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Diversity Beyond Dualisation?
Unravelling France and Germany's Diverging
Approaches to Contract Classification in
Location-Based Platform Work

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List of Abbreviations

Abbrev.	Original Denomination	English Translation
API	Association des Plateformes d'Indépendant	Association of Independent Platform Companies
ARPE	Autorité des Relations Sociales des Plateformes d'Emploi	Authority for Social Relations of Platform Employment
BDA	Bundesvereinigung der Deutschen Arbeitgeberverbände	Confederation of German Employers
CFDT	Confédération Française Démocratique du Travail	French Democratic Confederation of Labour
CGT	Confédération Générale du Travail	General Confederation of Labour
CME	Coordinated Market Economy	
DGB	Deutscher Gewerkschaftsbund	German Trade Union Confederation
EU	European Union	
FO	Force Ouvrière	Workers' Force
FDP	Freie Demokratische Partei Deutschland	Free Democratic Party of Germany
IGM	Industriegewerkschaft Metall	Industrial Union of Metalworkers
ILO	International Labour Organisation	
INSEE	Institut National de la Statistique et des Études Économiques	National Institute of Statistics and Economic Studies
LME	Liberal Market Economy	
MEDEF	Mouvement des Entreprises de France	French Business Confederation
MP	Member of Parliament	
NOC	Network of Contracts	
SME	State-Enhanced Market Economy	
SPD	Sozialdemokratische Partei Deutschlands	Social Democratic Party of Germany
OECD	Organisation for Economic Coordination and Development	
Urssaf	Unions de Recouvrement des Cotisations de Sécurité Sociale et d'Allocations Familiales	Social Security Contributions Collection Agencies
US	United States	
ver.di	Vereinte Dienstleistungsgewerkschaft	United Services Union
VoC	Varieties of Capitalism	

VTC Voiture de transport avec chauffeur Chauffeur-Driven Transport Vehicle

Disclaimer on Language Assistance

Language improvements in this thesis were supported through the use of OpenAI's ChatGPT and Grammarly. These tools were employed exclusively for the purpose of enhancing clarity, coherence, and expression. No generative tools were used in the development of arguments, research findings, or substantive content.

1. Why Should You Read This Research?

Digital platforms have become indispensable tools in our everyday lives, allowing us to consume services conveniently, such as ordering food via Deliveroo or booking a ride through Uber. As a facet of digitalisation, such digital labour platforms offer new ways of organising work. Their rapid expansion has sparked widespread labour market debates. While some see them as an opportunity for flexible job creation, others raise concerns about working conditions. One of the most heated questions in this debate is whether platform workers should be classified as self-employed, as preferred by platforms that view themselves as intermediaries for independent contractors, or as employed. Given the classification's implications for labour rights and social protection, this question cuts deeper than a technical issue. At a time when atypical employment has already become widespread, platform work represents another stress test for traditional labour markets and welfare states, raising longstanding questions regarding workers' protection and the responsibility for it.

This comparative study investigates how countries have approached this classification challenge, more specifically, why France and Germany, despite their assumed similarity in labour market structure, have taken divergent paths. While self-employment dominates platform work in France, Germany sees a prevalence of dependent employment. This divergence is not only surprising but remains underexplored. The study makes three key contributions that offer compelling reasons to read on:

First, it conducts an **in-depth comparison of France and Germany**. Unlike many studies that focus on one platform sector, this thesis systematically compares three core location-based sectors, offering a more comprehensive view of how approaches to the employment model emerged. Second, it embraces a **multi-layered theoretical and analytical approach**. It acknowledges that labour market structure alone, according to which the countries would be expected to respond to platform work with a dualising approach, accommodating platform workers as labour market outsiders, does not account for the observed divergence. Instead, the study takes the Varieties of Capitalism framework as a departing point and then specifically analyses differences in employment relations systems, growth strategies, and welfare access. Through this, the study embraces the complexity of comparative political economy and highlights the importance of institutional interactions. Third, the study puts forward **clear theoretical and practical contributions**. Theoretically, the study proposes expanding dualisation theory, arguing that its initial configuration around employment contracts needs to be extended to cover broader forms of atypical work, such as independent contracting. Practically, it derives 14 concrete policy recommendations for governments and social partners.

Whether you are a policymaker, a researcher, or simply someone who uses digital labour platforms, as most of us do, this study invites you to reflect on what is at stake. Platform work has introduced a new dimension of precarity and sparked a wider conversation about the future of labour rights and social protection. It forces us to ask: which worker is worthwhile protecting and who should bear the responsibility for doing so?

2. Introduction

A familiar feature of city life today: bicycle couriers with brightly coloured backpacks weaving through traffic in Paris or Berlin — delivering meals at speed, their presence a now-familiar feature of the European urban landscape. These workers, often young migrants, have become the most visible face of a growing phenomenon: digital labour platforms. While delivery apps dominate public perception, platform work spans a broad range of sectors and occupations, reshaping not only how services are consumed but also how labour is organised, classified, and protected.

We live in a world where digital platforms have become essential tools, referred to as the ‘platform capitalism’ (Srnicek, 2017). From spending hours on social media to using PayPal for everyday payment transactions, digital platforms structure how we interact, communicate, and consume. They also offer new ways for customers to access services, from booking a ride with Uber to ordering dinner via Deliveroo. To capture the breadth of the platform landscape, the International Labour Organisation (ILO, 2021) distinguishes between two types of platforms: those that provide services to individual users (e.g., social media or payment platforms), and those that mediate between providers and customers, including digital labour platforms. This study focuses on the latter.

The EU estimates that there are around 500 digital labour platforms, and that the sector’s revenue nearly quadrupled from €4 billion in 2016 to €14 billion in 2020 with three-quarters of that growth driven by ride-hailing and food delivery platforms, whereby the latter were boosted by the COVID-19 crisis (European Council & Council of the European Union, 2025). This rapid expansion is not only a shift in consumption but poses a new form of supply and demand for labour, resulting in new workplaces which organise work differently (Hassel & Palier, 2021). Such platform work, or “gig work” (ILO, 2021, p. 33), is broadly defined as “any productive activity carried out by people to produce goods or services that is performed through a digital platform” (OECD/ILO/EU, 2023, p. 45). It has spurred intense global debate. Some highlight its flexibility and low entry barriers, while others raise serious concerns about working conditions (Bassanini et al., 2024; ILO, 2024).

These debates have concentrated especially on location-based platform work, which includes traditional services like delivery, ride-hailing, and household services, and has expanded rapidly. At the heart of these debates lies the issue of contract classification: should platform workers be treated as self-employed or as dependent employees? Platforms generally promote an independent contractor model, asserting they are intermediaries, not employers (Rahman & Thelen, 2019). Consequently, the vast majority of platform workers are classified as self-employed (ILO, 2024). But is a driver who relies on a single platform like Uber, who is governed by algorithmic controls, truly an independent contractor? And if so, what implications does this have?

Such questions have fuelled legal and public concerns about bogus self-employment, implying a situation where a worker is classified as self-employed but works under

conditions characteristic of an employment relationship (De Stefano et al., 2021). The issue is particularly salient since self-employment status tends to lead to diminished labour and social protection rights (ISSA, 2024). Although only about 1% of the EU working age population can be classified as main platform workers (Piasna et al., 2022), the intensity of these debates reveals a broader unease. Platform work raises foundational questions: Who counts as a worker? Who is responsible for contributing to workers' social protection? Further, platform work enters labour markets at a time when atypical employment is already widespread following decades of flexibilisation. It can be seen as a digital-era stress test, challenging the capacity of traditional labour market institutions and welfare states, especially those built around contributory systems (Kiess, 2023; Marengo, 2023).

Meanwhile, supranational responses have emerged, notably the EU Directive on improving working conditions in platform work, adopted in 2024 (Directive (EU) 2024/2831). One of its core provisions is a legal presumption of employment under certain conditions, aimed at tackling misclassification, which is estimated to be the case for 20% of the 28 million platform workers (European Commission, 2021). However, despite such initiatives, national responses that set the exact framework for platform work remain key. Initially, there was fear that platforms would prove as too big to control by national regulation due to their market-dominating business models (Rahman & Thelen, 2019). Meanwhile, political economy scholars have shown that countries respond in varied ways, often following the logic of their respective Varieties of Capitalism (VoC) profile (Hall & Soskice, 2001). Liberal Market Economies (LMEs) and Coordinated Market Economies (CMEs), for instance, appear to exhibit different levels of susceptibility to the platform model and platform work specifically (Rahman & Thelen, 2019; Funke & Picot, 2021).

More puzzling, however, is the diversity that has emerged even between countries that are often considered to be institutionally similar. In this area, recent research suggests that even among highly regulated continental European countries, there are significant differences in platform employment models, including between the two largest European economies, France and Germany. In France, self-employment prevails, while dependent employment prevails in Germany (Ametowobla & Kirchner, 2024). The contrast between France and Germany is indeed perplexing, given that both countries are typically classified as conservative welfare states with dualised labour markets. Ametowobla & Kirchner (2024) emphasise that their findings highlight the complexity of the institutional adaptation processes of the platforms and call for further research. A specific need for comparative case studies of countries' responses to platform work has already been highlighted by other researchers (Funke & Picot; Legantke, 2024). Consequently, this paper asks:

Why, despite their assumed similar tendencies toward labour market dualisation, do France and Germany exhibit diverging patterns in the contract classification of platform workers, with a prevalence of self-employment in France and of dependent employment in Germany?

The aim of this study is to move beyond assumptions of similarity in labour market structure, which might suggest both countries would accommodate independent contracting at the labour market periphery (Marenco, 2023). Instead, the study seeks to explain the observed divergence. To this end, the study draws on the VoC framework as a theoretical departure point, particularly its extension to a third variety, classifying France as a State-Enhanced Market Economy (SME), with a strong role for state intervention, and Germany as a CME relying on non-market coordination (Schmidt, 2003). More specifically, in the analytical background, differences are emphasised along the following three dimensions: the configuration of employment relations systems, current growth strategies, and access to social protection for the self-employed. This leads to three overarching hypotheses, each with sub-hypotheses by country:

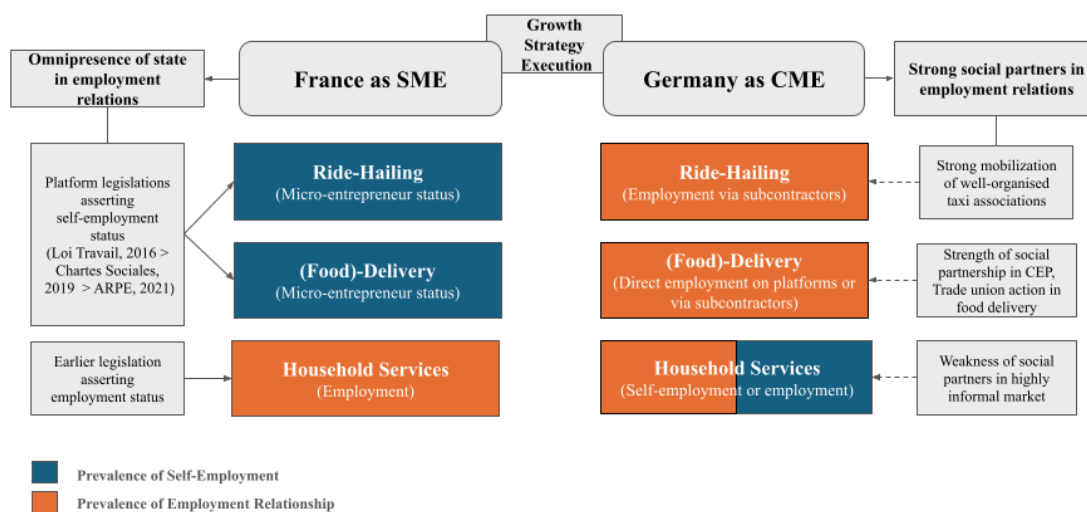
- ***H1:** Differences in the institutional configuration of employment relations actors, rooted in VoC profiles, contribute to diverging patterns in the contract classification.*
- ***H2:** Differences in growth strategies and their associated logics of employment regulation contribute to diverging patterns in contract classification.*
- ***H3:** Differences in access to welfare for the self-employed contribute to diverging patterns in contract classification.*

To test the hypotheses and answer the research question, an in-depth qualitative comparison of France and Germany dissects the respective influence of key stakeholders (government, social partners, platforms) on platform workers' contract classification. For this, the study relies on a wide range of secondary sources covering roughly the period from 2014 to 2024. This decade captures the beginning of platform work until more recent developments, such as the above-mentioned EU Directive, adopted in 2024. The analysis focuses on three key location-based sectors: ride-hailing, delivery, and household services. The findings that emerge from the analysis find support for all three hypotheses. This might be surprising at first, however, it also becomes evident that there are clear interlinkages between them, unfolding to an overall coherent picture:

In line with its SME profile, the French state played a central role in determining platform workers' employment outcomes (H1). Consistent with its current growth strategy of becoming a digitally innovative 'start-up nation' (H2), the government introduced legislation in the ride-hailing and delivery sectors that codified the self-employed status, as preferred by platforms. Granting independent platform workers limited entitlements aligns with a flexibilisation approach (H3), potentially weakening the employment contract in its traditional role as the gateway to workers' protection. In contrast, the German state did not intervene directly in classifying platform workers, reflecting its role in a CME, where social partners are the primary actors in employment relations (H1). While their influence is more indirect and varies by sector, the analysis reveals sector-specific patterns: in both ride-hailing and delivery, dependent employment dominates where social partner influence was evident; self-employment persists in household services, where social partner engagement is weak. Moreover, responses to platform work were clearly framed around the protection of the employment contract, which appears to reinforce the prevalence of dependent employment in

Germany (H3). Notably, employment relationships are key to the country's export-led growth strategy (H2) and complementary to its contribution-based welfare model. However, the protection of employment contracts does not necessarily equate to concern for working conditions, as marginal employment and circumvention of labour rights through subcontracting remain persistent issues. Figure 1 summarises these main findings in a simplified manner.

Figure 1: Visualised explanation for understanding approaches to platform workers' contract classification in France and Germany



Notes: Author's own illustration based on analysis

Theoretically, the study contributes in two key ways. First, it shows that structural labour market similarities alone cannot explain divergent national responses to platform workers' contract classification. Multiple embedded and embedding institutional factors must be considered, particularly distinct VoC profiles and their complementary institutional arrangements. Second, the study highlights limitations in the original dualisation theory. Its original focus on standard versus non-standard employment relationships does not capture the rise of independent contracting. Therefore, this thesis proposes an extension of the theory to account for atypical work more broadly, regardless of employment contract. From this lens, both countries appear to follow dualisation logics in platform work, but this manifests differently: France through self-employment, Germany through atypical employment relationships.

Finally, the study offers 14 policy recommendations to key national stakeholders. The French government should avoid the institutionalisation of a hybrid worker category with unclear protections. French trade unions are encouraged to use the EU Directive's transposition as an opportunity to rebuild collective power for reclassification efforts. In Germany, the focus

should lie on enforcing labour standards beyond dependent employment status and enabling collective bargaining even in subcontracted settings.

The paper is structured as follows: The next section presents the interdisciplinary state of knowledge ([Section 3](#)), elaborating on the debates introduced above by situating the platform business model in the broader context of capitalist developments. Further, it details the labour market debates platform work has triggered, particularly around contract classification. The literature review then explores how countries have responded to these challenges. After briefly outlining the research design and methodology ([Section 4](#)), [Section 5](#) introduces the analytical framework, drawing on dualisation theory to substantiate the research question. Following this, the section develops the hypotheses by illustrating how dualisation manifests differently in practice, alongside structural differences of the countries, departing from a VoC lens, namely their distinct employment relations system and currently diverging growth strategy. [Section 6](#) then presents the in-depth comparative analysis of France and Germany, examining how key employment relations stakeholders and platforms have positioned themselves in relation to platform work, what actions they took, at both national and sectoral levels, whether they engaged with other actors, and to what extent these actions appear to have influenced the employment models observed. Based on this analysis, the study evaluates the hypotheses and provides an overarching synthesis ([Section 7](#)). In this section, the findings are further contextualised through theoretical reflections, particularly the proposed extension of dualisation theory, followed by a discussion of the study's limitations. The study closes with concrete policy recommendations for key stakeholders ([Section 8](#)).

3. Interdisciplinary State of Knowledge

3.1. The Rise of Digital Labour Platforms and Resulting Debates about Contract Classification

This section situates the platform business model into broader developments of modern capitalism, before detailing the labour market debates that emerged from it, focusing on contract classification specifically.

In the context of the development of advanced capitalism in the 21st century, platforms have been characterised by a business model with four key elements. This business model is distinct from both the mid-20th-century consolidated firm with strong managers and passive investors, characterised by stable standard employment relationships, as well as the late-century network of contracts (NOC) model, which prioritised outsourcing, labour-shedding, and short-term investor returns (Rahman & Thelen, 2019). First, to reduce costs, platforms rely on 'gig' labour practices through independent contracting and use data to optimise labour management. Second, their funding depends on patient capital, where investors focus on long-term returns. Third, inherently linked to the previous point, they seek market dominance, ultimately providing the key infrastructure for a given sector, which they achieve through network effects, fostering monopoly dynamics. Fourth, platforms build political alliances with their consumers, with whom they have a direct relationship. By

leveraging consumer loyalty, they build political influence that is unique to these technology firms, which Culpepper & Thelen (2020, p. 289) have termed “platform power”. These consumer-platform alliances, combined with aggressive legal tactics, present platforms as “too important, too popular, and too big to be undone” (Rahman & Thelen, 2019, p. 191) or put differently by urban geography scholar Graham “too big to control, too new to regulate, and too innovative to stifle” (2020, p. 453).

Within the broader context of technological transformation in advanced capitalist societies, platforms pose a new form of supply and demand for labour, resulting in new workplaces which organise work differently (Hassel & Palier, 2021). As foreshadowed in the introduction, this development has sparked intense labour market debates across the world, ranging from platform work as a promising opportunity for job creation, characterised by flexibility and low entry barriers, to concerns about working conditions (ILO, 2024). In light of its rapid growth, the EU identified platform work as a policy priority around 2020, highlighting the importance of analysing the risk it entails for precarious work (Hauben et al., 2020). In 2024, the EU agreed on a Directive to improve the working conditions of platform workers (Directive (EU) 2024/2831). From a global lens, the ILO is considering the adoption of international laws to ensure decent platform work and will start discussions on standard-setting in 2025 (ILO, 2024). Before these recent global responses to the regulation of platform work, intense debates at the national level are of particular interest (Marenco, 2023).

Before sketching out these debates, it is important to define the term platform work. In the broadest sense, digital platform work “can be defined as: any productive activity carried out by people to produce goods or services that is performed through a digital platform” (OECD/ILO/EU, 2023, p. 45). Scholars from different disciplines have proposed multiple taxonomies to differentiate platform work, often by spatial characteristics and or by skill level (de Groen et al., 2018; Hauben et al., 2020). The former approach, which distinguishes between online platform work (often referred to as ‘crowd work’) and location-based or in-place platform work, is widely accepted to distinguish digital labour platforms (Funke & Picot, 2021; OECD/ILO/EU, 2023). This study focuses on location-based digital platforms that broker services such as taxi, delivery, and household services that already exist in traditional labour markets (OECD/ILO/EU, 2023). These platforms have experienced rapid growth globally (ILO, 2024). This facet of platform work, or gig work, has attracted widespread attention from the public and policymakers (de Groen et al., 2018; Legantke, 2024; Marenco, 2023).

