

Adapting national social partners' capacities to pursue inclusive and responsive social dialogue following crisis situations in EU

Findings and Recommendations of the ARESME Project



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Editor Nataša Cvetek

Authors Katja Oštrbenk, Nataša Cvetek, Ana Čermelj, Urša Matić,

Ajda Ščuka, Ana Carmo, Ariadna Pagès López, Silvia Miro, Clàudia Agulló, Marina Muňoz, Maria Àngels Benítez Ruiz, Paula Zaplana, Yaiza del Valle, Jamie Tanti, Andrew Aguilina,

Abigail Mamo, Xylona Spiteri, Fabian Demicoli, Andriani

Charilogi, Vassilis Siomadis, Ioanna Profiri

Graphic design ZDOPS & CCP

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Foreword

In the wake of global experience of pandemic, energy and safety crises, it has become increasingly evident that resilient, responsive, and inclusive social dialogue is essential to navigating crises. The ARESME project, launched in 2023, unfolds two points – one is recommending updates of legal frameworks while protecting all parties included, and the other is the need to empower resilience capacities of social partners for cross-sectoral and cross-industry social dialogue.

ARESME formed a partnership of representative social partners from Slovenia, Malta, Spain (Catalonia), Greece, Portugal and European-level association SMEunited, all of them covering craft and small businesses. Over the course of two years (2023–2025), the project aims to stocktake the increased occurrence and status of three forms of work (platform work, telework, part-time work schemes) in the partners countries through risks in labour law. Aspects of occupational health and safety at work were also considered. Stocktakes were also focused to the latest developments and challenges related to minimum wage, gender pay gaps, right to disconnect, balance of work and private life and collective bargaining.

Through joint research and knowledge exchange, this e-brochure summarises joint findings and recommendations to the above topics. Individual project partners' in-depth researches and recommendations can be found in e-publications which are available in national languages on the ARESME and partners' web-sites.



European legal framework

The following European Union (EU) Directives were considered while stocktaking the three forms of work (platform work, telework, part-time work schemes), occupational health and safety at work, minimum wage, gender pay gaps, right to disconnect, balance of work and private life.

- Directive 97/81/EC on the Framework Agreement on part-time work
- Proposal for a Directive on improving working conditions in platform work (COM(2021) 762), adopted as Directive 2024/2831 on improving working conditions in platform work
- Directive 2019/1158 on Work-Life Balance for Parents and Carers
- Directive 2022/2041 on Adequate minimum wages in EU
- Directive 2003/88/EC concerning certain aspects of the organisation of working time
- Directive 2023/970 on pay transparency to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms
- Autonomous Agreement on Telework
- Autonomous Framework Agreement on Digitalisation

New reality of atypical forms of work

Digitalisation is changing the world of work, improving productivity and enhancing flexibility, while also carrying some risks for employment and working conditions. New forms of digital interaction and technologies, if regulated and implemented properly, can create opportunities for access to decent and quality jobs for people who traditionally lacked such access. However, if left unregulated, they can also result in technology-enabled surveillance, increase power imbalances and opacity about decision-making, and entail risks for decent working conditions, for the health and safety at work, for equal



treatment and for the right to privacy. In the aftermath of the COVID-19 pandemic, the accelerated shift to increased atypical forms of work brought significant changes with regards to labour market and elements of the employment relationship – such as the place of work, working hours, payment method, and termination conditions – undergo significant changes. These characteristics are common in work arrangements like platform work, teleworking, part-time work, and others.

Platform work

Platform work involves using online platforms for individuals or organizations to provide specific services or solve problems in exchange for payment. This kind of work was already increasing since the global financial crisis of 2008-09 and experienced a sudden increase in the context of the COVID-19 pandemic. At first it was primarily concentrated in urban environments and specific sectors such as transportation, food delivery, and micro-tasking, later expanding to a wide range of tasks, including both on-site (e.g., food delivery, taxi driving) and off-site services (e.g., data input, translation). ³

Motivation of more than 28 million – expected to reach 43 million – platform workers across EU stems from complementing pay and flexibility (e. g. freelance and microtask), improving career opportunities (competitive programming) or lack of alternative employment opportunities (taxi and delivery). The following statistics show that most of the earnings of platform workers are made through taxi (39%), delivery (24%) and home services (like cleaning or crafts) (19%).⁴

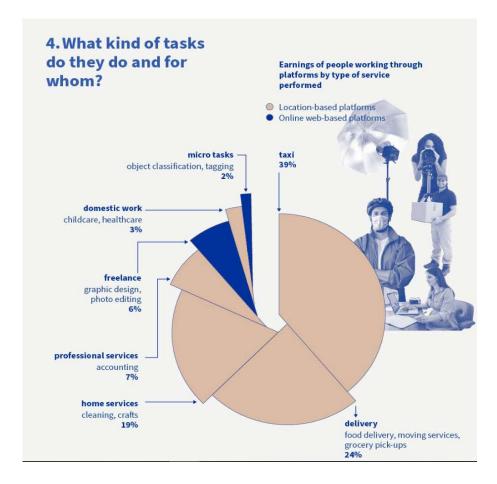
¹ Directive (EU) 2024/2831 of the European Parliament and of the Council on improving working conditions in platform work, adopted on the 23rd of October 2024. (Recital: 4).

² Internal document WP2_SOPS_part-time work_eng.docx, p. 4.

³ Internal document WP2_SOPS_platform_work.docx, pp. 1–2, 11.

⁴ *Ibid.*, p. 1, 3, 14.





Source: https://www.consilium.europa.eu/en/infographics/digital-platform-workers/

Known as the "gig economy" it is emerging as a significant source of innovation and employment growth, particularly in EU. To illustrate, the EU hosts around 500 digital labour platforms, with active operations in every Member State and revenues increasing from €3 billion in 2016 to approximately €14 billion in 2020, particularly in the delivery and taxi service sectors. However, with the growth of platform work, challenges related to social protection, workplace safety, payment, and working conditions have deepened.⁵

The main challenges lay in the unpredictability of working hours and blurred boundaries between an employment relationship and a self-employed activity and the responsibilities of employers and workers. These trends impact business models and forms of employment that are sometimes not covered by the existing systems of protection. It is therefore crucial to accompany that process with adequate safeguards

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⁵ *Ibid.*, p. 4, 14.



for persons performing platform work, irrespective of the nature of the contractual relationship.⁶

Aim of the adopted <u>Directive (EU) 2024/2831 on platform work</u> is to improve the working conditions of platform workers, including in cross-border situations as well as to protect their personal data in the context of algorithmic management. In Article 7 for example it introduces obligations for platforms to ensure transparency in the use of algorithms that determine task allocation, performance evaluation, and worker monitoring. The Directive prohibits the processing of sensitive data, such as private conversations and personal characteristics like ethnic background or political opinions. Besides this, platforms will be required to inform workers about any automated monitoring and ensure that significant decisions directly affecting workers (e. g. suspensions) are overseen by qualified human beings.

Statistics show that a significant number of platform workers are still classified as self-employed, even though they work under similar conditions as do employees. Only 7% (2 million) are classified as employed, while the other 93% (or 26.3 million) are presumably self-employed, whereas 19% of them are likely to be still incorrectly classified (approx. 5 million). Having consequence for the persons affected, this is likely to restrict access to existing labour and social rights such as sick pay and unemployment benefits. To illustrate, 55% of platform workers earn less than the net hourly minimum wage in the country where they work, and 41% of the time they dedicate to platform work is unpaid (e.g., researching tasks, waiting for assignments, reviewing ads, etc.). This leads to an uneven playing field with respect to businesses that classify their workers correctly, and it has wider implications for Member States' industrial relations systems, their tax base and the coverage and sustainability of their social protection systems.

⁶ Directive (EU) 2024/2831, Recital: 6.

⁷ *Ibid.*, Recital: 16.

⁸ Internal document WP2_SOPS_platform_work.docx, p. 9.

⁹ Council of the European Union. (2024). *Spotlight on digital platform workers in the EU.* https://www.consilium.europa.eu/en/infographics/digital-platform-workers/

¹⁰ Internal document WP2_SOPS_platform_work.docx, p. 3.

¹¹ Council of the European Union, 2024.

¹² Directive (EU) 2024/2831, Recital: 6.



Platform workers face uncertainty about their rights, especially in areas such as rest periods and limited working hours, due to unclear definition of their employment status in national legal frameworks. In this regard, recent ECJ rulings (e. g. Yodel Delivery Network Ltd, *C*-692/19) prove to be significant as they have established that the status is not solely dependent on contractual terms but on the actual nature of the relationship between the worker or "independent contractor" and the employer. Determined were three key legal issues in defining employment status: level of worker independence (real or merely formal), existence of subordinate relationship (performance of tasks under direction and control) and level of flexibility in work organization (such as setting their own working hours).¹³

The Directive (EU) 2024/2831 contains important provisions under Article 12 on Occupational Safety and Health (OSH) risks, including physical and mental health. Automated systems decisively intensify work effort by increasing monitoring, raising the pace required from workers, minimising gaps in workflow, and extending work activity beyond the conventional workplace and working hours. In conjunction with insecurity derived from such unpredictable and flexible type of employment, it is likely that workforce's isolation and anxiety will increase.¹⁴

In addition, the algorithms used to assign tasks often neglect external factors, such as extreme weather conditions, or the need for breaks. This results in a physically demanding work environment, where long hours and constant motion can lead to exhaustion and injury. In addition, other types of platform work (*i. e.* with more desk-based and sedentary roles), expose workers to different health risks, including musculoskeletal problems from prolonged inactivity. ¹⁵ Considering this, the above-mentioned Article obliges the digital labour platforms to conduct risk evaluations and take appropriate preventive and protective measures, and make them available to their workers. ¹⁶

Key findings on the improvement of working conditions of platform workers are that:

¹³ *Ibid.*, pp. 6–7.

