems to be clear is that they feel much better represented by professional association, which may better understand and defend their rights, better than by trade unions (only 5,2% of these workers consider them as representatives of their interests) and of course, far more than the employers organizations which the EDSE workers seems to feel totally far from, since only 0,6% of them consider that such organizations represent them.

6.1.7 Description of EDSE women in Spain

The average profile of the economically dependent self-employed woman in Spain is the one of a woman between 25 and 49 years old, with university studies, working in sectors where historically women have been represented in a high percentage like Health and social services, business advisory consultancy and education and training related activities.

As an average, this woman has been self-employed for between 2 and 5 years.

It is noticeable that the survey results indicate a recent increase of women being self-employed. A 16% of the women who answered the survey declared to have been self-employed for less than one year, 8.2 points more than the men.

The average EDSE woman works for a single client or almost for only one. Women declare in a higher percentage than men that they work for a single company which provides them with the work they do.

This prototype EDSE woman become self-employed to develop her career, but the reasons of the company modifying the contract and the opportunity to combine work and family life are also important for her. It should be highlighted that this last reason has been not mentioned by the EDSE men answering the survey.

Regarding the difficulties and challenges that EDSE women face there are no differences compared to the answers of the men. The uncertainty about the incomes and the

additional difficulties brought by the crisis are the most pointed out problems.

The average EDSE women is just a bit less independent (0,9 points) than EDSE men when talking about the autonomy for developing their activities so in general terms we can state that women have the same degree of independence as men for developing their tasks.

8 out of 10 women identified as EDSE women feel that they are economically dependent.

Regarding the protection of the rights and interests, 6 out of 10 women consider that nobody takes care of their situation.

Moreover, only 4 out of 10 women declared to be members of any association or trade union organization and 2 out of 10 who are member of an associations consider that such organizations doesn't properly represent their interest.

6.1.8 Bogus self-employment in Spain

From the total of EDSE workers identified through our survey (178) only 5 (2,8%) can be considered as "bogus" self-employed workers. These 5 people declared being not independent at all neither for organizing their work, deciding their working hours, the place to work, or being their own boss.

Although the analysis of the group in conditioned by the few cases that we encountered, we can describe the group as follows:

Most of the cases are women (60%) within an age range between 30 and 39 years old and having post-graduate studies (80%). They have been self-employed for between 2 and 5 years (40% of them) and they mainly work for almost only one client.

The reasons for this findings of most of them working not for a single client but for an almost single one, despite not being independent at all can be found in the subcontracting practices by different companies with different business names who are really pertaining to the same

owner and for which the workers are working for short periods of time.

The sectors of activity in which they work are health and social services and education and training related activities (40% in each sector respectively)

They became self-employed mainly because they lost their job (60% of them) and highlight the access to finance (100% of them) and the administrative / bureaucratic formalities (80%) as the main problems they face.

All of them declared that at least 75% of their incomes come from a single client and all of them also recognize that they totally feel economically dependent workers.

With regard to the membership of collective representation organizations and the protection that they receive, 80% of them says that nobody take care of their situation. Also the 80% said not to be member of any kind of association because they don't want or they are not interested.



6.2 Description of the survey results in France



6.2.1 Definition of the EDSE workers group in France

A total of 80 EDSE workers have been identified in France out of a basis of 306 respondents to the survey, which means a percentage of 26,1%.

Within this group of EDSE workers, 53 (66,2%) fulfil all the criteria to be considered as economically dependent workers and therefore to be in the target group.

Considering that the methodology proposed by the project includes the analysis of the general perception of the respondents, those self-employed workers who not fulfilling the 3 criteria, show a behaviour clearly similar to the one of a EDSE worker, have been also included in the group.

According to this principle, the 3 following subgroups of respondents have been included in the final group of EDSE workers:

- 14 self-employed workers (17,5%) who declared to have their own business and 2 others (2,5%) who didn't know what to answer to question 7. These 16 respondents have been included in the EDSE workers group because of the answers to the questions related to the origin of their incomes and their feeling of being economically dependent workers.
- 8 self-employed workers (10,0%) who, despite declaring that no more than 75% their incomes don't come from a single client, develop their activity exclusively or almost exclusively for a single client and moreover, they feel economically dependent self-employed workers
- And 3 self-employed workers (3,7%) whose way of developing their activity in the last year (they worked for only one or

almost only one client) indicates that they have both to be included in the EDSE workers group, despite they declared not feeling economically dependent ones.

6.2.2 Socio-labour situation of the target group

The group of EDSE workers in France is made up by **56,3% of men and 43,87% of women**. In section 6.2.7 we will analyse in depth the features of the EDSE women in France.

Regarding the **age**, French EDSE workers are within the **range of 30 to 49 years old**. The 72,4% of the workers identified as economically dependent ones are included in this range, half of them (36,2%) being 30 to 39 years old and the other half (36,2%) being 40 to 49. The group under 30 years old represents just the 8,8% of the total.

TABLE 5: Distribution of EDSE workers by age range (France)

Age range	Frequency	Percentage
16-19	0	0,0%
20-24	1	1,3%
25-29	6	7,5%
30-39	29	36,2%
40-49	29	36,2%
50-59	9	11,3%
60-64	5	6,3%
65-69	0	0,0%
>70	1	1,3%
TOTAL	80	100%

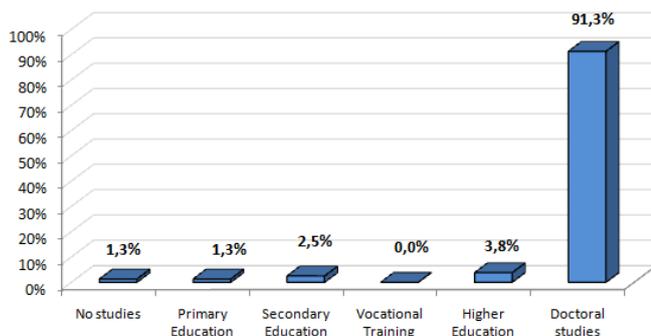
It is noticeable that the proportion of young people under 30 years old is higher in the group of those respondents who were not identified as EDSE workers. This age group represent 10,2% of the total which means 1,4 percentage points more than in the group of EDSE workers.

By **level of studies**, the great **majority (91,3%) of them have a master or a PhD**. This level is notably predominant and it is clear

to show the high professional level of the group.

This percentage is similar to the one of the non SDSE workers in which the 85,8% also has post-graduate studies.

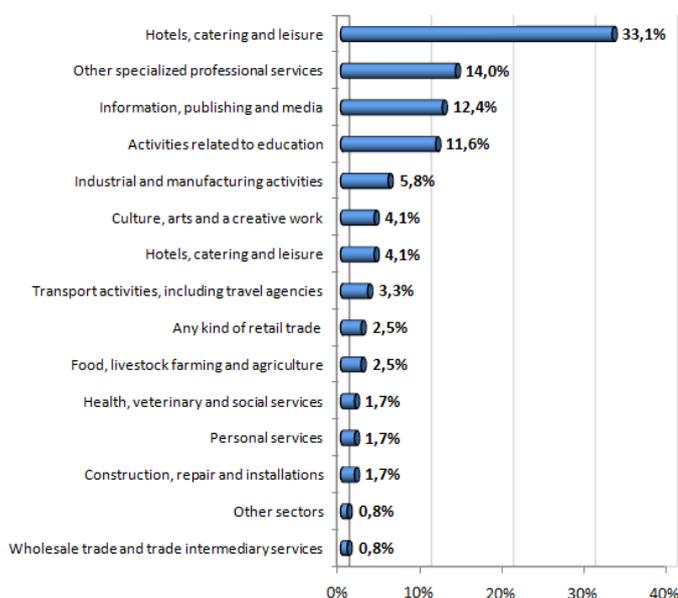
CHART 9: Distribution of EDSE workers by level of studies (France)



With regard to the **sectors of activity**, the group of identified economically dependent self-employed workers mainly works at:

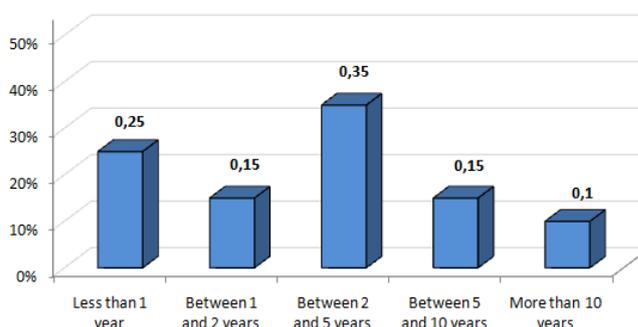
- ICT related professional and technical services (33,1%)
- Other specialized services (14%). This category includes business advisors, independent consultant in banking, or human resources and translation services
- Training related activities (11,6%)
- Industrial and manufacturing activities (5,8%)

CHART 10: Distribution of EDSE workers by sector of activity (France)



Depending on **how many years they have been paying social security in the self-employed regime**, the 35% has been doing this for between 2 and 5 years, the 25% for less than one year. A 15% is for those between 1 and 2 years and another 15% is for those between 5 and 10 years. Only the 10% of the EDSE workers have been self-employed for more than 10 years.

CHART 11: Distribution of EDSE workers by seniority as self-employed (France)



Those EDSE workers who have been maintaining their position as self-employed for less than 2 years accounts for a representative 40% of the total, which is higher than the 33,7% of those identified as non EDSE workers who have been self-employed for the same period of time.

The EDSE worker in France is a man being between the ages of 30 and 49, highly qualified with post-graduate studies and who has been self-employed mainly for between 2 and 5 years or for less than 1 year.

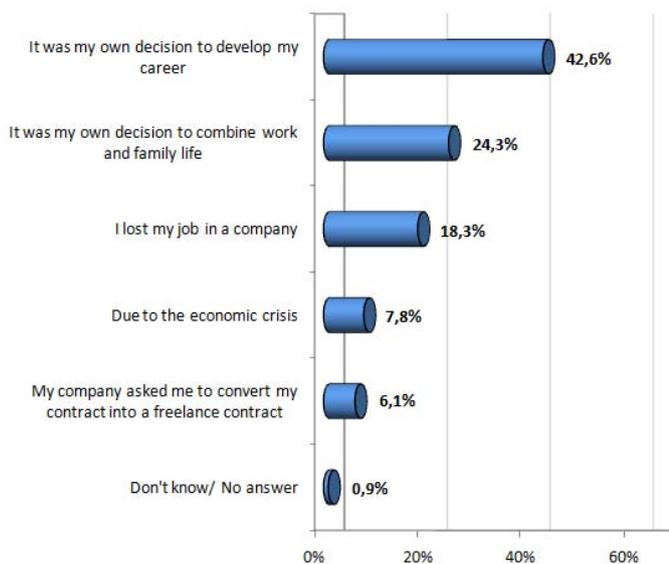
The professional activity which they develop is related to ICT professional services, other specialized services translation services and also translation activities.