To date, research has primarily focused on measuring the scale and characteristics of platform work (OECD/ILO/EU, 2023), as well as studying the precariousness of associated working conditions. In the EU, the number of platform workers is estimated to have risen significantly, from 28 million in 2022 to 43 million in 2025 (European Council & Council of the European Union, 2025). These figures are more meaningful when considering only main platform workers, those earning over 50% of their income and working more than 20 hours per week on platforms. Such main platform workers account for approximately 1% of the

working-age population in Europe (Piasna et al., 2022). Across 17 European countries surveyed, almost half of the people who worked on platforms are engaged in delivery (33%) or passenger transport (13%) (ILO, 2024). In terms of socio-demographics, platform workers in Europe are more likely to be male and under the age of 30 (Eurostat, 2023). Further, workers with a migration background are overrepresented in platform work. For the EU, estimates range from migrants being 30% to nearly 120% more represented in platform work compared to their share in the general workforce (ILO, 2024; Piasna et al., 2022; Urzi et al., 2020). This raises specific challenges for labour protection stemming, for example, from language, cultural, legal barriers, or discrimination. These challenges are increasingly the subject of sociological inquiry (Altenried, 2024; van Doorn et al., 2023). Regarding working conditions, key concerns include low and unstable earnings, lack of job security, and limited access to social protection (Bassanini et al., 2024). For instance, a European Commission study found that more than half of platform workers earned below the respective country's minimum wage (European Commission, 2021). However, across 17 European countries, over half of platform workers reported that platform income made up less than a quarter of their total personal earnings (Eurostat, 2023), indicating that platform work often serves as a secondary source of income. This appears less true for location-based platforms, with average workers in delivery and ride-hailing deriving their income almost entirely from platform work (ILO, 2024). Despite these estimates, detailed data on the prevalence and specific forms of platform work remain limited, as such work is still rarely captured systematically in national statistics (Hoose et al., 2025).

Understanding the scope of platform work is important, especially given the assumption of continued growth. However, scholars broadly agree that to grasp what is truly at stake, particularly in terms of contractual classification, platform work must be situated within “broader trends of contemporary capitalism” (Marenco, 2023, p. 46). As one facet of digitalisation, platform work emerges in a landscape where atypical and precarious employment has been expanding since the 1980s and 1990s. Rahman and Thelen (2019) describe how gig labour practices, particularly the use of independent contracting, elevate cost-cutting employment strategies, such as the extensive subcontracting practices of Network of Contract (NOC) firms, to a new level.

Independent contracting, as a form of self-employment, raises broader critical questions, including whether it poses a threat to traditional welfare states with a tendency towards “re-commodification” (Bonvin et al., 2023b, p.2). Many of the 20th-century welfare gains are inaccessible to independent contractors: Self-employed workers enjoy less social protection than those in dependent employment, a gap that persists across European countries despite some recent expansions (ISSA, 2024). Reflecting this, a study across European countries found severe gaps in platform workers' social protection. The share of platform workers covered in the event of unemployment, sickness, or work-related accidents remains in the single digits for each category, with more than half not covered at all, and roughly one-third covered only through another job or source (Eurostat, 2023). By pushing for an independent contractor model, platform businesses actively shift their responsibility onto individual workers by circumventing viewing themselves as employers (Kiess, 2023). They make the

workers' employment increasingly insecure - a process referred to as the "fissuring of business structures" (Weil, 2019, p. 147). There are concerns that this logic could overflow into traditional work forms (Bonvin et al., 2023a; Hassel & Sieker, 2022), risking not only individuals' access to social protection but the financial sustainability of welfare states, particularly those that are based on contributions (Funke & Picot, 2021; Kiess, 2023). In addition to reduced access to social rights, self-employed workers also face diminished labour rights. For example, access to social dialogue for the promotion of decent work is limited, practically, due to spatial fragmentation of workers, and legally due to constraints imposed by antitrust laws (Bonvin et al., 2023b).

Given the above-mentioned implications of self-employment, it is unsurprising that contract classification has become a contentious issue among policymakers discussing platform work (Bassanini et al., 2024; ILO, 2024). Central to this debate is the "Gretchenfrage" (Kiess, 2023, p. 26): should platform workers be classified as self-employed or dependently employed? Policy responses vary: some advocate extending social protections to the self-employed; others call for reclassifying workers based on dependent employment criteria, highlighting "'bogus self-employment', whereby workers in de facto dependent employment relationships conduct services as independent contractors" (Niebler et al., 2023, p. 289); and some seek a middle ground by offering protections to economically dependent self-employed workers (Marenco, 2023). Roughly a decade after platform work entered public discourse, the EU has enacted a Directive establishing inter alia a rebuttable legal presumption of employment relationship (Directive (EU) 2024/2831). The presumption depends on a clear indication of control and direction exercised by platforms, according to national law. This regulatory response is backed by estimates from 2021 that roughly 20% of the 28 million platform workers in the European Union are misclassified as self-employed (European Commission, 2021). Understanding initial and current national responses to this issue is compelling, as the platform economy introduced a new "playing field" (Kiess, 2023, p. 36) in ongoing labour conflicts, driven by changes such as digitalisation. These conflicts concern not only labour versus capital but also broader debates about the preferential treatment of employment contracts in accessing social protection and universal welfare (Marenco, 2023). The next section outlines the current state of knowledge on responses to the rise of platforms, and platform work specifically.

3.2. Diversity in Responses to Digital Labour Platforms and Their Employment Model

The widespread narrative that digital platforms are "too big to control" (Graham, 2020, p. 453) has been challenged by contributions from comparative political economy scholars who have shown that countries in the advanced capitalist world respond very differently to the market entry of digital platforms. They highlight the importance of institutional configurations in the extent to which platforms adapt their strategies, including their employment model. The following section outlines the main contributions of the literature to date and distils the research gap addressed in this paper.

Kathleen Thelen (2018) shows how responses to Uber's market entry differ between the US, Sweden, and Germany, ranging from a welcoming embrace through deregulation in the US, to moderate adaptation while enforcing legal regulations in Sweden, to a ban on the platform in Germany among rapid mobilisation and coalition-building by taxi associations. She highlights the importance of national institutional configurations in framing the issues surrounding Uber's market entry and in shaping subsequent overall consensual responses. In a subsequent paper, Rahman and Thelen (2019) distil three sets of institutional factors that provide fertile ground for the rise of the platform business model, using the US as a comparative example. First, a permissive political-economic landscape, characterised for example, by weak social partners and fragmented governance. Second, a competition law that focuses on consumer interests as a guiding principle. Third, a high degree of private financialisation through venture capital and private equity. The key finding is that it is not only the technological innovation of digital work platforms that matters, but also the national and sectoral institutional context in which it emerges, which has also been highlighted by other papers (Koutsimpogorgos et al., 2023).

The literature on institutional factors regarding the extent to which independent contracting can prevail, is of particular interest to this paper. The majority of initial studies focus on the ideal-typical VoC profiles. For example, Germany, as a CME, has repeatedly been analysed as a “least likely case” (Funke & Picot, 2021, p. 360) for the spread of platform work with its independent contractor model. Scholars point to the credible threat of sanctions against bogus self-employment, monitored and enforced through the social insurance system, as the main barrier to platform workers’ self-employment (Funke & Picot, 2021; Legantke, 2024). Indeed, dependent employment prevails among German platform workers (Ferrari et al., 2024; Loschert et al., 2024), with a tendency of platforms to either adjust their employment model or to leave the German market entirely (Funke & Picot, 2021; Legantke, 2024).

In a comparative study of Germany and the LMEs of Great Britain and the US, Hassel and Sieker (2022) investigate the effects of platform work on non-platform businesses in the Courier-Express-and-Parcel (CEP) sector. They identify key institutional factors that shape susceptibility to the independent contractor model: first, the strength of employment relations at legacy firms, second, the degree to which these institutions are protected by labour regulation, and third, access to welfare benefits for the self-employed, where more universal benefits facilitate independent contracting, as entitlements are not tied to an employment relationship. Germany again emerges as the most inhibiting context for the proliferation of platforms’ organisational models, due to limited welfare access for the self-employed and robust labour standards at legacy firms, which remain protected through the employment contract as a strong institution.

While the majority of initial studies focus on the typical examples of CMEs and LMEs, some studies broaden the perspective. Based on ten European countries, Sieker (2022) argues that different responses to platform workers’ contract classification are related to access to social security for the self-employed. Countries with lower access, such as Germany and France, tend to challenge self-employment status, while those with higher access, such as the Nordics

are more integrative. Ametowobla & Kirchner (2024, p. 1) demonstrate “varieties of platform capitalism” based on an analysis of the predominant employment models on leading food delivery platforms in 32 countries across North America and Europe. They conclude that there is remarkable diversity in terms of employment models in Europe, particularly in Northern Europe, which might be explained by the more universal access to welfare as stipulated by Sieker (2022). However, notably, they also find diversity across the assumed similarly highly regulated continental Europe. The study inter alia demonstrates an opposite pattern between France and Germany, with a prevalence of self-employment in France and dependent employment in Germany - a pattern also visible in other sectors. This contrast is puzzling, given the countries’ often pronounced similarities in conservative welfare states with contribution-based insurance and dualised labour market structure. Ametowobla and Kirchner (2024) interpret these findings as evidence of the complexity of platforms’ institutional adaptation, calling for further in-depth comparative research. This need has already been highlighted by other scholars, such as Funke & Picot (2021) and Legantke (2024).

The scholar Marengo (2023) takes a step in this direction. Comparing the politics of contract classification in Italy, France, Denmark and the Netherlands, Marengo finds that outcomes do not necessarily align with countries’ theoretical labour market liberalisation profiles. For example, France and Italy, typically associated with dualisation, responded differently, with Italy not accommodating platforms’ preferences for self-employment at the labour market periphery. The author suggests moving beyond institutional deterministic explanations, emphasising the role of “imagined futures of work” (Marengo, 2023, p. 2) of national actors in shaping regulatory trajectories.

In a context where the diversity of employment models in continental Europe remains underexplored, including between the two largest economies, Germany and France, whose labour market structures are often described as similar, the following research question arises:

Why, despite their assumed similar tendencies toward labour market dualisation, do France and Germany exhibit diverging patterns in the contract classification of platform workers, with a prevalence of self-employment in France and of dependent employment in Germany?

Before developing hypotheses to answer this question, the following section presents the paper’s research design and methodology.

4. Research Design and Methodology: Comparative Qualitative Case Study

To answer the research question, this study applies a comparative qualitative case study design. The comparative method involves the “systematic analysis of a small number of cases, or a ‘small N’” (Collier, 1993, p. 105), which enhances analytical depth and supports rich interpretive understanding. The case selection follows the “Most Similar Systems Design”, introduced by Przeworski and Teune (1970, p. 32), rooted in John Stuart Mill’s (2024) *Method of Difference*. This approach selects cases that are similar across relevant

dimensions but differ in the outcome of interest, allowing the cause of that difference to be located in the factors where the cases diverge. The research strategy is applied in a non-rigid sense, without neatly specifying all control variables, as is often the case in comparative qualitative research (Anckar, 2020). This flexibility aligns with the study's research aim.

The two selected Continental European countries, Germany and France, are widely considered comparable across key typologies, such as being conservative welfare regimes (Esping-Andersen, 1990), and - of particular importance for the topic at hand - sharing a dualised labour market structure (Palier & Thelen, 2010; Thelen, 2014). However, they present a puzzling contrast concerning platform workers' contract classification, a divergence not yet adequately explained. The study, therefore, aims to identify explanatory variables beyond structural similarities, raising the central question: "What explains the divergence in platform workers' contract classification?" To address this, the study applies an inductive research strategy aimed at identifying relevant independent variables. However, in line with the recognition that the line between induction and deduction is often blurred, the study also engages in deductive reasoning by mobilising existing theories to explore determinants of the divergence (Anckar, 2020).

In line with this, the following section outlines the research puzzle, introducing dualisation theory, which assumes similarity between the cases. Subsequently, alternative theories are brought in to account for divergence, starting from differences in VoC profiles leading to distinct employment relations systems and growth strategies, each informing hypotheses. The following in-depth comparative analysis focuses on how employment relations actors in each country have problematised, responded to, and shaped the classification of platform workers, ultimately seeking to answer the research question.

Methodologically, the study adopts a qualitative approach, which seems best suited for exploring Germany and France's differing responses to a novel and complex issue like platform workers' employment status (e.g., Marengo, 2023). It primarily relies on secondary data, reflecting the fact that approximately a decade after platform work's rise, numerous formal positions have been publicly articulated and policy decisions have been made. In terms of data sources, the study draws on an extensive literature review of academic work on the topic. At times, this was complemented by direct outreach to researchers in the field for clarification and data sharing. Additionally, since no existing study offers an in-depth comparative case analysis of France and Germany across the three main location-based platform sectors, the academic literature was complemented by a data collection of a wide range of additional documents. These included policy papers from key stakeholders, reports from public authorities, press releases, legislation, court decisions, surveys, and news articles. The sources cover the period from 2014 to 2024, corresponding to the rise of platform work, and span national and sectoral levels. While conducting interviews could have enhanced the study's credibility, the advantages of relying on documents include their availability, coverage, and stability, as well as their non-reactive nature in relation to the research process (Bowen, 2009).

For data treatment, qualitative document analysis was applied, involving skimming, reading and interpretation of material, a method well-suited to qualitative case studies (Bowen, 2009). Specifically, content analysis was used iteratively to organise data around the central research question. The emerging relevant content was mapped using the digital collaboration platform Miro, structured by employment relations actors' positions, key decisions and legal developments over time to highlight patterns. This was guided by theoretical expectations that the distinct national employment relations systems influence platform workers' contract classification. This mapping directly informed the analysis.

With the research design and methodological approach established, the next section turns to the theoretical foundations that inform this study's analytical framework. In particular, it presents the underlying assumptions about the similarities between the two cases and introduces specific explanations for their observed divergence.

5. Analytical Framework: From Theoretical Foundations to Case-Specific Hypotheses

Countries present differences and similarities at distinct institutional levels. As outlined above, in the context of debates on the contractual classification of platform workers, the structure of the labour market and social security systems are of particular importance (Marenco, 2023). The following background section mobilises different comparative political economy approaches to explain the emergence of the research question, which is rooted in the assumed similarity of France and Germany in terms of labour market and welfare system dualisation. After highlighting apparent nuances in the dualisation patterns of the two countries, the second part of the section mobilises two other concepts, related to the countries' VoC profiles, namely the countries' employment relations system and their growth strategies to develop hypotheses for explaining the countries' approaches.

5.1. Assumed Similarity: Dualising Liberalisation within Continental Europe

This section outlines the theoretical expectation that, due to similar dualised labour market structures, France and Germany would respond similarly to platform work. It revisits the logic of dualisation and highlights why this assumption requires further scrutiny.

Thelen has synthesised two of the most influential regime theories in comparative political economy, Varieties of Capitalism (VoC), which examines institutional complementarities shaping economic performance, and Worlds of Welfare (WoW), which classifies welfare state regimes, to identify three distinct pathways through which labour markets have been liberalised (Ferragina & Filetti, 2022; Thelen, 2012). Faced with similar pressure for increased labour market flexibility, countries have responded in diverging ways. Continental European CMEs - including France and Germany - are typically associated with having followed a trajectory of "liberalisation as dualisation" (Thelen, 2012, p. 146), distinct to American deregulation or Scandinavian socially embedded flexibilisation.

More specifically, Palier & Thelen (2010) argue that since the 1990s, labour market dualisation has been gradually institutionalised in both France and Germany, actively reinforced by labour market and welfare policies. A dualised labour market is characterised by a core of workers in ‘standard’ employment relationships, typically found in traditional sectors such as manufacturing in Germany and national champions in France. Meanwhile, ‘atypical’ or ‘nonstandard’ employment relationships (e.g., part-time, fixed-term, and marginal employment) expand at the margins, creating a “secondary labour market”, often located in the service sector (Palier & Thelen, 2010, p. 122). Dualising welfare reforms ensure that insiders at the core remain well protected through the contributory social insurance system, typical of the traditional Bismarckian welfare model (Palier, 2010). Conversely, non-standard workers increasingly fall outside this system and must rely on means-tested, tax-financed benefits (Palier & Thelen, 2010).

The theoretical expectation, as argued by other scholars, resulting from this similarity is for platform work to be accommodated at the labour market periphery, accepting the independent contractor model, which would provide platform workers with weak protection (Funke & Picot, 2021; Marengo, 2023). However, given that empirical evidence hints toward diverging approaches of platform workers’ contract classification in France and Germany, the following research question has been established:

Why, despite their assumed similar tendencies toward labour market dualisation, do France and Germany exhibit diverging patterns in the contract classification of platform workers, with a prevalence of self-employment in France and of dependent employment in Germany?

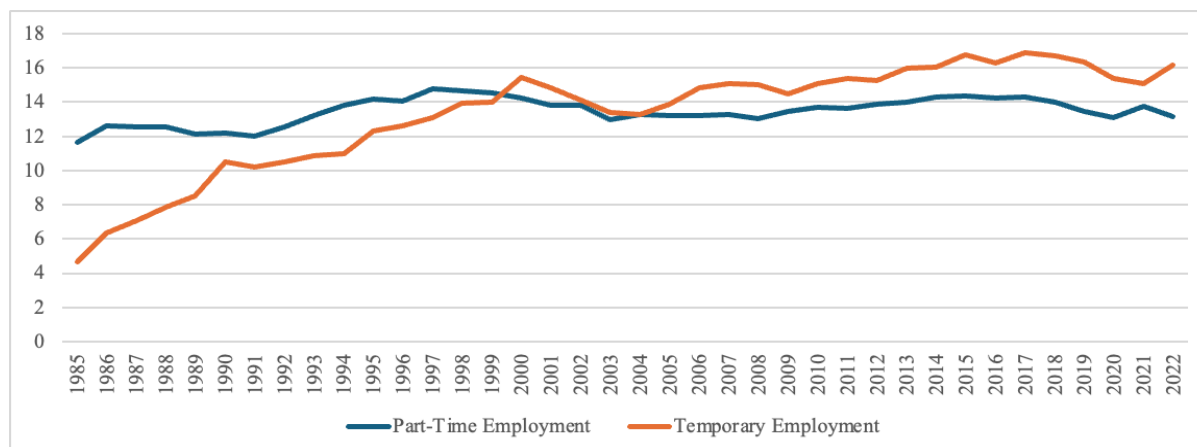
This section provides a departure point to build hypotheses for explaining the divergence. To begin with, the evolution of atypical employment patterns and their respective social protection over the last three decades will be outlined, to highlight nuances in the countries’ dualisation trajectories. Specifically, the development of self-employment and particularly solo self-employment, which remains undiscussed in the original dualisation theory (Palier & Thelen, 2010) is included due to its relevance for the contract classification of platform workers.

5.2. Nuances of Dualisation: Evolvement of Atypical Work and Its Social Protection

5.2.1. France

In France, a number of labour market reforms since the mid-1980s have fostered the rise of atypical work, such as the easing of fixed-term contracts to facilitate youth employment in 1985, followed by measures easing the use of other forms of atypical employment (Palier & Thelen, 2010; Schwander, 2016). As visualised in Figure 2, the use of fixed-term employment rose substantially between 1985 and 2022 (OECD, 2025b, 2025e).

Figure 2: Share of temporary and part-time employment of total employment in France (1985-2022)



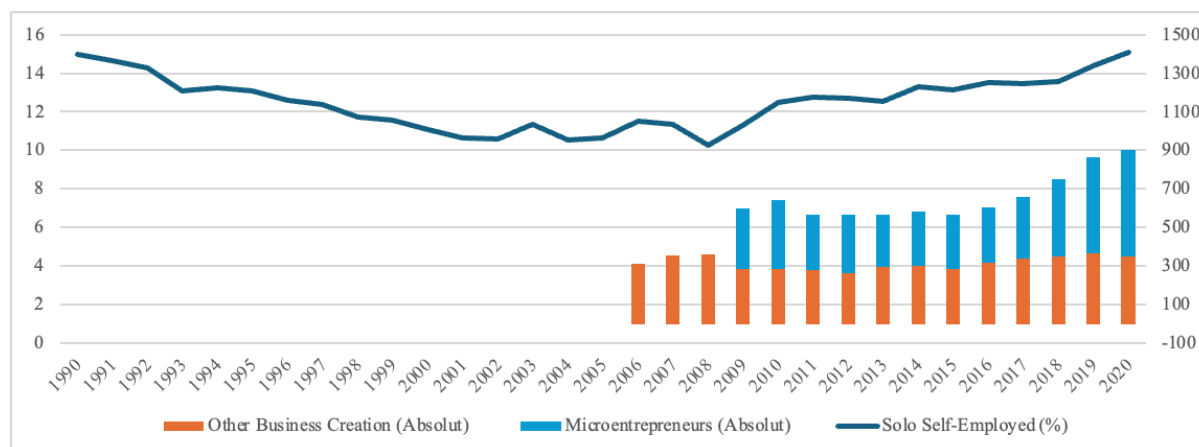
Notes: Author's own illustration based on OECD (2025e, 2025b)

Notably, beyond the rise in nonstandard employment relationships, “part and parcel of the rise in atypical work was a growing focus on self-employment and entrepreneurial spirit as means of employment creation” (Marengo, 2023, p. 86). This was driven by a steep increase in the solo self-employed, following the introduction of the micro-entrepreneurship status (Gilles, 2023; OECD, 2018), which was introduced by the 2008 Law on the Modernisation of the Economy (LOI N° 2008-776). The status that can be obtained up to a certain revenue threshold is aimed at easing the creation of new businesses by providing bureaucratic and tax reliefs.¹ The number of creations of microentrepreneur businesses has evolved dynamically and meanwhile constitutes around two-thirds of new business creations (Insee, 2023). Figure 3 illustrates these developments. In 2023, there were more than 2,7 million registered microentrepreneurs (Urssaf, 2024), representing almost two-thirds of all self-employed (Urssaf, 2023), which overall account for 13% of total employment in France (OECD, 2025c).