¹⁴ Directive (EU) 2024/2831, Recital: 50.

¹⁵ Luppi, M., Roggiero, F., Gabbrielli, F. R. and Somai, A. (2025). *How is digital platform work described in the online media? Evidence from an exploratory exercise* (EU-OSHA Report) (p. 26). DOI: 10.2802/4307658. ¹⁶ *Ibid.*, Article 12.



- Initiatives adopted by Member States cover a broad spectrum of issues, including raising awareness, providing advice, negotiating improvements and provision of insurance and social protection.
- Most of them target on-location platform work, such as food delivery and taxi services, whereas online platform work receives little attention.
- Existing initiatives help to establish constructive dialogue among different types of stakeholders and increase transparency around working conditions. However, they suffer from limited visibility and resource constraints.
- Legal and labour law initiatives although powerful in theory are often hampered by restricted scope and enforceability issues.
- The collective agreements on the other hand, have shown success in improving working conditions, but are typically limited to platform workers with employee status.
- Initiatives in area of insurance and social protection are valuable, especially if automatically set up and at low cost, though compensation levels are generally low.
- © Codes of conduct which serve as voluntary commitment by platforms contribute to reducing disputes and can encourage further actions. However, they lack mechanisms for monitoring compliance.
- Alternative platform business models, such as cooperatives, typically empower workers and result in better working conditions but need more support, especially in the early stages. ¹⁷

Telework

Telework refers to a work arrangement in the context of an employment contract, where employees perform their job duties from a location other than the employer's premises, typically from home or another remote location, using information and communication technologies (ICT). In short, the telework arrangement allows for flexibility in where and how work is conducted, without requiring the worker to be physically present in a

¹⁷ Internal document WP2_SOPS_platform_work.docx, pp. 15–18.



traditional office environment.¹⁸ This was made possible by the development of modern digital technology, further amplified during the COVID-19 pandemic.

Therefore, other terms, like hybrid or remote work, simply emphasise a specific dimension of the telework arrangement, either referring to partial/part-time telework or different frequencies of telework (incl. »regular home based telework« or »regular telework«). In addition, these alternative terms could also be used generically to mean »telework generally«.¹⁹

In line with definition established in 2002 by the <u>EU Framework Agreement on Telework</u>, elements of telework include:

- Employees with an employment contract (excluding labour contract);
- Delework on a regular basis (between one and five days per week);
- Those stationary jobs that could be performed at the employers' premises;
- The use of ICT for the purpose of work and;
- Alternative workplaces to the employer's premises. 20

During the COVID-19 pandemic, governments implemented temporary measures to promote telework as a preventive measure to contain the spread of the virus and to ensure business continuity. To illustrate, between 2019 and 2021, the proportion of employees working from home in the EU-27 nearly doubled (from 11.1% to 21.9%). The role of social partners in these changes varied, ranging from tripartite agreements to unilateral legislative decisions. Some countries, like Austria, Greece, Latvia, Portugal, or Romania, introduced permanent legislative initiatives for telework. While others, e. g. Belgium, France, and Luxembourg, updated their agreements which have legally binding power.²¹

In terms of telework regulation, Member States can be categorised into two main groups, with some variations mostly related to the role of collective bargaining (Figure 1). The majority of EU countries (22 out of 27) have statutory definitions and specific legislation

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¹⁸ Internal document SOPS_PPT_Presentation-telework.pptx, p. 2.

¹⁹ Internal document WP2_SOPS_Telework_eng_update.docx, pp. 12–13.

²⁰ Ibid.

²¹ *Ibid.*, pp. 14–16, 18.



on telework. Those are complemented by cross-sectoral, sectoral and/or company collective agreements, although to various degrees. In Eastern European Countries for example, statutory legislation is the primary source of regulation with a limited role of collective bargaining. The latter contribute to the inclusion of provision for employee protection, especially of teleworkers in vulnerable environments, and tailoring of specific activities and companies.²²

The differences in national legislation, especially with regards to lack of clear guidelines for occasional telework, limitations on the duration and frequency of telework and regulation of data protection and the right to return to previous working conditions, lead to inequalities in worker protection. More concretely, the definitions vary in terms of "regularity," possible alternative workplaces and inclusion of the use of ICT. This causes legal uncertainty and confusion when implementing regulations.²³

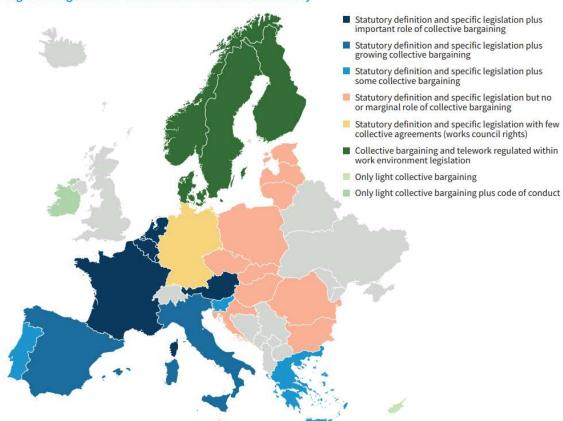


Figure 1: Regulation of telework in EU countries and Norway

Source: Authors, based on national contributions by the Network of Eurofound Correspondents

²² *Ibid.*, pp. 13–14.

²³ *Ibid.*, pp. 15–16.



The following challenges of teleworking are highlighted in a relatively limited case law (for example, Case C-570/15, Case T-486/21, Case F-103/11, Case T-39/21) but can be used for possible legislative solutions regarding:

- the legal classification of the workplace and social security legislation that arises when workers work from another Member State;
- non-existence of the right to reimbursement for costs incurred during teleworking (e. g. internet subscription, etc.) in the out-dated legislation;
- irregular handling of complaints in consequence of increased feelings of isolation and harder detection of psychological harassment. Agreements should pay special attention to teleworkers in vulnerable environment considering OSH;
- unclear rules regarding working conditions and rights to allowances and compensation in telework. 24

The Directive (EU) 2019/1152 on Transparent and Predictable Working Conditions introduces crucial provisions affecting new forms of work (incl. telework, platform work and part-time work), particularly by including safeguards against precarious employment. The aim of this Directive is to ensure equality and safety for all workers, regardless of where they perform their work by also including establishment of penalties, inspection oversight and prohibition of adverse consequences due to exercise of their rights under this Directive.²⁵

It includes important elements connected to above challenges as it requires employers to specify in writing about the essential aspects of their employment relationship, including provisions related to telework.²⁶ The listed relevant aspects are: the place of work (incl. possibility of working in various locations), arrangement of working hours (incl. reference hours and days when telework may be required) and rules on pay for work performed remotely (incl. base salary and any possible allowances).²⁷

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²⁴ *Ibid.*, p. 4.

²⁵ Internal document WP2_SOPS_Telework_eng_update.docx, pp. 5–6.

²⁶ Directive (EU) 2019/1152 of the European Parliament and of the Council on transparent and predictable working conditions in the European Union, adopted on 20th of June 2019 (Article: 4).

²⁷ Internal document WP2_SOPS_Telework_eng_update.docx, p. 6.



The right to disconnect from digital tools, including ICT, outside working hours was later considered in the Resolution 2019/2181 (INL) on the Right to Disconnect. It allows workers not to engage in work-related activities or communicate with employers outside of working hours without facing consequences such as dismissal or other retaliatory measures. The purpose therefore is to provide workers with an appropriate balance between working and free time, as well as protect the physical and mental health of workers by preventing overwork, burnout, and technology-related stress.²⁸ According to EU-OSHA Research 2022, of the health issues covered, overall fatigue is mentioned most frequently (37%), followed by headaches and eyestrain (34%), bone, joint or muscle problems or pain (30%) and stress, depression or anxiety (27%).²⁹ However, despite regulation in some countries, the right to disconnect has not been adequately realized.³⁰

An important finding is that there is diversity in the regulation of telework among EU Member States. The nature and scope of regulations vary significantly, influenced by industrial relations, traditions, and practices. Countries with well-developed nationallevel collective bargaining have more advanced telework regulations, which ensure the protection of workers and the satisfaction of both employers and employees. However, a one-size-fits-all solution is not suitable for all countries. It would be reasonable to promote the importance of social dialogue and transfer the responsibility for regulating and monitoring the effectiveness of such regulation to social partners.³¹

Study shows that certain disparities and inequalities were exposed with the accelerated digitalization during the pandemic:

- Women have been disproportionally affected, often bearing double burden of paid work and unpaid household responsibilities.
- Remote work is not equally suitable for all sectors as knowledge and office workers transitioned to remote work more easily, while this was not possible in sectors like manufacturing, hospitality, and healthcare.

²⁸ *Ibid.*, pp. 6–7.

