



Nordic Council
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Nordic labour markets and the sharing economy

– REPORT FROM A PILOT PROJECT



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Jon Erik Dølvik and Kristin Jesnes

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Preface

This report is the product of a pilot project funded by a grant of DKK 250,000 from the Labour Market Committee of the Nordic Council of Ministers. This support enabled Fafo to invite a group of researchers from the Nordic countries to prepare brief national background reports and take part in a two day workshop in Oslo, 26–27 September 2016. By taking stock of available knowledge and research about work in the Nordic sharing economies and the approaches that governments and organizations adopt to influence the platform labour markets' further development, the aim was to facilitate information exchange and provide a better knowledge base for developing future Nordic studies in this area.

The Nordic research group has consisted of Antti Saloniemi (University of Tampere), Per Kongshøj Madsen and Stine Rasmussen (CARMA, Aalborg University), and Anna Ilsøe (FAOS/University of Copenhagen), Bertil Rolandsson, Jesper Peterson, and Tomas Berglund (University of Gothenburg), Katrín Ólafsdóttir (Reykjavik University School of Business), and Jon Erik Dølvik and Kristin Jesnes (Fafo, Oslo). Each national team received a fee of DKK 12,000 for their contributions to the study. As explained in the national background reports, there was at the time of writing great variation in the availability of research based knowledge about the labour market implications of the sharing economy in the Nordic countries. The researchers got the opportunity to update the country reports before November 2016. There might therefore be recent policy developments in this area that are not covered in these reports.

The national background reports (Nordic Working Papers, 2017:904) can be downloaded at <http://dx.doi.org/10.6027/NA2017-904>

Besides reviewing the national background reports' information about labour market implications of the sharing economy, this pilot project report builds on the lively, inspiring discussions during and after the project workshop, and on interviews and conversations with sharing economy actors, experts, and social partner representatives who generously shared their knowledge and thoughts with us. Many thanks for that! We would also like to thank the Labour Market Committee of the Nordic Council of Ministers for funding the pilot study, its secretary Tryggvi Haraldsson for good support underway, the publication department and the participants in the Nordic research group for your enthusiastic and insightful contributions to the pilot study. All misunderstanding and flaws are of course our responsibility.

Oslo, January 2017

Jon Erik Dølvik & Kristin Jesnes

Summary

This report presents a preliminary knowledge status about implications of the sharing economy for labour markets and employment relations in the Nordic countries. It also reviews how the Nordic countries and their social partners approach the sharing economy and issues relating, amongst other, to its legality, regulation, taxation, and terms of competition. There is so far scant supply of statistics, data and research in this field. Clearly, work via sharing economy platforms is still marginal in the Nordic labour markets, but if it gains momentum it may challenge traditional features of the Nordic labour and welfare regimes organized around the wage-earner relationship. The employment potentials and consequences of the sharing economy will, amongst other, depend on the governments' and the organized actors' responses to these challenges. Currently, all the actors seem to be in a phase of knowledge gathering and deliberation of possible policy options, cautiously avoiding taking steps that might obstruct the development of the sharing economy. In this respect, the evolution of the sharing economy and its labour market implications offers a unique opportunity to trace processes of change and policy formation in a core area of the Nordic models. The report thus concludes by pointing to knowledge gaps and themes for further follow-up studies.

Introduction

Airbnb connects homeowners with people that want a place to stay. Uber lets you hail a ride from drivers in their personal vehicles. These companies operate on a global scale and are well-known examples of the so-called “sharing economy”, whereby app-based platform companies match demanders and suppliers of work and resources. The activities discussed under the heading of the sharing economy covers a wide range of activities, from exchange of goods, rental of cars and accommodation to direct exchange of labour. While much attention has been paid to platforms facilitating rental of assets such as apartments and cars, this report mainly focuses on platforms engaged in intermediation of labour. Platforms involving labour raise questions about how the sharing economy will affect work and the labour market, and the expectations are diverse. The optimistic view is that it will create more jobs, improve matching between suppliers and demanders of work, and give many workers more flexibility and control over when and where they work. The more negative expectation is that it will undermine traditional notions of employee-employer relations, tilt power in disfavor of workers, and lead to more uncertainty, inequality, and poorer working conditions.

The issue of the sharing economy has rapidly risen towards the top of the agenda in the Nordic countries, in some countries under the umbrella of broader trends associated with digitalization of work. Yet, the sharing economy is still at its nascent stage in the Nordic countries, and public policy and social partner responses are in the making. There is little statistics and scant knowledge about the sharing economy and how it will affect the labour market. Governments and social partners are generally positive to digitalization, but there are several issues that cause concern, including unfair competition and the risk of tax evasion, erosion of organized labour relations, and increasing precarious work. In this stock-taking paper, we map existing knowledge about the sharing economy in the Nordic countries, review the public debates about the potential labour market implications of the sharing economy, and single out areas where more statistics and research are needed. The paper emanates from a pilot-project organized by Fafo with funding from the Nordic Council of Minister’s Labour Market Committee. Researchers from all the Nordic countries have contributed by writing short national background papers (see Jesnes & Dølvik 2016, Ólafsdóttir 2016, Rolandsson *et al.* 2016, Rasmussen & Kongshøj Madsen 2016, Saloniemi 2016, available at <http://dx.doi.org/10.6027/TN2017-508>), exchanging knowledge, and taking part in a

two day workshop with expert interventions and in-depth discussions. As is made clear in the national background reports (Nordic Working Papers, 2017: 904), there has so far been a marked difference between the Nordic countries in the availability of studies and research based knowledge about the labour market implications of the sharing economy. While the Danish, Norwegian, and Danish researchers could draw on several preliminary studies, there were hardly any studies to build on in Finland (Saloniemi 2016) or in Iceland (Ólafsdóttir 2016).

The purpose of the pilot-project was to provide an overview of knowledge and data sources about the magnitude, nature, and regulation of work associated with the new platform companies, also referred to as third party intermediaries of work, in the Nordic countries. A central aim was to explore their possible impact on labour markets and employment relations, with special attention to their effects on company staffing policies and matching of jobs and skills. A further aim was to map how the different Nordic countries and their social partners approach the sharing economy and its legality, need for regulation, taxation, and so on. Besides questions relating to employment regulation, the emerging sharing economy raises issues pertaining to regulation of competition, license to operate in certain industries, social security, and taxation of the platform companies and their connected workforce. In view of the complexity of these issues, their imminent nature, and the scarcity of viable data and statistical sources, we found it premature to organize a full-scale project and proposed instead a pilot-project aimed to produce a preliminary knowledge status that can serve as basis for developing further research proposals in 2017.

The structure of the paper is as follows: In section 2, background and context, we discuss the term sharing economy, its ambiguities, the concerns it has raised among the main stakeholders, and their initial views of how it might be governed. In section 3, we present some survey data regarding the current size of the Nordic sharing economy workforce (3.1); review and discuss the possible implications for working conditions, employment relations, social security (3.2), and the wider labour market (3.3), and review the initial stances and responses of the Nordic governments and social partners (3.4). In section 4, we wind up with a few final reflections and sketch some empirical approaches for further studies of the sharing economy's development and implications for Nordic working lives.

1. Background and context: What is the sharing economy and how can it be governed?

1.1 How to denominate and define the sharing economy?

There is, so far, little consensus on how to denominate and define the term sharing economy (Sundararajan 2016: 27 and Kalleberg & Dunn 2016: 2). Other umbrella terms, such as collaborative consumption (Botsman 2013), collaborative economy (EU Commission, 2016), intermediary economy (Jesnes & Nesheim 2015a) the gig economy, platform economy, crowd-based capitalism (Sundararajan 2016) and on-demand economy (Stefano 2016), are also used to conceptualize it. Various actors, especially the trade unions, have been critical to the term sharing economy because of its unequivocally positive connotations, the great diversity of companies referred to as sharing economy platforms, and many also argue that it is not about sharing at all. Several Nordic trade unions such as the Swedish Unionen and the Danish Confederation of Trade Unions have chosen to use the concept “platform economy” (Unionen/Söderqvist 2016, LO 2016a). Referring to the digital tools applied in the transactions, the platform economy concept invites a more balanced or even critical assessment of it, according to these unions (Rolandsson *et al.* 2016; Rasmussen & Kongshøj Madsen 2016). In lack of a better term, the Norwegian LO has chosen to use the term “samhandlingsøkonomien” – corresponding to the term “collaborative economy”, which the EU also uses (LO 2016b, EU Commission 2016).

The sharing economy is sometimes described as a phenomenon whereby new digital technology will revolutionize working life. Yet, neither the technology used nor the ways of working in the sharing economy are entirely new. Historically, the emergence of technology-based and collaborative work was associated with knowledge-intensive tasks. For instance, open source communities, using platform technology for parsing up and distributing tasks in a “virtual cloud” of collaborative actors started to take shape already during the early 1990s (or even before) (Ljungberg 2000). In many instances, activities on these platforms did then also draw on complex combinations of sharing and business practices (Demil & Lecqoq 2006). Recent spread

of concepts like crowd sourcing and distributed innovation further reflects how this kind of open source inspired use of digital platforms have become common, both in conventional software firms and other businesses within e.g. pharmaceuticals and media production (Lakhani & Panetta 2007; Rolandsson *et al.* 2011).

Leaving the debate about how to denominate the phenomenon aside, the great variations among sharing economy platforms also fuel confusion about what the phenomenon really is. For our purpose, an important distinction is between platforms intermediating some form of labour, and those mainly facilitating sharing or renting of assets such as homes and cars (Andreassen 2016). The platforms that involve labour can again be divided into platforms whereby the product can be submitted online, sometimes referred to as crowdsourcing, and platforms that involve manual and local labour, sometimes referred to as on-demand work (Stefano 2016). Another way to differentiate between platforms is by looking at what actors are involved on the customer and the provider side (individuals or companies). Platforms that facilitate exchange between persons are often referred to as peer to peer (P2P) and platforms where companies are involved are either referred to as B2C (business to customer) or B2B (business to business) (Botsman 2013). Yet another important distinction is between profit and non-profit platforms. Couchsurfing, where you can sleep on someone else's couch is a good example of a not-for-profit platform, while Uber is typically a profit-driven platform. Such variations in emphasis reflect that the phenomenon is still in evolution, and that it is in no way homogenous.

In light of the ambiguities of the sharing economy concept, government authorities, organizations, researchers, and international agencies emphasize different traits and characteristics of the phenomenon; it is, amongst other, said to be about new digital technology, renting instead of owning, two-sided markets, networking, transaction costs, sustainability, and trust. Another significant feature is that the platforms' marginal costs per transaction are almost independent of scale, implying that the first movers can often conquer a dominant or monopolistic market position – engendering a “winner takes all” logic (Degryse 2016). Economists (Krokan 2015, Iversen *et al.* 2016) tend to view the sharing economy as two-sided markets defined as “markets in which one or several platforms enable interactions between end-users, and try to get the two (or multiple) sides ‘on-board’ by appropriately charging each side” (Rochet & Tirole 2006, in Krokan 2015). According to strict interpretations of such an approach, platforms entering into relations with the labour providers that entail an employment contract are almost by definition not part of the sharing economy. For labour lawyers and sociologists of work, who are interested in the judicial, institutional, and social implications of the new patterns of work that arise from platforms that engage with labour, such an (almost circular) interpretation of the sharing economy

concept is too narrow to be helpful in understanding the variegated and blurred implications of the platform companies' labour practices.

Our conceptualization of the sharing economy takes the role of the digital platforms in intermediating between providers and consumers as a starting point, and builds on the three elements of the sharing economy described by Jesnes and Nesheim (2015b):

1. an intermediary company in the form of a digital platform, which helps to
2. connect providers and consumers/clients, to
3. perform transactions, such as services, sharing of assets/property, skills or labour.

For those platforms involving labour, which is the main focus of this report, a triangular relationship is formed between the platform company, those who provide labour, and those who purchase labour services. Jesnes *et al.* (2016a) emphasize the variety of such triangular relationships, especially with respect to the elements pointing in direction of an employment relationship. It should be kept in mind that such triangular employment relationships are not novel, as illustrated for example by temporary agency work and the consultancy business (Evju 2012). Although Jesnes & Nesheim's conceptualization does not make a clear-cut distinction between pre-existing triangular relationships and new digitalized forms of such relationships, it is a starting point for exploring how the ties between these platforms and their workforces differ from other triangular employment relationships.