¹ More information on the status here:

<https://www.autoentrepreneur.urssaf.fr/portail/accueil/sinformer-sur-le-statut/lessentiel-du-statut.html>

Figure 3: Development of solo self-employment (as % of total employment) and absolute business creations by micro-entreprises vs. other business forms per annum (000's) in France



Notes: Author's own illustration based on OECD (2025d) and Insee (2023)

In terms of social protection, microentrepreneurs pay social contributions strictly proportional to turnover, covering health, family, and pension contributions. Since they do not contribute to unemployment insurance, they are not entitled to benefits via *France Emploi* (République Française, 2025; Urssaf, n.d.). However, in 2019, France implemented a six-month unemployment allowance for self-employed workers (France Travail, n.d.; ILO/ ISSA/ OECD, 2023). Overall, France has increasingly aligned the social protection of the self-employed, including micro-entrepreneurs, with that of employees. However, the system remains less generous to the self-employed due to lower contributions and stricter access rules, which particularly affect micro-entrepreneurs with typically low incomes (Marenco, 2023). Only 20% of microentrepreneurs earn a monthly income superior to the minimum salary for salaried workers, and roughly half of them report earning below 420€ monthly in 2021 (Insee, 2024).

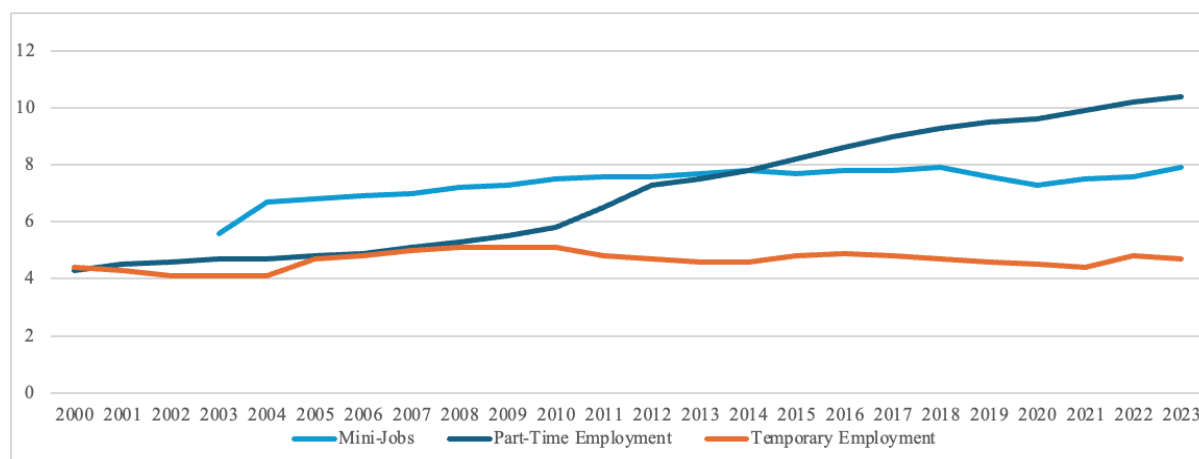
5.2.2. Germany

In Germany, the rise of atypical work started in the 1980s and has gained momentum since the end of the 1990s. Reforms included the deregulation of the use of agency work or fixed-term contracts (Palier & Thelen, 2010). The so-called Hartz reform of 2002-2004 marked a pronounced turn toward labour market flexibilisation. They included four laws: The first two laws tightened benefit access requirements and introduced activation measures, including the introduction of so-called *mini-jobs* and the facilitation of solo-self-employment via start-up allowances for so-called *Ich-GmbHs* (Schwander, 2016).

Particularly, *mini-jobs* and part-time employment have risen and become an integral part of the labour market, as illustrated in Figure 4. *Mini-jobs* are a form of marginal employment with reduced levels of social contributions and consequently social protection (BMAS, 2025): employers pay a flat-rate contribution to health and pension insurance since 2013, which the

employees complement unless they decide to opt out. Mini-jobbers are insured against work accidents. There are no contributions to the unemployment and care insurance systems.

Figure 4: Development of selected forms of atypical employment in absolute numbers (in millions) in Germany (2000-2023)



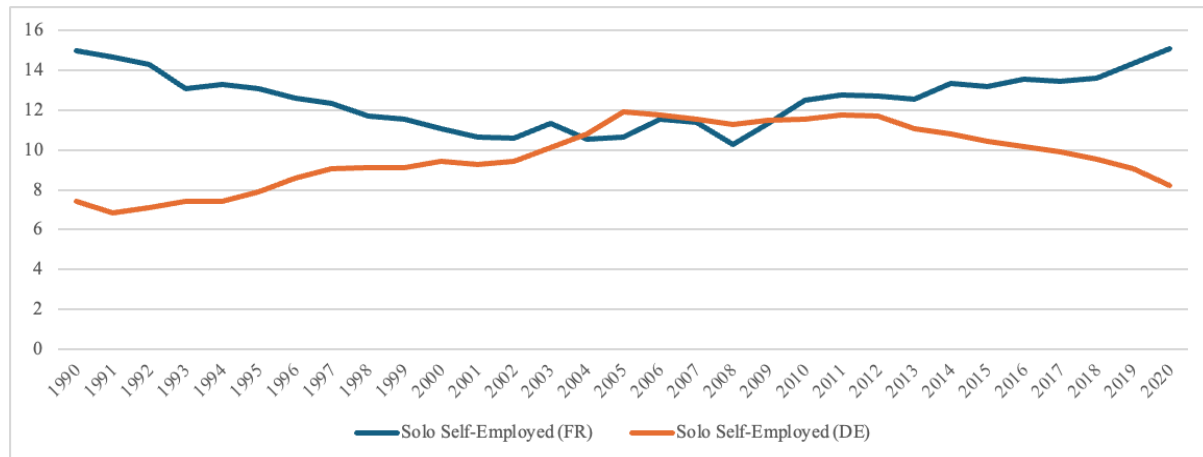
Notes: Author's own illustration based on IAQ (2024a)²

In terms of solo self-employment, a rise could be observed as of 1991, particularly in comparison to standard self-employment. The increase as of 2003 is attributed to the introduction of the *Ich-GmbHs* as part of the Hartz laws (Destatis, 2025). However, they have recently lost relevance through a reduction in eligibility, which can be seen as one explanatory factor for the relative decline in solo-self-employment since its peak in 2012 (IAQ, 2024b; Destatis, 2025). As visualised in Figure 5, this represents an opposite dynamic compared to the strong growth of solo self-employment in France since 2009 (Gilles, 2023).

Access to welfare benefits for the self-employed in Germany is considered weak (Sieker, 2022), as self-employed workers are not mandatorily insured in the statutory health system but must have either public or private health insurance. Further, insurance in the statutory pension system only applies to a certain limited number of job groups. They are also not required to contribute to unemployment insurance and consequently do not earn unemployment benefits (IAQ, 2024b).

² IAQ data were chosen instead of OECD data to take into account the country specificity of minijobs. Only absolute data was available.

Figure 5: Development of solo self-employment in France and Germany (as % of total employment, 1990-2020)



Notes: Author's own illustration based on OECD (2025d)

In summary, compared to the mid-1980s, both countries have seen a rise in atypical work. However, in Germany, the rise of part-time and marginal employment in the form of *mini-jobs* has been particularly pronounced. In France, on the other hand, the use of temporary contracts and, since 2009, solo self-employment has played a substantial role. Furthermore, the social protection of the respective dominating non-standard forms of work has partly been expanded, with higher protection for mini-jobbers in Germany and for the self-employed in France.

Given that access to welfare benefits for self-employment has been identified as a factor for the dissemination of the independent contractor model (Ametowobla & Kirchner, 2024; Hassel & Sieker, 2022; Sieker, 2022), the outlined nuances result in the following hypothesis:

Differences in access to welfare for the self-employed contribute to diverging patterns in contract classification.

- *In France, access to welfare benefits of the self-employed has been brought closer to that of the employed, decreasing the risk of the dissemination of the status for the sustainability of the welfare state, and potentially weakening the enforcement of institutions protecting employment contracts.*
- *In Germany, access to welfare benefits of the self-employed is low, increasing the risk of dissemination of this status, and maintaining strong institutions for protecting employment contracts.*

In addition to the dualisation background and the nuanced evolution of atypical work and its protection, along with its implications for the role of employment contracts, other theoretical concepts within the broader VoC literature can serve as starting points for understanding differences between France and Germany.

5.3. Distinct Employment Relation Systems Rooted in Distinct VoC Profiles

As outlined in the state of knowledge, scholars attribute importance to employment relations for platform business strategies (Ilsøe & Larsen, 2023), and for the dissemination of the independent contractor model specifically (Hassel & Sieker, 2022). Employment relations is concerned with work and employment at macro and micro levels, focusing on the employment relationship while covering key issues like wages, working conditions, power dynamics between labour and capital, employment regulations, and the state's role in these matters (Milner, 2017). The following section describes key characteristics of France and Germany's employment relations systems, focusing specifically on the role and comparative strength of actors.

The VoC framework can help in understanding persistent differences in employment relations and responses to novel challenges across capitalist economies, particularly if they represent different ideal-type VoC profiles (Milner, 2017). Initially, Hall and Soskice (2001) proposed a dual classification between LMEs and CMEs based on the coordination at the firm level (Amable, 2003). In LMEs, firms coordinate primarily through market mechanisms and competitive hierarchies, whereas in CMEs “firms depend more heavily on non-market relationships to coordinate their endeavours with other actors and to construct their core competencies” (Hall & Soskice, 2001, p. 8). At times, France and Germany are both referred to as CME, as in the dualisation theory (Palier & Thelen, 2010, p. 139). However, while Germany is often presented as the prime example of a CME (Funke & Picot, 2021), France does not fit neatly into the two ideal types of capitalist economies (Hall & Soskice, 2001). Some scholars have advocated for a third variety of capitalism, classifying France as a “state-enhanced” (Schmidt, 2003, p. 526) or “state-influenced” market economy (SME) (Schmidt, 2012, p. 156) characterised by the more active role of the state. This distinctiveness represents the starting point for understanding the role of actors in employment relations.

5.3.1. France

The French government has an “omnipresent role in employment relations”, in line with the country's SME profile and its history of “dirigisme” (Zagelmeyer, 2011, pp. 325, 350). Examples of the state's active involvement in employment relations include the national minimum wage, which was introduced as early as 1950 and the so-called extension procedure through which collective bargaining agreements are extended to entire sectors or country-wide beyond the initial signatories (Parsons, 2020, p. 325). This procedure is the reason why France has one of the highest collective bargaining coverage rates in the world, standing at 98% in 2016, compared to an OECD average of 32% (OECD, n.d.). France's employment relations are characterised by frequent state-driven labour-law reforms (Zagelmeyer, 2011). As of the 1980s, French governments have fostered decentralisation in collective bargaining, which has been further pronounced under the presidencies of Hollande and Macron (Parsons, 2020). State involvement is rooted in a defiance of the ability of social partners, which will be examined in the next paragraph, to find agreements (Laroche, 2016).

French trade unions are characterised as weak, due to fragmentation and competition along ideological lines (Parsons, 2020; Zagelmeyer, 2011). Among the major confederations, the three biggest ones are the Confédération Générale du Travail (CGT), the Force Ouvrière (FO) and the Confédération française démocratique du travail (CFDT), with their political orientations ranging from far left to centre-left (Parsons, 2020; Zagelmeyer, 2011). There is a divide between the radical unions, such as CGT, which openly challenge the capitalist production system, and reformist unions such as CFDT, which are more willing to negotiate with employers and to consent to government policies (Parsons, 2020, p. 331). Trade union density is the lowest in the industrialised world (Parson, 2020), having more than halved since the 1970s to 11% in 2016 (OECD, 2025a). While historically all trade unions affiliated with the major national configurations were viewed as representative, trade unions have had to prove their representativeness through workplace elections since a reform in 2008 (Laroche, 2016). This has further exacerbated inter-union competition (Denis, 2024). Overall, fragmentation and inter-union competition inhibit collective union power (Parsons, 2020).

The relationship between employers and trade unions is conflictual (Parsons, 2020). **French employers** have been increasingly oriented towards neoliberalism since the 1980s, calling for flexibility and decentralisation (Laroche, 2016). At the national scale, the primary organisation representing employer interests is MEDEF (Mouvement des Entreprises de France) (Zagelmeyer, 2011). They have been successful in pushing for decentralising collective bargaining, and partly also with their ongoing calls for labour market and welfare reforms to tackle rigidities and high social security costs (Parsons, 2020). Overall, employer organisation density stood at roughly 80% in 2017 (OECD, 2023).

In France, the involvement of social partners in public policymaking through state-led tripartite bodies was fostered by French governments as of the turn of the 21st century (Laroche, 2016). A 2007 reform required the French government to consult with trade unions and employers' associations before proposing changes in labour law concerning employment relations and vocational training (Zagelmeyer, 2011). However, the Hollande presidency has seen the failure of tripartite social conferences, in part due to the inability to engage with the radical trade unions opposed to government policies deemed increasingly neoliberal. Union's reliance on strikes to influence policy making is losing its effectiveness, and Macron's preference for bilateral meetings with individual unions and the change of labour law through decrees may lead to a further "dilution of the union voice" (Parsons, 2020, p. 331).

5.3.2. Germany

In line with the country's CME profile, the role of the **German government** in employment relations differs from that in France: While it establishes a strong legal framework, it largely refrains from direct intervention (Zagelmeyer, 2011). Statutory regulations support the "dual system of interest representation" (Zagelmeyer, 2011, p.326), where unions and employers handle collective bargaining, while work councils represent interests at the company level. The principle of *Tarifautonomie* [Collective bargaining autonomy] is even enshrined in the German constitution (Behrens, 2020). Overall, "employment relations are still largely driven

by the initiatives of the social partners, within the robust legal framework of the social market economy and social partnership as enshrined in the German Constitution” (Zagelmeyer, 2011, p. 350). The next section explores these social partners whose relations are often characterised as consensual (Funke & Picot, 2021).

Germany is known for its strong tradition of industry-wide **trade unions**, a system that was established after World War II (Zagelmeyer, 2011), replacing earlier fragmentation of unions along ideological lines (Behrens, 2020). The largest trade union confederation in Germany is the Deutscher Gewerkschaftsbund (DGB), which serves as the umbrella organisation for eight industry-related trade unions (Keller & Kirschner, 2016). Among them, IG Metall, representing metalworkers, and ver.di, the United Services Union, are the most significant, collectively accounting for two-thirds of all DGB members (Behrens, 2020). Despite its historical strength, trade union membership and density in Germany have seen a steady decline. Union density has dropped from its peak of 36% in 1990 to approximately 16% in 2019 (OECD, n.d.).

Employer associations are considered well-structured and influential (Zagelmeyer, 2011), playing a “very prominent role within the German employment relations” (Behrens, 2020, pp. 344–345), particularly in maintaining bargaining structure through the prevalent system of industry-wide collective bargaining. Over 700 employer associations represent business interests for labour-market-related issues and are affiliated with the Bundesvereinigung der deutschen Arbeitgeber (BDA) [Confederation of German Employers’ Association]. Together, they are in charge of multi-employer level bargaining (Behrens, 2020), which is mostly centralised at the regional industry level (Keller & Kirschner, 2016). Employer organisation density was estimated at 68% in 2019 (OECD, 2023), and is also faced with membership erosion (Behrens, 2020). Facing a similar trend toward decentralisation, company-level agreements have increased (Behrens, 2020). Collective bargaining coverage has consistently declined from above 70% in 1995, reaching 54% in 2018 (OECD, 2023), prompting discussions on the “erosion of the German system of industrial relations” (Hassel, 1999, p. 483).

The formal involvement of social partners in political decision-making is a defining feature of the German model of capitalism (Kiess, 2023). They are known for fostering links and collaborative relationships with political parties. In particular, trade unions have historically maintained a “privileged partnership” (Behrens, 2020, p. 347) with the Social Democratic Party (SPD). Additionally, the four pillars of the German social insurance systems are administered by tripartite bodies, reflecting the active involvement of social partners (Behrens, 2020). Both trade unions and employer associations have a vested interest in preserving the social insurance-based model to ensure the financial sustainability of the welfare state (Funke & Picot, 2021; Kiess, 2023).

In light of the erosion dynamics described above, there are doubts that Germany can still serve as the prime example of a CME employment relations system. The institutional strength of the employment relations system, in line with the dualisation theory, is deemed to depend

on the sectors, with strong institutions in core industries such as manufacturing and weak institutions in the newer services sectors (Behrens, 2020; Keller & Kirschner, 2016).

From an overall comparative perspective, in the SME France, the state intervenes actively in employment relations, overriding weaker social partners, whose relations are conflictual. Conversely, in the CME Germany there is a strong legal framework promoting the role of social partners in employment relations, whose strength, however, depends on the sector in line with dualisation dynamics. This leads to the next hypothesis:

Differences in the institutional configuration of employment relations actors, rooted in VoC profiles, contribute to diverging patterns in the contract classification.

- *In the SME France, the state plays an omnipresent role in employment relations. Thus, platforms' employment models across sectors follow the respective state intervention.*
- *In the CME Germany, employment relations are driven by the initiatives of the social partners, with the state rather avoiding intervention. Thus, the strength of social partners contributes to employment patterns at the sectoral level.*

5.4. Diverging Growth Strategies and Their Employment Regulation Nexus

After having established the institutional role of actors in employment relations, the broader strategic context in which these actors are confronted with the rise of platform work will be considered. For this, the concept of growth strategies can be mobilised, which Hassel and Palier (2021a, pp. 21–22) refer to as a “series of decisions and reforms, taken by either governments or producers' groups (economic and social actors) to boost growth and stimulate job creation in a specific nation, and the rationale for these decisions”. They often imply significant welfare reforms, leading inter alia to changes in labour market regulation (Avlijaš et al., 2021). Growth strategies illuminate how governments contribute to the transformations of political economies in the context of major transformations, such as technological change (Hassel & Palier, 2021). Given that job creation and employment regulation are integral to any growth strategy, the concept can be used to draw hypotheses about how Germany and France approach platform work. For this purpose, the section dismantles which growth strategies the countries have traditionally pursued, including in times of transformation, and most importantly, which strategies they currently follow.

5.4.1. France

In the postwar period up through the early 1980s, France employed a state-driven economic model based on the stimulation of domestic demand in line with its growth regime, characterised by public investment, strategic industrial policies, and a strong welfare state (Hall, 2021). Although France sought to enhance competitiveness and move toward an export-led manufacturing strategy from the mid-1980s onwards, it struggled to fully implement this shift due to its wage and welfare-based demand-driven legacies. Efforts to lower wages, for instance via firm subsidies, were largely financed through public debt

(Avlijas et al., 2021). France's shift toward a more export-oriented model was accompanied by a series of labour-market liberalisation reforms dating back to the mid-1980s, and gaining momentum in the 1990s (Avlijaš et al., 2021). As analysed in [Section 5.1](#), these led to the dualisation of the labour market, similarly to Germany (Palier & Thelen, 2010) – though without creating clear employment-winning industrial sectors (Avlijas et al., 2021).