²⁹ Leclerc, C., De Keulenaer, F. and Belli, S. (2022). OSH Pulse - Occupational safety and health in post-pandemic workplaces, Flash Eurobarometer (EU-OSHA Report) (p. 16). DOI: 10.2802/478476.

³⁰ *Ibid.*, p. 18.

³¹ *Ibid.*, p. 16.



Increased inequalities have been found among different population groups. Higher-educated and better-paid workers had more opportunities to work remotely than less-educated and lower-paid workers, potentially contributing to further income polarization.³²

Part-time work

Part-time work has increased in Europe over the past two decades, especially in femaledominated sectors such as education, healthcare, and social care. As an example, 14.2% of all workers in the European Community were part-time employees in 1992, and ten years later this percentage jumped to 18.2%.³³

Namely, like telework or platform work, also part-time work allows employers the flexibility in managing workflows. Particularly for workers the difference – in comparison with full-time employment – thus lays in the length of working hours and a possibility to better manage work-life balance.³⁴ Research shows that the positive effects also include an increase in employment rates, particularly by enhancing the participation of women in the labour market, in productivity as well as employee satisfaction, which leads to lower turnover and better mental health.35

Furthermore, there are two types of part-time employment: one based on the mutual agreement of the contracting parties, and the other regulated by specific laws governing pensions, health insurance, or parental leave. The first one typically occurs by mutual consent, e. g. if there is a necessity for part-time work on the employers' and/or inability to find full-time employment on the workers' side. The second one provides entitlement to part-time work upon occurrence of reasons (i. e. retirement, health or parenting) that are regulated by special laws.36

The <u>Directive (EU) 2019/1158 on Work-Life Balance</u> addresses the latter, by enabling workers who are parents to adapt their working schedules to their personal needs. This includes a right to request flexible working arrangements for the purpose of adjusting their

³² *Ibid.*, pp. 16–19.

³³ Internal document WP2_SOPS_part-time work_eng.docx, p. 8.

³⁴ *Ibid.*, p. 4.

³⁵ *Ibid.*, pp. 8–9.

³⁶ *Ibid.*, p. 4.



working patterns, including a reduction in working hours.³⁷ In this regard, Directive lays down minimum requirements designed to achieve gender equality associated with labour market opportunities and treatment at work.³⁸ *Case C-374/24* (UF, 2024) could serve as an example of legal dilemmas in such part-time employments as it was dealing with maternity benefits for workers with dual professional activities (part-time employment and self-employment). It highlighted the need for fair treatment in different social security systems (unless objectively justified). The *pro rata temporis* principle under case law thus remains the key mechanism, ensuring that part-time workers' rights are proportionate to the actual work they perform.³⁹

The legal position of part-time workers varies across EU member states and is usually less favourable due to proportionally lower wages, bonuses, and severance pay – affecting their financial stability, access to education and pensions (that are calculated based on reduced working hours). Similar challenges arise with regards to promotion (*i. e.* lower ratings in evaluation) as well as lower quality of part-time jobs.⁴⁰ On the other hand, negative effects can be observed on the employers' side as shorter work hours may increase costs, like hiring more workers or paying overtime to cover the workload and affect labour market competitiveness.⁴¹

In practice, issues arise when workers are working more hours than agreed upon, indicating a need for full-time employment. Consequently, the <u>Directive 2003/88/EC concerning certain aspects of the organisation of working time</u> stipulates that the average working time, including overtime, must not exceed 48 hours per week. This Directive is an important rule of EU social law, aimed at protecting workers' health while guaranteeing the right to minimum daily, weekly, and annual rest periods.⁴²

Key findings in association with part-time work are:

³⁷ Directive (EU) 2019/1158 of the European Parliament and of the Council on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, adopted on the 20th of June 2019. Recital: 34.

³⁸ *Ibid.*, Article 1.

³⁹ *Ibid.*, pp. 2–3.

⁴⁰ *Ibid.*, pp. 5–6.

⁴¹ *Ibid.*, p. 9.

⁴² Internal document WP2_SOPS_part-time work_eng.docx, pp. 4–5.



- © Crucial reduction of disparities in working conditions between full-time and parttime employees, especially in terms of access to education.
- Promotion of new forms of part-time work that provide greater flexibility for both companies and workers.
- Positive effects of shorter work hours include increased productivity, improved work-life balance and higher employee satisfaction.
- Challenges include increased costs for employers, as well as fewer promotion opportunities and income inequality of employees, particularly in low-wage sectors.
- A key challenge is distinguishing between voluntary and involuntary part-time work. Voluntary part-time work provides more flexibility and better work-life balance, while involuntary part-time work is often associated with lower income and limited career advancement opportunities.
- Part-time work is more common among women, which can result in lower pensions and reduced career prospects over time. These disparities are rooted in social roles and responsibilities, particularly in terms of family care. 43

Key findings related to atypical forms of work

Slovenia

1. Acceleration of New Work Forms in Post-COVID-19

- The pandemic significantly accelerated the raise of non-standard and digital forms of work, especially telework, platform work and hybrid models.
- This shift exposed regulatory gaps in existing OSH frameworks, which were primarily designed for traditional, office/facility/factory based employment.

2. OSH Risks in Non-Standard Work Arrangements

New work models often blur the lines between work and private life, increasing the risk of psychosocial stress, isolation, and burnout.

⁴³ *Ibid.*, pp. 8–12.



- Many workers in digital and platform-based roles lack access to proper OSH services.
- Work from home and other flexible arrangements revealed challenges in ensuring safe and ergonomically sound working environments.

3. Legal and Institutional Gaps

- Existing OSH regulations do not adequately manage risks related to remote and platform work.
- The Labour Inspectorate faces structural limitations in monitoring working conditions outside traditional workplaces.
- Trade unions and employers often lack clear guidance on how to implement OSH obligations in flexible work settings.

4. Unequal Access to OSH Protection

- Self-employed individuals, freelancers and platform workers are often excluded from collective agreements and standard OSH protections.
- Younger workers and women overrepresented in new work forms are particularly vulnerable to inadequate OSH conditions.

5. Lack of Preparedness for Future Crises

- The pandemic revealed a lack of preparedness in OSH systems to address sudden disruptions and adapt to crisis-driven changes in the labour market.
- There is a need for more agile and resilient OSH frameworks that can respond to emerging risks and unforeseen circumstances.

6. Limited Training and Awareness

- Both employers and workers show limited awareness of their responsibilities and rights regarding OSH in flexible work arrangements.
- OSH training programs are often outdated and do not reflect the reality of hybrid and digital work environments.

Malta

1. Transformation Accelerated by Crisis

The COVID-19 pandemic acted as a catalyst for Malta's digital work transition. Telework, platform work, and atypical employment were either introduced or significantly



expanded. These shifts exposed both regulatory and institutional gaps, particularly in worker protections, workplace health, and social dialogue structures.

2. Telework: Flexibility vs. Health Risks

- Telework became mainstream post-COVID, especially in public administration, finance, and ICT.
- Workers appreciated improved work-life balance and reduced commuting, but this came at the cost of blurred boundaries between work and private life.
- Physical health issues (poor ergonomics) and psychosocial risks (burnout, isolation, technostress) became more prominent.
- There is no legally enforceable "right to disconnect", although it's discussed in policy circles and collective agreements.
- The legal framework (2008) lags behind the realities of hybrid work, lacking enforcement of employer responsibilities.

3. Platform Work: Precarity and Misclassification

- Gig and platform work (e.g. delivery services) expanded rapidly during the pandemic.
- Many platform workers are third-country nationals working under subcontractors, creating confusion and inconsistency around employment status.
- Misclassification as "self-employed" denies them access to sick leave, social insurance, and OSH protections.
- Algorithmic control and opaque digital management raise legal and ethical challenges.
- Occupational risks (e.g. traffic accidents, long shifts) are high, but platforms have limited accountability due to classification loopholes.

4. Part-Time Work: Flexibility with Hidden Costs

- Part-time work, common especially among women and migrants, offers flexibility but also traps many in involuntary underemployment.
- Workers face income insecurity, limited social security accrual, and fewer career opportunities.
- The phenomenon of task compression (doing more in fewer hours) increases stress and undermines health and productivity.
- Unionisation among part-time workers is low, contributing to their marginalisation.

5. Regulatory Gaps and Institutional Weakness



- Existing laws are still geared toward full-time, traditional employment.
- Enforcement of OSH standards for teleworkers and platform workers is practically nonexistent.
- There's no legal obligation for ergonomic home setups, nor strong mechanisms for enforcing OSH in digitally mediated work.

6. Crises Expose and Exacerbate Inequalities

- The pandemic exposed how unprepared the labour market was for mass remote work and non-standard employment.
- Vulnerable groups migrants, young workers, women, and part-time workers were disproportionately affected, reinforcing structural inequalities.
- Malta's fragmented response shows the urgent need for inclusive and adaptive social dialogue, especially to handle future crises.

Spain

1. New Forms of Work

- Growth of Platform and Remote Work: Spain has seen a significant increase in platform-based and remote work, particularly following the COVID-19 pandemic. The crisis acted as a catalyst for accelerating digital transformation and flexible work arrangements.
- Legal Framework for Digital Work: the adoption of the "Rider Law" (2021) was a major milestone, aiming to clarify the employment status of platform workers, particularly in the food delivery sector. It presumes that workers using digital platforms are employees unless proven otherwise.
- Work-from-Home Regulation: Spain introduced specific legislation on telework in 2020 (Royal Decree-Law 28/2020), which stipulates minimum working conditions, the right to disconnect, and compensation for expenses. It reflects a shift toward regulating non-traditional workplaces.