6.2.3 Reasons for becoming self-employed workers

Concerning the **reasons for becoming self-employed workers**, the 42,6% of the EDSE

workers indicated that it was an **own decision to develop their career**, and the 24,3% of them indicated that it was an own decision to combine work and family life. The 18,3% become self-employed because they lost their jobs. It is to be noticed the low 6,1 % of them who were forced to this situation because their company asked them to convert their labour contracts into freelance ones.

CHART 12: Reasons for EDSE workers becoming self-employed (France)



The distribution of reasons is very similar in the group of those respondents identified as non EDSE workers.

If we analyse these reasons according to the level of studies, sector of activity or years as self-employed workers we cannot find relevant differences to be mentioned. The own decision to improve their career or to combine work and family life are the main reasons in all cases.

It is to be highlighted that 42,9% of the EDSE workers in the age range between the ages of 50 and 64, declared that the main reason was the lost of their job in the company where they were working. This reason is pointed out also by a 25,8% of the EDSE workers who have been self-employed for less than one year and by a 28,6% of those who have been in this situation for between 2 and 5 years.

For the 11% of those having post-graduate education, the main reason has been the economic crisis.

By sector of activity, the most relevant reason for the EDSE workers becoming self-employed in all sectors is the own decision to improve their career.

In the sectors of ICT related professional services, culture, arts and a creative works, and education related activities, the reason of losing their job in the companies where they worked is a reason indicated by the 32,5%, the 40% and the 14,3% of the EDSE workers respectively.

It is noticeable the fact that in the transport, retail trade, wholesale trade, and personal services sectors, the reason of combining work and family life is mentioned at an equal level than the development of the career and therefore both reasons have the same weight for the EDSE workers in those sectors.

The own decision to develop the career is the main reason why an EDSE worker in France became self-employed

The second main reason is the opportunity to combine work and family life.

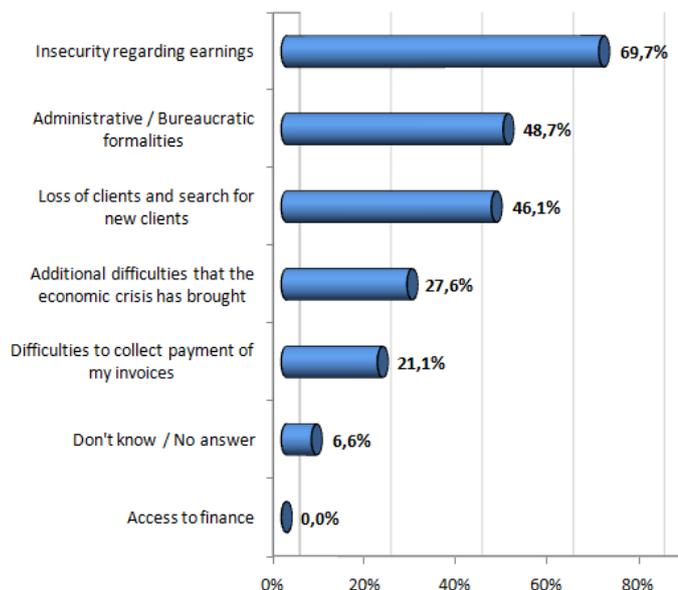
6.2.4 Challenges that EDSE workers have to face

The main challenge that EDSE workers in France declare to face is the **insecurity regarding their incomes**. This problem is pointed out by 69,7% of the respondents in the EDSE workers group, They also point out as challenges the administrative / bureaucratic formalities (48,7% of them mentioned this issue) and the loss of clients and the search for new ones (mentioned by the 46,1%)

The distribution of challenges is practically the same for the group of respondents who have been classified as non EDSE workers. On this regard, it is noticeable that the loss of clients and search of new ones is a challenge equally mentioned by those who are EDSE workers and those who are not. This fact could indicate, always from the due caution, that the EDSE

workers in France have a less strong dependency of only one single client.

CHART 13: Main difficulties that EDSE workers have to face (France)



Attention should be drawn to the fact that the access to finance is not a significant challenge for French EDSE workers according to the results of the survey.

When analysing the answers according to the level of studies, the insecurity regarding earnings is a challenge mentioned by all those EDSE workers who have not post-graduate studies. For those having a master or PhD, this is the reason mentioned by the 68,1% but the administrative/ bureaucratic formalities are also a challenge for them.

By sectors of activity the challenges that they mainly pointed out are as follows:

All the EDSE workers highlighted the insecurity about their incomes as the main challenge they face except for the ones in the transport sector who indicate the administrative/bureaucratic formalities as the main problem for them.

The loss of clients and the need to search for new ones is a problem especially highlighted by the EDSE workers in the sectors of hotel and catering, culture, arts and a creative work and ICT related professional and technical services.

The additional difficulties that the economic crisis has brought are an issue specially highlighted by the EDSE workers in the industry and manufacturing sector and also in the hotel and tourism sector.

The difficulties to collect payment of invoices have a light weight in the total of answers; however they are mentioned as a challenge by the EDSE workers in the sectors of transport, building, ICT related services and Information, Publishing and Media.

As already mentioned, the access to finance is not mentioned as a challenge by any one EDSE worker in any one sector.

The uncertainty regarding the level of incomes is the main challenge faced by the EDSE workers in France.

The administrative and bureaucratic formalities are the second problem that they mentioned.

6.2.5 Degree of Independence in the development of their activity.

In order to analyse the **degree of independence in the development of their activity**, the survey included different aspects that the respondents had to rate in a 5 points scale (1 meaning no independence and 5 meaning total independence).

For the purpose of analysing the answers given to this question, we have established two different groups collecting the items for which the EDSE workers have reported to have a degree of independence of 1 or 2 (not independent) on one side, and the items for which they reported 3, 4 or 5 degrees of independence (they are independent enough) on the other side.

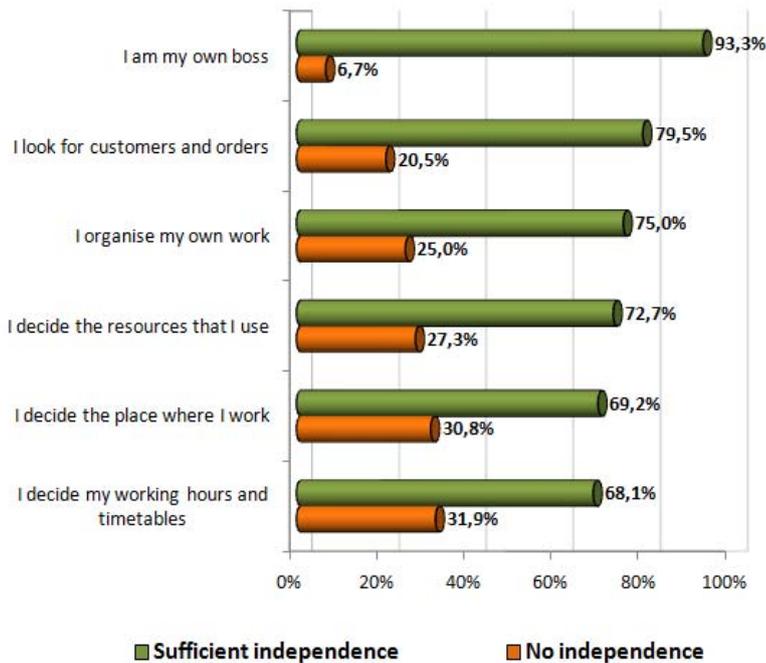
It is very interesting to jointly analyse the qualitative aspects which are more important for the EDSE workers according to their higher or lower degree of independence.

Among the answers given by the EDSE workers in the group of those who declared to be not independent, the most relevant aspect is to



decide about their working hours and timetables, followed by the one of deciding the place where they work. On the contrary the lower rated aspects is the one of considering that they are their own boss.

CHART 14: Degree of Independence of the EDSE workers in the development of their activity (France)



Just in the way around, the aspect “I am my own boss” is the higher rated by those who are independent enough, followed by the aspect of looking for clients and orders. The decision on the working hours is the less highlighted aspect by this group.

Below we analyse the variables for which the EDSE workers declared to be not independent, according to the economic sectors in which they operate.

The 50% of the EDSE workers in the building, personal services and ICE related professional services declared to be not independent when it comes to organising their own work.

About deciding their working hours and timetables, one in two EDSE workers in the fields of building and retail trade declare to be not independent enough.

Regarding the decision about the place where they work, one in two respondents in the sectors of building, retail trade and ICT professional services said to be not independent enough to decide on this variable.

Concerning the decision on the resources and tools that they use, one in two workers in the sectors of health, veterinary and social services declared to be not independent to take this decision.

As for the looking for clients and orders, one in three workers in the Culture, arts and creative sectors recognized to be not independent for deciding on this regard.

Regarding being their own bosses, one in three workers in the food and agriculture sector declared to be not independent enough to identify themselves with such a statement.

Finally, to conclude this analysis, the answers to this question have been compared with the workers’ feeling of being economically dependent or not.

It has to be kept in mind that in the EDSE workers group, we have included self-employed workers who despite not feeling as economically dependent workers, can be considered as such due to the way they develop their activity and to the source of most of their incomes.

Those workers who feel like economically dependent self-employed workers and those who don’t feel as such declare to have a similar degree of independence in the development of their activities, although the degree of the first ones is slightly lower.

In the group of those who feel as EDSE workers, an average of 23,4% of them (2 out of 10 workers) indicate that they are not independent enough when it comes to organize their own work. For the group of respondents who don’t feel as EDSE workers the average of those declaring to be not independent for the organization of their work is slightly higher, a 27,3% of the total.

TABLE 6: Distribution of the level of autonomy in the development of the activities according to the feelings about being an EDSE worker (France)

Factors	They feel like EDSE workers (sum of the answers "yes, absolutely" and "Yes, to a certain extent")		They don't feel like EDSE workers (Sum of the answers "Rather no", "absolutely no" and "Don't know/no answer")	
	They are not independent (Sum of those who answered 1 and 2)	They are independent enough (sum of those who answered 3,4 and 5)	They are not independent (Sum of those who answered 1 and 2)	They are independent enough (sum of those who answered 3,4 and 5)
I decide my working hours and timetables	34,2%	65,8%	22,2%	77,8%
I decide the place where I work	27,3%	72,7%	50,0%	50,0%
I decide the resources that I use	21,1%	78,9%	66,7%	33,3%
I organise my own work	23,1%	76,9%	25,0%	75,0%
I look for customers and orders	22,9%	77,1%	0,0%	100,0%
I am my own boss	11,8%	88,2%	0,0%	100,0%

The results seem to evidence that, in the case of France, the feeling of being EDSE workers has not a relevant impact on how they assess their level of independent for developing their work.