With the transition to a knowledge-based economy around the 2000s, the French government opened the door to venture capital, seeding several venture capital funds and making it easier for entrepreneurs to start small businesses (Hall, 2021). The financialisation of start-ups can drive new economic activity and sectors (Hassel & Palier, 2021). Already under Hollande, the government aimed for France to become a “digital frontrunner” (Marenco, 2023, p.73), culminating in a more explicit ‘start-up nation’ strategy under Macron, who declared in 2017 that France would be a country where anyone could launch a start-up (Emmanuel Macron [@EmmanuelMacron], 2017). This more recent growth strategy focused on digital innovation and entrepreneurship comes within a specific employment nexus: as illustrated in [Section 5.2](#), there is a growing emphasis on self-employment as a means of job creation, particularly since the establishment of the microentrepreneur status in 2008, framed as an alternative to the *salariat* (Stevens, 2012). This approach aligns with the “Macronian reasoning” (Marenco, 2023, p.118) that views labour law as overly rigid, inter alia also questioning the strict relationship between individuals’ social protection and employment contract classification. This continues a trend toward labour market flexibilisation under the Hollande presidency (Marenco, 2023). Growth strategies that rely on financialisation through investments from foreign companies, such as multinational platform businesses, are generally associated with more flexible labour market policies (Avlijas et al., 2021).

The rise of platform work is occurring in a broader context where France seeks to be a digital frontrunner and hub for start-ups while also promoting independent work as an employment strategy. Hence, France is expected to be more receptive to the independent contractor model, providing a hospitable environment to platform businesses.

5.4.2. Germany

Often regarded as the prime example of CME, Germany has relied on a complementary export-led manufacturing growth strategy since the 1950s, in which firms at the core of the economy focus on producing high-quality goods (Avlijas et al., 2021). Given that this strategy requires incremental innovation in manufacturing sectors where skills are not easily transferable, it is facilitated by long-term employment relationships that allow for a specialised workforce (Hall & Soskice, 2001). As a result, employers tend to prioritise job security (Avlijas et al., 2021). In consequence, the independent contractor model does not readily align with the core of the German economy (Funke & Picot, 2021).

Thelen (2021) observes that Germany has previously responded to digitalisation by defending its traditional strength in high-quality manufacturing through digitalising products and production within these sectors rather than creating new sectors. In line with the dualisation

theory, the persistent emphasis on export-relevant manufacturing sectors such as the automotive industry led to a growing divide between labour-market insiders in these sectors and outsiders, specifically in the service sector (Thelen, 2021). Dualisation can be seen as a functional component of Germany's export-led growth strategy: the protection of core manufacturing workers, which is central to ensuring high-quality production, has been achieved at the expense of wage restraint and liberalisation at the labour market periphery, mainly in the public and private services sector, enabling cost competitiveness. The conservative, insurance-based welfare state reinforces the segmentation by prioritising social protection for labour market insiders whose skills are important for the export model. This highlights the complementarities between the welfare state and the growth strategy. (Hassel & Di Carlo, forthcoming).

Notably, Hassel & Di Carlo (forthcoming) observe a “mild recalibration of the growth regime” from 2009 to 2020, including – in contrast to most other countries – light steps toward re-regulating the labour market, such as the regulation of temporary agency work or the introduction of a national minimum wage in 2015. They argue that dualism is not a constant characteristic of the German labour market but a response to distinct challenges. During the 2022-2023 economic crisis, though, Germany doubled down on its export-led growth strategy again (Di Carlo et al., 2024), leaving uncertainty about the future of the German growth model (Hassel & Di Carlo, forthcoming).

Germany's growth strategy trajectory yields ambiguous expectations (Funke & Picot, 2021): the independent-contractor model typical of platforms could be heavily constrained by German political-economic institutions, which aim to strengthen and protect stable standard employment relationships that are essential for the export-led, high-quality manufacturing strategy. However, as it has been shown that coordination and dualisation do not exclude one another (Thelen, 2012), as long as standard employment relationships at the core are not at risk, the independent contractor model may be accommodated within the second tier of the dualised labour market. However, even expansion in this labour market periphery may be limited by the mild re-regulation of the labour market throughout the last decade.

Comparing France and Germany in terms of growth strategy trajectories, the following hypothesis arises.

Differences in growth strategies and their associated logics of employment regulation contribute to diverging patterns in contract classification.

- *France aims to be a ‘start-up nation’, fostering labour market flexibility. The government is likely to create a conducive environment for platform firms and support the independent contractor model through legislation.*
- *Germany holds onto its export-led manufacturing economy, which may limit platform-specific reforms, as long as core sectors are not disturbed. Recent steps toward labour market re-regulation may further impede the independent contractor model.*

5.5. Summary of the Hypotheses

While similarities in the dualised labour market structures of France and Germany are often emphasised, notable differences exist in the two countries' approaches to the contract classification of platform workers. These differences have led to the following research question:













"Why, despite their assumed similar tendencies toward labour market dualisation, do France and Germany exhibit diverging patterns in the contract classification of platform workers, with a prevalence of self-employment in France and of dependent employment in Germany?"

As illustrated in [Table 1](#), the theoretical background identifies several explanatory factors that extend beyond the assumed similarity in labour market structures. These include differences between France and Germany in embedding factors, related to the countries' VoC profiles, such as the employment relations regime and current growth strategies. Additionally, disparities in embedded policy developments, namely recent trends in employment regulation and access to welfare for the self-employed, are highlighted.

Taken together, these factors point to a broader picture in which France appears more susceptible to the independent contractor model, whereas the expectation for Germany is more mixed.

Table 1: Factors for explaining susceptibility toward the independent contractor model

Colours indicate susceptibility to the independent contractor model (Green: High, Yellow: Ambiguous, Red: Low)

<u>France</u>		<u>Germany</u>
Embedding Structural/Institutional Factors		
Varieties of Capitalism (VoC) Profile	State-Enhanced Market Economy (SME) 	Coordinated Market Economy (CME) 
Employment Relations Regime	State-driven 	Social partner-driven 
Labour Market Structure	Dualised 	Dualised 
Growth Strategy	Start-up Nation 	Export-led Manufacturing 
Embedded Policy Developments		
Recent Trends in Employment Regulation	Deregulation 	Mild re-regulation 
Access to Welfare for Self-Employed	Moderate 	Weak 

Notes: Author's own illustration

More specifically, three sets of hypotheses have emerged to explain these differences, each revolving around the factors outlined above. The order of the hypotheses has been adjusted, following a conceptual logic that proceeds from broader structural characteristics to more proximate policy developments.

Hypothesis 1: Differences in the institutional configuration of employment relations actors, rooted in VoC profiles, contribute to diverging patterns in the contract classification.

- *In the SME France, the state plays an omnipresent role in employment relations. Thus, platforms' employment models across sectors follow the respective state intervention.*
- *In the CME Germany, employment relations are driven by the initiatives of the social partners, with the state rather avoiding intervention. Thus, the strength of social partners contributes to employment patterns at the sectoral level.*

Hypothesis 2: Differences in growth strategies and their associated logics of employment regulation contribute to diverging patterns in contract classification.

- *France aims to be a 'start-up nation', fostering labour market flexibility. The government is likely to create a conducive environment for platform firms and support the independent contractor model through legislation.*
- *Germany holds onto its export-led manufacturing economy, which may limit platform-specific reforms, as long as core sectors are not disturbed. Recent steps toward labour market re-regulation may further impede the independent contractor model.*

Hypothesis 3: Differences in access to welfare for the self-employed contribute to diverging patterns in contract classification.

- *In France, access to welfare benefits for the self-employed has been brought closer to that of the employed, decreasing the risk of the dissemination of the status for the sustainability of the welfare state, potentially weakening the enforcement of institutions protecting employment contracts.*
- *In Germany, access to welfare benefits for the self-employed is low, increasing the risk of dissemination of this status, and maintaining strong institutions for protecting employment contracts.*

The next section moves to an in-depth analysis to test the hypotheses.

6. Analysis of the Approaches to Platform Workers' Contract Classification

6.1. Overview of the Three Analysed Location-Based Platform Work Sectors

To understand the divergent approaches to contract classification in platform work, this section presents an overview of the outcome in question. Table 2 summarises the dominant employment models across three core sectors. As noted in the research puzzle, self-employment is generally more prevalent in France, while dependent employment is more prevalent in Germany. However, important sectoral nuances exist.

The three selected sectors – ride-hailing, delivery (with a focus on food delivery and CEP), and household services (with a focus on cleaning) – are representative of location-based platform work and are widely discussed in policy, public, and academic debates (ILO, 2024; OECD/ILO/EU, 2023). Care platforms, which present the fourth key location-based platform sector (ILO, 2024), were excluded from the analysis because they have been largely neglected by empirical studies to date, which would have compromised the robustness of the findings (Baum, 2024). Alongside employment models, this section outlines key sector characteristics, including estimated workforce size, socio-economic demographics, income levels, and market structures.

Due to limited data availability, the comparison remains partial. The German government has only recently acknowledged gaps in data on platform work, particularly regarding employment types and socio-demographics (Die Bundesregierung, 2024). A 2024 study of the German Institute for Labour Market Research, about employment forms at the ten largest delivery apps, remains the most detailed to date (Friedrich et al., 2024). Similarly, France only embarked on collecting platform data more systematically following the creation of a new public authority in 2021, which until now only covers the ride-hailing and delivery sectors (ARPE, n.d.).

Table 2: Overview of prevalent employment patterns in three main location-based platform work sectors

Sector/Country	France	Germany
Ride-hailing	Self-Employment	Dependent Employment
(Food)-Delivery	Self-Employment	Dependent Employment
Household Services	Dependent Employment	Self-Employment or Dependent Employment

Notes: Author’s own illustration

6.1.1. France

Platform workers in ride-hailing and food delivery typically operate as *micro-entrepreneurs* (Marenco, 2023), a solo self-employed status introduced in [Section 5.2](#). In the ride-hailing sector, known as VTC (*voiture de transport avec chauffeur*) in France, there are an estimated 51,000 self-employed drivers (ARPE, 2024). This figure continues to grow, and compares to around 61,000 traditional taxis, whose drivers are a mix of employed and self-employed (MTE, 2024). In 2019, 70% of all VTC drivers were self-employed (Niebler et al., 2023). VTC drivers are predominantly based in Paris (75%), with 20% living in Seine-Saint-Denis, which is a low-income area with high unemployment rates (UITP, 2024). VTC drivers are overwhelmingly male (93%) (MTE, 2024). In 2020, Uber reported average monthly drivers’

earnings of €1,600, which was 31% above minimum wage, but such potentially biased figures are difficult to verify (Chagny, 2022). A sectoral minimum earning of €30/hour has been introduced but is not yet fully implemented, and is not indicative of monthly earnings. In terms of market structure, Uber is the market leader, followed by Bolt (Statista, 2025), both of which operate primarily through self-employed drivers.

In delivery, around 71,000 self-employed couriers work on platforms (ARPE, 2024). A survey found that couriers are predominantly male (98%), non-French (86%), and younger and less educated than the general workforce (Chagny, 2022). Between 2021 and 2023, hourly earnings declined among the dominant platforms, but a new agreement set a minimum wage of €11.75/hour (ARPE, 2024). As in ride-hailing, it is not yet fully implemented and not indicative of monthly income. In terms of market structure, Uber Eats and Deliveroo dominate the food delivery market (Statista Consumer Insights, 2023). Both rely on self-employed labour (Ametowobla & Kirchner, 2024; [Appendix A](#)). Just Eat, the third-largest platform, employed its couriers but exited the French market in 2024 due to competition (Reuters, 2024).

In household services, platform-based workers were estimated at 61,000 in 2018 (Chagny, 2022). These services fall under *services à la personne*, which includes cleaning, childcare, and elder care, with the former dominating the segment. Out of 1.3 million total workers in the formal sector, platform workers represent a niche, with online platforms in the personal services sector still being only estimated to represent 0.1% in sales of the entire market (DGE, 2023). There are no platform-specific data on socio-demographics and income, but general sector data may serve as a proxy: most cleaners are women (over 80%) with migrant backgrounds, mainly non-European and African-born, and often without formal qualifications (Devetter & Valentin, 2023). Half the sector earns less than 1.1 times the minimum wage (DGE, 2023). Cleaning platforms like the European market leader Helpling operate primarily with dependent employment models (Helpling, 2025a), in line with the norm in the overall sector (Koutsimpogiorgos et al., 2023), making this sector the inverse of ride-hailing and delivery in terms of employment patterns.

6.1.2. Germany

In Germany, ride-hailing platforms operate in a tightly regulated market, primarily via private hire companies that dependently employ drivers. In 2020, taxi and private hire firms employed around 250,000 people (Bundesverband Taxi und Mietwagen e.V., n.d.). Despite numerous enquiries regarding the distribution between taxi and private hire drivers sent out to the association by the researcher of this study, no response was received. As a proxy, in Berlin, ride-hailing drivers were estimated at more than 10,000 in 2020, suggesting that traditional taxi drivers dominate (Niebler et al., 2023). In early 2024, ride-hailing cars nearly matched taxis (4,426 vs. 5,626), though their numbers dropped by 40% by the end of that year (Stadt Berlin, 2025). Most traditional taxi drivers (85%) are dependent employees (Destatis, 2020). As mentioned above, ride-hailing platforms subcontract to firms employing drivers, often in marginal jobs (Niebler et al., 2023). While no official income data exists,

studies suggest drivers frequently earn effectively below minimum wage due to platforms' piece-rate systems and opaque subcontractor structures (Ferrari et al., 2024). Despite a lack of neat statistical documentation, the workforce appears male and migrant-dominated (Altenried, 2024). Regarding market structure, Uber and Bolt, both relying on subcontractors for drivers' employment, together account for over 75% of ride-hailing demand across four of Germany's largest cities (Hübner, 2024).

In delivery, dependent employment appears to prevail. About 38,000 workers were directly employed at the ten largest platforms in mid-2022, following a pandemic-related peak of 50,000 at the beginning of 2022. Almost half of employment is made up of marginal jobs (48%), 12% are working students, whereas employment subject to full social security contributions - a share that is growing - accounts for 39%, 27% in part-time and 12% in full-time (see [Appendix B](#) for detailed visualisation). Most couriers are male (91%), under 30 (61%), and foreign nationals (45%), mainly from Asia. Workers earn less than half annually than comparable low-skilled employees. Even full-time gig workers earn roughly one-third less per month (Friedrich et al., 2024). In food delivery, Lieferando is clearly the market leader, followed by Uber Eats, and Wolt (Statista Consumer Insights, 2023). Lieferando and Wolt hire couriers directly; Uber Eats uses subcontractors, following the company's model in ride-hailing (Legantke, 2024). Deliveroo, which used a self-employment model, exited the German market in 2019 (Der Spiegel, 2019). Notably, this presents an opposite pattern to the market dynamics in France. In the CEP sector, Amazon dominates (Hassel & Sieker, 2022), employing couriers via subcontractors since shutting down Amazon Flex in 2022, which relied on independent contractors (Amazon, 2022). Self-employment does not play a significant role in the platform-based delivery sector (Legantke, 2024), and upon request, researchers cautiously suggested that subcontracting appears less common in the delivery sector than in ride-hailing (Friedrich et al., 2024).

In the platform-brokered household services sector, a mix of self-employment and marginal employment seems to be dominant, making it the only studied sector for Germany where a self-employment model is still present. The general household services sector in Germany employs 310,000 people formally, of which 80% in marginal employment, 14% in jobs subject to social-security contributions, and 6% self-employed. Yet an estimated 91% of the four million households using such services do not declare them (Enste & Anger, 2024). While platform work naturally remains niche in a highly informal sector, it appears to cover a large share of the declared services. For example, Putzperle.de claims 175,700 registered domestic helpers (Putzperle.de, 2025). A Berlin case study shows a workforce on cleaning platforms that is largely female and with a migration background, particularly from Latin America (Niebler & Animento, 2023). Income data for platform workers specifically is not available, but average mini-jobber income in the sector is €214 per month (Enste & Anger, 2024). Platforms operate with mini-jobbers, but also independent contractors, or both, as can be seen on the example of leading platforms (Helpling, 2025b; Putzperle.de, 2025). Consequently, this appears to be the only location-based platform sector where self-employment is still present in Germany.

This overview reveals distinct national patterns in contract classification across location-based platform sectors. France tends to institutionalise self-employment through the microentrepreneur status in ride-hailing and delivery. In contrast, Germany favours dependent employment, especially in food delivery and ride-hailing, with self-employment now limited to household services. However, atypical employment relationships are widespread.

Across all sectors, platform workers typically have a migration background and exhibit pronounced gender imbalances – being predominantly male in the ride-hailing and delivery sector, and female in the cleaning sector. In terms of scope, platform work appears comparably more prevalent in France. However, sectoral data gaps and methodological inconsistencies limit the feasibility of a neat comparison. Still, these patterns provide essential context for the divergent regulatory approaches explored in the subsequent analysis.

6.2. Analysis of Employment Relations Actors' Influence on Employment Models

To understand the divergent contract classification outcomes for platform workers in France and Germany, this section examines the positions, actions, and influence of key employment relations actors in each country: governments, trade unions, employer associations, and platforms themselves. This actor-based analysis provides the foundation for a comparative perspective and ultimately serves to assess the applicability of the study's hypotheses. Each subsection addresses:

1. a summary of the position and narrative framing, including evolutions over time,
2. the actions and instruments employed,
3. the actor's relationships with other actors, if relevant,
4. sectoral engagement and variation, where applicable,
5. and the influence on employment model outcomes, whether direct or indirect.

In line with the comparative design, the same analytical structure is applied across cases.

6.2.1. France

6.2.1.1. The Government: Strategic Interventionism to Construct Platform Work as Self-Employment

Position and Framing

The French government has framed platform work as a vehicle for economic modernisation, embedding it within a broader growth strategy narrative of becoming a 'start-up nation' (Marengo, 2023). Particularly under President Macron, platform work was approached not as a risk to traditional employment, but as an opportunity for innovation and job creation, especially for marginalised groups. The state sought to reconcile flexibility with limited social protection for self-employed platform workers by crafting a new model of 'social responsibility' for platforms, and institutionalising this approach with a new authority for social dialogue between platforms and independent platform workers. This framing positions

the government as a proactive architect of a regulatory framework favourable to platforms' preferred independent contractor model, which will be unfolded in the following.

Actions

The government's engagement began in the mid-2010s. In parallel to debates around the Law for a Digital Republic (LOI N° 2016-1321), the first in-depth study on platform work's social implications was commissioned by the General Inspection for Social Affairs (Amar & Viossat, 2016). Shortly after, France became the first EU country to adopt a platform-specific regulatory framework (Marenco, 2023) through a 2016 labour law, often simply referred to as *Loi Travail* or *El Khomri Act*, after the then Minister for Employment (LOI N° 2016-1088, 2016). In particular, Article 60 classified platform workers as independent contractors. It states that it applies "to self-employed workers who use one or more electronic networking platforms to carry out their professional activities", and grants these workers three specific entitlements: accident insurance contributions, access to vocational training rights, and the right to strike and join a trade union. Notably, these three rights are subsumed under a chapter named "Social Responsibility of Platforms". Consequently, the granted entitlements are regulated within the realm of a commercial relationship between digital platforms and independent contractors (Marenco, 2023), asserting the self-employed status of platform workers (Gomes, 2022).

Between 2018 and 2019, the government made two attempts to introduce so-called social charters, aimed at granting social and labour rights to self-employed platform workers, once again as part of platforms' corporate social responsibility. This approach first emerged in the context of the 2018 Law on Choosing one's Professional Future (LOI N° 2018-771) through an amendment proposed by the MP Aurélien Taché (2018). The amendment allowed platforms to draft charters specifying the rights and obligations of both parties, such as terms for decent income or termination. Crucially, the provision clarified that such charters could not establish a relationship of legal subordination, thereby reaffirming the self-employed status of platform workers (Gomes, 2022). The intent was to offer platforms legal certainty against reclassification claims while promoting entitlements for workers (Gomes, 2022; Marenco, 2023). However, the article in question was deemed unconstitutional shortly after, as it was not sufficiently related to the original law (Décision n° 2018-769).