2. Occupational Health and Safety (OSH)

OSH Coverage Gaps for New Workers: many new forms of employment, particularly platform-based or freelance work, fall outside traditional OSH protections. These



- workers often lack access to preventive services, workplace risk assessments, or accident insurance.
- COVID-19 as a Stress Test: the pandemic exposed weaknesses in OSH systems, especially for workers in non-standard or digital employment. It highlighted the need for adaptable and resilient OSH frameworks capable of addressing health risks in homebased and digital work environments.
- Mental Health and Psychosocial Risks: increased stress, isolation, and blurred boundaries between personal and professional life have intensified mental health challenges. Spain has recognized the growing importance of psychosocial risks and is integrating this into national OSH strategies.

3. Pre-vs. Post-COVID Dynamics

- Before COVID-19: teleworking and platform work were limited and largely unregulated.

 OSH policies were predominantly workplace-focused, with limited applicability to remote or self-directed work environments.
- After COVID-19: there has been a shift toward formalizing and regulating remote work and platform labour. Policymakers are working to adapt OSH regulations to new contexts, such as home offices and algorithm-managed workplaces.

Portugal

1. Emerging forms of work and digital transformation

- Platform work, telework, and other non-standard forms of employment have increased, especially following the COVID-19 pandemic.
- These new forms offer flexibility but also pose challenges to worker protection, particularly regarding employment status, access to rights, and OSH regulations.
- Post-pandemic, telework has become more normalized, requiring regulatory adjustments and new management practices in both private and public sectors.

2. Gaps in OSH protection and regulation

Existing labour and OSH regulations were primarily designed for traditional employment relationships.



- New work models—especially platform-based work—do not always fall within the scope of current OSH laws, creating legal and practical protection gaps.
- There's a lack of specific policies and mechanisms to monitor and enforce OSH standards in the context of telework or digital labour platforms.

3. Impact of COVID-19

- The pandemic acted as a catalyst for the adoption of remote work, accelerating the need to redefine what constitutes a safe and healthy workplace.
- It revealed insufficient preparedness for health crises in non-traditional work settings.
- There has been increased awareness of mental health, stress, and ergonomic risks associated with remote work environments.

4. Social dialogue and enforcement

- Social partners acknowledge the emergence of new risks but face challenges in reaching agreements, especially regarding regulation and enforcement of OSH for platform workers.
- There is limited monitoring capacity, especially in micro and small enterprises, where informal and flexible arrangements are more common.
- Labour inspectorates are under-resourced and often not trained to deal with the complexities of new work arrangements.

Greece

1. Occurrence of New Forms of Work

- Greece has experienced a rise in new forms of work, especially during the CoViD-19 crisis.
- These employment forms are to a large extent regulated at national level, although there are aspects to be clarified and updated.

2. CoViD-19 as a Catalyst for Remote Work and Digitalisation

- The pandemic accelerated the adoption of telework.
- While initially temporary, remote work coul become to some extent a more permanent feature of the Greek labour market.

3. Regulatory Adaptation



- OSH legislation in Greece may be updated to better cover new forms of work.
- There is room for improvements to better ensure OSH protection for workers in new forms of work.

4. OSH Awareness and Institutional Enforcement

- Small and micro-enterprises, which dominate the Greek economy, often lack the resources for OSH awareness and initiatives.
- Labour Inspections form a challenge, especially in emerging new forms of work.

5. Mental Health and Psycho-social Risks

- New forms of work particularly platform and telework are associated with emerging OSH risks such as isolation, stress, blurred work-life boundaries, and in cases insecurity.
- There is no much national dialogue yet on psycho-social risks, and mental health is an element where Greece's OSH policy could focus.

6. Social Dialogue Challenges

Collective bargaining could be reinforced and cover also to a larger extent new forms of employment.

7. Comparative Reflections (Pre-/Post-COVID-19)

Before the pandemic, new forms of work were less known and OSH risks were understood mainly in the context of traditional employment models.

Key recommendations related to atypical forms of work and social dialogue

Slovenia

Moving forward, Slovenia must fundamentally rethink its approach to labour relations by moving past traditional frameworks and embracing more innovative forms of representation and dialogue that align with the realities of digitally mediated and decentralised forms of work. A key priority is addressing the structural underrepresentation of workers in nonstandard forms of employment within existing



union frameworks, while also developing new models for collective bargaining that reflect the fluid and shifting nature of these work arrangements. The forthcoming implementation of the European Union Platform Work Directive by the year 2026 will be a critical measure of Slovenia's ability to adapt its regulatory system not only through formal legal alignment, but through practical and effective measures that respond to the lived challenges of platform and other nonstandard workers.

Strengthening the capacity of social partners is essential in this process. This includes equipping trade unions with specialised knowledge and tools tailored to emerging work patterns and supporting them in designing membership structures and services that reflect the fragmented and intermittent nature of such work. Employer organisations also require targeted guidance to enable meaningful social dialogue within digitally operated business models. At the same time, public institutions must modernise their inspection and enforcement systems to meet the demands of increasingly dispersed work environments, while ensuring that inclusive dialogue mechanisms are in place.

Slovenia has the opportunity to position itself as a reference point for balanced labour market reform, one that safeguards worker rights while fostering economic adaptability. Achieving this will require active and forward-looking engagement from all stakeholders. Rather than treating European legislation as a compliance exercise, Slovenia must commit to shaping context specific solutions through genuine collaboration between workers, employers and the state. The long-term success of this transition will depend on recognising shared responsibilities and the collective value of building a fair, adaptable and socially cohesive world of work.

Malta

Strengthening the capacity of Malta's social partners, including trade unions, employer organisations, public institutions, and civil society actors, is essential for ensuring a fair, balanced, and responsive labour market. As new forms of work become more commonsuch as platform-based employment, teleworking, and irregular part-time arrangements



- these actors must be equipped to participate meaningfully in social dialogue, shape evolving regulatory frameworks, and advocate for adequate protections across diverse employment categories. The successful integration of these new work realities depends largely on the resilience, adaptability, and coordination of all parties involved.

Trade unions in particular face increasing challenges as traditional models based on stable, long-term employment become less applicable. To remain relevant, they must adapt by revising membership models to better include irregular workers. Flexible contribution systems and digital tools for communication and onboarding can make union participation more accessible, especially for younger and migrant workers. In addition to their negotiating role, unions should position themselves as providers of services such as legal support, training, and resources that directly meet the needs of those in uncertain or isolated employment situations. It is also important for unions to develop technical expertise to understand how algorithmic systems manage work and evaluate performance. This knowledge will allow them to advocate more effectively for transparency and fairness in digital workplaces. At the same time, mentorship structures within unions can help support new representatives from underrepresented sectors and strengthen the broader union movement.

Employer organisations must also evolve to reflect the changing nature of work. Involving platform companies and intermediaries, particularly in sectors like transport, delivery, and domestic services, is crucial in fostering shared responsibility for working standards. Expanding membership to include these actors should go hand in hand with the development of sector-specific codes of conduct that define minimum conditions and clarify employment classifications. Beyond their compliance role, employer associations can act as hubs for knowledge exchange, showcasing best practices in flexible work arrangements, wellbeing strategies, and occupational health in remote settings. They also have a key role in guiding businesses through complex regulatory changes, particularly those stemming from new EU directives, helping ensure that legal compliance contributes to sustainable and fair business practices.



Public institutions, especially the Ministry for Social Dialogue and the Ministry for Employment, have a central role in coordinating national efforts to address changes in the world of work. Establishing a dedicated Future of Work Unit would strengthen this capacity, serving as a focal point for policy innovation, research, and programme development. Such a unit could lead the design of pilot initiatives and help implement European-level legislation. It is equally important to modernise labour inspections to address the complexities of app-based and hybrid work, equipping inspectors with the tools and training needed to recognise new forms of exploitation, algorithmic bias, and emerging health and safety risks.

Civil society organisations and academic institutions are also vital in supporting a more inclusive and informed labour market. Through research, public engagement, and direct support services such as legal advice centres, they contribute to identifying emerging trends and providing vulnerable groups with access to justice and representation. Their insights can help shape evidence-based policies and strengthen cooperation among social partners.

A future-proof labour market in Malta requires more than reactive measures. It demands sustained investment in the capabilities of all social partners, openness to innovation, and a shared commitment to cooperation. By reinforcing their individual and collective roles, Malta can ensure that the future of work remains not only economically sustainable but also socially just and democratically governed.

Spain

After COVID-19, social dialogue between the Spanish government, trade unions, and employer organizations gained importance, particularly in shaping laws on telework, part-time work, and platform work. The main recommendations include updating the Workers' Statute to reflect digital transformation and new demands for flexibility, autonomy, and the right to disconnect. Social partners propose simplifying regulations for SMEs and tailoring legal frameworks to different sectors. In particular, they urge



reviewing the Royal Decree Law 28/2020 on remote work and developing sectoral guidelines through collective bargaining.

For part-time work, recommendations focus on ensuring pro-rata rights and benefits, reducing involuntary part-time employment, improving access to training, and introducing clauses on the right to request more hours.