As indicated, the so-called sharing economy is a fuzzy concept that is hard to define and far from everything about it is new. Yet, in view of its transformative potentials, the ways and mechanisms by which app-based platform companies match demanders and suppliers of work and resources definitely deserves further scrutiny.

1.2 What are the concerns and interests of the governments and the social partners?

The sharing economy was first put on the public agenda in the Nordic countries late 2014, when Uber entered the Nordic markets. Since then, government authorities, politicians, social partners, academics and other actors have engaged in the public debate about the opportunities and challenges associated with the sharing economy and how it ought to be governed. The public debate has typically covered a wide range of issues. Yet in Iceland the debate has mostly been concerned with Airbnb which has

helped to facilitate the tremendous growth in the tourism business there (Ólafsdóttir 2016), and in Finland, the debate has so far mostly been concerned with Uber (Saloniemi 2016). In both countries, however, the environmental and consumer aspects of the sharing economy have been lively discussed.

Since 2014, the sharing economy has evolved, and there is now a mushrooming plethora of Nordic start-ups operating under the umbrella of the sharing economy term, especially in Denmark, Sweden and Norway. The issues of controversy include the risk of tax evasion, distortion of competition, erosion of employment relationships, and broader societal interests concerning consumer protection, control/supervision of workers, and data security. Uber is the company that has generated the most public debate in the Nordic countries. This is primarily because it refuses to comply with existing transport regulation as it defines itself as a technology company, but also because it claims that the drivers are self-employed and not working for Uber.

Governments in the Nordic countries are positive to the sharing economies' potential for generating growth, innovation, and job opportunities, but they also recognize the challenges arising in particular with regard to maintaining a level playing field and sound, fair taxation of different categories of companies. At the moment, they seem to be in a learning and deliberation process, where they collect information and prepare the basis for policy proposals and approaches through various commissions and green/white papers on issues related to digitalization and the sharing economy.¹

The social partners, especially the trade unions, have engaged actively in the debate about the sharing economy in the Nordic countries. For instance, Unionen in Sweden and the LOs in Denmark and Norway have issued position papers on the sharing economy, where they acknowledge the importance of technological development and innovation, but also voice their concerns about casualization of work, protection of labour rights, health and safety, and risk factors related to surveillance, taxation, and social security (Unionen/Söderqvist 2016, LO 2016a, LO 2016b). Surveys among trade union representatives in Denmark and Norway reveal that a majority believes that the sharing economy will undermine labour rights and lead to unfair competition and tax evasion (LO 2016a, LO 2016b, Redder 2016, Ødegård 2016). Although many trade unions are critical to the term "sharing economy", the largest white-collar federation in Sweden, Unionen, has adopted a set of visions for how the platform economy can be incorporated into the Nordic model (Unionen/Söderqvist

¹ See e.g. Fellman 2015: 65, SOU 2015: 91, NOU 2017 (forthcoming), and Regeringen (2016:37–38), where the former Danish Government announced that an elaborate strategy for the sharing economy will be published soon. The new Danish Government, which took office on November 28, announced in its government platform that it will set up a Disruption Council including the social partners, companies, experts, and relevant ministers, to discuss and analyze the labour market of the future.

2016). Some unions have taken initiatives to recruit freelancers, and others have voiced ideas about framework agreements with employers as well as provision of social security for freelancers either through union-organized funds or political channels. The employers' and business organizations mainly seem to have adopted a "light touch" approach towards the issue, embracing its potential for growth, innovation and job creation, but due to alleged distortions of competition some tension has occurred between organizations representing "old" and "new" industries.

1.3 The risk of tax evasion

Taxation seems to be the issue of most concern in the Nordic public debates about the sharing economy. Firstly, many actors, including trade unions, are worried about the entrance in the Nordic services and labour markets of several international companies that are not established in the Nordic host country but registered in tax havens and therefore allegedly not obliged to pay taxes in the Nordic countries. In this way, the international organization of major companies in the sharing economy might reduce tax revenues. Besides the platform companies' free access to capital equipment and other assets owned by the users, this may give the platforms established offshore a competitive advantage vis-a-vis domestic companies that normally have to pay corporate and pay-roll taxes as well as, in most instances, indirect taxes (VAT).

Secondly, the platform companies normally leave it up to the individual users of the platform to report taxable incomes and activities.² Tax administrations are concerned about how to identify and control that individual users – such as Uber drivers or property owners renting out through Airbnb – pay taxes on their incomes and transactions in the sharing economy without third party reporting. Platforms typically have payment systems and data on all transactions performed through their platform and could report this to the authorities, although there might be some issues related to ownership of data and privacy protection. Yet, the governments have not yet demanded the companies to report on what the individual drivers earn. Altogether, proper resolution of the tax issues is thus important both to secure public revenues and to facilitate a level playing field.

² As an exception to this observation the Danish tax authorities in September 2016 received information about the income of Uber-drivers operating in Denmark. The information was given by the Dutch tax authorities, who had access to them through the Dutch Uber-company administering the payments of Uber-drivers in Europe.

1.4 Distortion of competition: How to maintain a level playing field?

Another issue of concern, often evoked in the public debate, is how to secure a level playing field between traditional firms and the platform companies. The case of Uber illustrates the problem. Uber offers several services, among which UberPOP is the most controversial as it enables individuals to use their own cars and drive unlicensed against a fee to Uber. The fee is set at between 20 and 30 percent of the price for the “ride”, which both are unilaterally determined by Uber. Apart from the guaranteed net profit for each ride, Uber benefits from a significant competitive advantage compared to traditional taxi companies, as all capital costs, maintenance, and expenditure on fuel etc. are transferred onto the “drivers”. Airbnb enjoys a similar competitive edge vis-à-vis ordinary companies in the hospitality sector since the capital and equipment costs of the flats/rooms from which it derives its profits are covered by the client asset owners. In addition comes potential cost advantages of not taking on any employer or pay-roll tax responsibilities for the work conducted in relation to the services.

The legality of UberPOP’s operations is contested, also in the Nordic countries and at the EU level. The basic question is whether or not Uber should be considered as a technology company, which the company claims, or a transportation (taxi) company.³ If Uber’s activities are considered to be similar to that of a taxi company,⁴ it would most likely be subject to payment of corporate taxes, pay-roll taxes for employed drivers, and VAT in the country it operates, while the drivers would be obliged to obtain licenses, registered cars, taxi meters, and to pay income tax, social security levies etc. Uber started its UberPOP activity in the capitals of all the Nordic countries, except Iceland, in late 2014 (see Jesnes & Dølvik 2016, Ólafsdóttir 2016, Rolandsson *et al.* 2016, Rasmussen & Kongshøj Madsen 2016, Saloniemi 2016). From its launch, Uber’s legal status in Finland was unclear until autumn 2016, when the Court of Appeal stated that driving for Uber contravenes Finnish legislation (Saloniemi 2016). Occurring almost simultaneously with the legal resolution, a political struggle over deregulation of the transport sector came to its conclusion. The new regulation loosens permit conditions

³ This issue is at the time writing being tried in the European Union Court of Justice, where a group of Spanish taxi-drivers has claimed that Uber’s operation there is in conflict with Spanish transport regulations. ESA, the surveillance authority in EEA, supported Uber in this case, and has recently challenged Norwegian taxi regulation of being in breach with the freedom of establishment in EU/EEA (Klassekampen 07.12.2016).

⁴ In recent court cases in London (Employment Tribunal, Case nos: 2202551/2015 & Others) and in North California District Court (Case 3: 13-cv-03426oEMC, 11 March 2015), the courts “resoundingly rejected the company” s [Uber] assertion that it was a technology company and not in the business of providing transport services” (cited from p. 17 of the London Employment Tribunal).

for taxi driving – except requiring command of Finnish language – but does not take full effect until 2018 (ibid. 2016). In Sweden, the police has conducted several investigations on whether or not the Uber drivers' activity can be considered as car-pooling or as taxi service. In May 2016, Uber stopped its activities in Sweden as a result of repeated judgements in the Swedish legal system establishing that driving for Uber is the same as participating in a pirate taxi operation and several drivers have been sentenced for tax evasion (Dagens Näringsliv 11.05.2016).

UberPOP is also considered illegal in Denmark and Norway. In Denmark, six Uber drivers were convicted of violating the taxi legislation by the municipal court in Copenhagen and convicted to pay a fine. The sentence was appealed to the "High Court", and was confirmed late 2016. More legal proceedings against Uber drivers are on the way, but Uber is still operating in Copenhagen (Politiken 30.09.2016). In Norway, more than 70 Uber drivers have been stopped by the police and suspected of illegal taxi operation, and the police has taken legal action against two drivers who had acted as Uber chauffeurs on a regular basis. Recently they were found guilty of breaching transport legislation by being involved in professional transport services without the required licence. The police has started to temporarily withdraw driving licenses from Uber drivers (Aftenposten 20.10.2016). In a recent court case a number of drivers lost their driving licenses and had to pay fines and cede their earnings from Uber driving (Aftenposten 16.12.2016). Still pending in the Nordic countries, however, is an ultimate judicial decision clarifying whether, and the conditions under which, the drivers can be considered employed by Uber and thus entitled to protection, amongst other, by national labour law.

The case of Uber illustrates how the sharing economy can disrupt the terms of competition in disfavor of ordinary companies with employed staff. The risk of unfair competition has been warned against both by employer organizations and trade unions as well as in international literature discussing the conditions for sound development of the sharing economy. Einav *et al.* (2015) thus argue that peer-to-peer markets must be designed so that the actors compete on equal terms with respect to insurance and security. Harris & Kreuger (2015) take the argument further and maintain that in order to reap the innovative potentials of the sharing economy the need for neutral competitive conditions should even include social conditions such as pay and conditions: "[I]f an intermediary actor (platform) outcompetes traditional employers that supply the same services because the intermediary actor reaps cost advantages by avoiding provision of certain legally guaranteed benefits and protections, the total welfare will be reduced by this innovation." (Harris & Kreuger 2015, cited in Unionen/Söderqvist 2016: 93, translated by authors.).

According to Rasmussen & Kongshøj Madsen (2016), some of the strongest criticism of the sharing economy in Denmark has been raised by employer

organization's representing businesses directly affected by the large platform operators, such as Uber and Airbnb. Hence, Dansk Taxi Råd (Danish Taxi Council), organizing the majority of taxi companies, has criticized the activities of Uber, and at the same time called for a modernization and liberalization of the complicated regulations of the taxi trade. Its main claim is that a level playing field should be created, where platform based services will compete with other transport providers on equal footing. Together with other employers organizations involved in the taxi business, a proposal for reform was sent to the Minister of Transportation in October 2015 (Dansk Taxi Råd *et al.* 2015). Similar arguments have been raised by employer associations in the taxi industry and the hospitality industry in other Nordic countries. Yet, apart from the employer and business associations in directly affected industries, it seems that the main employer umbrella associations in the Nordic countries have adopted a laid-back approach to the issue. The same pertains to organizations representing potential users of platform services and those representing the platforms themselves. For example in Norway, the NHO-affiliated Abelia organizing technology companies – including about ten sharing economy platforms – in late 2015, lobbied actively on behalf of the platforms, among others by setting up round tables with representatives of the platforms, the Finance Minister, and the Director of the Tax Administration. This was part of the background for the Norwegian government's appointment of a sharing economy commission in 2016. In general, it seems as though governments in the Nordic countries work on balancing the need for a level playing field and the desire not to compromise the potential of the sharing economy in creating growth and innovation.

1.5 Changing employment relationships?

Prophecies that the traditional standard employment relationship is waning are not new. They have been with us since the data revolution and the quest for employment flexibility and liberalization in the 1980s sparked concern about jobless growth, atypical work, and flight into the 2/3rd society. These predictions proved to be skewed, however, especially in the Nordic countries where growth in regular jobs recovered fast from the 1990s and the vast majority is still in open ended, standard jobs. Yet, there are factors that may suggest that "this time is different". In a context of international secular stagnation and high unemployment (Summers 2016), one cannot preclude that the pace of change in production and communication technology, world-wide sourcing, cross-border mobility, and instant, digital linking of end users, intermediary firms, and people searching for jobs will engender profound changes in the pattern of work and employment relations in parts of the labour market.