A second attempt followed in the 2019 *Loi d'Orientation des Mobilités* (LOI N° 2019-1428), or shortly LOM, which focused on transport regulation. Article 44 of the law, applicable specifically to ride-hailing and delivery platforms, introduced entitlements such as a guaranteed minimum price, the right to refuse tasks without penalty, and freedom in setting working hours. The law also reintroduced the social charter mechanism, again stipulating that charters approved by the state could not create an employment relationship. After new complaints, the Constitutional Court ruled in December 2019 that platforms could continue using charters. However, the clause that would have barred judicial reclassification was declared unconstitutional (Décision n° 2019-794). Indeed, reclassification cases continued, with Uber and Deliveroo facing high-profile litigation (Gomes, 2022). Nonetheless, the LOM

did not challenge platforms' reliance on self-employed workers and reinforced a model where labour relations are governed through commercial, not labour law (Denis, 2024; Dirringer, 2022).

In April 2021, the government took another significant step by creating the *Autorité des Relations Sociales des Plateformes d'Emploi* [Authority for Social Dialogue on Digital Labour Platforms] (ARPE) via ordinance n° 2021-484 (2021). The new authority is tasked with overseeing social dialogue between platforms and self-employed workers, disseminating information, and facilitating consultation. According to the Council of Ministers, the goal was to support platforms' development while strengthening rights for self-employed workers (Gouvernement, 2021). ARPE's website clearly presents its mission as maintaining these sectors in the sphere of independent work while offering workers better working conditions and remuneration (ARPE, 2023). The institution focuses solely on ride-hailing and delivery platforms, covering an estimated 100,000 workers, who may elect representative organisations, including trade unions and associations (Gouvernement, 2021). Scholars note that ARPE reflects the government's intent not to apply collective labour law to platforms, but instead to create a separate regulatory space (Gomes, 2022). Dirringer (2022) further argues that ARPE replaces traditional labour inspectorate mechanisms, institutionalising an alternative governance model for platform work.

In the household services platform sector, the sectoral standard of dependent employment had previously prevailed, likely driven by generous tax credits of 50% for dependent employment of cleaning staff (DGE, 2023; Koutsimpogiorgos et al., 2023). However, here too, the government took steps in 2022 to support a self-employment model by extending the 50% tax credit to independent contractors working through digital platforms (Ministère de l'Économie, 2024). This may change prevalent employment patterns in the future.

In 2024, the French government was the only EU member state to vote against the Platform Work Directive (Kafsack, 2024). This position had been foreshadowed by earlier warnings that the proposal would “kill the whole business model” (Marenco, 2023, p.134). During the negotiations, France pushed to remove specific criteria for the presumption of employment (Haddad & Simonnet, 2023). Officially, the Minister of Employment justified the vote on legal grounds, citing concerns over legal uncertainty to clearly distinguish between genuinely self-employed and employed workers. She also highlighted how France's new “social model” with the ARPE as particularly protective of self-employed platform workers, was not sufficiently acknowledged (Assemblée Nationale, 2024).

Inter-Actor Relations

Government action unfolded in close alignment with platform interest, most visibility exposed by the *Uber Files* in 2022, a global investigation highlighting Uber's aggressive lobbying to deregulate the French market between 2013 and 2017 (Freedberg et al., 2022). Leloup (2022) detailed that Uber enjoyed close ties with Macron, then Minister of the Economy. Macron, who championed Uber's potential to create jobs for marginalised youth,

once defended the platform by arguing that banning it would mean “sending young people from the suburbs back to selling drugs in Seine-Saint-Denis”. The whistleblower documents revealed over a dozen significant exchanges between Macron and Uber executives. This close rapport shaped both legislation and institutional design. Macron actively supported the company’s interests, including offering to circumvent a newly introduced law, which tightened regulations on VTC drivers, helping broker compromises, such as offsetting the UberPop ban with a decree easing driver training requirements, and blocking a regional ban. These actions aligned with his broader deregulatory stance and an aim to be positioned as a “champion of innovation” (Leloup, 2022, p. 10). Regarding institutional design, platforms were consulted early in the creation of ARPE, while trade unions were involved only after the framework was largely finalised (Jan, 2022).

Sectoral Engagement

State interventions were targeted more explicitly at the ride-hailing and delivery sectors, with both the LOM law and ARPE’s mandate applying exclusively to these sectors. Platforms for household services were not specifically affected by regulation until 2022, when the sector’s tax incentive was extended to self-employed individuals on platforms. The state’s prioritisation of ride-hailing and delivery may reflect the salience of competition with incumbent sectors but also the strategic economic framing of certain platforms as high-growth sectors aligned with the start-up economy narrative.

Influence on Employment Model Outcomes

The French government has been instrumental in institutionalising the self-employment model for platform work. The social responsibility approach in legislation and the establishment of the ARPE collectively construct a system of regulated self-employment, extending limited rights and social protections while avoiding employment reclassification. This promotes a decoupling of employment contract and individuals’ social protection, in line with a “start-up nation future” (Marenco, 2023, p.132). For such a future, current labour law is assumed too rigid (Marenco, 2023). The government’s trajectory has proved resilient despite judicial interventions, probably because it fits into a broader political strategy of digital innovation-driven growth and employment creation through entrepreneurship. Notably, the parliamentary inquiry following the Uber Files in 2023 identified systemic failures in enforcing tighter VTC regulations or addressing bogus self-employment, partly due to the underfunding of enforcement agencies such as the Labour Inspectorate or Urssaf (Haddad & Simonnet, 2023). This raises critical questions, suggesting that France’s gradual extension of entitlements to self-employed workers may come at the expense of weakening institutional protections tied to the employment contract.

In sum, France’s government has pursued a coherent and proactive strategy to shape platform work as independent yet partly socially buffered, aligning with its broader economic narrative. While this has fostered stability for platforms, it has potentially undermined legal reclassification mechanisms and blurred the lines between employment and independence.

6.2.1.2. Trade Unions: Initial Fragmentation in Positions and Reclassification Concerns Sidelined by Unilateral State Action

Positions and Framing

Trade unions are seen as central actors in contract classification despite the inherent barriers to social dialogue in platform work, such as platforms not viewing themselves as employers or the fragmentation of workers ([see Section 3](#)). Yet, their influence on platform work has been constrained by ideological divisions, and more importantly, the state's unilateral regulatory approach.

The three major confederations CGT, CFDT, and FO initially adopted somewhat diverging positions on whether platform workers should be classified as employees or independent contractors (Marenco, 2023). CGT vocally opposed self-employment early on, viewing it as a threat to labour law (Marenco, 2023). CFDT supported the independent contractor model following a service unionism concept (Jan, 2022), in part because it viewed platform work as supplementary income for most workers (Marenco, 2023). FO took a middle path, emphasising that workers should either be employed or of real and effective economic independence (Fogeront, 2022), prioritising the choice of workers (Marenco, 2023).

Notably, in contrast to previously diverging positions, all unions were supportive of the EU Directive's legal employment presumption (Carmeni, 2024), demanding a full and rapid transposition, with the CFDT also naming it a "major step forward" (CFDT, 2024, p. 1). This highlights a shift toward alignment on reclassification.

Actions

Unions employed both traditional instruments and new forms of organising, but their scope of action was limited by top-down policy dynamics. The CGT supported litigation processes for reclassification, such as the trial against Deliveroo, and helped grassroots organisations, particularly in food delivery (Jan, 2022). Debates also led to doctrinal change for the union, historically focused solely on dependent employees, to also accept self-employed workers as of 2016 (CGT, 2016). Debates were sparked around broader categorisation of economic dependence beyond strict legal definitions of subordination (CGT, 2019). The CFDT focused on its service unionism and founded "Union Indépendants" to represent self-employed workers more broadly, including ride-hailing drivers and delivery couriers (Marchadour, 2023). FO remained more conservative in its engagement on the topic (Jan, 2022). However, unions were largely bypassed during key regulatory developments, as the following paragraph shows.

Inter-Actor Relations

Next to differing perspectives, all three unions experienced what Jan (2022, p.88) describes as "pressure from above": public authorities adopted measures that largely secured platforms'

employment model, as analysed above. For instance, unions criticised the social charters for circumventing genuine social dialogue (Marenco, 2023). Further, the government's creation of the ARPE, which reaffirms the self-employment status, happened without timely consultation of the trade unions, leaving them feeling "short-circuited" (Jan, 2022) by both state and private players who had been consulted before. Especially the CGT (2021) denounced the ARPE ordinance, saying it legalised bogus self-employment and prioritised platform interests over workers' rights. In contrast, the FO considered ARPE as a potentially constructive step forward (Fogeront, 2022). This mirrors a dilemma trade unions found themselves in: viewing the ARPE as the only option for negotiating with platforms while fearing that it legitimises the self-employed worker status (Jan, 2022).

Unions also faced "pressure from below" (Jan, 2022, p.88) from grassroots associations, such as the Collectif des Livreurs Autonomes de Paris (CLAP). These groups had a critical view on trade unions, viewing them as overly bureaucratic and outdated. Furthermore, they showed themselves supportive of the independent contractor model (Jan, 2022; Marenco, 2023). Notably, workers' interest in the ARPE cannot only be represented by traditional unions but also by these self-organised associations as well as employer groups representing micro-entrepreneurs. This is described as an "unprecedented situation" (Denis, 2024, p. 237) since trade unions normally have a monopoly on employee representation. The election results of the current period for the workers' representative organisation in the ARPE are attached in [Appendix C](#).

Influence on Employment Model Outcome

Overall, while French trade unions initially took varied positions on platform workers' contract classification, their capacity to influence outcomes has not only been constrained by internal ideological fragmentation but, potentially more decisively, by unilateral state actions. On the one hand, they now participate in negotiations with platforms through the ARPE for the delivery and VTC sectors, and first agreements regarding working conditions have been reached (ARPE, 2024). On the other hand, the government's framework effectively cements self-employment as the default, restricting unions' ability to advance reclassification efforts in any significant way. This is the case despite the fact that unions that have been vocally in favour of reclassification have been elected as workers' representative organisations within the ARPE.

6.2.1.3. Employer Associations: Passive Endorsement of Self-Employment Aligned with Government Strategy

Position and Framing

French national employer associations have generally supported the independent contractor model, primarily due to the flexibility it offers. While they appear to have played no direct or decisive role in shaping the legal employment status of platform workers, their stance aligns closely with the government's actions. As in other countries, mobilisations emerged more clearly at the sectoral level, often driven by competition concerns. This section outlines

employer associations' national-level positions and highlights sectoral mobilisations, particularly among taxi associations.

Actions

In 2016, the MEDEF published a policy paper viewing digital labour platforms as a significant opportunity. It called for deregulation with safeguards for fair competition and advocated for legal flexibility to support new forms of work, including hybrid models between self-employment and employment (MEDEF, 2016). However, beyond this early intervention, France's employer associations on the national level did not take a public position on the specific issue of contract classification for platform workers (Chagny, 2022). However, evidence suggests their views remained closely aligned with those of the government (Marenco, 2023). It cannot be ruled out that any potential influence has simply not yet become public.

Inter-Actor Relations

Employer associations seem more effectively represented than trade unions in institutional processes. For example, during the creation of the ARPE, business interests appeared better represented – for instance, through early exchanges with the liberal think tank *Institut Montaigne*, which is funded by large corporations and known to be employer-aligned (Jan, 2022). Additionally, the *Fédération Nationale des Autoentrepreneurs et Micro Entrepreneurs* (FNAE), as a natural supporter of the independent contractor model, given its member base, is part of the employers' confederation for small and medium-sized enterprises. It now holds 12% of the vote share for workers' representation within the ARPE for delivery drivers (ARPE, 2024). Thus, a role traditionally filled solely by trade unions now appears to become occupied by employer-aligned actors (Denis, 2024).

Sectoral Engagement

At the sectoral level, taxi associations, like their counterparts in other countries, mobilised alongside unions to oppose ride-hailing platforms as emerging competition. Their efforts led to tighter regulations during Hollande's presidency (Harsin, 2024). First, the 2014 Thévenoud Law, which granted taxis competitive advantages and banned unlicensed VTC drivers, effectively shut down the UberPop system, which relies on private drivers. Second, the Grandguillaume Law imposed stricter licensing and training requirements on VTC drivers, aligning their obligations more closely with those of traditional taxi drivers. However, under Macron's presidency, these regulations have seen little enforcement (Haddad & Simmonet, 2023; Leloup, 2022). Crucially, these disputes did not centre on employment classification, but were primarily framed around competition (Harsin, 2024), potentially because many taxi drivers themselves operate as self-employed.

Influence on Employment Model Outcomes

Overall, it appears that French employer associations did not play a decisive role in shaping the contract classification of platform workers. Although it may be that a potential influence has simply not yet been publicly documented. However, unlike trade unions, they were not as sidelined, potentially because their general support for the independent contractor model was congruent with state-led regulatory choices. They now have institutional access by being represented in the ARPE.

6.2.1.4. Platforms: Lobbying Power and Political Alignment Foster Institutionalisation of the Preferred Self-Employment Model

Position and Framing

Consistent with their global business model, platforms operating in France have actively promoted independent contracting as the preferred form of engagement. Since 2020, this position has been represented by the *Association des Plateformes d'Indépendant* (API), an industry association encompassing major actors like Uber and Deliveroo (API, n.d.; Chagny, 2022). France's regulatory environment has proven especially receptive to this model. Interviews with platform managers from other studies, along with findings from the *Uber Files* and the subsequent parliamentary inquiry, reveal a close alignment between platform interests and state action (Haddad & Simonnet, 2023; Marengo, 2023). Platform representatives frequently highlight France's legal framework as a model for Europe, particularly the combination of granting social entitlements while avoiding reclassification.

Actions

Platforms in France, and Uber in particular, have engaged in highly strategic lobbying. As detailed in the *Uber Files*, Uber lobbied extensively to circumvent regulatory barriers and influence national policy, as discussed in the government section (Freedberg et al., 2022). This lobbying translated not only into favourable treatment but into legislative outcomes platforms would later promote abroad: Uber and Deliveroo lobbyists actively encouraged EU policymakers to view French reforms as a European model (Haddad & Simonnet, 2023).

The creation of the ARPE further institutionalised the platform-preferred self-employment model. Before ARPE's formal announcement, platforms were consulted as the first actor (Jan, 2022). Extensive coordination with Uber's public affairs team ultimately resulted in a design of the ARPE in close alignment with Uber's strategy: to grant limited rights to workers without triggering reclassification (Haddad & Simonnet, 2023). By 2024, API controls 70% of the elected platform representation seats for both the delivery and VTC sectors in the ARPE, meaning that no agreement can be reached without API's approval (ARPE, 2024). Consequently, critics argue this structure effectively places control of the ARPE in Uber's hands (Haddad & Simonnet, 2023).

The Uber Files investigations also illustrate that platform lobbyists were successful in shaping France's opposition to the EU Directive (Haddad & Simonnet, 2023): The position of the French negotiators is congruent with the demands of platforms such as Uber, as can be seen in its white paper on the subject: workers should be granted more rights and social protection, while not touching the self-employment model. To put this into practice, a "European model of social dialogue" (Uber Technologies Inc., 2021, p. 23) is proposed, similar to the ARPE in France. France's insistence on weakening employment presumption criteria contributed to a final Directive text notably less ambitious than its original draft, potentially illustrating platforms' ability to shape supranational outcomes via national leverage (Proposal for a Directive of the European Parliament and of the Council on Improving Working Conditions in Platform Work, 2021; Directive (EU) 2024/2831).

Inter-Actor Relations

As evident from the above, the relationship between platforms and the French state has been exceptionally close, marked by early political endorsement. Uber's perception of the French environment is encapsulated by the remark, "After all, France loves us" (Leloup, 2022, p.10). Macron, in his role as Minister of the Economy, supported Uber's market entry by actively working to bypass national regulations (Freedberg et al., 2022).

Interviews with platform executives further reveal how positively they viewed France's legislative initiatives. They embrace the social responsibility approach in legislation, praising France for breaking with the rigid dualism between salaried employment and self-employment. From their perspective, France shares their vision of the future of work: one in which social protections are decoupled from contract type, and where platforms are seen as valuable economic actors rather than regulatory threats (Marenco, 2023).

At the EU level, observers noted that France acted as a de facto ally of platform interests, playing a pivotal role in watering down the Directive's core provisions, particularly regarding employment classification (Haddad & Simonnet, 2023).

Sectoral Engagement

Platform lobbying and influence have been most prominent in ride-hailing and delivery, which aligns with the focus of the government's legislation. In other sectors, such as household services or care, platforms appear to be operating more quietly, and adjusting to a regulatory framework which endorses an employment model, in contrast to the other sectors (Koutsimpogiorgos et al., 2023).

Influence on Employment Model Outcomes

France has provided a highly conducive institutional environment for delivery and ride-hailing platforms to sustain the self-employment model. Through their sustained lobbying, establishing close ties with state actors, and institutional capture via bodies like ARPE, platforms have managed to shape both legislation and representation structures to

align with their preferences. Despite ongoing reclassification trials, platforms continue to rely confidently on the independent contractor model, routinely appealing legal decisions, with the majority of requests reclassifying drivers remaining unsuccessful (Le Monde, 2023). Conversely, in the cleaning sector, platforms seem to adjust to a regulatory environment fostering dependent employment.

6.2.2. Germany

6.2.2.1. The Government: Concern about Deregulation without Legislative Follow-Through on Employment Model

Position and Framing

The German government has shown concern about the implications of platform work, particularly regarding deregulation and the erosion of social protection systems. However, this alertness has not translated into active national legislation on the employment status of platform workers. Government action largely remained at the level of policy proposals and emphasised the role of social partner involvement.

Actions

The Federal Ministry of Labour and Social Affairs began examining digital platform work in the mid-2010s, publishing both a Green Paper and a White Paper on the topic (BMAS, 2015, 2016). Notably, the Ministry declared responsibility for the issue. This can be viewed as an institutional innovation, as platform work, assumed to be self-employment at the time, would typically fall under the Ministry of Economic Affairs (Legantke, 2024).

Ministers across different portfolios shared a critical stance toward platforms, primarily due to fears of deregulation, especially following Uber's market entry in 2013 (Thelen, 2018). By 2018, cross-party political pressure and public critique had intensified, particularly around self-employment in location-based platform work, with food delivery at the centre of the debate (Legantke, 2024). Politicians threatened platforms like Deliveroo with high fines in case of bogus self-employment (Ametowobla & Kirchner, 2024). The SPD Minister of Labour and Social Affairs, Hubertus Heil, for instance, condemned platforms' practices as a "Social Policy Wild West" (Crocoll & Haerder, 2018).

In response, the BMAS established a Think Tank for digital work in 2018, with platform labour as a key focus topic (Haipeter & Hoose, 2023). In 2020, it released a position paper on fair platform work (BMAS, 2020). Central to this paper was the recommendation to reverse the burden of proof in employment classification cases: where evidence suggests an employment relationship, platforms would have to prove otherwise. It also proposed extending social protections to solo self-employed workers by integrating platforms into statutory pension and accident insurance systems. However, this proposal aimed to influence EU-level policymaking rather than national regulation (Haipeter & Hoose, 2023). Indeed, its content in terms of legal employment presumption aligns broadly with the ultimately adopted EU Directive (Directive (EU) 2024/2831).

The coalition government of the 20th legislative session (2021–2025) marked a retreat from earlier ambitions, with reduced focus on platform workers' status and protections (Ferrari et al., 2024; Kiess, 2023). This shift – from active policy proposals in line with the EU Directive to diminished engagement – was reflected in Germany's abstention from the 2024 vote on the Directive. The abstention was due to internal disagreement, with the Free Democratic Party (FDP) opposing the presumption of employment as a threat to self-employment and modern work models (Kafsack, 2024).