To be able to decide about the working hours is the most important aspects for the EDSE workers who are independent enough and on the contrary, the less relevant for those who are not independent.

6.2.6 Perception about the level of representation and protection that they enjoy.

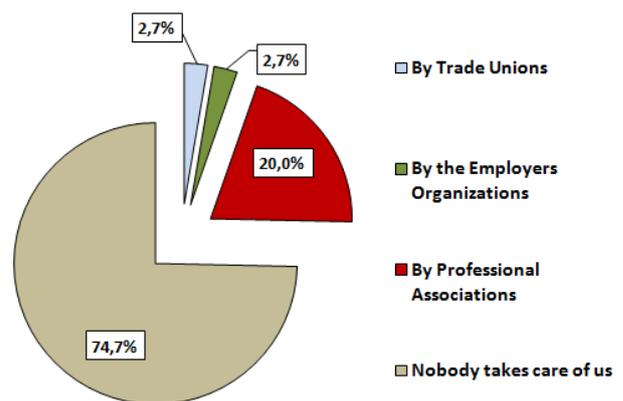
Concerning the perception that EDSE workers have about the **level of protection and collective representation that they enjoy**, the most relevant information is that 74,7% of the ones who responded the survey consider that nobody take care of their situation, in opposition to the 20% of them who consider that they are represented by professional associations, the 2,7% who feel represented

by trade unions and the rest 2,7% who consider represented by employer's organisations

By analyzing these perceived levels of protection for the different segments within the group of EDSE workers, it is to be notice that those who feel less represented and protected are precisely those who have been self-employed for more than 10 years and the

ones in the age range of +60 years old. All the respondents in both segments declared to feel not protected at all.

CHART 15: Perception of the EDSE workers on the level of representation and protection that they have (France)



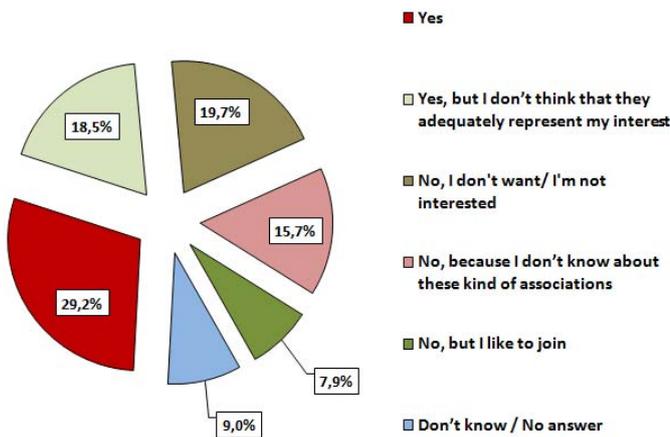
The segments of those EDSE workers in the range from 30 to 39 and those who have been self-employed for between 5 and 10 years, there is the same feeling with a percentage of 88,5% and 90,9% of the respondents in the respective segments declaring to feel unprotected.



The results evidence that there is a lack of specific collective representation of the economically dependent self-employed workers in France, that should be tackled by the national and European Social Dialogue structures.

The answers to the last question of the survey, asking the participants if they were members of a trade union or professional association, reveal that only a very little percentage, the 10% of the EDSE workers in France are already member of the existing associations representing their interests.

CHART 16: Membership of EDSE workers in trade unions, professional associations or employer's organizations. (France)



The 23,8% of them declare that they are not members because they don't know about these type of associations and another 20% declare that they are not members but they would like to be.

The sum of the EDSE workers pointing out these two answers result in a significant 43,8% of potential members of associations which would adequately represent the specific interest of this group opposite to just the 18,8% who declared not being interested in this type of associations.

In the group of those respondents to the survey who have been identified as non EDSE workers, the percentage of workers who said that they would like to join one of this association is just 10,6% , meaning a

willingness 9,4 percentage point lower than the one of the EDSE workers.

In the light of the data, the economically dependent self-employed workers in France seem to have difficulties to find the right space within the collective representation framework, in a higher proportion than the rest of self-employed workers who are not considered as economically dependent.

It calls attention to the need for actions, implemented by collective representation organizations, addressed to adequately cover the needs of this group of atypical workers (the EDSE workers), who have been existing for a long time in France but who are more and more present in the labour market structure nowadays.

6.2.7 Description of EDSE women in France

The prototype EDSE woman in France can be defined as a woman between 30 and 49 years old, holding post-graduate studies and working mainly in the sectors of ICT related professional services, training related activities, culture, arts and creative works and in information, publishing and media.

She has been paying contribution to social security under the self-employed regime for between 2 and 5 years. It is also noticeable the significant percentage (34,3%) of women who have been self-employed for less than one year, and which is 16,5 percentage points higher than the one of men.

She Works mainly for an almost exclusive client, a company or business which provide her with the work she has to do. The percentage of EDSE women who pointed out this way of developing their activity is smaller than the percentage of men.

She became self-employed mainly to develop her career although the reasons of combining work and family life is almost equally important.

The loss of the job in the last company where they worked is also a reason frequently pointed out by the respondent women.

The main challenges for her are the loss of client and the need for searching new ones and the uncertainty regarding the incomes. This last problem is notably more highlighted by women than by men under the EDSE workers group in France.

The EDSE women seem to be more independent than men when it comes to develop their activity. In percentage terms, women are on average 13,5 percentage points more independent than men.

The same as their male colleagues, the EDSE women feel economically dependent of an employer: 9 out of 10 women recognize to feel like this.

With regard to the perception about the protection of their rights by the collective representation entities, 6 out of 10 women consider that nobody take care of their situation. Moreover, only 2 out of 10 EDSE women declare to be member of any type of association.

He become self-employed because he lost his job in the company and the main difficulty he face is the administrative and bureaucratic formalities.

With regard to protection of his rights, he pointed out that nobody take care of his situation and he is not member of any representative organization because he doesn't know anything about them.

6.2.8 Bogus self-employment in France

From the total of 80 EDSE workers identified in France, only 1, meaning the 1,2% of the total, can be considered as a bogus self-employed worker. Therefore, an analysis of bogus self-employment in France using the results of the survey is not truly representative.

In any case, if this single case identified would be just an example of the bogus self-employed workers in France, we can say that he is a man between 30 and 39 years old, with post-graduate studies, who has been paying social security contribution in the regime of self-employed for between 5 and 10 years and working in the ICT related professional services sector. He declared that the 75% of their incomes comes from a single client and feels an economically dependent self-employed worker.



6.3 Description of the survey results in Italy



6.3.1 Definition of the EDSE workers group in Italy

A total of 115 EDSE workers have been identified in Italy out of a total of 205 respondents to the survey, that is, the 56,1% of them.

From the total of 115 EDSE workers, 76 (that is, the 66,1%) fulfil all the criteria to be considered as economically dependent workers and therefore to be in the target group.

Considering that the methodology proposed by the project includes the analysis of the general perception of the respondents, those self-employed workers who not fulfilling the 3 criteria, show a behaviour clearly similar to the one of a EDSE worker, have been also included in the group.

According to this principle, the 3 following subgroups of respondents have been included in the final group of EDSE workers:

- 8 self-employed workers (6,9%) who despite declaring that the 75% of their incomes doesn't come from a single client, they feel EDSE workers and work exclusively or almost exclusively for only one client.
- 22 self-employed workers (19,1%) who don't feel economically dependent of an employer but who declare developing their activity for only one client or almost for only one.
- 9 self-employed workers (7,8%) who don't show to develop their activity as economically dependent self-employed workers but who explicitly declare to feel like EDSE workers and receive the 75% of their earnings from a single client.

6.3.2 Socio-labour situation of the target group

By gender, the target group is formed by a 72,2% of women and 27,8% of men. The specific situation of the women within this group will be described below.

By age, the majority of the members of the group (69,6%) are in the age range of 30 to 49, being the more frequent the range of 30 to 39 (47% of the total are within this age range).

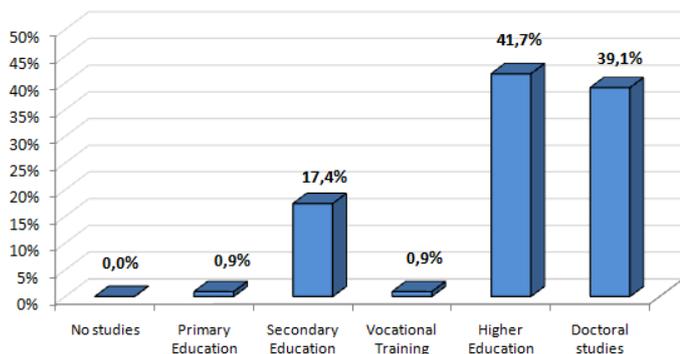
TABLE 7: Distribution of EDSE workers by age range (Italy)

Age range	Frequency	Percentage
16-19	0	0,0%
20-24	0	0,0%
25-29	15	13,0%
30-39	54	47,0%
40-49	26	22,6%
50-59	17	14,8%
60-64	3	2,6%
65-69	0	0,0%
>70	0	0,0%
TOTAL	115	100%

The group of EDSE workers under 30 represent the 13% of the total and contrast with the group of those respondents identified as non EDSE workers in which this age range represent just the 6,6% of the total.

With regard to the **level of studies finished by the respondents**, higher and post-graduate educational level are the most representative, a 41,7% and a 39,1% of the total respectively declare to have these educational level and these percentages altogether sums a very significant 80,8% of the total.