The sharing economy is marked by proliferation of triangular relationships between the platform companies, those who provide labour, and those who buy labour services (Sundararajan, 2016). Although triangular employment relationships have existed for long, what is new is that both the platform intermediators and the customers or client companies relate to those who provide work in new, digitalized and more distanced ways. Often, the relationships between platforms and providers of work in the sharing economy seem to vary from platform to platform. Looking into the employment relationships in five platform companies in Norway, Jesnes *et al.* (2016b) found that in their triangular arrangements they combined a variety of relations to the workforce. Most of the companies did not consider themselves as employers, yet they in many ways performed control over the workers and had long term relationship with them, aspects indicating the existence of an employer-employee relationship. Other Norwegian companies associated with the sharing economy do in fact regard themselves as employers, but they do not take on all the responsibilities that employers are required to, such as providing equipment necessary to perform the work (examples: car, bike etc.) (ibid).

These variations in employment relationships imply that it will often be difficult to determine whether those who provide work are self-employed or independent contractors, as the companies tend to claim, or whether they are workers employed by the platforms. The blurring of the boundaries between workers and self-employed has spurred a growing literature about the nature of the relationships between the platforms and their workforces (see e.g. Prassl & Risak 2016; Hotvedt 2016), and has led the Swedish government to appoint an investigation assigned amongst other to assess the need for adjustments in the work environment act.⁵

⁵ [http://www.sou.gov.se/utredningar/?owner=arbetsmarknadsdepartementet&selection=pagaende A 016:01](http://www.sou.gov.se/utredningar/?owner=arbetsmarknadsdepartementet&selection=pagaende+A+016:01) Utredningen om arbetsmiljöregler för ett modernt arbetsliv. Särskild utredare: Kurt Eriksson.

2. Platform work: implications for employment relations and the broader labour market

Historically, embracing knowledge and new technologies that have been viewed as engines for growth and renewal in the small, open Nordic economies, the organized actors in the Nordic labour regimes have been praised for their joint capacity to cope with change and shape working life developments in ways that have benefitted business as well as workers and the wider society (Dølvik *et al.* 2014). The Nordic labour markets have thus been renowned for their high levels of employment, organization, collective regulation, trust, and egalitarian distribution of wages and job opportunities. The vast majority of Nordic employees still have open-ended jobs and “standard employment relationships”, but the shares with atypical jobs – in the form of fixed term contracts, part-time, agency work, on-call or self-employment – have showed a slight upward tendency in recent years along with growing outsourcing of work to consultants, subcontractors etc. (ibid; Andersen *et al.* 2014). While the Nordic labour markets recovered well after the crisis in the early 1990s, the years that have passed since the global financial crisis in 2008 have shown more divergent developments. Except in Sweden, the level of unemployment is higher, employment rates have declined, and wage and income inequalities have increased. These developments have come along with declining unionization rates, increased labour migration, low wage competition, and growing shares of youth struggling to gain foothold in the labour market.

With forecasts of weak, volatile international growth and prophecies that the digital “fourth, industrial revolution” will destroy traditional jobs on a potentially large scale, the prospect that the sharing economy may serve as a lever for innovative job creation and more effective matching of labour supply and demand has thus been positively received in the Nordic countries. But the promise of the sharing economy gurus and thinkers that platform work implies a “liberation” from the wage earner relationship around which the Nordic models and their working lives are built, has indeed sparked ambiguity in many circles and skepticism among those being most directly challenged by the new business concepts. At the same time we see that some of the platform companies, at least in Norway, start offering more standard contracts

and seek collaboration with the social partners in providing more predictable employment relationships (Jesnes *et al.* 2016a). Also, recent court decisions in the US and the UK have overruled the platform companies' assertion that they have no employer responsibilities for their workforces (London Employment Tribunal 2016, North California District Court 2015). Still being in its infant stage and connecting workers and customers on a global scale, it is too early to draw qualified conclusions about how the spread of platform work will affect net job generation in the high-cost Nordic countries and how it will affect pay, working conditions, and employment relations in wider parts of the labour markets. Some might assume that the highly regulated Nordic working lives are especially vulnerable to the liberalizing – or disruptive – effects of the platform companies, while others might assume that the Nordic models with their mostly liberal product market regulations, high levels of education, and strong social partners are well equipped both to reap the innovative potentials and bring the new forms of work in the sharing economy into their institutional folds.

2.1 The size of the Nordic platform labour market

The unclear definitions and boundaries of the sharing economy obviously make it difficult to measure its magnitude. Also, when trying to measure the size of the sharing economy, one can adopt several perspectives, looking at the number of platforms, their economic significance, and the number of platform clients, workers or hours worked. Here we will only briefly refer to platform and consumer figures, and focus on the scant data regarding the number of people working through the platforms. In this area, there is no prior research to draw on from Iceland and Finland (Ólafsdóttir 2016, Saloniemi 2016), whereas a few quantitative surveys have been conducted in Denmark, Sweden and Norway. These surveys indicate that the sharing economy still is marginal in the Nordic labour markets.

When it comes to the number of platform companies, a mapping conducted in Norway⁶ suggests that there in November 2016 were about 30 platforms involving labour in Norway (Jesnes *et al.* 2016a). As the sharing economy is still evolving and platforms are established and disappear rather frequently, the numbers are likely to change fast. Jesnes *et al.* (2016a) also emphasize that many of the companies discussed under the heading of the sharing economy are start-up companies trying to find their

⁶ Mapping conducted by Fafo and Center for Applied Research (SNF, Norges Handelshøyskole) as part of a project commissioned by the Ministry of Labour and Social Affairs.

desired business model. Some of these have already changed from hiring freelancers to hiring employees on open-ended contracts with few working hours.

Most of the platforms, at least in Norway, are registered as technology companies, but many of the platforms intermediate labour to individuals or companies within cleaning, hotel services, food, transport, or office-based tasks. Other platforms offer many different services. One example is “Finn.no småjobber” set up by a large, longstanding company (Finn.no), where firms or individuals can create a so-called “ploy” on the website, which is a short description of the task they want someone to do – painting, gardening, bartending and “handyman-like” tasks – and then individuals can apply for that ploy. Thereafter the client, the firm or the individual, decides whom to hire for the job. Payment takes place through the website, and after the task is completed the persons involved write a recommendation of each other. Similar initiatives can be found in Denmark, under names like AHandyman.dk, Lejdet.dk, DenLilleTjeneste.dk, HappyTown.dk and Meploy (Rasmussen & Kongshøj Madsen 2016, Svansø 2016). While Finn.no småjobber seems to have conquered a dominant market position in Norway boasting more than 25,000 subscribing providers or “helpers” – of which some 3,000 appear to have pursued at least one job – the Danish market is apparently more differentiated with e.g. 2,500 persons having signed up to work through Meploy in the Copenhagen area and 6,000 for AHandyman nationwide. Common for the different platform companies is that the firm behind the website takes a certain amount of money in commission for matching the workers and jobs or a fee for having a profile on the website (Rasmussen & Kongshøj Madsen 2016).

Reminding of the need to read figures about the proliferation of platform work critically, a Danish study showing that among the 1621 Danes that had signed up for work at Upwork only 163 had actually carried out any tasks (ibid., CEVEA 2015: 41). Similar numbers are found in Norway. In 2015, 7,900 freelancers were registered on Upwork in Norway, but only 100 freelancers earned money through Upwork every month, according to the CEO (Olsen 2015). That is, only 1.3 percent of the registered Upwork freelancers in Norway got an assignment every month (Jesnes & Dølvik 2016).

As work in the sharing economy is often occasional and the status of the workers is unclear, it is impossible to identify and trace those working for the platform companies in the National Labour Force Surveys (LFS). Although the LFSs in some of the Nordic countries – e.g. Denmark, Sweden, and Finland – do indicate an increase in the number of self-employed without own employees and also of workers with few hours, it is too early to infer that this has been influenced by the emerging sharing economy. In the Norwegian LFS, the categories that might include some sharing economy workers (self-employed without own employees and permanently employed with few hours) have remained stable in the past 15 years (Nergaard 2016). The same pertains to the

share of self-employed in Iceland (Ólafsdóttir 2016). Eurostat is, however, organizing an ad hoc module in the national LFSs focusing on self-employment that will be conducted in the Nordic countries in 2017, possibly giving a better view of the developments in self-employment and how they can be accounted for (Eurostat 2016).⁷ Looking into other sources, a study by The Swedish Agency for Economical and Regional Growth (Tillväxtverket) shows that the number of companies in Sweden without employees has increased from 310,000 during 1993 to 850,000 during 2014 (Rolandsson *et al.* 2016). This has evidently had little to do with the sharing economy. While the number of self-employed in Denmark has remained pretty stable – as in Norway – there is within this category a marked shift towards self-employed without employees in recent years. This occurred long before the rise of the sharing economy though, and this group has actually declined since 2013. In Sweden, also a few more limited, short-term inquiries do suggest a recent rise in self-employment, e.g. a study conducted by Egenanställningsföretagens Branschorganisation, representing this sector, indicate an increase between 2012 and 2014 in the number of self-employed from 5,402 to 11,230 (www.egenanstallning.org). A more recent study by Novus indicates that the number of self-employed has increased further, reaching 18,000 during 2015 (Rolandsson *et al.* 2016), but there is to our knowledge no evidence indicating that these increases can be attributed to the sharing economy. Also in Finland there has been a rise in the number of self-employed since the 1990s, especially among men, but the main rise came long before the sharing economy (Pärnänen & Sutela 2013, in Saloniemi 2016).

In Sweden and Norway, surveys of “gig-workers” have also been undertaken. In 2016, University of Hertfordshire together with Ipsos, Foundation for European Progressive Studies (FEPS), and unions like Uni-Europa and the Swedish trade union Unionen, undertook such surveys in a number of countries (Huws & Joyce, 2016 a, b, c, d). In Sweden, the survey including 2146 adults aged from 16 to 65 years suggested that 12 percent of the population sometimes work for online platforms such as Upwork, Skjutsgruppen, Uber, and Airbnb. 4 percent of the sample said they engage in this type of work at least once a month, while only 3 percent of the men and 2 percent of the women reportedly engaged on a weekly basis (Huws & Joyce 2016a). Without information about how long and how frequently per month or week the respondents usually work, this tells little about the volume of work laid down apart from indicating that it is on a fairly occasional basis. Yet, in terms of headcount it seems that more people are involved per week than in e.g. the temporary agency industry in Sweden

⁷ “EU labour force survey – ad hoc modules” http://ec.europa.eu/eurostat/statistics-explained/index.php/EU_labour_force_survey_-_ad_hoc_modules

which employs less than 2 percent of the workforce (Unionen/Söderqvist 2016). By comparison, conservative estimates from the US suggest that between 0.4 and 1.0 percent of the US workforce perform contingent work through digital market places (Harris & Kreuger 2015: 12).⁸ In Norway, Fafo and SNF, commissioned by the Labour and Social Ministry, have conducted a survey similar to the Hertfordshire study (Jesnes *et al.* 2016a). In the survey including 1,525 adults aged 18 and above, 10 percent answered that they sometimes work for online platforms. 2 percent of the respondents performed platform work on a weekly basis, 1 percent on a monthly basis, and 6 percent at least once during the last year. Having interviewed platform companies giving much lower estimates of gig-workers connected to their platforms, the researchers warn against taking these figures too literally (*ibid*). The survey will be reproduced by Fafo in 2017. FAOS will also, in 2017, as part of the LFS conduct a similar study attempting to measure how many work in the sharing economy in Denmark.