Inter-Actor Relations

While critical of platform practices, the German government has shown a preference for shaping platform work via social dialogue, rather than unilateral intervention. High representatives of the BMAS stated the aim to develop a “social market economy 4.0” (Kiess, 2023, p. 36). This implies that the state acts cautiously and, where possible, defers to social compromise with trade unions and employer associations, aligning with the broader institutional logic of Germany's CME.

In practice, this approach meant that platforms were criticised but not directly constrained through state-led legislation on the employment model. As described above, at the EU level, Germany's early contributions helped shape the Platform Work Directive's draft. However, the coalition misalignment ultimately prevented follow-through.

Sectoral Engagement

At the sectoral level, however, the government enacted the Passenger Transport Modernisation Act in 2021 (BMDV, 2024; Gesetz Zur Modernisierung Des Personenbeförderungsrechts, 2021), providing a legal basis for ride-hailing platforms. It allowed services like Uber to operate as private hire operators while preserving taxi exclusivity and implementing regulatory mechanisms. In terms of the employment model, this led to a practice of subcontracting, where drivers are typically employed by intermediary firms, with earnings split between Uber, the subcontractor, and the driver (Niebler et al., 2023). Given the prominent role of taxi associations in this debate, this case will be addressed in more detail in a later section ([Section 6.2.2.3.](#)).

Influence on Employment Model Outcomes

Overall, the German government demonstrated awareness and critical engagement with the challenges of platform work, particularly regarding deregulation, employment status, and social protection. However, this critical stance was not matched by national regulation of platform workers' contract classification. This could embody the state's default reliance on social partners as primary actors. However, reliance on EU competence and, later, intra-coalition disagreement could have also played a role.

6.2.2.2. Trade Unions: Unified Concern but Divergent Employment Outcome Influence Across Sectors

Stance and Framing

German trade unions have been identified as the clearest and most consistent critics of platform work, particularly its initial reliance on independent contracting. Their concern was rooted in fears of a substitution of standard employment relationships, undermining the social insurance system, a core institution of the German welfare state, in which trade unions not only have a stake but also play an active role in its administration (Funke & Picot, 2021). This section examines whether unions' stances translated into actual influence on contract classifications at the national and sectoral levels.

Action

Interestingly, IG Metall (IGM) was the first institutional actor to address platform work, organising the 2016 International Union Workshop on Fair Platform Work. While conciliatory in tone, the union called for reassessing employment status and improving social protection regardless of classification, with cost-sharing from platforms (IGM, 2016). IGM also amended its statutes to admit solo self-employed workers (Heiland, 2022) and introduced strategic innovations, albeit often focused on crowd-work, to win previously unorganised workers as new members (Loschert et al., 2024). ver.di, whose membership base overlaps more naturally with platform workers, especially in services, echoed these concerns. In response to the BMAS Greenbook on Digital Work, it demanded for platforms to be treated as employers and called for systematic monitoring of bogus self-employment. It also advocated for extending social protections for self-employed workers, financed inter alia by contributions from platforms (ver.di, 2016). Their umbrella organisation DGB, reiterated these positions. It called for a reversal in the burden of proof in employment status disputes and pushed for enhanced social protections for the self-employed, including mandatory pension contributions, and expanding statutory accident insurance for high-risk tasks like delivery, funded by platforms (DGB, 2021).

Given that no national legislation has reclassified platform workers, unions' potential influence is better observed at the sectoral level, consistent with Germany's industry-based trade union system.

Inter-Actor Relations

German trade unions operate within a deeply institutionalised framework of social partnership, which structures their interaction with both the state and employers. Their proposals on platform work closely aligned with initiatives from the SPD-led BMAS, potentially reflecting the traditional synergy between unions and the social democratic party (Behrens, 2020). However, unlike in France, there were no direct negotiations yet between unions and location-based work platforms. Instead, unions appear to be mostly exercising influence through formally existing mechanisms, as analysed in the next section.

Sectoral Engagement

In food delivery, the NGG union for food, beverages and catering played a key role in grassroots organising, supporting campaigns that attracted broad public and political attention (Hoose & Haipeter, 2021). NGG facilitated the establishment of works councils at Deliveroo and Lieferando (López et al., 2024). Only after a works council was established, Deliveroo shifted completely to a self-employment model. The business rationale was to shield itself from employee rights claims. However, shortly after, amid mounting criticism focusing on bogus self-employment, it exited the German market in 2019 (Legantke, 2024). For example, NGG eased membership rules for Deliveroo couriers to actively support them in reclassification litigation processes (Henning, 2019). The role of unions' action in determining employment models in food delivery is not fully researched yet (Beyer & Legantke, 2024). Nevertheless, Deliveroo's market exit has been described by insiders as a "casket nail" for self-employment in German platform-based food delivery (Legantke, 2024), and unions were one of the actors exerting pressure.

Following Deliveroo's exit, the market leader Lieferando gained brief monopoly status. It consistently relied on a dependent employment model, adapting to institutional norms (Ametowobla & Kirchner, 2024), and is now considered the standard-setter in the sector (Beyer & Legantke, 2024). Notably, however, NGG's attempts at collective bargaining with Lieferando have so far been unsuccessful (Loschert et al., 2024). Furthermore, broader union involvement, particularly from the largest service sector union ver.di, has been limited (López et al., 2024).

In the CEP sector, there are signs that the initial strength of social partnership, anchored by the dominant firm DPDHL's legacy as a former state-run firm, has helped to protect against the spread of independent contracting, reinforced by legislation (Hassel & Sieker, 2022). While not directly applying to platform work, ver.di had long advocated for legal changes such as a Parcel Deliverer Protection Law, passed in 2019, and made permanent in 2024 (BMAS, 2024; Gesetz Zur Einführung Einer Nachunternehmerhaftung in Der Kurier-, Express- Und Paketbranche Zum Schutz Der Beschäftigten (Paketboten-Schutz-Gesetz), 2019). This law makes firms liable for subcontractors' unpaid social contributions, raising the legal risk of subcontracting, particularly for fully independent contracting. Beyond this, ver.di even pushed for a *Direktanstellungsgebot* [direct employment requirement] and examined its constitutionality (Kärchner & Walser, 2023; ver.di, 2023). While the Bundesrat proposed this in 2024, it did not pass. While subcontracting via delivery partners appears to have become the prevailing model, as illustrated by Amazon (Adler, 2022), the company has also piloted direct employment models in select German cities, in contrast to its more pronounced reliance on independent contractors in other countries (Hassel & Sieker, 2022). This likely reflects adaptation to the national and sectoral institutional environment, which trade unions appear to actively defend, as seen by their legal advocacy.

In contrast, the cleaning sector continues to rely on self-employed platform workers. Despite public criticism from IG BAU, the union representing cleaning workers of major platforms

like Helping, its engagement remained largely rhetorical, with no resulting legislative action (Koutsimpogiros et al., 2023). This absence of significant opposition may be linked to the overall weakness of social partnership structures in the cleaning sector (Koutsimpogiros et al., 2023). The sector's socio-demographic composition may also play a role: female migrant workers, who make up a large share of the workforce, are not a key constituency for membership-based German trade unions (Niebler & Animento, 2023). This reflects broader patterns in the gendered distribution of atypical work, where female-dominated service sectors like cleaning are marked by low union density and weak collective bargaining institutions – trends rooted in the structure of the German male breadwinner model (Dingeldey, 2016).

Influence on Employment Model Outcomes

Overall, all major German trade unions, even outside of the services sector, such as IGM, have clearly opposed the spread of the self-employment model in location-based platform work, motivated by concerns about the replacement of standard employment relationships. Demands at the national level were aligned with the BMAS, calling for a legal presumption of employment and extension of access to social protection for solo self-employed. While there were no national legislative outcomes, trade unions' influence appears to be more visible in sectoral employment outcomes. In sectors like CEP, where social partnership is institutionalised, unions have pushed for legislative change that discourages independent contracting more generally. Interestingly, even in sectors where social partnership strength is more contested, such as in food delivery, smaller trade unions like NGG's organising efforts may have played a role in making self-employment untenable for platforms. Where unions and social partnerships in general are very weak, as in the highly informal cleaning sector, their actions and ability to shape employment outcomes is minimal, and self-employment on platforms persists. This variation reinforces that the strength of social partners may explain employment patterns at the sectoral level. Further, German unions continue to defend the importance of employment relationships for system stability.

6.2.2.3. Employer Associations: Between Regulatory Restraint and Strategic Sectoral Intervention that Protect Employment Relationships

Position and Framing

At the national level, German employer associations, particularly the *Bundesvereinigung der Deutschen Arbeitgeberverbände* (BDA), have consistently adopted a position of regulatory restraint. Platform work is framed as innovation-driven, and BDA cautions that overregulation could undermine Germany's competitiveness. It maintains that platform workers are typically self-employed and opposes legal reforms aimed at reclassification. Employers are particularly wary of weakening the dual distinction between employment and self-employment, which they believe German national law already defines with sufficient clarity (Kiess, 2023).

At the same time, employer associations acknowledge the risk that unchecked platform work could erode stable employment relationships and strain the contribution-based social insurance system – a system in which their members are not only financially invested but in which they are also institutionally embedded, like trade unions (Funke & Picot, 2021). However, unlike unions, employers reject moves toward a more universal, tax-funded welfare state (Kiess, 2023). This tension reflects their dual positioning: market-oriented, yet tied to the institutional infrastructure of the coordinated German model.

Actions

Employer associations in Germany were slightly slower to engage with platform work. The BDA began addressing the issue around 2017. Initial hesitation reflected internal uncertainty about whether the topic fell under the BDA's or the Federation of German Industries' remit (Funke & Picot, 2021). Similar to the government's decision to allocate responsibility to the BMAS, it is notable that platform work was eventually framed as an employer issue. Once engaged, BDA downplayed the urgency of the issue, describing it as not a major regulatory problem in 2020 (Funke & Picot, 2021). Yet, the confederation consistently advocated against reclassification efforts and spoke out against the EU Platform Work Directive. It argued instead for national solutions, warning that the Directive's employment presumption could unintentionally force genuinely self-employed individuals into inappropriate employment relationships (BDA, 2021, 2024).

Importantly, employer positions vary by type of platform work. While online platform work is less contested, location-based platform work is often framed as distorting competition (Funke & Picot, 2021). Gig work has drawn particularly sharp criticism due to concerns over unfair competition and regulatory loopholes, leading to calls to “level the playing field” (Kiess, 2023, p.28). In these debates, employer associations have partly taken the lead prior trade unions, engaging before labour issues rose to the forefront, as discussed in the paragraph on sectoral engagement below (Thelen, 2018; Kiess, 2023).

Inter-Actor Relations

While often in ideological opposition to trade unions, employer associations share a common concern over the long-term viability of the social insurance system, which they jointly administer (Funke & Picot, 2021). However, their solutions differ: unions favour universal coverage and collective responsibility, including platforms, while employers emphasise preserving legal boundaries between employment and self-employment, and not demanding platform contributions (Kiess, 2023), as well as allowing the self-employed to opt out of statutory systems (Hoose et al., 2025). Politically, employer associations found alignment with the FDP, which opposed the EU Directive's reclassification mechanisms, ultimately contributing to Germany's abstention in the 2024 vote (Kafsack, 2024).

Sectoral Engagement

In the taxi and ride-hailing sector, employer associations, which are influential and well-organised, have demonstrated the capacity to influence regulatory outcomes. This ultimately also affected the employment model. Uber's market entry triggered a strong, coordinated response from three national taxi associations, who mobilised in alliance with policymakers and transport authorities. Their efforts led to a nationwide ban of UberPop in 2015, just after its launch (Thelen, 2018). Even Uber's follow-up service, UberX, was banned in 2019 following a court ruling that determined Uber was not merely a digital intermediary for self-employed drivers, but had to comply with passenger transport law (Handelsblatt, 2019).

After prolonged political negotiations, a revised legal framework was introduced in 2021 via the modernisation of the Passenger Transportation Act (BMDV, 2024). The new rules permit platforms to operate via licensed private hire companies, while preserving taxi privileges and imposing regulatory constraints, such as return-to-base requirements, drivers' social insurance standards, possibility of introducing minimum fares. The *Bundesverband Taxi und Mietwagen e.V.*, the sector's main employer association and tariff partner, played a key role in shaping this legislation, organising national protests and publishing position papers. Their demands, while focused on unfair competition, were also clearly framed in terms of job protection. The association warned that "not only would 250,000 employees in the industry lose their jobs due to the inequality of competition, but the livelihoods of entire families would also be at risk" (Bundesverband Taxi und Mietwagen e.V., 2020, p. 27).

These employer-driven efforts preceded those of trade unions and highlight the structural power of employer associations (Thelen, 2018). Scholars confirm that the resulting regulation fostered subcontracting-based employment models, operated by licensed firms who employ drivers (Niebler et al., 2023). Enforcement of the legislation, still pushed for by the taxi associations, has remained rigorous: Berlin authorities recently removed a large number of unauthorised vehicles, and the number of licensed private hire vehicles in the city has dropped significantly (Müßgens & Sachse, 2024; Stadt Berlin, 2025).

In contrast, the cleaning sector illustrates the limits of employer association influence in highly informal industries. Like trade unions, the sector's employer association publicly criticised platforms such as Helpling for offering low wages and replacing undeclared work with bogus self-employment. However, also here, the opposition remained rhetorical, without any political or legislative outcomes. As Helpling operates exclusively in the domestic cleaning market, already largely beyond the reach of social partners, there was no significant mobilisation (Koutsimpogiros et al., 2023).

Influence on Employment Model Outcomes

Nationally, the BDA has generally taken a market-oriented stance on the classification of platform workers, opposing employment presumption to protect self-employment, and advocating for regulatory restraint to preserve innovation for competitiveness. Yet, it has also

shared concerns about the erosion of the social insurance system, in which employers are institutional stakeholders. Most importantly, employers have been particularly alert to competition issues. These concerns have led industry-level employer associations to play a decisive role in shaping sector-specific outcomes, most notably in the ride-hailing sector, where they defended their members' interests through political mobilisation and legal advocacy. While framed in terms of competition, their demands also invoked the protection of existing employment relationships. The regulations they helped shape had tangible effects on employment models, leading to employment models via subcontractors. In the case of ride-hailing, employer associations mobilised earlier than trade unions and policymakers, underlining their structural influence within Germany's employment relations system. However, their power varies by sector: in informal sectors like cleaning, their capacity to act remains limited, underscoring the role of institutional embeddedness in enabling effective interest representation.

6.2.2.4. Platforms: Adaptation of Employment Models to the Environment

Position and Framing

In line with their global business model, platforms in Germany have generally preferred to engage workers as independent contractors. However, this model has proved largely unviable, particularly in the sectors of ride-hailing and delivery, where the regulatory environment under social partner influence has pushed for formal employment arrangements. Location-based platform work has been received with more widespread scepticism.

Inter-Actor Relations

Unlike in France, platforms in Germany have not developed evident close ties with state actors or gained privileged access to policymaking channels. On the contrary, they have faced broad political criticism across party and ministerial lines, driven by a concern about deregulation in existing industries and social security concerns (Thelen, 2018; Legantke, 2024). As analysed, also social partners, while more so trade unions, were concerned about an expansion of platforms' independent contracting model, fearing a weakening of the insurance-based welfare state (Funke & Picot, 2021).

Actions

Platforms in Germany have largely rejected engagement with the institutional framework of German employment relations. They assert that they are not employers but merely intermediaries connecting independent contractors (Kiess, 2023) and have thus resisted joining traditional employer associations or forming equivalents for location-based gig work. The German Crowdsourcing Association, which represents remote crowd platforms, is only partially an exception since its remit does not cover location-based gig work, and it does not view itself as a social partner (Funke & Picot, 2021; Kiess, 2023).

Lobbying by platforms in Germany has been limited and seemingly ineffective. The Uber files reveal that, while the company tried to engage in political lobbying, such as leveraging diplomatic channels or gaining strategic investors such as the publishing house Springer, there is no evidence that this had any significant influence on German policymaking (Freedberg et al., 2023). In interviews, no government or social partner identified platform lobbying as having influenced central issues, including platform workers' contact classification (Kiess, 2023).

Overall, platforms in Germany have shown a clear pattern: they have either adapted their employment models to fit national institutions and sectoral regulations, as visible in the next section, or exited the market altogether.

Sectoral Variations

In the ride-hailing sector, platforms like Uber have adopted subcontracting models, working through licensed fleet operators as required under the 2021 Passenger Transport Modernisation Act. This arrangement enables regulatory compliance while maintaining platforms distant from direct employer responsibilities (Niebler et al., 2023). Uber has even extended this model to Uber Eats, suggesting its viability (Niebler et al., 2023).

In Germany's delivery sector, the dominant platforms have overwhelmingly moved toward dependent employment, often through direct hiring (Friedrich et al., 2024) or subcontracting arrangements, with no prevalence of self-employment (Legantke, 2024). This model appears to follow the precedent set by established incumbent firms dominating the market (Beyer & Legantke, 2024; Hassel & Sieker, 2022). Research based on platform interviews reveals that companies saw self-employment as simply unviable in the German context, reflecting mounting trade union activity, political scrutiny, and legal pressure tied to the strong institutional status of the employment contract (Legantke, 2024). Crucially, bogus self-employment is subject to proactive monitoring by the German Pension Insurance Association, which is administered by social partners. Platforms appear highly aware of the severe penalties associated with misclassification, making the legal risks of a self-employment model deterrent enough. The exit of Deliveroo marked a turning point after which all remaining platforms adopted employment-based models, suggesting a form of pre-emptive compliance due to the credible legal threat (Legantke, 2024; Beyer & Legantke, 2024).

By contrast, the household services sector remains an outlier. Platforms such as Helpling still rely on independent contracting, alongside marginal employment. In this highly informal market, weakly institutionalised social partners exert little pressure. Union interest appears limited in a sector with a workforce composed largely of female migrant workers. (Koutsimpogiros et al., 2023; Niebler & Animento, 2023).

Influence on Employment Model Outcomes

In sum, across all major segments of location-based platform work in Germany, except household services, platforms have been unable to establish the independent contractor model they typically favour. Instead, they have either conformed to the environment or exited the market entirely. These adjustments reflect the legal risks of bogus self-employment, including its credible enforcement, *inter alia* conveyed by social partners, particularly in sectors where they seek to protect employment relationships. Despite these concessions, platforms still make strategic choices; for example, subcontracting has emerged as a pragmatic workaround, allowing platforms to comply with regulation while maintaining distance from employer responsibilities.

6.3. Comparative Summary

The analysis has highlighted the positions taken by the various stakeholders on the classification of platform workers' contracts and the extent to which they appear to have been able to influence employment outcomes at the national or sectoral level. The main points are summarised in the comparative [Table 3](#), before moving on to the next section, which assesses whether the hypotheses can be confirmed on the basis of the findings.

Table 3: Comparative summary of the analysis on employment relations actors' influence on platform employment models

Actor / Country	Position and Framing	Actions	Inter-Actor Relations	Sectoral Engagement	Influence on Employment Model
Government (FR)	Pro self-employment; innovation narrative	Proactive legislation (Loi Travail, LOM, ARPE)	Close alignment with platforms; unions sidelined	Focused on ride-hailing & delivery	Self-employment model institutionalised
Government (DE)	Critical of deregulation; protective framing	No national legislation	Expected social partners to influence; no platform ties	Strict regulatory framework for ride-hailing platforms	No direct influence on national level
Unions (FR)	Initially fragmented; converged on reclassification later	Litigation, Positioning, New organisation, ARPE participation	Top-down pressure from state; bottom-up from grassroots	n/a	Unilateral state action prevents contract classification influence
Unions (DE)	Pro employment presumption, and social protection expansion for self-employed	Policy Positions, strategic organising, litigation	Aligned with government, no negotiations with platforms	Direct action in food delivery, indirect action in CEP, weak in cleaning	(Indirectly) preserving employment model in delivery; no influence in cleaning

Employers (FR)	Pro flexibility; endorsed self-employment	Rather passive at national level	Aligned with the government	Taxi protests framed as competition, not contract issue	No direct influence on classification
Employers (DE)	Opposed general reclassification but social-insurance system erosion concerns	Advocacy against EU Directive at national level	Aligned with trade unions on general social insurance system erosion concern	Successful taxi association mobilisation; solely rhetoric criticism in cleaning	Shaped ride-hailing regulatory framework leading to employment model with subcontractors
Platforms (FR)	Advocated self-employment as future-proof model	Strong lobbying; influenced regulation; created API for representation	Preferential ties with strong government	Delivery & ride-hailing as central sectors	Self-employment preserved and institutional foothold
Platforms (DE)	Favoured self-employment but adapted to context	Limited lobbying success; reactive strategy	Met with scepticism; no strong ties	Constrained to adapt or exit; cleaning as outlier	Broad shift to employment, despite cleaning

7. Findings and Discussion

7.1. Results for the Hypotheses and Emerging Picture

The following section assesses each hypothesis in light of the comparative findings, surfacing interlinkages between them. While the analysis was structured around employment relations actors (H1), aspects of the two other hypotheses regarding growth strategies (H2) and the institutional role of employment contracts in the welfare state (H3) emerged consistently across the cases.