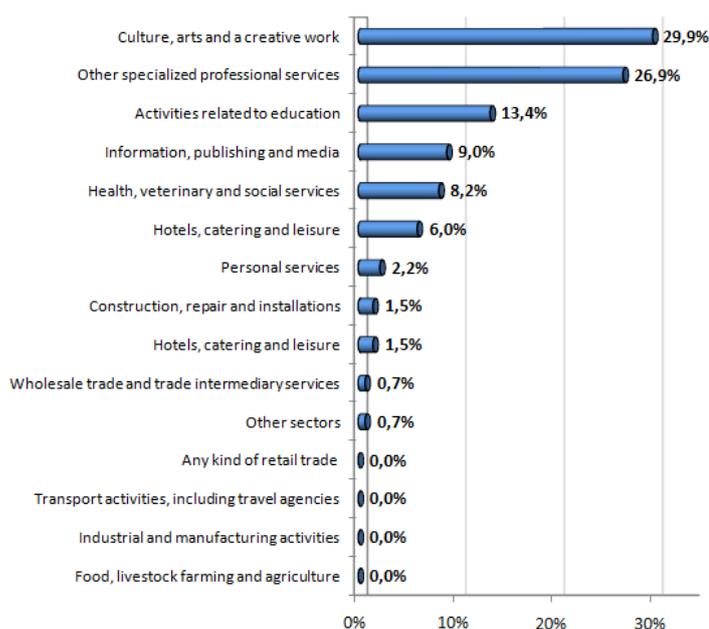
CHART 17: Distribution of EDSE workers by level of studies (Italy)



The **sectors of activity** in which the Italian EDSE workers mainly developed their activities are:

- *Culture, arts and a creative work.* 30% of the total operates in this sector.
- *Other specialized professional services.* This sector includes occupations like researchers, translators, sociologists, and specialist professionals working for the public administration. The 27% of the total work under this category.
- *Education and training related activities.* The 13,4% of the total work in this sector.

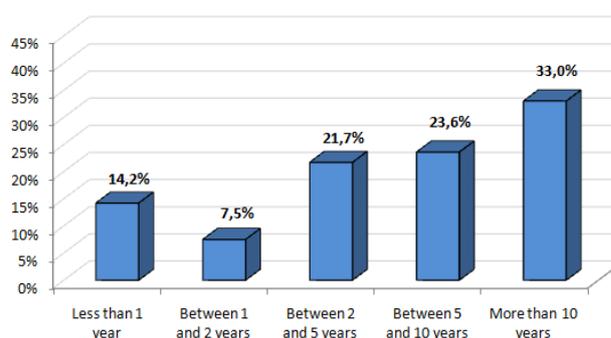
CHART 18: Distribution of EDSE workers by sector of activity (Italy)



Moreover, the sectors of health, veterinary and social services and the one of information, publishing and media have also to be highlighted since the 8,6% of the total EDSE workers develop their activity in one of these sectors.

One in two respondents within the identified group of EDSE workers have been paying social security contribution as self-employed for more than 5 years (56,6% of the total).

CHART 19: Distribution of EDSE workers by seniority as self-employed (Italy)



Those who have been self-employed for between 2 and 5 years and for less than 2 years represent respectively the 21,7% of the total.

The prototype EDSE worker in Italy is a woman between 30 to 39 years old, with university studies and who have been self-employed for more than 5 years.

Her professional activity is related to culture, arts and creative work, or to other specialized professional services like research, translation and sociology.

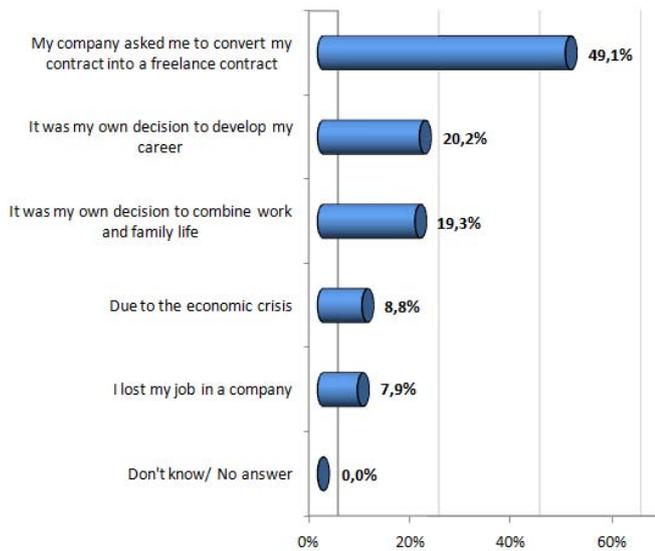
6.3.3 Reasons for becoming self-employed workers

The main reason for this group of workers becoming self-employed is **the request of the company where they worked to convert their contracts** into freelance contracts.



This reason is mentioned by one in two (49,1%) of the respondents within the EDSE workers group

CHART 20: Reasons for EDSE workers becoming self-employed (Italy)



The following reason is the **own decision to develop their career**, pointed out by the 20,2% of them and the **own decision to combine work and family life**, pointed out by the 19,3%.

These reasons contrast with the ones highlighted by those respondents who have been identified as non EDSE workers, who have mainly declared that become self-employed to develop their career and to combine work and family life, reasons pointed out respectively by the 45,3% and the 38,7% of the respondents of this group.

When analysing these reasons according to the level of studies of the respondents we cannot detect significant differences. However, some differences can be detected when we analyse the reasons of the respondents in the different segments of seniority as self-employed workers:

The 80% of those who have been self-employed for less than 1 year declared that they become self-employed because of a requirement of the company for which they worked. The percentage decreases as the years

of seniority increases. Within those who have been self-employed for between 1 a 5 years, only the 35% pointed out this reason while the one of developing the career becomes more important within this segment.

With regard to the sector of activity, and with the exception of the workers in the retail trade and ICT related services who mainly focus on the career development as main reason for becoming self-employed, one in two EDSE workers in the rest of sectors declare that the request of the company for which they work was the main reason for them becoming self-employed workers.

The conversion of the type of contract by the Company for which they worked is the main reason for the EDSE workers in Italy becoming self-employed.

Other relevant reasons are the own decision for improving the career and for combining work and family life.

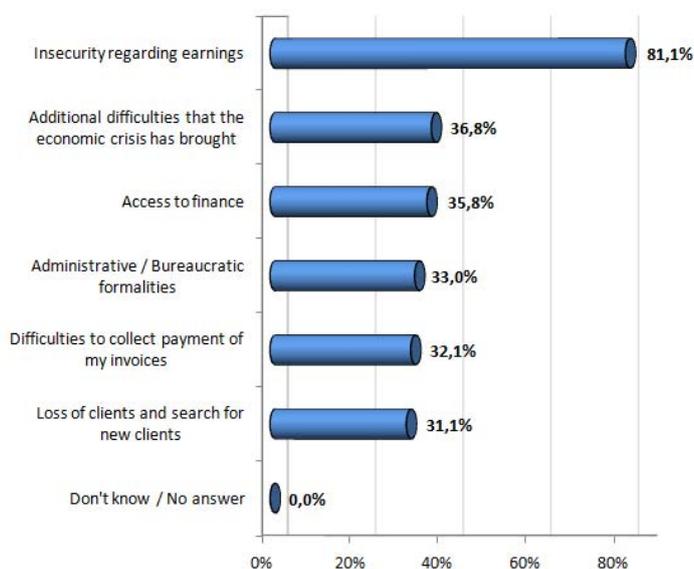
6.3.4 Challenges that EDSE workers have to face

The main challenge that EDSE workers declare to face is the **insecurity with regard to their incomes** which is pointed out by the 81,1% of the respondents.

The other challenges they mentioned are the additional difficulties that the economic crisis has brought (36,8%) and the access to finance (35,8%).

Both the respondents identified as EDSE workers and those not identified as such coincide in the main problem that they face which is the uncertainty with regard to their incomes; however, there are some differences between both groups in the other difficulties that they consider.

CHART 21: Main difficulties that EDSE workers have to face (Italy)



For those in the non EDSE workers group, the second and third problems are the loss of clients and the consequent search of new ones and the difficulty to collect the payment of their invoices, mentioned by the 58,7% and the 53,3% of the total respectively.

If we consider the level of studies, there are no differences in the answers between the different segments. Considering the seniority in their status as self-employed, there are some slight differences between segments: for those who have been self employed for between 5 and 10 years, the main challenge that they face is the uncertainty about their incomes (79,2%) followed by the difficulties to collect the payment of the invoices (37,8%) and the administrative and bureaucratic formalities (47,5%).

For those who have been self-employed for more than 10 years, the loss of clients and the subsequent search for new ones is the third problem that they have to face, just after the insecurity about the incomes and the additional difficulties brought by the economic crisis.

By sector or activity, the insecurity with regard of the incomes is the main problem for the EDSE workers in all the sectors except in the hotel, catering and leisure sector for whom the

main challenge is the one posed by the administrative and bureaucratic formalities that they have to fulfil.

The second and third problems are, respectively, the additional difficulties brought by the crisis and the access to finance for the EDSE workers in all the sectors except for:

- The ones in the personal services sector for whom the second problem is the loss of clients and the third one the difficulties to collect the payment of their invoices.
- The ones in the other specialized professional services for whom the second problem are the administrative and bureaucratic formalities and the third problem the additional difficulties brought by the crisis.

The insecurity with regard to their incomes is the main challenge faced by the Italian EDSE workers.

The additional difficulties brought by the crisis are the second main problem for them.

6.3.5 Degree of Independence in the development of their activity.

Concerning the **degree of independence in the development of their activity**, the survey included different aspects that the respondents had to rate in a 5 points scale (1 meaning no independence and 5 meaning total independence).

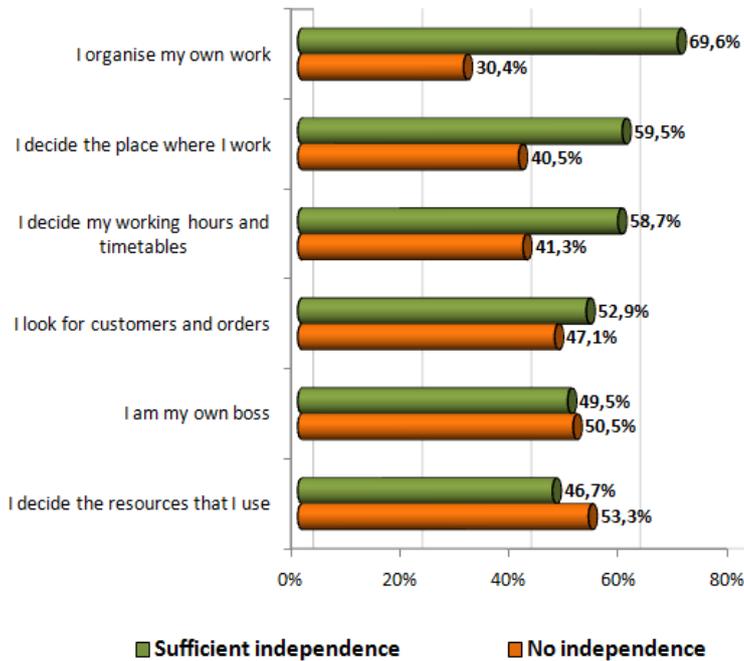
For the purpose of analysing the answers given to this question, we have established two different groups collecting the items for which the EDSE workers have reported to have a degree of independence of 1 or 2 (not independent) on one side, and the items for which they reported 3, 4 or 5 degrees of independence (they are independent enough), on the other side.