In the other Nordic countries there have been no such studies of how many that work through the sharing economy. Yet, in Denmark a study by Gallup conducted late 2015 asked an online panel if the respondents had participated in the sharing economy (as consumers) during the last 6 months (Rasmussen & Kongshøj Madsen 2016). Here, the sharing economy was exemplified as the use of Airbnb, Uber, GoMore (car-pooling) or Resecond (exchange of dresses). Of the respondents, 9 percent answered yes. A year earlier the share was 3 percent. The study showed that young people and people with residence in the capital were most likely to utilize the sharing economy, and that the rates of participation were highest in the lowest and highest income groups. Not distinguishing between different user activities, the survey did not allow for identifying activities involving paid work. The total turnover in the activities measured in the survey was almost DKK 1.2 billion and the total number of participants estimated to 315,000 persons (Erichsen 2015, Nordea 2016, in Rasmussen & Kongshøj Madsen 2016). Another survey from Denmark, conducted by Dansk Erhverv (the Confederation of Danish Enterprise), showed very similar results with a user rate of 10 percent. While 5 percent had used Uber or similar services and 8 percent had used Airbnb or similar services, the study also showed that sharing economy services were often used when travelling abroad (Munkøe

⁸ Harris & Kreuger (2015: 12) judge that “[I]f the number of workers providing services through an intermediary is proportional to the number of Google searches—an assumption that is quite plausible for Lyft and less clear for other intermediaries—then there would only be about 600,000 workers, or 0.4 percent of total employment in the United States, engaged with all of the intermediaries in the Appendix table. If, however, Google searches translate into five to ten times as many workers per search incident for apps other than Uber and Lyft—to make an extreme assumption—then there would be about 1.2 to 1.9 million workers engaged in the online gig economy. This figure is in the ballpark of McKinsey’s estimate that 1 percent of the U.S. working-age population participates in ‘contingent work that is transacted on a digital marketplace (McKinsey Global Institute 2015).”

et al. 2015). According to a similar study of utilization of sharing economy services in Norway 2016, 6 percent of the (adult) population considered themselves as active users of sharing economy platforms (Sletteå & Kjørstad 2016).

Seen together, the surveys indicate that the sharing economy still is fairly marginal in the Nordic countries both with respect to its penetration into the consumer markets and as a channel for providing work. Yet, given its recent emergence the studies do indicate that the sharing economy has been spreading pretty fast also in the Nordic countries. Whether and how long that will continue remains to be seen, however, especially when it comes to its ability to attract people searching for work.

2.2 Challenging the Nordic working life model?

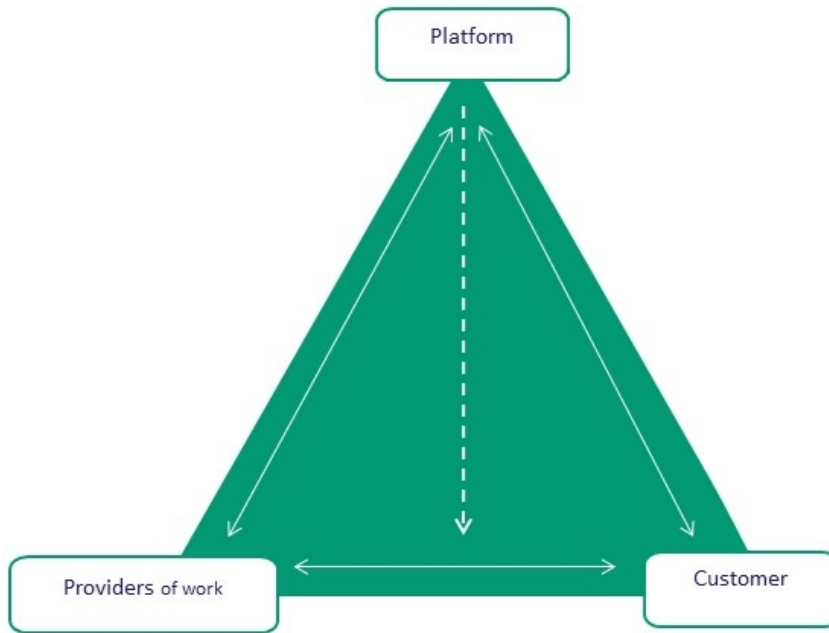
As indicated above, the business concepts marketed by prominent platform companies, most conspicuously illustrated by Uber, are challenging defining features of the Nordic working life model built around the wage earner relationship. Contrary to the standard work contract where the employer is legally obliged to take on broad and lasting responsibilities for its employees, many of the pioneer platform companies have denied any such responsibility and asserted that they – as pure technology providers – only connect and facilitate exchange of labour between user clients and independent contractors (or freelancers). This implies that the basic contractual relation determining the terms and conditions for work is between the purchasers and the independent suppliers of labour services (Jesnes *et al.* 2016a). Triangular work arrangements are well-known in the Nordic models. For instance in Sweden, the conditions for temporary agency work are determined by sectoral collective agreements and the workers have regular employee contracts with their agency (Håkansson *et al.* 2013). However, triangular arrangements where the intermediary, defining and controlling the terms and way of work, refuses any responsibility for the people who actually produce the services, represent a new twist that is likely to reshape the relations of power and economic exchange in disfavour of the weaker part, i.e. the workers. If such forms of triangular work should gain momentum and out-compete firms and workers “burdened” by the costs and constraints of the wage earner relationship on a large scale, it could indeed pave the way for a casualization of the labour market and erosion of its institutions that have hitherto been unseen in the Nordic countries. Yet, as earlier underscored, the digital platform industry is still in its early stage, and the dynamics evolving on the ground appear to be considerably more variegated and contradictory than the idealized visions of liberalization and flexibility that many platform entrepreneurs have branded. As with most new phenomena in the world of work, time

is needed to see how the industry evolves when it matures and is faced with the strategic responses of other stakeholders, the social partners, politicians, courts, and the wider society. In this section, we sketch some observations from early studies of the traits marking employment relations and working conditions in the labour oriented segment of the sharing economy, and point to some of the dilemmas that the actors of the industry and its interlocutors will have to grapple with in the years to come.

2.2.1 *Changing employment relationships*

Many observers emphasize that the sharing economy builds on a business model where private persons, by means of digital platforms, agree to provide services or hire property and assets from each other (see f.ex Juel 2016, Iversen *et al.* 2016, Krokan 2015). This “peer-to-peer” or two-sided market understanding tends to underestimate the pivotal role of the platforms in structuring the terms and framing of the relations, especially when it comes to exchange of paid labour (Jesnes *et al.* 2016a). Recalling the conceptualization of the sharing economy developed in Jesnes & Nesheim (2015b), the role of the platforms is crucial and constitutive for the character of the evolving triangular relationships. Not only do they connect suppliers and customers with complementary interests, they also shape the conditions under which the exchange of labour and its products take place, and determine unilaterally the revenue that befalls the platform as result of the exchange between the other parties. There is thus normally no sharing of the value added that the workers contribute to, neither of the risk of remaining without work and income in the market for assignments. Hence, rather than sharing, the striking trait of the new business models is the platform’s twofold role in intermediating and structuring the relationship and division of benefits and risks between the other stakeholders, thereby potentially enabling it to become the supreme, principal agent in the processes of triangular exchange and interdependency (see figure 1). In such a configuration, the two-way relations are inherently prone to asymmetries whereby the weaker part risks becoming subject to subordination and unequal exchange. The seducing notion of sharing has served to obscure these risks, but as the sharing economy has become subject to closer scrutiny in courts and research, this aspect has indeed become harder to ignore.

Figure 1: Triangular employment relationships in the sharing economy



Source: Jesnes & Nesheim 2015b.

The relations between the platform and the provider of work, between the customer and the provider of work, and between the platform and the customers can be of varying character. In the following we leave aside situations where the platforms merely broker contracts between enterprises buying and selling different products (B2B), which are basically akin to digital trade between conventional companies. Focus is thus on situations where the platforms facilitate exchange of labour between individual workers and customers. The latter can comprise companies (B2C) or individual consumers (P2P). This understanding of what is part of the sharing economy is in line with for instance Botsman (2013).

As mentioned above, an important distinction here is between labour services that are provided online – and thus can be delivered world-wide – and labour services that are territorially bound such as car transport, child caring, gardening work, dog-walking etc. In spite that such work is often done on short-term, occasional basis – in many instances besides an ordinary job – relations resembling the traditional employer/employee relationship can evolve both between the platform and the worker, and between the customer and the worker. In earlier known triangular cases

such as temp agencies, subcontracting and consultancy work, those doing the work are usually employed by the party renting out labour (Evju 2012). In the case of platform companies, however, the digitalized routinization and rationalization of the intermediating role – in principle allowing a massive upscaling of the brokering function with no rise in marginal transaction costs – entail the potential to cut the ties between the company intermediating labour and the workers, in effect leaving those doing the work without any defined employer. Premised on its assumed legality, the business idea of the pioneer platforms was to do exactly this, that is, to redefine the potentially boundless volume of labour they can offer to the market into “freelancers” or “independent contractors/providers of business services” with no strings attached to the platform. As in the case of Uber, this was therefore stipulated in the contracts regulating their relations to the workers subscribing to their platforms.

However, in labour law the character of the ties between actors exchanging labour services is not up to one of the parties themselves to define or postulate by contract, but depends on the actual nature of their relationship such as the worker’s actual duties and rights in the relationship, its duration, governance, form of remuneration, and its elements of subordination and dependency (Hotvedt 2016; Prassl & Risak 2016). Regardless of intentions and the contract entered between the actors, such aspects of the relationship can in instances of platform work in principle make both the platform and the customer into employers, with all the legal obligations that entail in terms of pay, working conditions, job protection, taxation, insurance, social security and so forth. To maximize the economic potential of the platform technology, this is precisely what platform companies like Uber and others sought to avoid when designing their business concept; the larger the crowd of potential labour providers signing up, the larger the circle of customers they can service, given that the business idea relies on the platforms’ ability to respond instantly to requests for work to be done. In this perspective, ending up with employer responsibility for all those working through the platform would represent an unforeseen constraint on the ability to expand the business. Many platforms have also sought to avoid becoming part to a “business service contract” with the individual providers of work, as that implies that the latter would in principle be free to negotiate the terms of the contract and the manner in which it should be fulfilled, again constraining the platforms’ possibilities to rationalize, automatize, and control the labour suppliers’ performance and delivery of the products. In the case of Uber, for example, the business idea seems premised on the assumption that there is an implied “business service contract” between the customer and the driver.

Whether the Uber drivers should be considered as self-employed or employees was recently tried in a British tribunal, whereby the tribunal ruled that the claimant drivers should be considered as “workers” which give certain employment rights including,

amongst other, minimum wage, regulated working hours, and annual leave. Furthermore, Uber is obliged to pay taxes on behalf of the workers as an employer (London Employment Tribunal 2016).⁹ Yet, the tribunal did not rule that the drivers were employed in a regular employment contract, which gives full worker rights. Although the verdict is likely to be appealed to a higher instance, it is considered to be a huge setback to Uber's business model of recruiting self-employed, and the way of reasoning in the case might have repercussions for the company in other countries.

So far, no similar cases are tried in Nordic courts. Hotvedt (2016) has analyzed Uber Norway's contract, concluding that the contract implies that the form of employment relationship used by Uber Norway is in the gray area between an employee and a self-employed with elements pointing in both directions. Jesnes *et al.* (2016b) looks closely at three labour suppliers – Konsus, Upwork and Welance –and point out that they all link freelancers with business users wanting a specific task to be accomplished, but some of them operate a stable, limited pool of agents and customers, while others service a wide range of actors on both sides. One of the companies, Konsus, organizes pay and contracts, and maintains enduring relationships with the freelancers, wanting them to earn a high share of their income through their company in order to promote quality, skill formation, and work incentives. Another company, Upwork, operates in a slightly different manner (than Konsus) as it links a large number of actors on both sides world-wide, and it appears that the company itself serves a purely technical matching function with no responsibilities for pay and contracts. A third company, Welance, falls somewhat in between the two previous cases as it provides freelancers with more specialized skills and therefore engages in more tailored matching including contractual issues to ensure that the freelancers fulfil the specific skill requirements of the user firm.