Hypothesis 1: Differences in the institutional configuration of employment relations actors, rooted in VoC profiles, contribute to diverging patterns in the contract classification.

- *In the SME France, the state plays an omnipresent role in employment relations. Thus, platforms' employment models across sectors follow the respective state intervention.*
- *In the CME Germany, employment relations are driven by the initiatives of the social partners, with the state rather avoiding intervention. Thus, the strength of social partners contributes to employment patterns at the sectoral level.*

The analysis confirms the expectations for the SME France. The government actively shaped the employment model on digital labour platforms, particularly in ride-hailing and delivery, through legislation that formally classified platform workers as independent contractors (*Loi Travail*). This was reinforced by a social responsibility approach, notably in the *LOM* law, which encourages platforms to extend limited rights to workers while maintaining workers' self-employed status. The creation of an authority for social dialogue between platforms and self-employed workers further institutionalised this model. These actions effectively sidelined social partners, particularly trade unions, by denying them a meaningful role in contesting employment classification. As a result, the microentrepreneur status remains the dominant classification in ride-hailing and delivery. The presence of dependent employment in platform-mediated household services does not contradict the hypothesis. It reflects earlier state intervention, namely, tax incentives encouraging the employment of salaried domestic workers. Furthermore, this sector remains relatively niche, likely explaining why it was not prioritised legislatively, compared to more sector-disrupting platforms in ride-hailing and delivery.

The findings also support the hypothesis for the CME Germany. Despite concerns about deregulation and criticism of the independent contractor model, the German government refrained from regulating platform workers' contractual classification. Consistent with the CME logic, ministry representatives emphasised the role of social partners in the construction of a 'Social Market Economy 4.0'. There is evidence that the strength of social partners explains the employment patterns at the sectoral level, although the mechanisms through which it manifests itself vary. In ride-hailing, the strength of mobilisation and coalition-building of taxi employer associations, framed around protecting 250,000 jobs, led to bans on Uber when they still relied on independent contracting, and later to a strict

regulatory framework, leading to dependent employment via subcontracted fleet operators. This assertiveness of the taxi's employer associations, preceding union activity, reflects their structural embeddedness. In the delivery sector, employment-based models have also become dominant, though without platform-specific legislation. In the CEP sub-sector, where social partnership is relatively strongly anchored, ver.di's influence is evident. For example, the union pushed for broader legislative change, such as subcontractor liability, fostering an overall environment where independent contracting became unviable. In food delivery, where ver.di has been less active, the smaller NGG union has taken the lead. It actively pursued reclassification, contributing, alongside legal, public, and political pressure, to the abandonment of the self-employment model under high legal threat of bogus self-employment. In cleaning, which is largely beyond the control of the social partners, the hypothesis is confirmed because criticism voiced by social partners remained at the rhetorical level, and platforms continue to rely on self-employment.

Overall, the findings confirm the theoretical assumption: divergent employment relations systems, rooted in each country's VoC profile, appear to explain differences in platform worker classification. In France, outcomes reflect state-led intervention, which effectively sidelined social partners. In Germany, the state's refrainment from legislating the employment status of platform workers is consistent with CME expectations, and variation in employment models seems to correlate with the strength of sectoral social partners. Where embeddedness is strong, independent contracting has been constrained; where it is weak, platform preferences prevail.

Hypothesis 2: Differences in growth strategies and their associated logics of employment regulation contribute to diverging patterns in contract classification.

- *France aims to be a 'start-up nation', fostering labour market flexibility. The government is likely to create a conducive environment for platform firms and support the independent contractor model through legislation.*
- *Germany holds onto its export-led manufacturing economy, which may limit platform-specific reforms, as long as core sectors are not disturbed. Recent steps toward labour market re-regulation may further impede the independent contractor model.*

There is evidence that France's recent growth strategy, positioning itself as a 'start-up nation', has shaped the state interventions that created a conducive environment for the independent contractor model. President Macron has openly supported digital platforms, framing them as tools for innovation and job creation. The Uber Files offer the clearest proof of this alignment, revealing the close coordination between Macron and one of the most emblematic platform firms. His willingness to bypass internal government resistance and position himself as a champion of innovation underscores the political priority given to attracting and embedding platforms in the French economy. The regulatory strategy was carefully designed to avoid challenging platform business models. While platform workers were granted some entitlements, the employment status remained untouched, formalising and institutionalising

self-employment. This created a stable, low-risk regulatory environment for platforms, consistent with a labour market flexibilisation agenda that is attractive to new digital firms.

Notably, the ‘start-up nation’ narrative may solely be a strategic repackaging of long-standing labour market concerns, particularly the imperative to integrate low-skilled and marginalised workers. Macron’s remark that banning Uber would send youth back into drug dealing reflects this logic. In this light, the jobs created, while framed as part of a modern, tech-driven economy, may primarily reflect an employment creation objective. This perspective may also help explain the initially different policy approach in household services, where the state pursued a formalisation strategy through tax incentives for salaried employment to reduce informality. Although a different employment model prevails, it remains consistent with state-led labour market activation goals.

Moving on to Germany, establishing a link between Germany’s growth strategy and the employment model of platform work is inherently less direct than in France, where the ‘start-up nation’ narrative appears to shape the intention behind active state support for independent contracting. It can be argued that the lack of susceptibility to platform lobbying and the lack of any platform-friendly legislation suggest little strategic interest in embracing digital labour platforms which are distant from the core of Germany’s growth model, which continues to rely on high-quality, export-oriented manufacturing. Furthermore, and importantly, the state’s non-intervention and emphasis on the role of social partners, is an institutional default of the German CME, which are in and of themselves key to the functioning of the export-led model. Platform work appears to be absorbed into the institutional framework, which resists forms of labour market liberalisation that threaten established norms.

Notably, the priority of protecting existing employment relationships applies to incumbent sectors of the service economy, beyond those at the heart of growth, where employment relationships have been threatened by the arrival of platforms, as in the taxi and delivery sectors. These sectors stood to lose significantly from the entry of platforms, whether in terms of income, market share, professional status, or service quality. As a result, there appear to be insiders in sectors that are typically considered outsiders. However, at a more systemic level, their protection is likely to be underpinned by a shared concern among all key stakeholders - from government to social partners - about an erosion of employment relationships. If such dynamics were to contaminate the core, it would be detrimental to Germany’s export-led growth model, which relies on them. This is consistent with the focus on erosion of employment relationships out of general concern for the sustainability of the social security system. Importantly, the protection of employment relationships does not imply a concern for working conditions: many platform workers remain in marginal or subcontracted positions, pointing to ongoing dualisation dynamics, which will be discussed in later sections. This, in turn seems consistent with the dynamic that wage moderation in the service sector is even of interest for Germany’s export competitiveness. Lastly, it can be argued that the recent trend toward mild re-regulation of the labour market also affects platform-relevant sectors, such as stricter rules on subcontracting liability in delivery. This potentially signals a generally low

appetite for expanding non-standard employment, especially extreme forms like independent contracting.

Overall, the subhypothesis for France can be confirmed, where the start-up growth strategy seems to provide us with insights around the government's intention for its SME typical state-intervention. However, the innovation framing might solely cover low-skill employment creation objectives. The fact that finding a link in Germany is less obvious, may be indicative in and of itself: the state's non-direct intervention is explained by the CME profile, which in and of itself is supportive of the export-led growth strategy. While platform work appears peripheral to Germany's economic core, responses nonetheless reveal a strong commitment to protecting employment relationships. These remain essential to both the functioning of the coordinated labour market and the contribution-based welfare system, which are complementary to the export economy.

Hypothesis 3: Differences in access to welfare for the self-employed contribute to diverging patterns in contract classification.

- *In France, access to welfare benefits for the self-employed has been brought closer to that of the employed, decreasing the risk of the dissemination of the status for the sustainability of the welfare state, potentially weakening the enforcement of institutions protecting employment contracts.*
- *In Germany, access to welfare benefits for the self-employed is low, increasing the risk of dissemination of this status, and maintaining strong institutions for protecting employment contracts.*

In France, platform work continues a broader trend toward partially equalising access to social and labour protections for the self-employed, which appears to reduce the urgency to preserve the employment contract as a gateway to rights. The government has pursued what some scholars call a “third way” (Gomes, 2022, p. 143): retaining self-employment while extending limited entitlements. This reflects a further departure from the traditional binary between dependent employment with full protection and self-employment with little protection, and aligns with a policy narrative focused more on protecting individuals than on preserving the employment contract as an institution. The ARPE embodies this new “social model”, institutionalising a framework in which entitlements are decoupled from employment status. This shift appears to weaken traditional enforcement mechanisms: bodies such as Urssaf and labour inspectorates, tasked inter alia with monitoring bogus self-employment, appear under-resourced and politically sidelined. Their functions seem replaced by ARPE, which legitimises a regulatory model that no longer centres on the employment contract. While the original hypothesis emphasised welfare access and its link to welfare state sustainability, the findings rather focus on surfacing a potential weakening of the employment contract as an institutional boundary, not explicitly tied to welfare state concerns.

In Germany, by contrast, the employment contract appears to remain a central institutional pillar, also because of its ongoing function as the primary gateway to statutory social insurance. The analysis showed how all major actors express concern that replacing standard employment relationships with self-employment would threaten the sustainability of the contribution-based welfare system. As long as there is no consensus on how to further extend social insurance to self-employed workers, and the employment contract continues to grant preferential access to social protection, there is a strong incentive to preserve it for welfare state sustainability. This logic is further reflected in sectoral responses to platform workers' contract classification: Particularly in delivery, pre-existing institutional mechanisms, such as bogus self-employment monitoring anchored in the pension insurance, made legal enforcement credible and deterred platforms from using self-employed models.

Overall, the hypothesis is partially confirmed. While its original emphasis on welfare access and welfare state sustainability became more obvious from our analysis in the German case, both countries reveal important insights. In France, the move toward decoupling the access to entitlements from the existence of an employment contract appears to present a deliberate policy trajectory. In Germany, by contrast, the employment contract seems to remain a protected institution, defended precisely because of its continued importance to the welfare state.

After testing the hypotheses which were formulated to answer the research question, we can turn back to it:

Why, despite their assumed similar tendencies toward labour market dualisation, do France and Germany exhibit diverging patterns in the contract classification of platform workers, with a prevalence of self-employment in France and of dependent employment in Germany?

The findings suggest that these divergences can be understood by taking the countries' distinct VoC profiles as a theoretical departure point. More specifically, it emerged as fruitful to look at the countries' different employment relations systems, currently diverging growth strategies, and the resulting role of the employment contract.

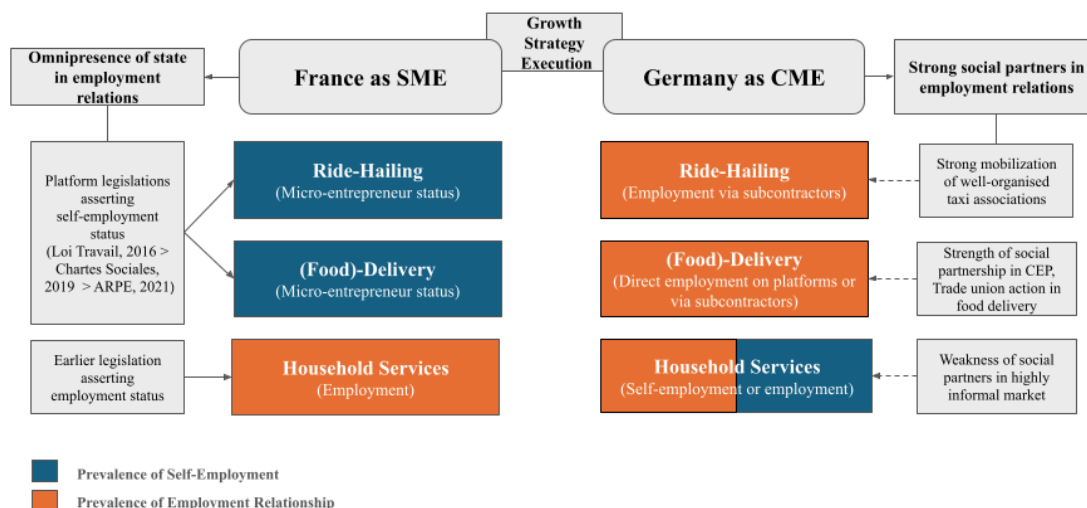
In line with its SME profile, the French state played a central role in determining platform workers' employment outcomes. Consistent with its current growth strategy of becoming a digitally innovative 'start-up nation', the government introduced legislation in the ride-hailing and delivery sectors, emblematic of location-based platform work, that codified the self-employed status preferred by platforms. This aligned with a flexibilisation approach, decoupling individuals' access to social protection from the employment contract.

In contrast, the German state did not intervene directly in classifying platform workers, consistent with its role in a CME, which is why we turned to the social partner as an important actor in employment relations. While the influence of social partners is more indirect and mechanisms vary by sector, the analysis revealed sector-specific patterns that correlate with the strength and embeddedness of unions and employer associations. Moreover, the prevalence of dependent employment seems to be reinforced by the continued

protection of the employment contract, which remains central to Germany's export-led growth strategy, depending on stable employment relationships, with a welfare system tightly linked to it.

In sum, the diverging patterns in platform worker classification in France and Germany can be appropriated by the distinct institutional configurations, unfolding from a VoC perspective as a starting point. In particular, the countries' employment relations systems, growth strategies, and the role of the employment contract in accessing social protection, together, seem to shape how each country responds to platform workers' contract classification. Figure 1 is a simplified representation of the overarching picture that emerges from the analysis' results.

Figure 1: Visualisation for Understanding Approaches to Platform Workers' Contract Classification in Germany and France



Notes: Author's own illustration based on analysis

Having answered the research question, this section turns to the theoretical implications of the study's findings.

7.2. Deriving Theoretical Implications

7.2.1. Moving Beyond Labour Market Structure

First, this study highlights that understanding the diverging approaches to platform workers' contract classification, as one facet of change in labour market organisation under digitalisation, requires the consideration of multiple embedding and embedded factors, as already foreshadowed by the differences between France and Germany outlined in the theoretical foundations ([see Table 1](#)).

The findings make clear that the mere consideration of labour market structure, which is often used to explain the approach to labour market changes, in our case, typically pronounced similarity in labour market dualisation between France and Germany, does not suffice in explaining the outcomes. This study mobilises several influential theories to capture structural differences which help to explain the diverging approaches to contract classification. Most notably, the countries' distinct VoC profiles, moving beyond the initial dual classification, but acknowledging that France is a SME and Germany is a CME, must be recognised as foundational regime differences, especially due to the complementary institutional arrangements they entail.

This study placed particular emphasis on the distinct employment relations system that results from these VoC profiles, highlighting an interventionist role of the French state versus the strength of German social partners, both of which appeared important in shaping contract classification. Additionally, drawing on the concept of growth strategies helped to uncover the intentions behind the regulatory response to platform work. These structural features were further examined in relation to the resulting status of the employment contract, which continues to be strongly protected in Germany, while France seems to be detaching it as a core mechanism for accessing labour and social rights.

As such, the study acknowledges the complexity of comparative political economy by demonstrating that an understanding of divergence between countries requires looking beyond often-assumed single-factor similarity, such as shared dualisation tendencies in labour market structure, and instead taking into account multiple intersecting structural factors, as well as actions embedded in these structures.

Consequently, this study finds that dualisation theory alone is insufficient to account for the observed outcomes in platform worker classification. Not only does it fall short as a standalone structural explanation, but in its original conceptualisation, it also struggles to account for the contract classification question introduced by platform work. The next section therefore proposes an extension of the dualisation theory.

7.2.2. Extending the Dualisation Theory Beyond Employment Relationships

As mentioned in the analytical framework ([Section 5](#)), the initial dualisation theory by Palier & Thelen (2010) focuses exclusively on employment relationships, differentiating between standard and atypical employment contracts. Conceptually, it does not account for self-employment, which is critical when examining platform work, where independent contracting is promoted as the preferred model. Given the weaker social and labour protections generally associated with self-employment, scholars hypothesised that in dualised labour markets such as Germany and France, platform workers as independent contractors would be accommodated at the labour market periphery (Funke & Picot, 2021; Marengo, 2023). However, upon close examination, the original theory does not conceptualise this by defining dualisation solely in relation to employment contracts.

An extension of the theory should thus be considered to encompass a broader perspective of atypical work, not just atypical employment relationships. This is particularly relevant in a world of work increasingly shaped by workplace fissuring, including the use of independent contracting. Conceptually, distinguishing insiders and outsiders in an expanded version of the dualisation theory could require focusing more on actual social and legal benefits individuals derive from work, regardless of their contract classification.

This reflection also offers a new lens for revisiting the initial research question, why, despite similar dualised labour market structures, France and Germany diverge in contract classification outcomes of platform workers. In fact, it can be argued that both countries responded to platform workers' contract classification with dualising logics, though these manifested themselves in different ways.

In France, platform workers in ride-hailing and delivery mainly work as microentrepreneurs. Legislation has extended several entitlements to platform workers, and the establishment of a dedicated institution for social dialogue has already led to agreements such as minimum hourly income and improved termination conditions. However, these workers still fall behind in terms of access to social protection compared to employed people, and even where they are included in social insurance systems, low revenue results in lower contributions and weaker benefits (Marenco, 2023). This aligns with the theoretical expectation that self-employed platform workers are accommodated at the labour market periphery, and supports the need for a broader conceptualisation of dualisation beyond employment contracts.

In Germany, while dependent employment predominates in location-based platform sectors, there is a high prevalence of atypical employment relationships. In delivery, where detailed data is available, only 12% of workers are in standard full-time employment, meaning full-time subject to social security contributions, while nearly half are marginally employed, and the rest are working students or part-time (Friedrich et al., 2024). Though precise data is not available for ride-hailing, studies similarly estimate a high prevalence of marginal employment. Further, in both sectors, particularly in ride-hailing, platforms rely on subcontracting, which significantly affects labour standards (Ferrari et al., 2024; Niebler et al., 2023). Opaque arrangements often obscure responsibility, and rights associated with employment contracts, such as minimum wage, are not reliably enforced. While the phenomenon of “outsourcing” (Palier & Thelen, 2010, p. 127) is briefly mentioned in the initial dualisation theory as increasing the likelihood for atypical employment relationships, a core issue here is not only the employment contract itself, but whether its associated protections are realised. Regulatory challenges surrounding subcontracting are not unique to the platform economy but have long been documented in other sectors (Ferrari et al., 2024) such as meat processing (Wagner & Hassel, 2016). Again, this may promote the need to focus more on access to protections, rather than contract type alone, when defining insider-outsider dynamics.

Overall, despite the fact that independent contracting did not gain a foothold in Germany's location-based platform sectors, platform work remains situated at the market margins, as

nonstandard employment relationships prevail, aligning with the original dualisation theory. Additionally, subcontracting may exacerbate dualisation dynamics, suggesting that how workers access their employment contract also matters.