It is very interesting to jointly analyse the qualitative aspects which are more important



for the EDSE workers according to their higher or lower degree of independence.

CHART 22: Degree of Independence of the EDSE workers in the development of their activity (Italy)



The EDSE workers declared to be not independent for considering themselves as their own bosses, deciding on the resources and tools they use and to look for the clients and contracts. On the opposite side, the aspects for which they declare to be more independent are the organization of their own work and the decision about the working hours and the place of work.

Below we are analysing the aspects for which they say to be not independent, according to the sector of activity in which they operate:

As an average, the 78% of the EDSE workers in the sectors of wholesale trade, hotel, catering and leisure, information, publishing and media and personal services, indicate that they are not independent at all when it comes to organize their own work.

On the contrary, the ones in the rest of sectors declare to be independent enough.

One in two workers in the sectors of hotel, catering and leisure, ICT related professional services, health, veterinary and social services and education and training related activities declare to be not independent at all for deciding about their working hours.

All the EDSE workers who answered the survey in the sectors of building, repair and installation, wholesale trade and personal services declare to be not independent for decide the place of work. The percentage goes down until 60% in the case of those workers in the fields of health, veterinary and social services.

As regards the resources and tools to be used in their activity, 6 out of 10 (60% as average) of those in the sectors of building, hotel and catering, ICT related services, health and social services and education and training related activities, declare to be not independent for deciding about such tools and resources.

Regarding the variable looking for clients and contracts, one in two workers in the sectors of building, wholesale trade, ICT related services, information, publishing and media and health and social services declare to be not independent to look for clients and contracts on their own.

Finally, with regard to the variable of considering their own bosses, one in two workers in the sectors of building, ICT related professional services, education and training related services, and culture, arts and creative works, say they are not independent enough to consider themselves as their own boss. The percentage goes up to the 90% in the health, veterinary and social services.

TABLE 8: Distribution of the level of autonomy in the development of the activities according to the feelings about being an EDSE worker (Italy)

Factors	They feel like EDSE workers (sum of the answers "yes, absolutely" and "Yes, to a certain extent")		They don't feel like EDSE workers (Sum of the answers "Rather no", "absolutely no" and "Don't know/no answer")	
	They are not independent (Sum of those who answered 1 and 2)	They are independent enough (sum of those who answered 3,4 and 5)	They are not independent (Sum of those who answered 1 and 2)	They are independent enough (sum of those who answered 3,4 and 5)
I decide my working hours and timetables	35,8%	64,2%	0,0%	100,0%
I decide the place where I work	38,4%	61,6%	54,5%	45,5%
I decide the resources that I use	45,8%	54,2%	14,3%	85,7%
I organise my own work	55,6%	44,4%	40,0%	60,0%
I look for customers and orders	50,6%	49,4%	26,7%	73,3%
I am my own boss	53,4%	46,0%	33,3%	66,7%

for clients and contract or to consider themselves as their own boss.

On the contrary, those who don't feel as EDSE workers declare to be not independent just for deciding about the working hours and the tools and resources to be used in the development of their activity.

Therefore, according to the results, the EDSE workers who seem to be more independent are the ones in the culture, arts and creative works and other professional services sector (translators, consultants, etc.). In the rest of sectors, there is a high number of workers who declare not being independent enough in the different aspects related to the implementation of their activity.

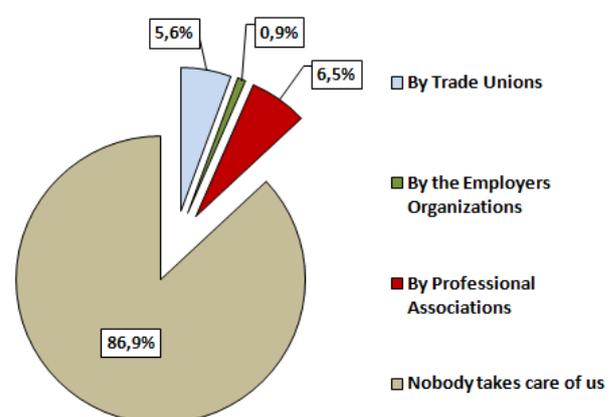
Finally, to conclude this analysis, the answers to this question have been compared with the workers' feeling regarding being economically dependent or not.

As Table 8 shows, the percentage of self-employed who declared to feel like EDSE workers and the degree of independence that they say to have, point out that being EDSE workers and the own worker feeling as such means a lower level of independence in the development of their tasks as opposite to those who don't feel as economically dependent. Specifically, the half of those in the target group who feel that they are EDSE workers are not independent for deciding their place of work, the resources and tools to use, to look

6.3.6 Perception about the level of representation and protection that they enjoy

With regard to the perception of the EDSE workers about the level of protection and representation that they enjoy by means of the collective organizations, the most relevant information is that 86,9% of them consider that nobody take care of their situation.

CHART 23: Perception of the EDSE workers on the level of representation and protection that they have (Italy)





Most of them are EDSE workers in the age range between 25 and 59 years old and with university studies and operating in all the sectors or activity, except in the hotel, catering and leisure sector in which the percentage of those who think that nobody take care of them goes down to the 50%.

The other 13% is Split among those who think they are represented by trade unions (6,5%), by professional associations (6,5%) and by employer's organizations (0,9%). Most of them have been self-employed for more than 5 years, have a secondary education level and an age in the range of 30 to 39.

The results show that the group of EDSE workers in Italy is highly dissatisfied with the representation and protection that they have, something that should be tackled by the different collective organizations able to defend their rights in the framework of the social dialogue.

The last question of the survey was addressed to know the level of membership in the different type of collective organizations. The 26,1% of the EDSE workers declare to be members of any kind of association but 15,1% of them says that despite being members they don't think that the association properly represent their interests.

This is noteworthy the fact that 54,3% of the EDSE workers in Italy says that they are not member but they would like to join an association representing their interests. Moreover, an additional 12% of them declare that they are not member because they don't know about this type of associations.

Only the 7,6% of the total explicitly says to be not interested in becoming part of these associations.

Despite there is a low level of collective organizations membership, the results evidence that they consider that being collectively represented is important for them, and there is a high interest of this group for counting on organizations adequately representing their interests.

6.3.7 Description of EDSE women in Italy

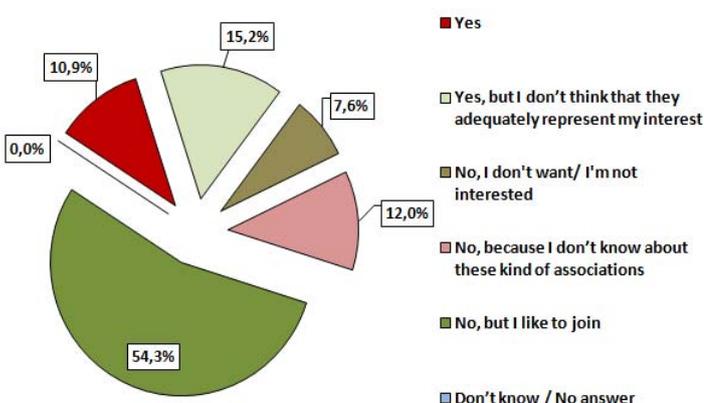
The prototype EDSE woman in Italy can be defined as a woman in an age between 30 and 49 years old, with university studies and working in the sector of culture, arts and creative works, in the one of other specialised professional services (consultants, interpreters, etc.) or in the one of training related activities.

This prototype woman has been self-employed for between 5 and 10 years. However, seniority of women as self-employed workers is lower than seniority of men: the half of EDSE men have been self-employed for more than 10 years. In the opposite side, it seems that more women than men are recently joining this group of EDSE workers: the % of women being self-employed for less than 1 year is 15,8% in front of the 10% of the men.

This woman mainly works for an almost exclusive client (70% of EDSE women work for almost only one client and the 24,1% for only one client)

She became self-employed because the company where she was working asked her to convert her contract (one in two EDSE women are in this situation). The second main reason

CHART 24: Membership of EDSE workers in trade unions, professional associations or employers organizations. (Italy)



for the Italian respondent women becoming self-employed was the need to combine work and family life, while men consider this reason in third position, after the request by the company and the development of their career.

Regarding the challenges that Italian EDSE women face, they are similar to the ones faced by their male colleagues: the uncertainty regarding their incomes, the additional problems brought by the economic crisis and the loss of clients are the most highlighted ones. The difficulty to collect the payment of the invoices is mentioned by men more than by women.

Regarding the level of Independence for the development of their tasks, the EDSE women in Italy are slightly more independent than men. The lower degree of independence is related to the decisions about their working time, the resources and tools to use and the consideration as their own boss.

The same as their male colleagues, the majority of the EDSE women explicitly feel as economically dependent: 8 out of 10 EDSE women consider them as such.

With regard to the perception on how protected and represented they are, 9 out of 10 EDSE women consider that nobody take care of them.

Only 2 out of 10 women in this group are members of any kind of collective organization and 1 out of 10 consider that despite being member, these associations don't properly represent their rights.

Finally, it is very interesting to note that 40% of them are interested in becoming members of an association representing their interests.

6.3.8 Bogus self-employment in Italy

From the total of 115 EDSE workers finally identified in Italy, only 1 of them (representing just 0,9 of the total) can be considered as a bogus self-employed worker.

Therefore, an analysis of bogus self-employment in Italy using the results of the survey is not truly representative. In any case,

if this single case identified would be just an example of the bogus self-employed workers in Italy, we can say that he is a man between 30 and 39 years old, with post-graduate studies and working for a company which provide him with the work to do. More than 75% of his incomes comes from only one client and he feels economically dependent of his employer.

He works in the information, publishing and media sector and become self-employed because the company for which he was working ask him to convert his contract into a freelance contract.

The main challenge that he faces is the difficulty to collect the payment of his invoices.

Concerning the collective representation, he feels that nobody take care of his situation and he is not member of any collective representation association despite he would like to join one of them

6.4 Description of the survey results in Bulgaria



6.4.1 Definition of the EDSE workers group in Bulgaria

The total number of economically dependent workers who have been identified through the answers to the survey in Bulgaria are 140, which means a percentage of 69% of the total of 203 self-employed workers without employees who answered the survey.