These examples illustrate how the new business concepts evolving within the sharing economy tend to blur the boundaries between standard employment relationship, other kinds of work contracts, and variations of self-employment and business services contracts. In many instances the nature of the relationship will have to be assessed in each particular case. Until more cases have been tried in court, it will be challenging for the

⁹ According to the Employment Rights Act 1996, Limb (b) of section 230(3) covers an individual who has entered into or works under or worked under "any other contract...whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer..." (Press Summary, High Court, 21. May 2014, uksc-2012-0229-press-summary). Although workers falling within the Limb (b) have more limited employment rights due to nature of their position, they, in this case the drivers, are entitled to a substantial amount of employment rights derived under both EU law and UK local laws such as minimum wage, annual leave, protection from discrimination. As Uber works with approximately 40,000 drivers in the UK, the obligation to pay taxes on behalf of its drivers is no small matter.

authorities, companies, job-seekers, and the social partners to judge whether the platform and/or the customers have entered into a contract of employment, freelance work or business service with those being assigned to perform work via the platforms. Employment protection legislation in the Nordic countries – as well as collective agreements – tend to take as a starting point the distinction between dependent employees and self-employed, where the rights and protection of an employee are considerably stronger than those of a self-employed. As shown above, the actual variety of the relations characterizing work in the platform economy cuts across this simple dichotomy and requires more dynamic and multifaceted interpretations of labour law, where the mode of governance and the elements of subordination and dependency are likely to feature centrally (Prassl & Risak 2016). The legal categories and the demarcations between them in this domain are not uniform in the Nordic countries, and as the courts start disentangling the issues it would be no surprise if the politicians will have to adjust and clarify the statutory frameworks. As highlighted by Hotvedt (2016), the legal definitions of workers and self-employed do often also vary between labour law, tax law, and social security law, at the same time as the scope of who is protected vary between different parts of labour law. Therefore, if platform work continues to expand, the blurring of the boundaries between different categories of employment relationships is likely to increase the workload also for the ultimate arbiters and makers of law in the Nordic countries. More importantly, however, the substantial character of the employment relations that are evolving is not only likely to have significant consequences for the actual conditions of work, pay, and social security for those labouring in the sharing economy, but also to affect conditions for employees in firms competing with and/or externalizing tasks to the platform providers.

2.2.2 Pay and working conditions: Upgrading, downgrading or polarization?

A major selling point for the platform companies is that they will give many workers more freedom, flexibility and control over when, where, how, and how much they work. More skeptical voices, however, claim that it will lead to poorer and more uncertain working conditions especially in the lower end of the labour market. The degree of freedom and flexibility enjoyed by the worker depends indeed on how much the sharing economy workers have to work to earn a living, what type of jobs they perform, and how easy it is to obtain such assignments. As of today there is scant knowledge about this.

In the Nordic countries, the platforms mediating work have so far mainly entered low wage sectors, such as cleaning, transport, hospitality, child care, home services etc. where high immigration and competition for jobs might accentuate the risk of wage dumping. Workers within such industries are often more vulnerable than workers in

high-skilled occupations. Some platforms have gone into markets for more advanced, skill-intensive services e.g. related to ICT, design, PR, text-writing, lay-out etc., and some of those are also present in the Nordic countries (f.ex. Upwork, MB Flex, Engineer.it). In practice, however, it seems so far that only a tiny part of their tasks are channeled to Nordic providers, presumably due to the vast international costs differentials and the fact that most high-skilled Nordic labour prefer and have access to more stable jobs. There are clearly certain layers of freelancing professionals among which search for work through platforms is spreading, but the bulk of jobs at hand in the sharing economy appear to be fairly low-skilled, modestly remunerated, and territorially bound. For those of the former with especially attractive skills, the platforms may open access to lucrative global customer markets, while for the latter the jobs at offer appear concentrated at the less lucrative fringe of the local market. Thus, the working conditions of the jobs available for Nordic job-seekers in the sharing economy seem thus so far to be quite polarized and with a predominance of low-skilled “mini”-jobs often associated with shifting sites and precarious working conditions. In such contexts, the likelihood that proper health and safety protection is in place is supposedly not high.

As to the quality of work in the sharing economy, early international studies have highlighted two issues of concern: the risk for dumping of wages and working conditions, and the scant opportunities for voice and autonomy in conduct of the work (Eurofound 2015). Firstly, the risk of substandard pay and working conditions seems higher in international contexts, than what it is in the well-regulated Nordic countries. Eurofound has shown that the earnings of international crowd workers are very low, for instance the hourly rate on Amazon Mechanical Turk – a crowdsourcing platform – was less than USD 2 (EUR 1.9). Jesnes *et al.* (2016b) report that Norwegian companies pay their freelancers considerably more than Amazon Mechanical Turk. Yet, one of the firms reports that it pays between EUR 9.50 and 19 an hour, which is definitely not much for skilled work in a Norwegian context where, in comparison, the extended minimum wage e.g. for cleaners is NOK 169 (about EUR 19) and for unskilled construction workers NOK 174 (about EUR 19.50). In Denmark, Rasmussen & Kongshøj Madsen (2016) refer to the CEO of Meploy – a platform company brokering small work “ploys”, mini-jobs, in Copenhagen – who has explicitly stated that the firm aims to take into account the worries of the trade unions (Svansø 2016). Thus, the hourly pay level of DKK 150 (EUR 21) is calculated in order to allow the workers to pay for pensions and insurance in addition to the minimum wage for unskilled workers in the collective agreements. A fee of 5 percent is charged by Meploy. To avoid tax evasion, the firm has also set a limit, so people who do not have a VAT number are blocked from seeking new jobs, when they have earned more than DKK 50,000 (EUR 6,700) in a year. Another requirement is that

it must be possible to complete the task in between 1 and 7 hours. AHandyHand.dk, which is similar to MePloy, has existed since 2009 and covers the entire country. The jobs available on AHandyHand range from “handyman-like” tasks, babysitting and cleaning to computer assistance. According to the website around 6,000 persons offer their help and as opposed to MePloy no fixed hourly pay exists, but the website has examples of what is appropriate pay for different tasks ranging from DKK 60–100 (EUR 8–13) for individuals below the age of 18 and DKK 100–300 (EUR 13–40) for individuals over the age of 18. There is no upper limit as to how many hours the individuals can spend to complete the tasks. Comparing the minimum wage in some collective agreements with the hourly pay from the labour-exchange platforms, the latter do not seem to be totally out of line in Denmark either. However, it should be added that the average wage for unskilled adult workers is significantly higher than the collective minimum wage – around DKK 200 per hour in 2014 (around EUR 27) (Rasmussen & Kongshøj Madsen 2016).

According to the Swedish background report (Rolandsson *et al.* 2016), the survey carried out in Sweden by the University of Hertfordshire suggests that people are increasingly associating themselves as providers in the gig/sharing economy (Huws & Joyce 2016a). Even if the income that Swedes earn through this type of labour can be described as modest, many of those who partake more frequently see themselves as dependable on it. According to the study, this challenges a common understanding that this kind of work is only done for altruistic reasons or is mainly seen as an occasional income. Furthermore, the report states that many of these individuals are stepping out of their normal occupational role, offering themselves to do a variety of work, both from home (online) as well as offline, e.g. gardening work, cleaning etc. (*ibid.*). Another concern is that although platforms have advanced payment systems, the rating systems in place in many companies, where the client and the freelancer rate each other after the job is performed, may lead to insecurity about pay issues (Eurofound 2015: 8). In some instances, pay is not received before the customer or the platform is content with the quality – an issue on which the workers usually have little or no voice – opening for extra unpaid hours and uncertainty about what the actual hourly pay for a task will ultimately be. In such instances, the risk is entirely shouldered by the worker. As the most attractive jobs might be assigned to those with best scores in the rating system, the competition on prize and quality between freelancers – having no information about what the others are offering – can be supposed to be fierce. A side-effect might thus be a stressful and straining psychosocial work environment (Jesnes *et al.* 2016a, Berg 2016), adding to the basic uncertainty regarding the chance of landing enough jobs to earn a living for those who rely on platform work.

Secondly, Eurofound (2015) addresses the opportunities for voice among the sharing economy workers. As the weaker and most vulnerable part in the triangular relationship, the workers will normally have scant opportunities for voice regarding the content of the assignments, the quality required, and the terms offered for delivering it. In contrast to ordinary jobs where there are institutionalized procedures for resolution of grievances and disputes, the self-employed have not access to such mechanisms. To the extent that the protections and rights associated with ordinary employment apply, the dispersed and fragmented situation of the individual workers is likely to make it difficult to raise issues with the counterpart, be it the digital platform or the customer, or to represent their interests and demands in collective ways (Stefano 2016, Berg 2016).

In the Swedish digitalization investigation, the sharing economy is discussed in view of broader social processes of individualization (Fellman 2015, 91). Referring to the investigation's strong emphasis on entrepreneurs, the Swedish country report (Rolandsson *et al.* 2016) points out how the focus on the entrepreneurial role of the individual, on the one hand, is implicitly associated with neo-liberal ideas about the free market, and on the other hand is embedded in a discourse where the individuals are increasingly made responsible for construction of their own lives and life-courses (Beck & Beck-Gernsheim 2002). In this perspective, the expectedly rising group of social entrepreneurs is both taking advantage of the sharing economy as a self-made, resource-rich autonomous actor – making the most of the opportunities offered by the possibility to compete by offering his/her skills on a global scale – and being struck by strainful demands for being constantly able not only to sell him/herself but also to improve the ratings required to maintain her/his attractivity in the digitalized market. In spite of the standardized terms of the matching processes, the ability of the individual to develop social skills, thinking in terms of networking, and to promote themselves as a personal brand through their websites and interaction with the clients are becoming ever more crucial (Insightlab 2015; Fellman 2015). Clients and customers are increasingly interacting in ways where social media are used to inform others about their dis/satisfaction with using various rating systems, including systems that rate performance on the individual level. Yet, this also entail opportunities to muster countervailing power, as through the collaboration between Unionen and the German IG Metall which has enabled platform-workers to share information and warn each other against dubious customers e.g. not paying what was agreed, demanding undue extra work, quality or alike (Arbetet 25.10.2016, in Rolandsson *et al.* 2016).

Compared with the visions of liberty and freedom to choose when, where, how, and how much to work, the direct exposure to the vicissitudes of the market for parceled job- tasks ("gigs", ploys etc.) and the platforms' anonymous, unilateral mechanisms for

control and supervision, imply that working in the sharing economy can often prove less seductive and attractive than at first sight (see f.ex Berg 2016, Stefano 2016, Jesnes *et al.* 2016a). While the innovative forms of collaboration and matching of complementary skills and needs clearly can unleash productive synergy effects and open up interesting opportunities for actors with attractive skills and market power, the routinization, standardization, and strict control of the parcelled, digitalized micro-tasks where skill requirements are modest and the supply of (global) bidders in principle boundless entail obvious potential for degradation and polarization of work.

When the basic institutions of the regular employment relationship once evolved – such as legislative protection of workers’ health, safety, and the right to organize and negotiate freely with their counterparts – the *raison d’être* was to shield the workers from the volatility of the market and the recognition that labour was not simply a commodity like other input factors in production but also a human activity inherently bound to the persons conducting it (ILO 1919).¹⁰ Hence, a key feature in the historical evolution of industrial relations was the enactment of procedures and rules regulating the mutual relations and boundaries between management’s right to lead and workers’ right to voice, negotiation, and exertion of independent collective pressure to influence and improve the conditions of work. Compared to the early era of industrialization and exodus of labour from agriculture when the individual labourers bid for work in fierce competition with each other and the employer could divide and rule, this was indeed a huge leap towards a civilization of employment relations which enabled a liberation of the productive potential of human labour. As labour was a major input factor in production, the security provided by the regular employment relationship improved employers opportunities to benefit from labour’s innate skills, energy, and ability to improve the organization, sharing of knowledge, skills, and execution of the work processes.

Enabling a break-up of the traditional notion of the firm and the employment relationship, the digital technology platforms tend to replace the mutual ties between employer and employee by standardized, scripted relations between independent demanders and suppliers of labour services where the latter have scant opportunity to influence or negotiate the terms of exchange. Hence, those providing labour in such triangular transactions risk in many respects being brought into a situation resembling that of the pre-industrial era (Siltala 2016, in Saloniemi 2016) infamously described in Marx’s analyses of the French parcel peasants in the 19th century.¹¹ The effects of this

¹⁰ The thesis that “Labour is not a Commodity,” was central when the International Labour Organizations was established in 1919 as part of the Versailles treaty, and before that in the first sentence of Section 6 in the US Clayton Antitrust Act 1914 (see Evju 2012b: 8).