The combined insights from this are two-fold: First, theoretically, I propose an extension of the dualisation theory to move beyond a rigid focus on employment contracts and instead capture a broader understanding of atypical work. This could potentially be defined around the actual rights and social protection workers obtain, whether as self-employed, subcontracted, or directly employed. Second, debates on platform work often focus on the issue of bogus self-employment. This can obscure the fact that even workers with employment contracts may remain outsiders. Mobilising the dualisation theory helps illuminate what kind of employment relationships platform workers are in, turning attention to what some scholars have termed “bogus employment” (Niebler et al., 2023, p. 289). The importance of this perspective will be further developed in the forthcoming policy recommendations for Germany ([Section 8.2.2.](#)). However, before that, some of the study’s limitations will be presented to qualify the findings.

7.3. Limitations of the Study

The findings of this study must be interpreted in light of several limitations.

First, there are methodological and research design-related constraints. Qualitative research typically relies on multiple sources of evidence to ensure credibility (Bowen, 2009). While the use of a wide range of secondary data was insightful, triangulating these sources with primary data, such as interviews with key stakeholders including governments, social partners, and platforms, could have strengthened the analysis by offering deeper insights into actors’ intentions, actions, and interrelations, which may be undocumented thus far. However, conducting scientifically robust interviews with a fair representation of all stakeholders across both countries would have exceeded the scope of this study. Moreover, many academic sources relied upon here already include stakeholder interviews. Another limitation lies in the broader data environment. As highlighted, systematic data on the scale and distribution of platform work, particularly by employment form, is limited, which restricts the potential for precise and detailed cross-country comparison.

As is often the case with qualitative research designs, the MSSD was applied broadly and did not specify all possible explanatory variables behind the divergence in platform worker classification between France and Germany. The study aims to take a broad perspective by studying key structural differences between the countries. However, it cannot make causal claims or rule out other explanatory factors that may play a decisive role in the observed divergence. Further, the hypotheses are closely interlinked, which complicates clear-cut hypothesis testing. However, this also brings the value of reflecting the complex complementarities of political-economic institutions.

More specifically, several potential limitations must be highlighted in the arguments presented. While the comparison of VoC profiles revealed important distinctions, clearly

highlighting France's interventionist government, the argument regarding the explanatory power of union strength in Germany may require qualification. In all three location-based platform sectors analysed, since they are services, social partnership is traditionally weaker compared to Germany's core industries (e.g., Hassel & di Carlo, forthcoming). Unions that are more central to Germany's core economic model, primarily IG Metall, played only a rhetorical role in debates on location-based platforms, focusing their direct action primarily on online platform work. Consequently, union strength in this study is at times interpreted more as a function of the union's behaviour to appropriate their influence, rather than a proof of their institutionalised power per se. This calls for caution in viewing social partner strength as the sole decisive factor. For example, as shown in the food delivery sector, various factors – including, but not limited to, union action – contributed to mounting criticism of the self-employment model. Additionally, interpreting the cleaning sector as confirmation of the presented logic may present challenges: the continued reliance on self-employment in Germany may reflect that the likelihood for genuine self-employment is higher with cleaners working for multiple households, which may relate the existence of independent contracting in this sector to a lack of an actual risk for bogus self-employment, rather than lack of social partner influence. Despite these potential limitations, when contrasted with sidelined social partners, particularly unions in France, the findings are meaningful, highlighting the value of a comparative study. Having heavily linked the non-intervention of the German government on its CME profile, it is important to acknowledge that other factors may explain the restraint from reform on platform workers' contract classification. Some researchers highlight the role of social partners only as one potential explanatory factor, raising additional explanations such as the reluctance to diffuse EU competences (Beckmann & Hoose, 2022). Another reason, for example, could be misalignment within the 2021–2024 governing coalition.

Conceptually, some scholars draw a clearer distinction between analysing countries' responses to platform work and examining the behaviour of platforms themselves. While this study touches on both, it does not fully explore factors highlighted more strongly in platform-centred approaches, such as market dynamics and competition (Ametowobla & Kirchner, 2024), or platform-level organisational and strategic factors such as cost-benefit considerations, including consumer expectations (Legantke, 2024). Aspects such as labour shortages may also play a role in how platforms adapt (Hassel & Sieker, 2022).

Additionally, there are also double-sided limitations regarding the study's scope. On the one hand, the study takes a broad view across three core location-based sectors in both countries, which ultimately limits the depth of sector-specific analysis, especially compared to studies focusing on a single sector. On the other hand, it can be argued that the study still omits key dimensions that could have enriched the findings, such as a perspective on online-based platform work or attention to intersecting issues. In particular, the study does not engage with the central role of migration in platform work, neglecting a dimension that crucially needs to be taken into account by policymakers. For example, questions of contract classification become more complex when accounts are illegally subcontracted to migrant workers without legal residence status or work permission, leaving these workers entirely unprotected (Altenried, 2022).

Finally, the applicability of the study's findings over time is subject to the rapidly evolving nature of platform work. The field continues to grow and shift due to technological developments and platform-driven market concentration. From a regulatory standpoint, the transposition of the EU Directive on improving working conditions in platform work can be expected to reshape the legal environment in Europe significantly, and changes are also to be anticipated at the global level, for example, through the standard-setting initiatives at the ILO. However, this also makes platform work a particularly interesting area of inquiry, with important implications for key labour market actors. As such, the study offers timely insights into a field still in flux and aims to inform ongoing debates while a substantial window of opportunity is open for policymakers and stakeholders. Consequently, the following section provides concrete recommendations based on the study's findings.

8. Conclusion and Policy Recommendations

8.1. Conclusion

This thesis set out to explain why, despite similar tendencies toward labour market dualisation, France and Germany have adopted divergent approaches to platform workers' contract classification, with self-employment prevailing in France and dependent employment in Germany. While the classification of platform workers has emerged as one of the most contentious debates surrounding the rise of digital labour platforms, such divergence across countries typically considered institutionally similar, is underexplored.

To address this gap, the study developed an analytical framework drawing on different strands of comparative political economy. Differences in the countries' VoC profiles—France as a SME and Germany as a CME served as a theoretical departure point. In particular, three case-specific hypotheses were formulated based on differences in: employment relations regimes (H1), growth strategies (H2), and access to social protection for the self-employed (H3). A qualitative, comparative case study was conducted across three key location-based platform sectors – ride-hailing, delivery, and household services – tracing developments from 2014 to 2024 using a broad range of secondary data.

The findings support all three hypotheses and demonstrate interlinkages across them, contributing to the following overarching understanding for the countries' diverging approaches: In line with its SME profile, the French state played a proactive role in shaping platform employment outcomes (H1). Consistent with its current growth strategy of becoming a 'start-up nation' (H2), it introduced legislation that codified the self-employed status, particularly in the sectors of ride-hailing and delivery. By granting limited entitlements to self-employed platform workers, France appears to follow a flexibilisation strategy that decouples worker protections from the employment contract (H3).

In contrast, Germany's CME profile is marked by limited state intervention and reliance on social partner coordination (H1). Indeed, the analysis showed that dependent employment seems to prevail where social partner engagement is strong, particularly in ride-hailing and

delivery, while self-employment persists in household services, where their influence is weaker. Responses are broadly framed around protecting employment relationships (H3), reinforcing their central role in Germany's export-led growth model and contribution-based welfare system (H2). However, the presence of marginal employment and the prevalence of subcontracting reveal that contract quality remains a significant challenge.

These findings contribute in two key ways. First, they demonstrate the need for multi-layered analysis when explaining divergence in a complex phenomenon such as platform work regulation, as dualisation theory alone appears insufficient. Second, they propose expanding dualisation theory beyond employment contracts to include broader forms of atypical work, such as independent contracting. This allows for a better account of new forms of labour market segmentation introduced by changes to the organisation of work, as platforms have.

Future research could extend this study by including sectors not covered here, such as care work or online-based platform labour. Applying the proposed analytical framework to other country cases, especially where responses similarly diverge, could further test the hypotheses. Moreover, the proposed expansion of dualisation theory should be developed further. In this context, it may be worthwhile to shift the focus from legal contract classification to de facto access to social protection. Realising this for platform work specifically, this would require more systematic data collection, which remains limited to date. Finally, future work should closely observe how supranational regulation, particularly the EU Directive on Platform Work and forthcoming ILO standard-setting efforts, will influence national responses.

8.2. Recommendations

Ensuring decent work for platform workers is a political decision. With the adoption of the European Directive on Platform Work (Directive (EU) 2024/2831), the upcoming two-year transposition phase presents member states with a tangible opportunity to shape the working conditions of platform workers, including the criteria for the legal presumption of employment (Hoose et al., 2025; Rainone & Aloisi, 2024). In dualised labour markets such as France and Germany, stakeholders must act decisively to prevent platform work from becoming entrenched at the labour market periphery.

The following policy recommendations are structured in three parts: country-specific proposals targeted at key actors in France and Germany, followed by cross-cutting priorities for both contexts.

8.2.1. France: Avoiding a Blurred 'Social Model' that Serves Platform Interests

Government

Weak Employment Presumption Requires Strengthening Social Protection: France should implement a robust employment presumption under the EU Directive. However, the current trajectory suggests the government may continue institutionalising the

micro-entrepreneur model. If self-employment persists, it is essential to rigorously enhance protections for these workers. The current patchwork of entitlements risks creating a hybrid worker category with unclear rights, while minimal contributions from platforms shift social risks onto public finances.

Reassess the ‘Start-Up Nation’ Narrative: Policymakers should critically assess the portrayal of platform workers as independent entrepreneurs. Evidence shows they seek protection and investment in their human capital (Chueri & Busemeyer, 2025). To ensure long-term labour market integration, job quality beyond mere job creation must become a central concern.

Reform ARPE’s Dialogue Framework: While ARPE was a step toward platform dialogue, its design needs to be revised. First, its mandate makes social dialogue conditional on accepting self-employment – an implicit trade-off that undermines fair representation because collective bargaining should not require relinquishing employment claims. Second, trade unions must be given equal standing with platforms by also being meaningfully included in the institution’s design and governance. Once these factors are revised, ARPE’s scope could be expanded beyond ride-hailing and delivery.

Strengthen Enforcement: Reinforce and re-legitimise the Labour Inspectorate to monitor both misclassification and informality. Only 15% of French platform workers report their income accurately (ILO, 2024), posing significant risks to effective access to social protection.

Trade Unions

Capitalise on the Transposition Window: The EU Directive’s transposition offers a strategic moment to reintroduce employment classification into the national agenda. Unions should actively engage and assert their position.

Present a Unified Front: Overcoming fragmentation among major confederations is crucial. A united stance can influence employment criteria and strengthen worker representation within ARPE against strong platform lobbying, particularly from the API.

8.2.2. Germany: Employment Status Is Not a Panacea for Labour Standards

Government

Address Subcontracting Through Joint Liability: Given the prevalence of subcontracting, especially in ride-hailing, the focus should shift to Article 24 of the Directive, dealing with intermediaries. Platforms should be jointly liable for labour standard violations within their subcontracting chains. Precedents in other sectors can offer legislative models.

Expand Welfare Coverage to the Self-Employed: Germany should begin reforming its welfare system to provide better social protections to self-employed workers, without

undermining standard employment relationships. A long-term shift toward inclusion is needed.

Foster Social Dialogue Through Roundtables: The state should initiate roundtables with platforms, subcontractors, and social partners to facilitate dialogue, especially where institutional coordination is lacking.

Promote Formalisation in Household Services: Platform-mediated work offers an opportunity to formalise household services. Regulation and incentive structures should support the adoption of decent employment models in this space.

Social Partners

Refocus on Working Conditions: German unions, especially ver.di as the largest services sector union, should go beyond employment status debates and actively engage with improving platform workers' working conditions across all location-based sectors. Platform workers deserve recognition as a core constituency.

Achieve Tangible Bargaining Outcomes: Despite strong social partnership traditions, no collective agreements have been reached yet. The following steps are advisable to make progress:

- **Set a Precedent with Lieferando:** NGG's call for bargaining remains unanswered but should be pushed further (NGG, 2024). A collective agreement with the market leader in food delivery, who employs 7,000 couriers, could set a crucial precedent, also aligning with the platforms' strategic interest as seen in other countries (Ilsøe & Söderqvist, 2023).
- **Reach Subcontracted Workers:** Strategies are needed to engage subcontracted workers, who are typically beyond the reach of social partners. Government support to launch dialogue through the above-mentioned roundtables involving large subcontractors could be needed.

8.2.3. Cross-Cutting Priorities and Strategic Options

Improve Data Collection: France and Germany should implement systematic, standardised data collection on platform work, covering scope, employment forms, and the use of intermediaries. This is essential for evidence-based policymaking and is supported by the EU Directive's legal basis.

Advance Portable Social Protection via DSS: Platform work provides a space to pilot future-proof social protection models. One such model is the Digital Social Security (DSS) system (Weber, 2019), which channels a portion of each platform transaction into a worker's DSS account, with contributions then directed to the worker's national social system. This status-neutral model could form the basis for future EU or ILO-level initiatives.

Platform work represents both a regulatory challenge and an institutional opportunity.

On one hand, monopoly-oriented platforms often exploit regulatory loopholes to evade employer responsibilities, especially when faced with tighter classification rules. Thus, continuous vigilance, robust enforcement, and agile regulation are essential to prevent a scenario in which platforms erode labour standards and free-ride on public welfare systems (Beckmann & Hoose, 2022).

On the other hand, platforms are demonstrably capable of adapting to legal and institutional changes. With the EU now setting the tone for more assertive regulation, there is an opportunity to integrate platform workers as an important constituency of the welfare state. As Chueri and Bussemeyer (2025) show, these workers express a clear desire for protection and inclusion. Their integration can serve as a litmus test for the welfare state's adaptability, reaffirming its core values of fairness, solidarity, and collective responsibility in an evolving world of work.

Decent work in the platform economy must not remain an exception. It must become the norm.

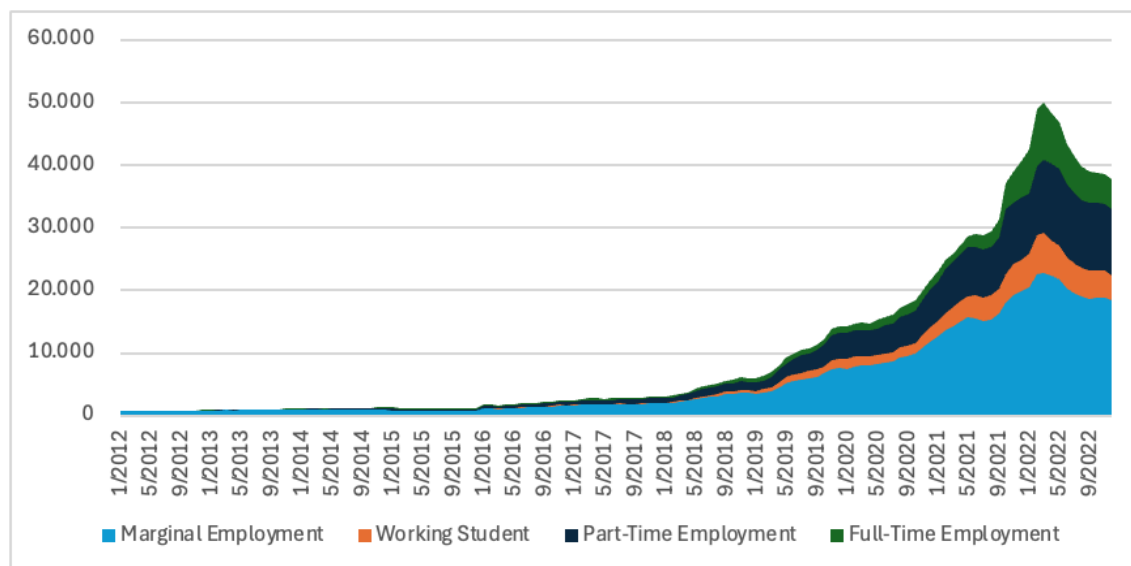
Appendix

Appendix A: Employment patterns of dominant food delivery platforms in France and Germany

countryName	platformName	corporation	contract type combinations (CTC)
France	Deliveroo	Deliveroo	Only self-employed
France	Just Eat	Just Eat Takeaway	Only employed (exited in 2024)
France	Uber Eats	Uber	Only self-employed
Germany	Lieferando	Just Eat Takeaway	Only employed
Germany	Uber Eats	Uber	Self-employed + secondary
Germany	Wolt	Wolt/Dd.	Only employed

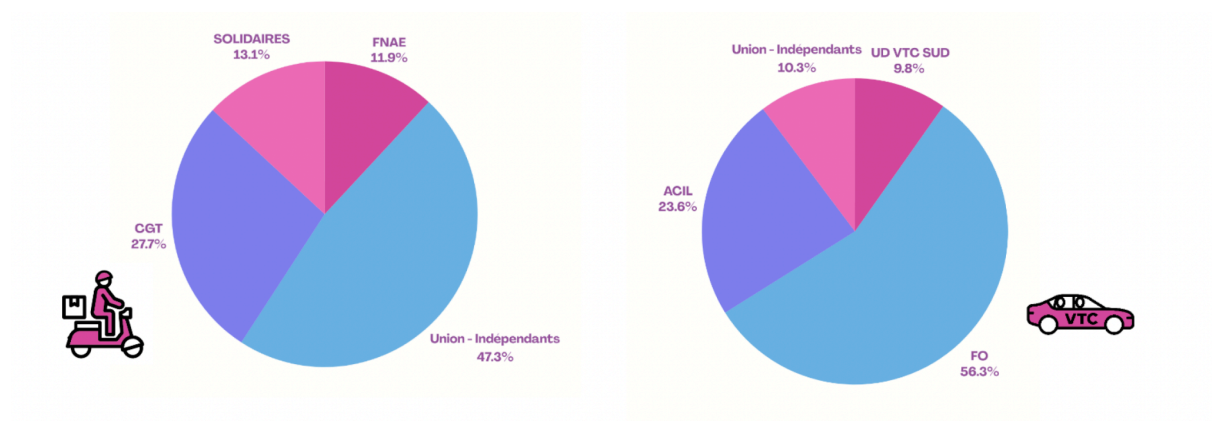
Notes: Data requested to the authors of Ametowobla & Kirchner (2024)

Appendix B: Number of Gig-Workers at the ten largest app-based delivery services in Germany by employment form



Notes: Author's own illustration based on Friedrich et al., 2024, p.2

Appendix C: Election results for workers' representative organisations at the French Authority for Social Dialogue on Digital Labour Platforms



Notes: ARPE, 2024, p.7

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Diversity Beyond Dualisation? Unravelling France and Germany's Diverging Approaches to Contract Classification in Location-Based Platform Work

Grimm, Carla Marie

Abstract

Digital labour platforms have sparked intense debates, particularly around the classification of platform workers - whether they should be treated as employees or independent contractors, the latter being preferred by platforms. This question holds significant implications for labour rights and social protection. While national responses vary, a surprising divergence has emerged between countries often considered comparable, notably France and Germany. This thesis investigates why their approaches diverge, despite similarly dualised labour markets, with self-employment prevailing in France and dependent employment dominating in Germany.

Through a qualitative, comparative analysis of three core location-based platform sectors – ride-hailing, delivery, and domestic services – this study reveals that differences in labour market structure alone cannot explain this divergence. Starting from their distinct Varieties of Capitalism (VoC) profiles, with France classified as a State-Enhanced Market Economy (SME) and Germany as a Coordinated Market Economy (CME), the research identifies three interacting dimensions contributing to the divergent approaches: (1) employment relations systems (state-led vs. social-partner-led), (2) growth strategies (start-up nation vs. export-led), and (3) access to welfare (increasingly decoupled from vs. strictly tied to the employment contract).

Ultimately, the study also finds that both countries follow a dualisation trajectory, but one that manifests itself differently: through independent contracting in France and atypical employment in Germany. The paper proposes extending the dualisation theory to capture atypical work more broadly, beyond employment relationships. It concludes with policy recommendations, urging French stakeholders to avoid a hybrid worker category with unclear entitlements and German stakeholders not to view the employment contract as a panacea.

Key Words

Platform Work, Contract Classification, Labour Market Dualisation, Varieties of Capitalism, Employment Relations, Growth Strategies, Social Protection