Within this group of 140 identified EDSE workers there are 48 (34,3%) who totally fulfil all the criteria to be considered as self-employed workers. Moreover, and according to the methodological approach of the project, those self-employed workers who, despite not fulfilling the criteria in the 3 questions, show a behaviour clearly similar to the one of the EDSE workers, have been included in the final group.

Following this criterion, the final group of EDSE workers is made up by the following 3 sub-groups:

- 1 self-employed worker (0,7%) who didn't know what to answer to question 7, has been included in the EDSE group because of his/her answers related to the source of their incomes and the feeling of being economically dependent.
- 18 self-employed workers (12,1%) who despite declaring that the 75% of their incomes comes from more than one client, they develop their activity with only one or almost only one client and declare to feel themselves as economically dependent workers.
- And finally, 73 respondents (52,1% of the total group of EDSE workers finally considered) that despite not feeling as economically dependent, the way in which they develop their activity in the last year

(they work for only one or almost only one client) indicate that they are economically dependent that can be included in the final group.

6.4.2 Socio-labour situation of the target group

The target group of EDSE workers in Bulgaria is represented, **according to the variable sex**, by 39% of men and 60,7% of women. In an specific section below we will analyse in detail the features of EDSE women in Bulgaria.

By age, the EDSE workers are mainly represented in the range of ages **between 25 and 39**. The 57,9% of the respondents to the survey are included in this age range.

TABLE 9: Distribution of EDSE workers by age range (Bulgaria)

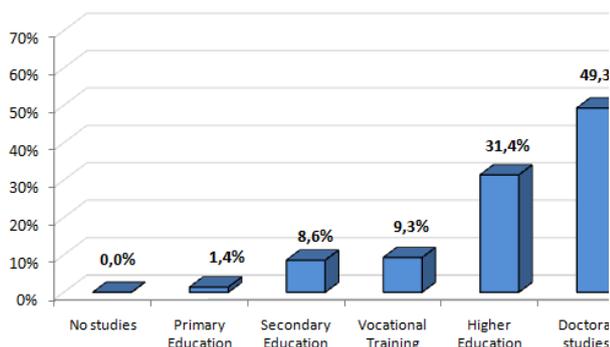
Age range	Frequency	Percentage
16-19	0	0,0%
20-24	5	3,6%
25-29	32	22,9%
30-39	49	35,0%
40-49	27	19,3%
50-59	21	15,0%
60-64	5	3,6%
65-69	1	0,7%
>70	0	0,0%
TOTAL	80	100%

Following this segment there are the one of those between 40 and 49 years old, and the one of 50 to 59 years old, with percentages of 19,3% and 15% respectively of the total of EDSE workers identified.

It is worth emphasizing that the group of EDSE workers under 30 years old is a 26,5% of the total, while in the group of those identified as non EDSE workers, this age group represent only the 9,7% of the total, that is 16,8 percentage point less than in the EDSE workers group.

By **level of studies**, university graduates and post-graduates are the most representative within the EDSE workers group. The total number of respondents in the EDSE group having one of these educational levels is the 80,7% of the total.

CHART25: Distribution of EDSE workers by level of studies (Bulgaria)



The distribution of workers in the different level of studies within the EDSE workers group is similar to the one of those identified as non EDSE workers, with a minor difference in the vocational training level: the 6,5% of the non EDSE workers have this qualification level versus the 9,3% of EDSE workers having this level.

CHART 26: Distribution of EDSE workers by sector of activity (Bulgaria)

By **sectors of activity**, the economically dependent workers identified in the survey, mainly work in:

- *Culture, arts and a creative work* (12,2%),
- *Other specialised services* (18,3%). This category includes professions like translators, consultants, lawyers, etc.
- *Personal services* (9,8%).
- *Information, publishing and media* (8,5%)

According to the **seniority as self-employed workers**, 30% of the ones in the EDSE workers group have been paying social security as self-employed for between 2 and 5 years, the 20,7% for between 5 and 10 years. The other options: more than 10 years, between 1

and 2 years and less than a year represent, respectively the 16,4% each.

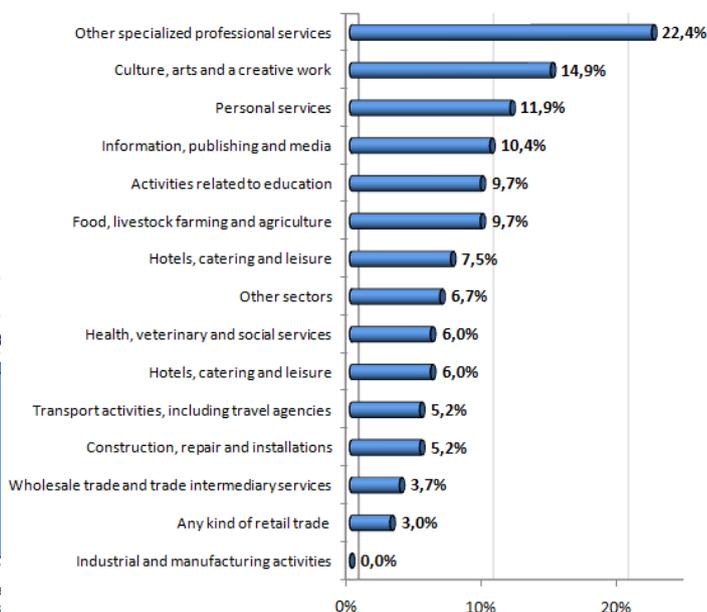
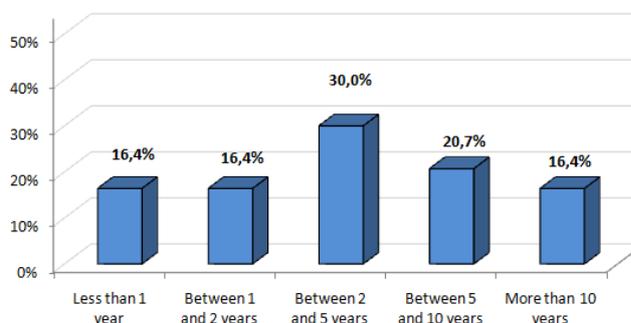


CHART 27: Distribution of EDSE workers by seniority as self-employed (Bulgaria)



It has to be noticed that the group of recent EDSE workers, those who have been self-employed for less than 1 year is a 16,7% of the total, much higher percentage than in the non EDSE workers group in which they represent just the 3,2%.

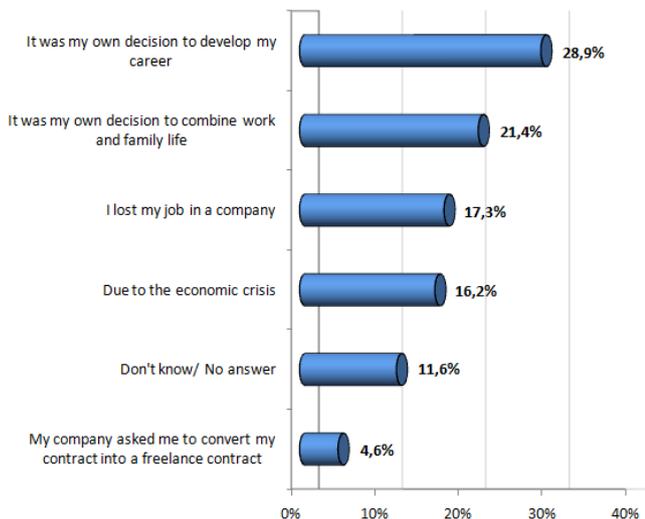
The prototype EDSE worker in Bulgaria is a mainly a woman between 30 and 49 years old, with graduate or post-graduate studies and who has been self-employed for between 2 and 5 years.

The professional activity is developed mainly in the field of culture, arts and creative Work, other specialized services (as translation, juridical services, consultancy, etc. and personal services.

6.4.3 Reasons for becoming self-employed workers

Regarding the **reasons for becoming self-employed**, the 28,9% of the respondents included in the EDSE workers group declared that the main reason was to develop their career and the 21,4% of them mention the opportunity to combine work and family life as the main reason. The 17,3% pointed out the loss of their jobs as the main reason for them.

CHART28: Reasons for EDSE workers becoming self-employed (Bulgaria)



It has to be highlighted that there is a very small percentage of workers who indicate that the reason for becoming self-employed was the decision of the company to convert their contract: only the 4,6% of the total.

If we analyse the reasons given by those workers in the group identified as non EDSE workers, the reason of combining work and family life is much more relevant in this group: the 42,9% of them point out this reason versus the 21,4% of the EDSE workers.

Analysing the reasons by level of studies, seniority as self-employed and sector of activity of the respondents, we find no differences: the development of the career and the possibility to combine work and family life are the motivations in all cases. It should be mentioned that for a significant 41,7% of the EDSE workers having secondary education, the main reason for becoming self-employed is the loss of their jobs in a company.

It should be noticed that in the sectors of transport and hotel and catering, the loss of the job and the economic crisis are much more relevant as reasons for becoming self-employed than in the other sectors. Specifically, the 42,9% and the 28,6% of the EDSE workers in the sector of transport highlight these reasons respectively. And the 40 and 30% respectively of the EDSE workers in the hotel and catering sector also do so.

Attending to the seniority as self-employed, it is remarkable that the reason of the company converting their contracts into freelance one is especially relevant for the EDSE workers who have been self-employed for between 5 and 10 years. For the rest of segments of the group this reason is not especially relevant.

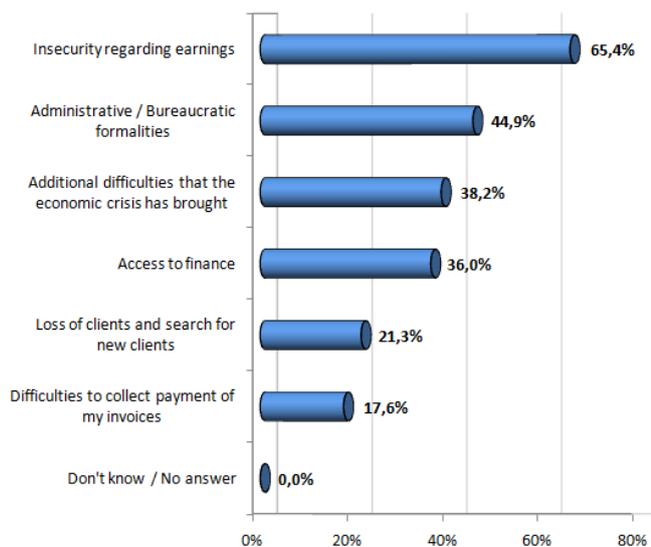
The own decision for developing the career is the main reason fro the EDSE workers in Bulgaria beco ming self-employed, followed by the opportunity to combine work and family life.