¹¹ In his writings about “The Eighteenth Brumaire of Louis Bonaparte” published in 1851, Marx highlights the atomized and disempowered position of the parcel peasants under feudalism.

kind of mechanical division of labour and the relations of authority between the platforms and the providers of work are very different from the mutual complementarity and interdependence that according to the French sociologist, Durkheim, gave ground for the evolution of organic solidarity in modern societies and working lives (Durkheim 1893).

The changes in the labour market opened up for by the sharing economy thus entail potential for a reversal of the institutionalization of work and its de-commodification enshrined in the 1919 ILO's statutes and the associated social security rights ensured by the welfare state where duties and rights are intimately coupled with wage labour (see e.g. Siltala 2016, cited in Saloniemi 2016). However, the possibilities for de-institutionalization and re-commodification of labour inherent in the platform technology do not necessarily imply that such a development will occur. That depends on how the employment relations develop when the platform companies mature and when governments, social partners, and those working in the crowd economy figure out how to respond to these challenges. Internationally there are examples that "gig-workers" have begun self-organizing in order to protect and improve their situation (see for instance The Independent Drivers Guild, Uberpeople.net).

Summing up, the little there is of preliminary studies of platform work do indicate that there are reasons for concern with regard to insecure earnings, work environment, employment conditions, health and safety as well as with regard to opportunities for dispute resolution and labour voice. The flip-side of the liberty and autonomy promised in the sharing economy can for crowd-workers who operate at the mercy of the markets for assignments therefore be an extent of dependency, power asymmetry, atomization, and subordination vis-à-vis their interlocutors that the institutions of the ordinary employment relationship were originally invented to eradicate. Hence, the employment and working conditions of the producers in the sharing economy deserve further scrutiny and will both from a political and research perspective be important to follow in the years to come. Besides analyzing what kind of jobs that are moved out on the platforms, it will be interesting to trace how the pay, earnings, and working conditions of the sharing economy employees evolve compared with those of other employees doing similar work.

2.2.3 Platform workers and social security

The present systems of public social security and welfare services in the Nordic countries are closely tailored to the wage earner relationship (Saloniemi 2016). Entitlements to income security and benefits are commonly earned through the income and number of years in salaried work, and the funding of the welfare system

relies on contributions from employers and workers.¹² The predominant reliance of the sharing economy platforms on the labour providers operating as independent freelancers or business contractors, has raised concern among politicians, social partners and the gig-workers themselves that they will fall between the stools in the Nordic welfare systems. Generally distinguishing between employees, freelancers, and providers of business services, the former are in the Nordic systems entitled to a broad range of benefits (the “social wage”) and the latter have to cater for most of their income maintenance insurance themselves, while the freelancers fall in an intermediate position with a limited set of rights. Far from all young people enticed to work as self-employed are aware of these discrepancies and the consequences of not earning rights to the (full) social wage. According to the Swedish background report (Rolandsson *et al.* 2016), most Swedish studies and policy documents point out that the current social security system is a product of the tradition for permanent employment, and have to be adjusted to changes toward an economy characterized by more flexible and fluid modes of employment (Braunerhjelm *et al.* 2014).

In view of the population ageing’s impact on welfare state finances and services, there are reasons to expect that the politicians’ prime focus will be on how they can cater to the majority of existing constituencies that already have earned or been assured their entitlements. Entering an era with more pressure on the public coffers, it is thus far from obvious that the Nordic “wage earner” welfare states are able or willing to take on full responsibility for new and growing groups, unless they and the platforms they work for contribute to the public finances on an equal footing. Accordingly it seems that a central precondition for the sharing economy’ opportunity to grow and gain legitimacy in the Nordic world of work is that it – in cooperation with other societal actors – finds ways to ensure its value-creating producers proper social insurance including decent income security, sickness pay, vacation, pensions etc. If the state is not able or willing to resume this responsibility, it will at any rate have to provide a regulative framework that obliges the involved actors to secure the producers such rights. If the latter option is chosen, it may open new space for provision of such services either by private business actors or by the social partners who have a long tradition for negotiating and providing collective funds for this kind of purposes, typically illustrated by the longstanding unemployment benefit funds (“A-kassene”) and occupational pension funds.

¹² Denmark is a Nordic outlier in this respect, by not requiring employers to pay social security contributions for their employees (pay-roll taxes) to the state, leaving a larger share of the funding of the welfare state to the employees and other forms of personal and indirect taxation.

In several Nordic countries there are examples that both avenues are being tried. For example, in Sweden many self-employed (*egenanställd*) are paying specific companies for taking care of social security fees without being employed by them. In Norway and Sweden, Cool Company is developing similar functions, taking on some of the technical employer responsibilities (www.coolcompany.com). In contrast to such outsourcing of the public social security responsibilities of the employer, one can also envisage that the actors in the sharing economy may choose to opt out of the welfare state and rely entirely on private insurances. The other avenue is for instance being tried out by the Danish retail union (HK), providing pension-fund services for self-employed (see section 3.3.2). With the dense networks of private, collective, and public actors involved in the provision of social security in the Nordic countries, and the competition for members and contributors likely to evolve in this field, the sharing economy may open space for social entrepreneurs that can propel new forms of institutional innovation and private-public partnerships in the Nordic welfare regimes. Nevertheless, given the actuarial logic governing insurance, the provision of such services can readily become biased towards the more resourceful groups of actors who are able to pay good fees, while those being left to seek out a living with occasional micro-jobs in local markets run a risk of getting a poorer deal. In such a perspective, it is reason to expect that the Nordic systems of insurance and entitlements in the labour domain will enter a period of revision and adjustment (Fellman 2015, Unionen/Söderqvist 2016) where the countries may benefit from mutual learning and exchange of policy ideas, experience, and research based knowledge.

2.2.4 *Implications for the broader labour market – jobs, matching, modes of competition*

Besides the direct impact of the platform economy on the employment conditions of the workers involved, proliferation of platform work might influence the functioning of the labour market in the industries and occupations with which they interact. With the presently limited size of the sharing economy, no empirical studies of such effects are undertaken in the Nordic countries. Yet, if the platform economy should “take off” there are certainly questions arising as to how the new commercial forms of matching in the job market – enhancing outsourcing of tasks – will influence employers’ willingness to hire equivalent labour on regular contracts in-house, their organization of work, and the terms offered. The opportunity to concentrate more on core activity and outsource ancillary services may reinforce recent trends towards externalization of work e.g. to subcontractors and temporary work agencies (TWAs). This may in turn strengthen pressures for cutting of internal labour costs and splitting of jobs into parcels

of standardized tasks, or mini-jobs, suited for universal subcontracting. A likely consequence in such a scenario is that the labour market becomes more segmented while those working in the user, or client, companies may become subject to stricter hierarchical control, supervision, and benchmarking of tasks in order to assess whether it can be justified to continue doing such tasks in-house. To the extent that the prices of the external sharing economy providers become a benchmark for internal work organization and staffing policies, the scope for teamwork, learning by doing, and investment in long term skill formation may also diminish. In effect, fiercer product market competition can spur more direct forms of job competition between workers, transcending the division between internal and external as well as between national and international labour markets.

In the debate about globalization and decent work, much attention has been paid to the corporate responsibility of multinational companies organizing production through international chains of subcontracting. E.g. in the textile and garment industry, much energy has been spent on securing and supervising that the terms and conditions of the workers are in accordance with ILO labour standards and international company codes of conduct (OECD Guidelines for multinational enterprises, ILO's decent work agenda, UN Guiding Principles on Business and Human Rights). By contrast, many companies outsourcing tasks to freelancers abroad through platform intermediaries have reportedly little or no knowledge of the actual employment conditions of the producers. Through the digital contact with the producers, the opportunities to obtain such information should in principle be readily available if the platforms so allow and are willing to cooperate.

Nationally, the evolution of triangular employment relationships has led to statutory and negotiated regulations of how the pay and conditions of third-party workers are to be determined. The most recent example is the EU temporary agency work directive (2008/104/EC) which stipulated that agency workers are entitled to equal treatment, that is, the same basic working and employment conditions that would apply if they had been recruited directly by the user company. Earlier on, similar rules have been developed nationally through collective bargaining and sometimes by statute. As a new but comparable instance of triangular labour relations, one might imagine that resembling rules eventually are developed to regulate the rights and duties of the actors involved in labour intermediation through platforms. The Swedish white-collar federation, Unionen, has for instance suggested that organization, authorization, and regulation by the social partners along the lines practised in the Swedish temp agency sector could also be applied in the platform economy (Unionen/Söderqvist 2016).

Beyond the questions pertaining to the effects on job competition, matching of skills, and work organization in the affected industries, a looming, overarching question is to what extent the new platform companies actually will contribute to creation of more jobs, employment, and production – or whether they will mainly contribute to a reshuffling of jobs, tasks and income between the involved parties. Many observers and promoters of the sharing economy seem convinced that the former is the case, and that the potential for enhanced growth and job creation is huge. Those being of a more skeptical nature – or being less close to the industry– tend to adopt a more sanguine view. First, on a global scale, there are good reasons to assume that the reduced time and costs of transactions and the eased matching of tasks and skills in footloose digitalized services entail significant potential for net growth in production and jobs. Nordic user companies may hence benefit from increased demand and reduced input costs, whereas some of their Nordic sub-delivery firms may experience reduced demand and profit margins. How much of the global growth in the sharing economy that will occur in the Nordic countries with their high labour costs, however, is a different question. A further question is how the expansion of the asset-based part of the sharing economy will influence the growth in investment and consumer demand which hitherto has been the engine for economic and employment growth internationally and nationally (Staab, forthcoming 2017). Whether the sharing economy will lead to net job gains or losses in the Nordic countries is thus too early to assess. As the focus of this study has been on the impact of the directly work related parts of the platform economy, it has been beyond the scope and capacity of this pilot-project to dive into such fundamental, long-term questions.

Second, within the advanced northern European countries, there are certainly also productivity gains to be reaped by a better matching of advanced skills and deliveries – as indicated by the longstanding growth in the consultancy sector – but how much net job gains or losses that can be expected from a more efficient, digitalized allocation of human resources is hard to predict. The more advanced services and complex skills that are involved, however, the more emphasis is apparently laid on durable customer-provider relations – enabling mutual problem-solving, learning, dialogue, and trust-building – suggesting that more institutionalized forms of cooperation are often preferred. As to skilled platform services, the most promising domestic growth area in the Nordic countries may therefore seem to be in ancillary services that lend themselves to standardization, rationalization, and outsourcing. Such subcontracting has been going on for a long while in non-digitalized forms, and apart from its cost-saving potentials it is an open question to what extent a further twist in this direction will mainly lead to more jobs or higher productivity.