Regarding platform work, the emphasis is on clearer employment classifications, creating sector-level agreements, and promoting algorithmic transparency - as partially addressed by the 2021 Rider Law, which now gives workers the right to understand how algorithms affect their conditions.

In Catalonia, stakeholders recommend aligning with the European Framework Agreement on Telework (EFA), especially regarding health, safety, and collective rights. They also propose integrated risk prevention in shared telework spaces and stress the importance of reliable data to support self-employment policies. The National Strategy to Promote Self-Employment 2022–2027 is highlighted as a key tool for fostering decent work, innovation, and digital inclusion among platform workers.⁴⁴

Spanish social partners, especially SME representatives, stress the need for clarity and flexibility in applying labour regulations. They support practical tools for SMEs and advocate for active participation in social dialogue to ensure laws reflect diverse business realities.

For teleworking, they call for its inclusion in collective bargaining in line with Law 10/2021, the creation of templates and guidelines, financial incentives, and digital upskilling. Information campaigns should explain obligations and highlight the benefits of remote work for competitiveness and talent retention.

On part-time work, they recommend ensuring it remains voluntary and regulated via sectoral bargaining, standardising time tracking and access to benefits, and promoting

⁴⁴ Internal document WP2-WP3_Recommendations_Spain_EN, p. 16-18



awareness that part-time jobs—especially among young workers—can help attract talent. Employers should be educated on social security rights and the value of flexibility with fairness.

For platform work, they propose clarifying the Riders Law (12/2021), offering legal guidance on employment status, and supporting transparent platforms with fair work standards. SMEs should be informed about obligations under algorithmic transparency and future EU rules. In Catalonia, CTESC stresses the need for data on workers reclassified by the Labour Inspectorate due to false self-employment.

From the Spanish perspective, capacity building to support social dialogue on new forms of work should focus on strengthening technical expertise for collective bargaining, enhancing the role of SME associations in tripartite dialogue, and improving access to labour market data and analytical tools. A key concern raised by the UGT trade union is the country's lag in digital skills training, especially given the digital divide across gender, age, location, and income. UGT advocates for a comprehensive national agreement to address digitalisation in the labour market and society, noting that telework remains underused despite its potential.

To better manage teleworking, UGT calls for binding agreements within collective bargaining frameworks and urges their integration into tripartite dialogue, with the goal of establishing a regulatory framework that ensures fair and transparent governance. Enterprises are encouraged to address critical areas such as data protection, legal compliance, organizational cohesion, and dispute resolution mechanisms.

Academic institutions like the University of Valencia and the Universitat Oberta de Catalunya stress their role in contributing evidence-based research. They propose studying the long-term effects of hybrid and platform work on well-being, productivity, and job satisfaction, which can inform both policy and workplace practices.



There is broad agreement that hybrid work models will become the norm, and organizations are encouraged to adopt flexible arrangements that meet both employee preferences and business needs. A generational shift toward valuing flexibility and personal time is expected to drive companies to offer tailored work conditions and promote work-life balance beyond just salary.

In Catalonia, the Labour Relations Council and CTESC emphasize the importance of ongoing dialogue between employers, workers, and trade unions to create collective agreements that manage hyperconnectivity, regulate flexible working schedules, and protect employee well-being.⁴⁵

Portugal

In recent years, working conditions have gained importance in Portugal, with ACT playing a key role in tackling professional risks. CCP, representing mostly SMEs, has supported this effort, especially through its involvement in EU-OSHA campaigns. However, ongoing attention is needed to adapt OSH frameworks to evolving forms of work, such as teleworking and digital platform work. Telework has brought new challenges in risk prevention, prompting campaigns like the EU-OSHA initiative on safe and healthy workplaces in the digital age (2023–2025), focusing on digital platforms, automation, hybrid work, AI, and intelligent systems. Tools like OiRA, developed with input from social partners, offer accessible guidance for managing OSH risks and are increasingly used, especially in Portugal, which is a leading adopter after France. These tools support sector-specific adaptation and training.

Psychosocial risks remain the most urgent area of concern, requiring more targeted training, particularly for managers, and broader awareness-raising. The human factor must remain central in the context of digital transitions, and legislation, as well as collective agreements, must evolve in parallel to reflect the changing nature of work.

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 $^{^{\}rm 45}$ Internal document WP2-WP3_Recommendations_Spain_EN, p. 18-20



Regarding digital platforms, stakeholders stress the need for clarity in the transposition of Directive (EU) 2022/2041 into national law. Legal criteria should be well-defined to avoid ambiguity, particularly concerning presumptions of employment. Platforms require legal flexibility to provide social benefits like parental leave and social security access without triggering automatic employment status. Current restrictions prevent them from offering basic protections - such as safety equipment or limiting working hours - raising concerns, especially when such measures are permitted in sectors like TVDE. The Decent Work Agenda and recent changes to the Labour Code, particularly Article 12-A, are steps forward, but they must be evaluated through social dialogue to ensure their effectiveness. Operationally, the line between work and personal life has become blurred in teleworking. While flexible schedules allow greater autonomy, they also risk excessive work hours and eroded boundaries. Ensuring the right to disconnect and maintaining balanced work durations are key challenges. Not all workers can telework due to the nature of their roles, raising concerns about equality and internal cohesion. Employers must better structure work processes, listen to employee needs, and manage workload and communication more effectively. Overuse of virtual meetings, lack of breaks, and poor ergonomics have become widespread concerns. Health programs, particularly in SMEs, are underdeveloped, and employer associations could play a stronger role in supporting companies with OSH and well-being initiatives.

Before new legislation is introduced, there should be an effort to apply and assess existing rules. The COVID-19 experience showed both the urgency and complexity of quickly adapting to new realities. For example, mandatory training could include in-person components to support team building and address psychosocial risks. The effectiveness of future reforms will depend on how work is structured and whether changes are implemented gradually and with input from stakeholders.

Employers are also responsible for ensuring OSH compliance in telework environments, including health evaluations and workplace inspections, while respecting privacy. Employees must allow access to their workspaces for this purpose. Data protection, legal



compliance, and organizational culture are additional factors that companies must consider in both telework and platform-based work.

Capacity building among social partners is critical. Legislative changes must leave room for collective bargaining, allowing sectoral adaptation. The evolution of the teleworking regime in Portugal, especially since 2021, shows the need for more attention to OSH, particularly in home-based settings. Existing legislation often does not account for the real conditions in these environments, and more detailed guidelines or recommendations would help companies respond effectively.

New forms of work raise questions about mental health, team collaboration, and the socialization of younger workers entering an increasingly isolated labour market. Company culture and social cohesion must be maintained, particularly in digital workplaces. Online tools are no longer just communication channels—they are central to organizational life. Legislation must reflect this shift, modernizing not just rights but also how they are communicated and enforced. Decentralization through telework has brought workers closer to their families, improved regional balance, and offered new opportunities—but it also requires adjustments in how meetings and collaboration are organized.

Social partners emphasize the need for adaptable legislation that supports collective bargaining, modern work practices, and long-term cultural shifts. Their role in shaping future regulation is vital to ensuring that workers' rights evolve in line with technological and social change.

Greece

Regarding telework, Greece could strengthen the legal framework for telework by clarifying aspects such as its voluntary nature, the right to disconnect, , health and safety, and data protection. Sectoral agreements and equal treatment should be encouraged. EU legislation should support flexible national implementation.



Operationally, the state should provide tax incentives, invest in broadband and digital equipment, and support upskilling. Access to telework could be expanded for vulnerable groups, low-income and low-education workers, and people with disabilities. Gender and wage inequalities must be addressed, and sector-specific impacts monitored. A trust-based telework culture should be promoted through training, updated management methods, and good ergonomic practices.

National law regarding platform work must align with the EU Platform Work Directive by reversing the presumption of self-employment, regulating algorithmic management, and ensuring fair data use. Crowd-work platforms require also attention.

Labour inspections, equal treatment, and health and safety protections are often a challenge in platform work. Strengthening collective representative bodies and ethical consumer awareness are essential.

Regarding part-time work, zero-hours and on-call contracts may be the most challenging, taking into account aspects such as training opportunities, the gender dimension.

Emphasis on enforcement should be given. Support should be provided for transitions to full-time roles, with incentives for inclusive hiring. Stereotypes must be challenged, and training opportunities expanded.

Regarding work-life balance, Directive 2019/1158 should be fully implemented, including coverage of the self-employed and small businesses. Social protection for the self-employed must be improved. Investments in childcare and eldercare infrastructure are critical, alongside awareness campaigns on gender roles and employer responsibilities. Small businesses should receive support to implement leave-related measures. Strengthening the care sector would improve life quality and create jobs, particularly for women in informal caregiving roles.



Regarding occupational safety and health, OSH legislation must be updated to address telework, platform work, and psychosocial risks.

Accident prevention for part-time workers should focus on risks linked to condensed work hours. SMEs need targeted support, including training and reduced administrative burdens. A holistic, interdisciplinary approach should guide future OSH policy, including mental health care. Good practices from other EU countries and institutions should be adapted.