6.4.4 Challenges that EDSE workers have to face

The main challenge face by EDSE workers in Bulgaria is the **uncertainty with regard to their incomes**. This problem is pointed out by

65,4% of the EDSE workers who answered the survey. The administrative and bureaucratic formalities are pointed out by the 44,9% and the 36% indicates also the access to finance as a challenge.

CHART 29: Main difficulties that EDSE workers have to face (Bulgaria)



It is noticeable that for those respondents who are not EDSE workers, the main difficulty is the access to finance, which is the fourth problem in order of importance for the EDSE workers.

Taking into account the level of studies, those EDSE workers with a lower level of qualification (primary and secondary education) highlight as the main problem the access to finance. And considering the number of years in self-employment, those who have been self-employed for more than 5 years highlight the additional difficulties brought by the economic crisis as an important problem for them.

Considering the sector of activity, the uncertainty with regard to the incomes is the main problem for the EDSE workers in all sectors except for the ones in the wholesale trade, retail trade and personal services who point out the administrative and bureaucratic formalities as the main problem.

In the health and social services, the problems to access the finance are the most relevant

ones and the second problem in importance for the EDSE workers in the field of transport.

The uncertainty with regard to the incomes is the main problem faced by the economically dependent self-employed workers in Bulgaria. The administrative and bureaucratic formalities are the second challenge for them.

6.4.5 Degree of Independence in the development of their activity.

As regards the **degree of independence in the development of their activity**, the survey included different aspects that the respondents had to rate in a 5 points scale (1 meaning no independence and 5 meaning total independence).

For the purpose of analysing the answers given to this question, we have established two different groups collecting the items for which the EDSE workers have reported to have a degree of independence of 1 or 2 (not independent) on one side, and the items for which they reported 3, 4 or 5 degrees of independence (they are independent enough), on the other side.

It is very interesting to jointly analyse the qualitative aspects which are more important for the EDSE workers according to their higher or lower degree of independence.

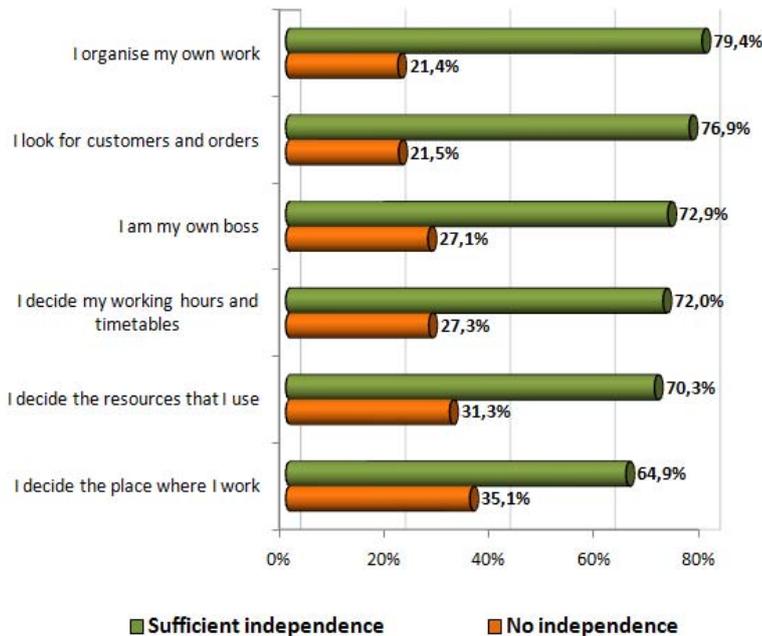
The answers given by those who declare to be not independent in the development of their activity, show that the most relevant aspect is the decision about their working hours, followed by the decision about the place of work. On the opposite side, the less relevant aspect for them is the perception of being their own boss.

The answers given by the other group, that is, those who declared to be independent enough, are just the way around: the consideration of being their own boss is the most relevant aspect, followed by the opportunity to look for clients and contracts and the less relevant



aspect is the possibility of deciding about their working hours.

CHART 30: Degree of Independence of the EDSE workers in the development of their activity (Bulgaria)



When analysing the variables according to which the EDSE workers in Bulgaria say to be not less independent by sectors or activity, we find that the half of the EDSE workers in the building, retail trade and hotel and catering sectors have a little degree of independence when it comes to organize their own work.

Regarding the possibility to decide their working hours, one in two workers in the building and retail trade recognize they are not independent to decide about it.

As regards the place of work, again one in two workers in the building, retail trade and ICT related professional services sectors declare to be not independent to decide such place.

When it comes to decide about the resources and tools to use for the development of the professional activity, 1 out of 3 EDSE workers in the sectors of education and training related activities and personal services say to be not independent to have control of this variable.

The possibility of looking for clients and contracts is one of the variable for which 1 out of 4 workers in the fields of building, and culture, arts and creative works are not independent to decide about.

In the building and retail trade sectors, 1 out of 4 workers say that they are not independent enough to be able to say that they are their own boss.

Finally, to conclude this analysis, the answers to this question have been compared with the workers' feeling regarding being economically dependent or not.

It has to be kept in mind that in the EDSE workers group, we have included self-employed workers who despite not feeling as economically dependent workers, can be considered as such due to the way they develop their activity and to the source of most of their incomes.

Those workers who feel like economically dependent ones declare to have a degree of independence to develop their activity very similar (slightly below) to the one of those who don't feel as such.

On average, the 40,4% of those who feel like economically dependent say to be not independent to organise and develop their work. On the opposite side, the EDSE workers who don't feel as such, those who declare to be not independent to develop their tasks are just the 25,3% of the total.

The results seems to evidence that the fact of feeling as economically dependent worker or not has an influence on how the EDSE workers assess the degree of independence they have for developing their activity.

TABLE 10: Distribution of the level of autonomy in the development of the activities according to the feeling about being an EDSE worker (Bulgaria)

Factors	They feel like EDSE workers (sum of the answers "yes, absolutely" and "Yes, to a certain extent")		They don't feel like EDSE workers (Sum of the answers "Rather no", "absolutely no" and "Don't know/no answer")	
	They are not independent (Sum of those who answered 1 and 2)	They are independent enough (sum of those who answered 3,4 and 5)	They are not independent (Sum of those who answered 1 and 2)	They are independent enough (sum of those who answered 3,4 and 5)
	I decide my working hours and timetables	35,8%	64,2%	21,4%
I decide the place where I work	68,6%	31,4%	28,6%	71,4%
I decide the resources that I use	43,4%	56,6%	42,5%	57,5%
I organise my own work	25,0%	75,0%	14,7%	85,3%
I look for customers and orders	37,7%	62,3%	10,3%	89,7%
I am my own boss	32,1%	67,9%	34,5%	65,5%

organizations, the 55,2% of them consider that nobody take care of their situation while the 39,6% of them consider that they are represented enough by the trade unions and just the 5,2% of them feel represented by employer's organisations.

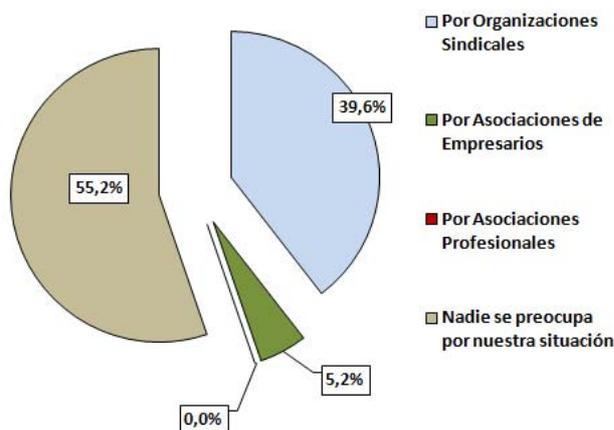
Our attention is drawn to the fact that the professional associations are not mentioned by any of the respondents so it seems that this kind of association have a minimum representativeness in Bulgaria.

On one hand, the perception of being their own boss is the most relevant aspect for those EDSE workers who are independent enough to organize their work and the less relevant for those who, on the contrary, are not independent at all.

On the other hand, the decision about the working hours is the most relevant aspects for those who are not independent and the less relevant for the ones who are independent enough.

The fact of feeling as economically dependent worker or not has an influence on how the EDSE workers assess the degree of independence they have for developing their activity.

CHART 31: Perception of the EDSE workers on the level of representation and protection that they have (Bulgaria)



6.4.6 Perception about the level of representation and protection that they enjoy.

With regard to the perception of the EDSE workers in Bulgaria about the **level of protection and representation that they enjoy by means of the collective**

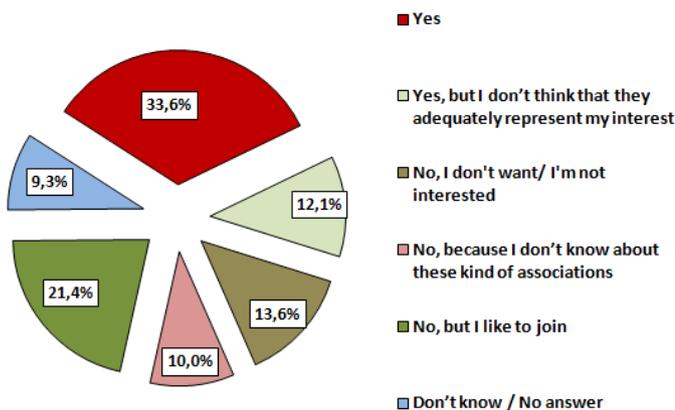
When analyzing the perception by the different segments within the group of EDSE workers, it is to be noticed that those who declare to feel less protected and represented are those who have been self-employed for more than 10 years, those in the range of ages between 50 and 64, and those with vocational training level qualification.



The results of the analysis show that there is a lack of collective representation of economically dependent self-employed workers in Bulgaria that should be tackled by the national and European institutions in the field of social dialogue.

The answers to the last question of the survey, addressed to know the level of membership of EDSE workers in the different type of collective organizations, show that a third of them is already member of a professional association. There is another third part of them who would potentially join associations which would properly defend their interests within the social dialogue process: a 21,4% say that they are not member but they would like to be and a 10% says to be not member because they don't know about this kind of organisations.

CHART 32: Membership of EDSE workers in trade unions, professional associations or



employers' organizations. (Bulgaria)

The final third part is divided between those who are member of an organization but they feel not properly represented (12,1%), those who clearly say to be not interested (13,6%) and those who don't know what to answer to this question (9,3%).