Third, the remaining area where one can expect a substantial potential for job-creation in the sharing economy is the market for simple, territorially bound labour intensive services such as cleaning, transport, maintenance, private care, gardening, dog-walking, and so on, in the local community. In the business-market it is not evident that hiring of e.g. cleaning or transport services via a platform would generate more jobs than hiring a company on the phone. The market for labour intensive services to private consumers, however, has expanded steadily in most countries including the Nordic in recent years. With rising affluence in the middle classes many groups become more inclined to buy services they formerly used to do themselves. The easy availability and frictionless transactions offered by the platforms are likely to give the demand for such services a boost. Still, at the end of the day the lion share of the price for such work is determined by the costs of labour. Assuming that the taxation issue is resolved, and that wage setting in this domain is largely unregulated, the size of the market for such services depends on where the consumers' demand curve intersects with the supply curve for labour willing to undertake such occasional jobs. Traditionally in the Nordic countries, the reservation wage has been coupled with the levels of unemployment benefits and the lowest pay clauses in relevant collective agreements, implying that the number of consumers willing to buy this kind of services at a price corresponding to such wages has been limited. With the rise in migration and many young people dropping out of school and not finding a regular job, the supply of people willing to work for lower pay has probably increased. Further, government policies aimed to boost consumer demand for domestic services by allowing tax exemptions, typically the Swedish ROT & RUT deductions³³ together with stricter activation requirements in social policies, have tended to spur both consumer demand and labour supply, suggesting that the volume of the market is growing. Given that the effects of these reforms have been underway for a while – except in Norway where such schemes are not introduced – the question is how much the digital intermediation of such jobs will add to the present level of demand and supply. Easy availability and flexibility is definitely a factor that may alter the behavior of some of the actors, but the market for low-paid work will probably not expand substantially unless the wages are brought down by further shifts in labour supply, i.e. that the pool of people willing to work for lower pay increases. Although the availability of jobs with ordinary wages and conditions is still pretty high and the level of unemployed without access to benefits is fairly limited, except perhaps in Finland, there are probably untapped sources of labour that might seek occasional, extra work if it was readily available. Besides the influx of

³³ These are tax exemption schemes applying to purchasing of various forms of domestic services, see <https://www.skatteverket.se/privat/fastigheterochbostad/rotochrutarbete.4.2e56d4ba1202f95012080002966.html>

labour migrants and the growing immigrant populations, all the Nordic countries have sizeable shares of working age people employed in temporary, part-time and short-time jobs, often with limited access to extra work and income. In the years ahead the number of healthy and vital retired people will also increase rapidly. With easier access to the digital job market, some of those can probably also be enticed to do some casual work and add onto the pension.

Altogether, it is at this stage very difficult to assess the potential for job growth provided by the sharing economy. It is *ceteris paribus* pretty safe to presume that the size of the territorially bound lower end market for digitalized service work will depend heavily on how the ordinary labour market will develop. With prospects for sluggish international growth and a digital fourth industrial revolution where sizeable groups of workers with standard jobs can be made redundant – in Nordic as well as other European countries – one cannot preclude that the supply of native as well as migrant labour in this part of the job market can increase markedly. In a labour market policy perspective it will thus be important to monitor the development in supply and demand for platform work in the years to come.

Whatever scenario is most likely, in order to maximize the benefits and minimize the costs of the sharing economy in terms of job creation, there is certainly a need for renewed patterns of governance in this part of the digitalized economy. Especially in the well-organized Nordic working lives where most people are used to, and have access to, more predictable jobs and earnings, that appears as an important precondition for making platform work an attractive, competitive, and legitimate option. That we turn to next, exploring the approaches to sharing economy work among Nordic governments and social partners.

2.3 Social partner and governmental responses on work life issues

Given the early stage of the sharing economy, it would come as no surprise that the Nordic governments and social partners have so far come up with very few policy initiatives aimed to facilitate and shape its further evolution. All the Nordic governments have indeed welcomed the sharing economy's potential for growth, innovation and job creation. Emphasizing the importance of avoiding premature regulations that might hamper its evolution, they have also acknowledged that new challenges may arise. Considering the uncertain direction and significance of the sharing economy's development, they have evidently preferred to await further information about how things evolve before figuring out how to proceed and concretize

their strategies. Apart from the field of taxation,¹⁴ where most governments have adjusted thresholds for tax on income from renting assets (cars and housing), the Nordic governments have so far done little with the rules of competition, employment relations, and social security rights. In response to the quandaries with Uber, however, Finland has decided to liberalize competition in the taxi sector from 2018, except for the fact that drivers will be required to master Finnish language (Saloniemi 2016).

In 2017, the political agendas and debates are likely to become clearer, as the government appointed investigations in Sweden and Norway as well as the sharing economy strategy of the Danish government will all have been presented. The contours of the EU approach may also have become clearer by then. In table 1 (next page), we present an overview of some of the issues that are likely to occupy the institutional actors in the years ahead. The social partners have naturally awaited the material from the governments, but they have to varying extent also engaged in influencing the debate by pointing out their concerns and developing various position papers (LO 2016a,b; Unionen/Söderqvist 2016, Ilsøe 2016, forthcoming 2017). On this background, we will in this section mainly concentrate on the initial responses of the social partners, which might have a central role to play in shaping the evolution of platform work in the Nordic countries.

¹⁴ Here most Nordic tax authorities have clarified thresholds and criteria for when individuals engaging in the sharing economy have to pay tax on their income, e.g. for renting out rooms through AirBnb, and have worked with the platform to obtain instant access to payment information (see <http://dx.doi.org/10.6027/TN2017-508>). More complicated is evidently to get the international platform companies established in foreign countries to pay taxes on the incomes stemming from activities in Nordic and other countries. E.g. in Uber, all payments are channelled through the branch in the Netherlands. Danish authorities have so far been successful in getting information from Dutch authorities about the income of Uber-drivers in Denmark (Politiken 30.09.2016).

Table 1: Renewal and preservation of Nordic regulatory regimes and institutions: Some tentative examples of policy ideas and tools

Policy ideas and tools with impact on the labour market – tentative examples		
Taxation & Welfare State	Level Playing Field	Employment Relations
Renew international tax regimes (MNCs), ex. Uber case	Secure equal basic tax burdens	Public requirements to contract terms & conditions
Alter tax thresholds e.g. for asset renting	Adjust access barriers: Technology neutral regulations?	Extend core minimum terms in law or CAs to “selfemployed”? Statutory minimum pay?
Widen company duty to pay social charges?	Reform rules for licensing and authorization?	Establish bodies for voice and compulsory dispute resolution?
Indirect taxes: Assess VAT base? New forms of transaction levies?	Coordination within employer organizations: Platforms and user firms vs competitors?	Organizing platforms? Codes of conduct defined by employer organizations?
Compulsory social & pension insurances?	Reassess the base for payroll taxes?	Clarify legal concepts of employee, freelancers etc.
Collective funds, f.ex. HK-Denmark	Framework agreements levelling labour costs?	Organizing freelancers? Negotiate CAs with binding rules like in Swedish TWA?

Source: Dølvik & Jesnes 2016.

2.3.1 *The employer and business associations: Laidback wait and see approach?*

The peak associations on the employer and business side have generally adopted a “light touch” approach and emphasized the need not to strangle the nascent industry by excessive or premature regulations. Most clearly, a representative of the Confederation of Danish Employers (DA) recently stated that existing regulation is sufficient to cope with the challenges from the sharing economy (Rasmussen & Kongshøj Madsen 2016). Most employer associations have been silent as regards issues pertaining to employment status, pay determination, and labour and social law, presumably preferring not to show their cards in the forthcoming encounters with the union counterparts. When it comes to their member companies’ interest in maintaining a level playing field vis-à-vis the new actors, several sectoral employer and business federations – typically in taxi transport and hospitality – have engaged in the field of taxation and regulation of competition and access to particular trades. Here the peak associations have trodden carefully, as these are typically themes where different member federations can have conflicting interests – as is likely to be the case also when it comes to labour costs and workers’ rights.

In an independent report commissioned by the British government – “Unlocking the Sharing Economy” – the establishment of a central branch association for platforms is commended.¹⁵ To our knowledge, comprehensive organizing efforts of this kind remain to be seen in the Nordic countries, but several associations organizing technology companies, illustrated by Abelia (NHO-affiliated) in Norway, have been eager to recruit the platform companies and to promote their interests towards the government. Federations of employers that may end up competing with the platforms – typically in cleaning, hospitality, and transport – have sometimes been less enthused about such initiatives, as the boundaries between employer federations are normally based on industrial principles. Federations organizing companies that are outsourcing tasks to providers via platforms may on their part have interests diverging from the competitor and delivery companies e.g. when it comes to issues influencing labour costs and prices for the users. A familiar example is the strife over regulation of terms and conditions in the temp agency sector where such tensions became highly salient in the negotiations on the European level and are well-known in the Nordic countries as well.¹⁶ In short, the perceptions of self-interest and lines of division on the employer side are likely to depend on how the sharing economy will influence the competitive position of member firms in different industries. A challenge for the peak associations will hence be how to balance these conflicting interests with the general interest in promoting growth in companies that over time might boost the membership.

¹⁵ Independent report, *Unlocking the sharing economy: independent review* (Department for Business, Innovation & Skills, 26 November 2014). The branch association for sharing economy companies is in the report seen as a means to promote “best practice”, pooling of resources, development of soft regulation through codes of conduct, guaranteeing fair conditions and remuneration in accordance with “the living wage” defined by government, and provide consumer certification to platforms complying with the criteria. Eventually such an association has been established – Sharing Economy UK (SEUK) – and the development of branch standards is assigned to researchers at Oxford Said Business School to avoid infringement of competition law (Unionen/Söderqvist 2016).

¹⁶ For example, in Norway there was significant tension between the NHO federation organizing temporary work agencies and their sister federations organizing companies using temp agencies when it came to how the EU directive on temporary agency work should be implemented.

2.3.2 *The trade unions: Protecting core constituencies or embracing the self-employed?*

From the outset, all the main Nordic trade unions – generally in favour of technological renewal – have adopted a positive view of the sharing economy’s potential for innovation and growth. But in their various position papers, they have underscored their concerns regarding pay, employment conditions, labour relations, and social security for the platform workforce (see e.g. LO 2016a, b, Unionen/Söderqvist 2016). The basic issue for the trade unions is how the sharing economy platforms will influence the terms of competition in the labour market; that is, first, the determination of pay, working conditions, and social rights for the platform workers, and, second, how these may affect conditions for workers in companies competing with or using platform labour. As associations aiming to represent all working people, key aims are to secure the platform workers decent, equitable employment and social conditions, and to ascertain that all firms and workers pay their fair share of the taxes funding the welfare state. Emphasized by trade unions in all Nordic countries is thus that the laws ought to be clear on when you are an employee and when you are self-employed or a business contractor.

With respect to state development of taxation, competition, and basic social security rules that balance the terms of competition between platform companies and other enterprises, the trade union confederations can be supposed to share considerable common ground with their employer counterparts. Both sides probably see an interest in prodding governments to adjust social security legislation so that self-employed are ensured a proper safety-net. The configuration of interests is likely to become more complicated when it comes to pay, working conditions, and rights for platform workers. While unions’ central interest is to secure that the platform workers get pay and employment rights that are comparable with other workers in the same industry, the employer side is likely to become more divided between platform companies, their users, and their competitors. Such differences are usually less pronounced among the trade unions, but a dilemma for them is that it must not be too attractive for workers to become free-lancers and not too legitimate for employers to hire platform labour instead of ordinary employees. All this may bode for interesting dynamics of conflict and coalition-building across and within the counterpart confederations. Union attitudes and views can be expected to vary more when it comes to development of concrete policies and strategies that may also require pooling of scarce resources. While some unions are familiar with organizing freelancers or bargaining on behalf of externally hired labour, others have more traditional notions of such work arrangements, and the resources available for joint initiatives vary profoundly. Further, union views on organizing and promoting the interests of freelancers are likely to be influenced by whether they organize vertically, and are used

to serve different occupational groups, or organize horizontally and usually only cater to an occupationally homogenous membership.

Several Nordic trade unions have already been exploring how they can recruit freelancers, and discussed where they ought to be organized – in many instances not an obvious issue. In Denmark, HK, organizing salaried workers, has recruited new personnel and trained their employees in order to offer better assistance to members, if they ask for advice in relation to take work through a Danish or foreign platform (Rasmussen & Kongshøj Madsen 2016). Along similar lines the Danish Confederation of Professional Associations (AC) has asserted that the unions clearly have a role to play in ensuring the rights of the new independent workers. Together, the two unions have announced that they will establish a task force of experts, which will come up with concrete solutions to some of the many challenges that follow in the wake of platform economy. The task force will consist of leading representatives of IT companies, platform companies, trade unions, employers and researchers (ibid). In Finland, the service sector union, PAM, has started offering new services to non-standard workers, while the confederation for professionals, AKAVA, has begun organizing self-employed (Saloniemi 2016). So far, Swedish LO has not published any formal reports on the subject. Due to the fact that they will be part of the state initiated public inquiry about the impact on work environment legislation, they have however formed a group that are about to look closer at the opportunities and consequences of the sharing economy (Rolandsson *et al.* 2016).¹⁷ Unionen, a white-collar union which is the largest union in Sweden (affiliated to TCO), has come a bit further in developing its approach towards the sharing economy. Organizing seminar series and producing a large report, it has developed a set of visions and quite elaborate ideas about how the social partners can cooperate in self-regulation of the platform companies' activities along the lines pursued in the temporary agency sector (Unionen/Söderqvist 2016). LO Norway has also established a group "LO selvstendige", with members from different trade unions, that will explore whether and how LO should approach the freelancers. Some of its member unions have launched parallel initiatives, for example the union IndustriEnergi organizing amongst other in the petroleum sector where the use of independent contractors has grown recently. Given that there is not yet any available counterpart with which platform workers can negotiate, a core question being discussed among the trade unions is what they can offer the sharing economy workers. Do they need more tailor-made offers for these workers – e.g. in the area of social insurance, legal and tax

¹⁷ In contact with the author of the Swedish background report, the coordinator of the LO group referred to the status of self-employed, the responsibilities of the company running the platform, and its relation to anyone conducting work on their platform, as key topics that will be discussed (Rolandsson *et al.* 2016).

advise etc. – similar to that of Cool Company and others catering to the freelancers? And what can be learned from the varied Nordic unions' experiences with setting up digital unions or services for atypical workers?