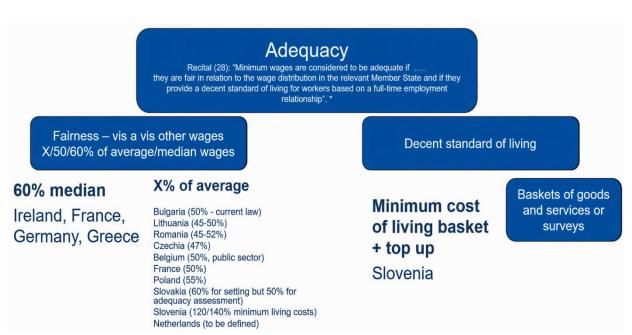
Minimum wages

The Minimum Wage Directive 2022/2041 emerges as a possible structural factor shaping statutory minimum wage setting, as relative reference thresholds vis-a-vis wages are being increasingly used by EU countries. ⁴⁶ An important emerging element is the use of indicative reference values, that are required in assessment of adequacy of minimum wages. By definition of adequacy, minimum wages must be fair in relation to the wage distribution in the relevant Member State and provide a decent standard of living for workers based on a full-time employment relationship. ⁴⁷ The graphic display below shows how European countries apply the adequacy requirement.

⁴⁶ Internal document Presentation CAU - GSVEE Greece - Aresme wrokshop_2.pptx, p. 20.

⁴⁷ Directive (EU) 2022/2041 of the European Parliament and of the Council on adequate minimum wages in the European Union, adopted on the 19th of October 2022 (Recital: 28).





Source: Minimum wages in 2025 - Annual review (forthcoming)

The elements mentioned in Article 5(2) have found their way into the regulations, most commonly in national legislation, and typically verbatim.⁴⁸ With reference to the Directive, national criteria that shall guide Member States in establishing the necessary procedures for setting adequate statutory minimum wages include at least the following elements:

- the purchasing power of statutory minimum wages, taking into account the cost of living;
- the general level of wages and their distribution;
- the growth rate of wages;
- long-term national productivity levels and developments. 49

In addition, the Directive presupposes in Article 5(6) the establishment of consultative bodies to advise on issues related to statutory minimum wages. However, there is no detailed specification in the Directive regarding which issues are included to statutory minimum wages.⁵⁰

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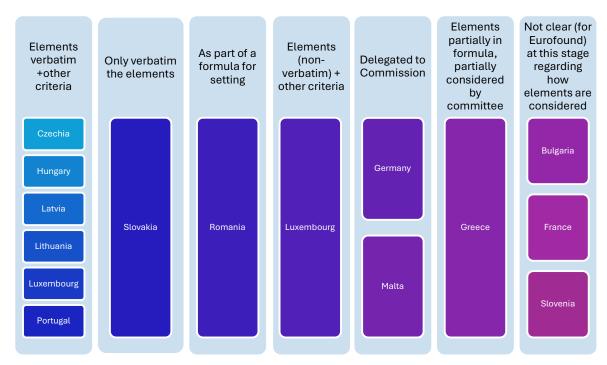
⁴⁸ Internal document Presentation CAU - GSVEE Greece - Aresme wrokshop_2.pptx, p. 16.

⁴⁹ Directive (EU) 2022/2041, Article: 5(2).

⁵⁰ Internal document Presentation CAU - GSVEE Greece - Aresme wrokshop_2.pptx, p. 18.



The changes shown below suggest that the minimum elements that wage setters shall include in their criteria have been typically added in a complimentary way to already existing national criteria rather than replacing them.



Source: Minimum wages in 2025 – Annual review (forthcoming)

Equal pay for equal work

For the transposition of the <u>EU Pay Transparency Directive 2023/970</u> it is of great importance to understand the practical application of the equal pay for equal work or work of equal value principle, as criteria is often included in the definition of law. The data below show that only 16 Member States have a definition of the principle, while the remaining 11 only mention the principle without definition. Their approach varies greatly, that is from high level of detail (e. g. Estonia, France or the Czech Republic) to a case-by-case approach (e. g. in Latvia).⁵¹

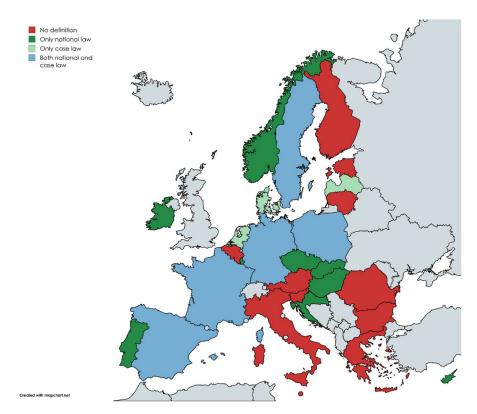
As Eurofound's research finds, the Directive covers the most frequent groups of criteria: responsibility, effort, working conditions and skills. However, other groups should also be

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⁵¹ Internal document ARESME 08.05.2025 MBA Equal Value.pptx, pp. 14–15.



included, like for example nature of work, performance and results or independence and decision-making, as well as the context-related criteria like labour market conditions and seniority considerations. To sum up, objective and holistic approach is key for developing gender-neutral criteria and therefore providing a definition of the principle.⁵²



Source: Eurofound Research (forthcoming): "Advancing Gender Pay Equality: Further Experiences in Pay Transparency and Work of Equal Value"

Research identified challenges in the implementation of equal pay principle: technical challenges or cultural and organisational barriers. The first predominantly include difficulty in translating abstract concepts into measurable factors and balancing the objective ones with subjective elements in evaluation. A successful implementation therefore means effective separation between the person and the occupational position. On the other hand, cultural resistance in traditional and hierarchical workplaces or gender biases lead to involuntary discrimination that hinder continuous effort in implementation of the principle. ⁵³

To sum up, regular internal monitoring and reporting of programmes as well as involvement of multiple actors (incl. social partners) is essential in designing the way pay

⁵² *Ibid.*, p. 15.

⁵³ *Ibid.*, p. 23.



transparency measures are implemented and the extent to which it enhances competitiveness.⁵⁴ At the same time bringing collective claims could uncover systemic discrimination and motivate pro-active compliance with pay transparency measures, creating peer pressure, increasing employers' awareness and willingness to act preventively.⁵⁵

Collective bargaining

During the conduct of research, Eurofound has found a positive association between growth in national minimum wages and collectively agreed wages. Therefore, also the probability of signing a new agreement is lower where the level of national minimum wages is relatively high.⁵⁶ In addition, as figure shows sectoral wage bargaining is particularly important for small and medium sized enterprises.⁵⁷ The resulting data indeed affirm an obligation of Member States to promote collective bargaining by strengthening the capacity of social partners, particularly at sector or cross-industry level as per Article 4(1)(a) of the Directive.⁵⁸

Member States with a high collective bargaining coverage tend to have a small share of low-wage workers and high minimum wages.

⁵⁴ Directive (EU) 2023/970 of the European Parliament and of the Council to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms, adopted on the 10th of May 2023 (Recital: 64).

⁵⁵ Ibid., Recital: 48.

⁵⁶ Internal document Presentation CAU - GSVEE Greece - Aresme wrokshop_1.pptx, p. 22, 27.

⁵⁷ *Ibid.*, p. 6.

⁵⁸ Directive (EU) 2022/2041, Article: 4(1)(a).



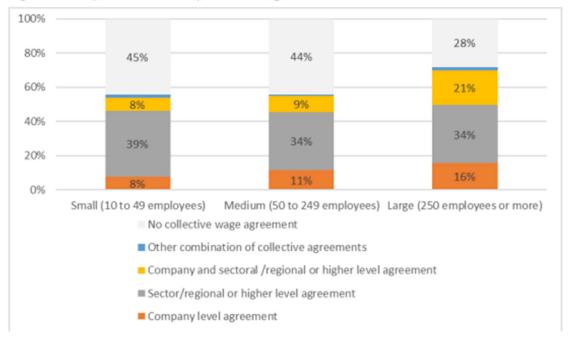


Figure 2: Companies covered by collective agreements and their size in the EU27

Source: Eurofound's European Company Survey 2019

In addition, the objective of Eurofound is to build a database on minimum wages in collective agreements for low-paid workers and facilitate Member States in fulfilling the reporting obligation under Article 10.⁵⁹ Collected data could be used to calculate minimum wage floors in countries without statutory minimum wages. As namely, they are required to at least provide an estimate of the lowest pay rates and the share of workers covered in collective agreements, if accurate data is not available to the responsible national authorities.⁶⁰

Often included in collective agreements are the following aspects beyond pay (top to bottom): allowances and bonuses, working time, as well as leave, labour relations, terms of employment, occupational safety and health, wages and remuneration and so on. However, there is still a very limited appearance of new topics, like e. g. greening and digitalisation, as well as a slow and incremental change of clauses in collective agreements.⁶¹

⁵⁹ Ibid., Article: 10.

⁶⁰ Internal document Presentation CAU - GSVEE Greece - Aresme wrokshop_1.pptx, p. 10.

⁶¹*Ibid.*, p. 19.