On the side of those respondents to the survey who have been considered as non EDSE workers, the percentage declaring that they would like to join a collective organisation is just 12,1%, that is, 9,3 percentage point less than those in the EDSE workers group.

The Economically dependent self-employed workers in Bulgaria seem to be partly represented by the trade unions, despite there is yet a high percentage of these workers who are needed of protection.

Thus, an effort should be made by the collective organizations to provide them with an adequate response to the needs of the economically dependent self-employed workers for protection of their rights and interest.

This group represent a high proportion of the own account workers in Bulgaria and any action addressed to improve their situation definitely worth the effort.

6.4.7 Description of EDSE women in Bulgaria

The prototype EDSE Bulgarian woman is between 30 to 49 years old, has post-graduate studies and mainly work in the culture, arts and creative works or in the industry or manufacturing sectors

She has been self-employed for between 2 and 5 years and works exclusively or almost exclusively for only one client.

She became self-employed to develop her professional career although the possibility to combine work and family life is another important factor that has been considered.

The main challenge for her is the uncertainty with regard to her incomes but she has fewer difficulties than her male colleagues with regard to the administrative/bureaucratic formalities.

The EDSE woman is slightly more independent than her male colleagues when it comes to develop her work. In percentage terms she is a 2,5% more independent than men.

The same as for her male colleagues, the EDSE woman has not a clear feeling of being economically dependent on her client. Only 4 out of 10 women explicitly say to feel an economically dependent SE worker.

Regarding the perception of EDSE women on the protection to their rights that they receive from the collective organisations, almost 6 out

of 10 women think that nobody take care of their situation.

Moreover, only 3 out of 10 women recognise to be member of a collective organisation and only 1 out of 10 is member but consider that these organisations don't adequately represent her interests.

6.4.8 Bogus self-employment in Bulgaria

From the total of 140 EDSE workers identified in Bulgaria, 5 are considered as bogus self-employed workers, representing just the 3,6% of the total.

Despite the analysis of this group is conditioned by the few number of cases encountered, we can make the following description of the group of bogus self-employed workers in Bulgaria.

The majority of the group are women (80%) in an age range of between 30 and 39 years old (40%), and with a higher education qualification (40%).

They have been self-employed for between 5 and 10 years (40%) and the mainly work for a company which provide them with the work to do (60%).

The 60% of them work in the hotel and catering sector and they become self-employed mainly to develop their career. Their main problem is the uncertainty with regard to their incomes.

The 60% of them declare that their incomes come from an only client and the 80% like an economically dependent worker.

With regard to the protection that they receive, the 75% of them consider that nobody take care of them. The 60% of them declare to be member of a collective organisation and the other 40% says that they would like to join one of these organizations.



7. CONCLUSIONS

For the partner organisations, the implementation of the TRADE project has been an important point for contact and sharing of views and experiences in order to become organised in the defence of the rights of the economically dependent self-employed workers. The results are specific recommendations and proposals for action presented in Madrid during the final Conference of the project and which can be consulted in more detail in the final report of the project available at the project website www.tradeworkers.eu that we invite you to visit.

The conclusions of all the work of analysis developed through the study focus mainly on two key aspects which have been the backbone of the project: the development of the statistical methodology and the analysis of the working conditions of the economically dependent self-employed and their collective organisation and participation in the social dialogue processes.

7.1. Main conclusions regarding the methodology for the statistical measurement of the target group

As already explain throughout this report, the TRADE Project has understood the need to quantify the group of economically dependent self-employed workers as the first, essential step to start working in the development of their rights and interests as a group with own identity.

The statistical methodology proposed provide a possible solution to the problems caused by the lack of a juridical definition of the EDSE workers and to the heterogeneous treatment given to this kind of “atypical” workers, in the juridical frameworks of the different EU countries.

The project propose that the information, collected by means of a data collection tool, has to facilitate an accurate measurement going beyond the existent registries or any other kind of measurement which would be not

totally reliable. On this regard, attention should be drawn to the fact that in the case of Spain, despite existing an official Registry, regulated by law, not all the workers that can be considered as EDSE are really included in this registry.

The data collection tool that the project proposes allows treating the measurements we get to be analysed under the best conditions.

Therefore, this is a methodology focus on the measurement of those characteristics defining the target group an differentiating it from the rest of self-employed workers, namely:

- The direct self-perception of being economically dependent or not
- They way in which they develop their professional activity – they work exclusively or almost exclusively for only one client.
- At least 75% of their incomes comes from a single client or not

The measurement tool that we used (a survey addressed to all the self-employed workers without employees in every participating country) has allowed us to connect the qualitative or abstract concepts which intervene in the definition of the EDSE group, with empirical indicators by means of classification and quantification.

The model of the survey has fulfilled the two essential requisites: reliability and validity. That is, the successive implementation of the proposed methodology will produce similar or even better results, and the degree at which our methodology really measure the variable (s) that it intend to measure is highly significant.

In the framework of the project just a pilot implementation of the methodology has been carried out and the results evidence the great possibilities that it poses because it has been able not only to get the interest of the own self-employed in answering the questionnaire but also to extrapolate the results with a confidence level of 95%, which means a high level of reliability.

The TRADE Project offers all the Community institutions that may be interested, the detail results of the exploitation and analysis of data.



Finally, it has to be highlighted, in a broader framework than the one of the own project, that the Statistical Office of the European Commission (Eurostat) actually includes a category of “own account worker without employees” within the subdivision that they established for the self-employed workers.

The Statistical Offices of all the member states, following the harmonized criteria of the Labour Force Survey, are called to compile data about this specific segment through their respective labour force surveys.

The European Parliament resolution of 14 January 2014 on social protection for all, including self-employed workers (2013/2111(INI)), in the point 27 *“Emphasises the need for more detailed, up-to-date statistics to be made available for the purpose of analysing the economic significance of self-employed workers and the various categories of self-employment; calls also for the inclusion of questions concerning self-employment in the European Union labour force survey”*

The TRADE Project totally agree on this regard and states that measurement systems are needed at European level enabling to know the perception of the own workers about being economically dependent or not. Once identified the general group of EDSE workers, it is necessary to distinguish also between those who are much more similar to salaried workers and those who really have the inner features of self-employed workers.

In any case, the different categories should be explicitly shown in the publication or dissemination of the data, in order to develop, in a more efficient way, the protection systems adapted to every group and category of workers.

The economically dependent self-employed workers have been existing in the European Union for a long time, but they are getting more and more presence in the labour markets of the different member countries. The possibility to specifically measure them in

Spain, France, Italy and Bulgaria means a key challenge and achievement of the project.

Therefore, and taking into account all the previously explained, we can conclude that it is possible to quantify the target group and we kindly call upon Eurostat to take into consideration the proposal launched by this project.

Reliable quantitative and qualitative data are a key input in any decision-making process like the one that the European Institutions have to face regarding on how to consider the group of economically dependent self-employed workers. This is very important issue within the social dialogue arena for which these quantitative and qualitative data of the target group will be essential and they worth the efforts invested to get them,

The Commission Regulation of 8 April 2013 adopting the programme of ad-hoc modules, covering the years 2016 to 2018, for the labour force sample survey evidences that we have been working in the right direction and that our proposal is both viable and feasible.

7.2. Main Conclusions regarding the representation of the target in the European Industrial Relations and Social Dialogue

The analysis developed by the partners of the Project shows that despite the trend in the last years has been to mitigate the social protection gap between the employees and the self-employed, the balance remains unfavourable for the own account workers and therefore, it is necessary to join policy and institutional efforts to provide, with a better social protection, to a target group which, at the same time, is exponentially growing in most of the EU countries.

While the European Union and the member countries are implementing policies addressed to foster entrepreneurship, which result in the creation of many jobs as self-employed sole-traders, such policies must be accompanied by measures guaranteeing an adequate social protection of these own account workers,

avoiding further gaps which may result in social instability in the medium and long term.

The recent European Parliament resolution of 14 January 2014 on social protection for all, including self-employed workers is a key step in this direction.

It is also noteworthy to highlight the fact that despite the request for improved working conditions and social protection for the group of self-employed workers, the solution is not necessarily the automatic inclusion of these workers in the group of the employees.

Most of self-employed workers don't see the dependency as a negative factor since for them, the possibility to organise their own work or being able to decide on their own career, some of the main reasons why they become self-employed, are more important for them than dependency as such.

The inherent characteristics of their definition as EDSE workers must be taken into account and they cannot be considered automatically as bogus self-employed since there are very important distinctive characteristics as for example the autonomy for the organisation of work or the control on the resources and production tools at their disposal for developing the professional activity.

In our view, the most coherent option would be the recognition of a third category of workers between the "employees" and the traditional "self-employed" or "sole-traders".

For the definition of such category, the distinctive features of the group that have been mentioned in previous European studies on this topic and that we highlight in our analysis.

And therefore, the option for the collective representation of the target group should be in line with this option of creating a third category of workers.

In 2002, the European Industrial Relations Observatory made a distinction between two main patterns which can be followed to unionize the economically dependent workers:

- 1- Their inclusion in the existing trade unions
- 2- The creation of new trade unions representing specifically to the economically dependent self-employed workers.

The advantages of the first option reside in favouring solidarity amongst workers and the creation of a common social conscience, independently from the employment status of each individual.

However, economically dependent workers hold specific interests for which appropriate representation can be better granted in a specific organization than in a generalist one. Moreover, it has to be taken in account that economically dependent workers often perceive themselves as self-employed or anyway as different from their regularly employed colleagues, which leads to some resistance to joining traditional trade unions.

Therefore, it is necessary a proper representation of this target group by means of specific collective organizations which understand the particularities and interest of these workers and know how to defend them in the framework of the European Social Dialogue.

The experiences developed so far, among which the case of the Union of Professionals and Self-employed workers of Spain is a clear example, have had very positive results in terms of membership and political influence.

A joint effort from these organizations, once established in more EU member states, could probably also produce the political pressure necessary to encourage the European institutions to concretely address the issue of a European framework for the definition and social protection of the different categories of self-employed workers.

From the European Network established in the TRADE project, we invite all the national movements of higher or lower importance, both at sectoral and cross-sectoral levels, that may exist or may being organized in other EU countries, to join efforts and work in this direction.



FOR FURTHER INFORMATION PLEASE SEE THE FINAL REPORT OF THE PROJECT WHICH WILL BE AVAILABLE FOR DOWNLOADING IN THE PROJECT WEBSITE

www.tradeworkers.eu

In this report you can consult, among other things, the detail statistical data resulting from the survey, the models of questionnaires which have been used and the sources of information consulted for the development of both documents.