A possible alternative trajectory is that the platform workers will prefer developing their own less formal ways of self-organization and collective action (example: Uberpeople.net, Independent Drivers Guild). Whether such embryonic forms of organizing can evolve into new patterns of interest representation and eventually will enter into cooperation with trade unions or other civil society movements remains to be seen.

If the trade unions aim to regulate platform work by negotiating some sort of framework collective agreements, the immediate question is, as mentioned, who might be positioned, willing, and mandated to step up as employer counterpart. Historically, collective agreements emerged from the company level, but it is likely to be a long march to organize and sign agreements with the mushrooming platforms one by one. More recently, the well-organized employers in the Swedish temp agency industry were enticed to enter agreements through pressure from above, entering central accords with the respective trade union confederations for blue- and white-collar workers. This example highlights the pivotal role of employer associations in promoting organized relations in new sectors with fluid and fragmented workforces. Inspired by ideas from the British branch federation, SEUK, Unionen in Sweden has in the same vein suggested that the social partners organize platform companies and set up a joint social partner platform defining agreed labour standards and providing authorization for platforms fulfilling the requirements (Unionen/Söderqvist 2016). In Denmark, a different model is applied by which the organizations in the user industries have agreed to apply the conditions in their agreements on equal terms for agency workers. In Norway, such a solution requires that also the temp agency firm in question has signed the CA of the user industry. In Finland, Iceland, and Norway, extension of collective agreements in the user industries will also cover employees in platform companies – and one could perhaps imagine legislative innovations that widen the effects of extension to include freelancers. In the case of self-employed, typically among musicians and artists, there are also unions that have negotiated framework agreements with the organizations of the customer companies defining standard provisions and guidelines for various aspects of their contracts and working conditions. Regarding social provisions such as occupational pensions, training, child care, and alike, there is as earlier mentioned a range of examples that Nordic unions have negotiated arrangements with the employer counterparts. Others have unilaterally organized collective funds for their members or used their joint market power to negotiate favorable deals for their members with private insurance companies. One can even envisage trade unions jointly establishing their own platform companies, providing

services and assignments for their freelance platform members. Hence, many options are at hand if the will and interest is there.

2.3.3 *It takes two for tango, but also a good bandleader?*

Clearly, if both sides of industry see a common interest in bringing the new platform companies and their dispersed workforces into the fold of the organized Nordic working life, there are paths to follow that may serve the purpose. The critical question is, however, whether the main actors perceive the sharing economy as important and influential enough to muster power and commitment to spend scarce organizational resources on a venture with uncertain gains and costs.

Experience shows that organizing small-and medium enterprises and atypical workers in the service sector is an up-hill task. A crucial precondition for developing proper labour relations is that the employer associations manage to organize the relevant companies, in this case the platforms. Although a couple of the Norwegian platform companies have become members of NHO Abelia, the philosophy among many leading platforms indicates that they can be hard to convince about the gains of going down that alley. Also the user firms might be reluctant to support collective regulation of the relations with their platform subcontractors, which would probably increase the user costs.

Very much will therefore depend on how the states approach the sharing economy, which is basically a political issue. It is hard to envisage that the social partners voluntarily are able to organize and regulate the platform labour market, unless the states provide support, credible regulative threats – as was important in the self-regulation of the Swedish temp agency sector¹⁸ – and draw up clear road maps for where they want the sharing economy to develop. Given the international character of the sharing economy, how the EU approaches the issue will certainly also play a part.

Still, labour law and social protection is in EU a national prerogative, meaning that it will ultimately be up to national politicians to make the strategic choices shaping the legal and economic frameworks for the platform labour market's development. Although there is broad support for maintenance of the Nordic labour regime, there are indeed influential parties that view more flexibility and tolerance for evolution of a larger low cost market for labour as a necessary precondition for reducing unemployment and including more of the immigrant and youth population in paid

¹⁸ Especially the Dutch industrial relations scholar Jelle Visser has pointed out how such political pressure on the collective market actors have often been decisive in prodding the organized actors to take responsibility for regulating new issues or areas – hence acting under “the shadow of law” or “the shadow of hierarchy” (Visser & Hemerijck 1997).

work. This side of the political spectrum may see an unregulated platform market as a suitable tool for moving in that direction, without having to engage in electorally costly struggles over reform of existing labour market regulation. Also given the marginal size of the sharing economy, adoption of a relaxed laissez-faire approach may thus appear as an easy way forward. By contrast, for those parts of the political spectrum that regard increased low-wage competition as contradictory to the legacy of high-quality, high-productivity production that has guided labour market regulation in the Nordic economies and as an engine for erosion of its institutional foundations, it may appear as a key priority to tighten the cracks in the dam by subjecting the labour intermediating platforms to stricter regulation.

Between these two stylized, protagonist strategies, the Nordic politics of coalescing and compromise might give way to a variety of policy measures and mixes. This may also lead to institutional and regulative innovation where the different Nordic actors may benefit from mutual learning and exchange. As the maturing of the sharing economy will not happen overnight, the political and organizational processes shaping its regulative and economic frameworks may well turn out to become a protracted step-wise trial and error process where nationally diverse sequences of regulation and re-regulation appear more likely than a common quick fix.

3. Concluding remarks – how to bridge the knowledge gap?

In this pilot project report, we have emphasized that the platform economy in the Nordic countries is still in its infant stage. As it matures and grows, it is likely to alter interest constellations, terms of competition, and power relations among the affected working life actors. When labour standards, pay, and indirect labour costs are becoming more central parameters of competition in product markets as well as labour markets, the lines of interest coalescing and conflict will often cut across traditional divisions among employers and labour. In adapting regulatory and institutional systems, the overarching challenge facing the Nordic stakeholders is to strike the right balance between the quests for growth and innovation, on the one hand, and for equality and institutional stability, on the other.

It is not hard to imagine that the individualized, task-based organization of work presently characterizing the sharing economy can reinforce tendencies of fragmentation in the Nordic labour markets. And, if it gains momentum, it can in the longer run usher in disruptive institutional change. On the other hand, given the historical adjustment capacity of the Nordic labour markets and their legacy of negotiated self-regulation, one can also envisage a path of evolutionary change where work through sharing economy platforms is pragmatically incorporated in the associational institutions of the Nordic models.

Hence, the emergent sharing economy does not only call for further analyses of processes of renewal and change in Nordic working life; it offers intriguing opportunities to study how the various political and organized stakeholders in the Nordic models assess and approach the evolution of novel modes of production with potential to threaten parts of their core constituencies and alter established forms of interest intermediation. Unfolding in parallel in all Nordic countries, this provides a seldom chance to study how path-breaking technology and market driven change interacts with institutional and political dynamics in reshaping the conditions for work and production in the Nordic societies.

By taking stock of existing knowledge, a basic purpose of the pilot project was to provide a better basis for developing research questions and empirical approaches for more elaborate, comparative follow-up studies of the platform economy's implications

for Nordic working lives in the years to come. In Table 2 we have highlighted a few key themes where closer studies and process tracing are needed to develop a more qualified understanding of the Nordic platform economies' volume, dynamics, and consequences, and how Nordic political and social actors respond in order to facilitate and shape its further evolution.

Table 2: Central themes for comparative, follow-up studies of the Nordic sharing economies' labour market implications

Topics for further studies	
Theme 1	Mapping the size, structure, and actors of the platform labour markets
A)	The platform companies: Traits, turnover, and evolution? Main customer groups?
B)	The platform workers: Who, why, and which skills? How much do they work, and under what conditions?
C)	The job market: Size, job composition, mobility/networks, matching, and functioning?
Theme 2	Governance and renewal of regulatory and institutional frameworks
A)	Government initiatives: Changes in regulations, institutions, tools & modes of governance?
B)	Evolving EU frameworks: How do they affect Nordic countries?
C)	Coalitions and conflicts: Social partner strategies? New actors and forms of self-organization or self-regulation?
D)	Labour law developments: Redrawing legal boundaries?
Theme 3	Synthetical analyses and assessments of issues such as: Varieties and commonalities of platform economy trajectories in the Nordic countries? Main factors accounting for observed developments and variations in its labour market implications? How and what can national actors learn from experiences and strategies in the other Nordic countries?

Within each of these main themes there are plenty of interesting and relevant issues that could be addressed, and other themes might well have been mentioned. Yet, given the limitations in the access to adequate data, statistics, and research funding in this area, it would at this stage be a great advantage if the Nordic institutions contributed to a concentration of research efforts on common key themes where more basic empirical work is needed to provide an adequate knowledge base for policy formation, development of comparable statistics, and further research. Methodologically, the Nordic countries do as institutionally "most similar cases", with interesting differences in specific policy areas, lend themselves to comparative studies of the national pathways into the platform economy. Such studies can also provide valuable contributions to international knowledge about the broader institutional and societal dynamics that shape the digitalization of work.

Norsk Resumé

I denne rapporten presenterer vi en foreløpig kunnskapsstatus om konsekvensene av delingsøkonomien for arbeidsmarkedet og arbeidslivsrelasjoner i de nordiske landene. Vi ser også nærmere på hvordan partene i arbeidslivet og myndighetene tilnærmer seg delingsøkonomien og spørsmål knyttet til regulering, beskatning og konkurransevilkår. Så langt er det lite tilgjengelig statistikk og forskning på dette feltet. Arbeid via digitale plattformer er fortsatt marginalt i det nordiske arbeidsmarkedet, men hvis det "tar av" kan det utfordre den nordiske arbeidslivs- og velferdsmodellen som er organisert rundt arbeidstakerforholdet. Sysselsettingspotensialet og konsekvensene av delingsøkonomien vil blant annet avhenge av hvordan myndighetene og partene i arbeidslivet svarer på de ulike utfordringene. Så langt har de sentrale aktørene vært i en sonderingsfase preget av kunnskapsinnsamling, diskusjon og refleksjon om mulige politikkalternativer, hvor de har trådd forsiktig for ikke å hindre utviklingen av delingsøkonomien. Framveksten av delingsøkonomien og dens arbeidsmarkedskonsekvenser gir en unik mulighet til komparative studier av hvordan endringer i teknologi og markeder påvirker politikktutviklingen innenfor et kjerneområde i den nordiske modellen. Rapporten konkluderer med å peke på kunnskapshull og temaer for oppfølging i videre studier.

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Nordic Council of Ministers
Ved Stranden 18
DK-1061 Copenhagen K
www.norden.org

Nordic labour markets and the sharing economy

This report presents a preliminary knowledge status about implications of the sharing economy for labour markets and employment relations in the Nordic countries. It also reviews how the Nordic countries and their social partners approach the sharing economy and issues relating, amongst other, to its legality, regulation, taxation, and terms of competition. There is so far scant supply of statistics, data and research in this field. The employment potentials and consequences of the sharing economy will, amongst other, depend on the governments' and the organized actors' responses to these challenges. Currently, all the actors seem to be in a phase of knowledge gathering and deliberation of possible policy options, cautiously avoiding taking steps that might obstruct the development of the sharing economy.



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