Impact of national minimum wages on collective bargaining and wages for low-paid workers according to Eurofound Study⁶²

The transposition of 2022 EU Minimum Wage Directive has already led towards a relative rise in national minimum wages (NMW) in relation to average or median wages in Member States. This trend on the other hand needs to be accompanied with the strengthening of the role of the social partners in collective wage bargaining to prevent crowding them out. It is important therefore to analyse the impact higher NMW have on collective bargaining. Through a combination of quantitative (econometric)⁶³ and qualitative⁶⁴ research methods, applied in a time frame from Jan 2015 and Dec 2022, recent Eurofound research report explores exactly this interaction. ⁶⁵

Quantitative research

With the help of econometric analyses, the research has contributed to understanding the impact of cumulative variation in NMW on the probability of signing a new agreement. It has found that cumulative inflation and the unemployment rate do not seem to influence this probability, while the length-of-time effects can be observed. First, there is a clear positive linear association between cumulative growth in NMW and bargained wages in low-paid sectors (shown in Figure 1). However, exceptions like Lithuania and Spain, experience a substantially higher cumulative growth in national minimum wages than bargained wages. Second, there is a higher probability of signing a new agreement after passage of more than two years. 66 Moreover, the inclusion of the Kaitz Index (the ratio

⁶² Eurofound. (2025). *Impact of national minimum wages on collective bargaining and wages for low-paid workers* (Research Report). Publications Office of the European Union: Luxembourg.

⁶³ In terms of investigating the impact that national minimum wages have on the collectively agreed ones, the quantitative analysis uses the Eurofound database on the lowest rates in collective agreements for lowwage workers (*Ibid.*, p. 5).

⁶⁴ The qualitative analysis is based on six national case studies covering France, Germany, Portugal, Romania, Slovenia and Spain. These countries differ in terms of industrial relations institutions and mechanisms for minimum wage setting (*Ibid.*).

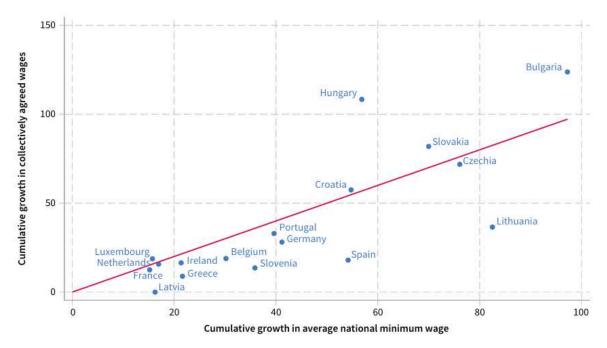
⁶⁵ *Ibid.*, p. 75.

⁶⁶ *Ibid.*, p. 18–19.



between the minimum wage and the average wage for each country and year) in this specification suggests that signing new agreements is less frequent in countries with a high national minimum wage compared with the average wage all else being equal. In addition, the main determinant of the size of negotiated wage floor adjustments is the cumulative inflation rate since the last agreement. Increasing inflation by 1 %, increases negotiated minimum wages by less than 0.7 %.

Figure 1: Association between cumulative growth in national minimum wages and collectively agreed wages, Member States, January 2015 – December 2022 (% change)



Source: Eurofound research report 2025 – Impact of national minimum wages on collective bargaining and wages for low-paid workers. ⁶⁸

Qualitative research

The country analyses show that national-level actors have limited concerns about NMW eroding collective bargaining or reducing the autonomy of the social partners. Moreover, there is no evidence of a tension between the two goals established in the directive: ensuring the adequacy of minimum wages and promoting collective bargaining coverage. The level of social partners' concerns about their autonomy is indeed affected by the wage-setting approach, *i.* e. defining the relations between government and social

⁶⁷ *Ibid.*, p. 1.

⁶⁸ *Ibid.*, p. 17.



partners. However, qualitative research indicates that NMW primarily affect sectoral social partners, which in contrast with national-level actors report about a crowding-out effect.⁶⁹ Indeed, there is some evidence of reduced room for manoeuvre in terms of negotiating pay and working conditions but no strong evidence of a crowding-out effect in collective bargaining.⁷⁰

In addition, of great importance – even more so in inflationary contexts – is for policymakers to understand whether and how collective bargaining developments affect decisions on the updates to NMW. It provides additional tools to maintain the purchasing power of low-wage groups in relation to average negotiated wages. Germany for example explicitly employs such reverse interaction as the change in collectively agreed wages is a variable considered when setting the NMW. On the other hand, in countries like Slovenia or Portugal, social partners are involved through discussions in tripartite institutions, bringing their knowledge of developments in negotiated wages to the process.⁷¹

Generally, the sectors with recruitment problems and/or exposed character in terms of international competition experience higher increases in negotiated wages.⁷² Consequently, the qualitative analysis included two sectors – residential and social care and manufacture of food and beverages – that shed light on the sector-related factors that shape the interaction between statutory minimum wages and collective bargaining. Namely, within the group of low-paid sectors they differ in terms of, for instance, the power resources of the trade unions and the skills level of the workforce.⁷³

The residential and social care sector has highly fragmented social partner representation due to the large divide between public and private employers regarding the role of public care services provision and their management. Moreover, the sector employs mostly women and a large share of immigrant workers, making it characterised by prevalence of wages below the national averages, part-time and shift work.⁷⁴ In conjunction with high inflation and labour shortages, this consequently led for employers and trade unions in

⁶⁹ *Ibid.*, p. 29–30.

⁷⁰ *Ibid*, p. 1.

⁷¹ *Ibid.*, pp. 28–29.

⁷² *Ibid.*, p. 76.

⁷³ *Ibid.*, p. 30.

⁷⁴ *Ibid.*, p. 32.



the analysed sector to be more favourable towards the role of NMW, except in some countries, like Spain. Those countries expressed concerns about the impact this is having on firms' margins and the detrimental effect on collective bargaining, especially in the private sector.⁷⁵

On the other hand, employment conditions in the EU's food and beverages manufacturing industry are characterised by widespread seasonal and temporary employment, high percentage of women compared to other manufacturing sectors, and low wages. In consequence of green transition politics however, new job opportunities are being created in areas such as sustainable production and packaging – at the same time requiring retraining of the existing workforce. Compared with the residential and social care sector, social partner representation is also less fragmented and is more exposed to external competition. Despite of that, there is still no greater opposition to NMW increases, because of common differences among countries in the employer organisations' positions and strategies regarding NMW. ⁷⁶

A common trend observed in both sectors and most of the countries analysed is the increasing relevance of pay bonuses and supplements addressed in collective bargaining, very often negotiated at company level. This is because basic pay rates tend to increase at a slower pace than national minimum wages, leading companies to resort to these bonuses to guarantee that actual wages remain above the legal rates.⁷⁷ In turn, they face significant financial pressures and respond by adjusting their pay structures (e. g. in Germany) as well as document an increase in illegal payments of workers in the private social care sector (e. g. in Romania).⁷⁸

Finally, in consequence of the increases in NMW, there appears to be a compression effect in the negotiated wage distribution that seems to be more intense in the manufacture of food and beverages sector. ⁷⁹ This effect can be interpreted as a short-term adaptation of collective bargaining to the new minimum wage. Since employers would find it difficult to increase wages of higher-paid workers, these effects are more

⁷⁶ *Ibid.*, pp. 39–40.

⁷⁵ *Ibid*, p. 34.

⁷⁷ *Ibid.*, p. 2.

⁷⁸ *Ibid.*, p. 35.

⁷⁹ *Ibid.*, p. 2.



likely to be observed in low-productivity and low-wage sectors. Later, in the medium-term, spillover effects may become more important and could be observed in those sectors experiencing more intense labour shortages, like the residential and social care sector. Namely, collective agreements would translate national minimum wage increases to the whole wage distribution, depending on the characteristics of the sector.⁸⁰

The COVID-19 crisis together with the neighbouring war potentially brought substantial heterogeneity that was identified during 2020–2022. Indeed, these crises impacted the inflation rates, causing a strong effect of national minimum wage developments on negotiated wage uprates.⁸¹ To sum up, this research created a more complete picture of the effects that increases in national minimum wages can have on the European labour market, especially regarding the wages of low-paid workers in low-paid sectors. It will therefore prove valuable in assisting social partners as well as policy- and lawmakers when navigating crises and cooperatively adapting national and sectoral labour structures to these changes.

Key recommendations related to minimum wage and pay gap

Slovenia

Slovenia should expand collective bargaining to approach the 80 percent coverage target set by EU Directive 2022/2041, with support for sectoral agreements and emerging industries. Regular tripartite wage and tax negotiations should be strengthened by aligning minimum wage growth with productivity and safeguarding the autonomy of social partners.

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⁸⁰ *Ibid.*, p. 76.

⁸¹ *Ibid.*, p. 75.



To ensure predictability, Slovenia should adopt a wage-setting formula, possibly linked to the median wage or cost of living. Sectoral agreements should address gender pay gaps, including mandatory pay audits in the most affected industries. Minimum wage floors above the statutory minimum should be introduced for low-wage sectors, with progression based on experience and skills.

Minimum wage policies must be evidence-based, supported by regular impact assessments on competitiveness and employment. Collective bargaining rights should be extended to platform and self-employed workers, in line with EU Court rulings, and promoted in sectors with high shares of non-standard work. National legislation must be aligned with EU Directives on minimum wages and pay transparency. A national strategy should support collective bargaining growth and integrate social dialogue education into school curricula.

Voluntary adherence to sectoral agreements should be incentivised, especially among companies without enterprise unions. Employers engaging in collective bargaining should receive financial incentives, while enforcement in weakly organised sectors must be improved.

Clear pay scales and promotion criteria should be embedded in collective agreements, aligned with the EU directive on pay transparency. Equality measures should be balanced with economic freedoms, and dialogue encouraged around regulatory impacts.

Implementation of collective agreements must be monitored, especially in low-wage and informal sectors. Labour inspectorates should be strengthened, with some responsibilities shared with social partners. Mediation and arbitration mechanisms should be expanded to resolve disputes efficiently, including at the individual level, and could be financed through EU funds.



Trade union access to workplaces - especially in small and medium enterprises - should be improved, with financial and administrative support for membership growth. A dedicated social dialogue fund should finance negotiations, training, and expert support. Joint training for social partners should bridge social justice and economic literacy, covering themes like productivity, competitiveness, and cost structures. SMEs need tailored guidance to participate in dialogue and comply with pay transparency rules. Finally, collective bargaining education should be integrated into school curricula to promote awareness from an early age.

Malta

Malta's minimum wage, though legally in place, no longer aligns with the adequacy and fairness goals of Directive (EU) 2022/2041. Lacking a formula-based system, it is set politically and through COLA adjustments, not socio-economic indicators. Compared to EU benchmarks (60% of median or 50% of average wage), Malta's minimum wage falls short—especially harming low-paid and part-time workers amid rising living costs.

A shift to a transparent, evidence-based wage-setting model is needed. A dedicated commission—comprising unions, employers, civil society, and experts—should assess wage adequacy, cost-of-living trends, and advise on sustainable increases. Minimum wage criteria should also apply to public procurement to promote fair work standards. Adequate wages are crucial for macroeconomic stability, reducing poverty, and strengthening public finances.⁸²

Malta has made strong legal commitments to gender equality, but significant implementation gaps remain. Women continue to earn less than men, are concentrated in part-time and low-paid roles, and face slower career progression due to caregiving burdens and workplace discrimination. While Malta's gender pay gap is below the EU average, it remains a clear indicator of structural inequality.

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⁸² Internal document WP4_Recommendations_Malta_EN, p. 22-23



Directive (EU) 2023/970 on Pay Transparency presents an opportunity to shift from commitment to enforcement. Its transposition should be seen not just as a legal requirement, but as a driver of cultural and organisational change. Measures such as mandatory pay gap reporting, employee access to pay information, and transparent job classification systems will allow workers and unions to identify disparities and seek redress.

Still, transparency must be matched with enforcement. The National Commission for the Promotion of Equality must be empowered to ensure compliance, investigate complaints, and issue sanctions where systemic discrimination is found. At the same time, greater investment in childcare, paid parental leave, and flexible work—accessible to both women and men—is essential to rebalance care responsibilities and address root causes of inequality.

Social partners also play a crucial role. Gender-responsive collective agreements can institutionalise pay reviews, maternity protections, anti-harassment policies, and career development measures for women. When used effectively, these agreements can go beyond legal compliance and help transform workplace culture toward greater equality⁸³ At the centre of labour reform in Malta lies the need for trust and co-responsibility. A sustainable labour model must be built not only on compliance but on active collaboration between trade unions, employer organisations, and state actors as equal partners. Together, they must shape a labour market that balances competitiveness with social fairness.

The Malta Council for Economic and Social Development (MCESD) should evolve from a consultative body into a strategic platform for tripartite innovation and joint problem-solving. National action plans required under EU directives must be developed collaboratively, with clear monitoring mechanisms and accountability for all stakeholders.

 $^{^{\}rm 83}$ Internal document WP4_Recommendations_Malta_EN, p. 23-24



To support this, social partners need access to labour market data, technical assistance, and financial support to lead initiatives promoting inclusive bargaining and equality. Where collective agreements introduce measures such as pay transparency or protections for non-standard workers, the state should offer incentives and public recognition.

Equally important is the role of public engagement. Awareness campaigns, education, and open access to data can help rebuild trust in social dialogue and ensure that labour rights are widely understood and defended.

Implementing these reforms will require political will and a readiness to confront entrenched interests. However, the cost of inaction is far greater: rising in-work poverty, gender inequality, social fragmentation, and declining trust in democratic institutions.

With the implementation of Directives (EU) 2022/2041 and 2023/970, Malta now has the chance to reimagine its social contract—not as a fixed rulebook, but as a living framework for inclusion, dignity, and shared prosperity. By advancing fair wages, gender equality in pay, and strong collective bargaining, Malta can build a labour market that reflects both its European commitments and national values—a labour market that works for everyone.⁸⁴

Spain

In Spain, employers' organisations recommend linking minimum wage increases to collective agreements, ensuring coordinated, moderate, and predictable rises aligned with overall wage growth to avoid inflation and protect competitiveness, especially in labour-intensive sectors. They also emphasize including automatic price revision clauses in public procurement contracts to prevent SMEs from bearing wage increase costs alone.

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 $^{^{84}}$ Internal document WP4_Recommendations_Malta_EN, p. 25-26



Employers call for a legally established obligation to negotiate minimum wage adjustments through tripartite social dialogue and suggest a formal advisory body to provide recommendations based on labour market data. To help SMEs adapt, temporary financial incentives like reduced social contributions or subsidies are proposed.

To tackle the persistent gender pay gap, employers advocate reinforcing gender pay audits and job evaluation in collective agreements, developing national gender-neutral job classifications, monitoring wage register compliance with clear sanctions, and running awareness campaigns about pay transparency and legal obligations.

Some sectors, such as platform work and agriculture, lack strong collective agreements. Employers propose targeted strategies to extend collective bargaining, improve dispute resolution mechanisms, and formalize emerging work forms. Strengthening the Commission for Monitoring and Promotion of Collective Bargaining is recommended.

The government should support regular tripartite social dialogue and improve the quality and transparency of labour market data for wage setting. Structural barriers to gender equality should be addressed by institutionalizing fair recruitment and promotion protocols in companies.

Collective agreements must be updated to address new work forms like telework, algorithmic management, and digital surveillance. Social dialogue should anticipate changes in sectors affected by digitalization and climate transition. Clearer legal frameworks and stronger dispute resolution mechanisms are needed, along with targeted training for negotiators on legal, economic, gender, and transition issues.

Portugal

Portugal has introduced mechanisms to promote collective bargaining, including through fiscal incentives—such as increased access to structural funds and corporate tax (IRC) benefits for companies engaged in dynamic bargaining. The principle of most favourable



treatment applies, with limited exceptions for supplementary legal standards. To address the gender pay gap, efforts must target education and training by encouraging women into traditionally male-dominated fields and men into care roles, alongside promoting women in leadership.

Strengthening collective bargaining also involves making it mandatory for employers to share the Single Report with worker representatives, regardless of union affiliation. Yet, balancing detailed labour legislation with space for negotiation remains a challenge. Although collective bargaining is inherently general, it should accommodate company-specific realities, within a legal framework that allows employment contracts to deviate only when offering better conditions.

A clearer definition of "work of equal value" is needed to combat the gender pay gap. Social partners advocate teacher training and the integration of gender equality themes into school curricula, while also stressing the importance of attracting girls to future-oriented fields such as digitalisation and automation.

Capacity-building must focus on extending collective bargaining to new sectors and addressing informal labour movements, given the limited reach of current union and employer structures. Gender equality should be embedded into bargaining agendas to shift labour market dynamics. On minimum wage, an action plan should be created in consultation with social partners, with clear timelines and goals to increase collective bargaining coverage. This plan must be reviewed every five years and can be implemented partly or fully by social partners, who also play a key role in executing the Directive at national level.

Greece

Greece should work toward restoring the process of minimum wage setting through genuine social dialogue and collective bargaining, rather than relying solely on statutory mechanisms. Strengthening sectoral collective agreements could be also essential



priority, as current wage-setting practices through enterprise-level agreements are limited in coverage and often do not result in meaningful results. Broader collective bargaining is necessary not only for wage regulation but also to address other key issues.

To address the challenges in Greece's social dialogue, the representative organisations must be strengthened. This also involves engaging new sectors and groups. Innovative approaches are needed towards membership, inclusiveness, and today's diverse and fragmented labour market. At the same time, representative organisations could modernise their agendas and communication strategies to reflect the digital age and the realities of new forms of work. Trust and engagement are key to increasing involvement and strengthening collective representation.

Building capacity for effective negotiation is equally important. Greece should promote a culture of negotiation by investing in the training and upskilling of both workers and employers. Mediation and arbitration could be revisited. Lessons can be drawn from sectors like banking, hospitality, and manufacturing, which managed to maintain collective bargaining throughout the financial and health crises. Their experience demonstrates the value of institutional support in sustaining a functioning social dialogue system even during periods of economic uncertainty.

Recommendations from trade union perspective

I. Recommendations on risks of new forms of work through OSH

Note: When adopting recommendations, it is essential to consider the differences between the legal systems of the participating countries. Although they all belong to the same legal family (continental Europe), they represent different subgroups with specific institutional characteristics.

- 1. Policy making & Engagement recommendations
- Social partners (trade unions and employers' associations at the bipartite level) should lead the development of guidelines for safe telework, platform work, and non-



standard employment, in cooperation with experts in occupational health, ergonomics, and digital management. These guidelines should be financed by the state or through calls for proposals issued by the responsible ministries and meaningfully included in a dedicated chapter of sectoral collective agreements.

- Mandatory permanent bipartite consultative bodies should be established for new forms of work to prepare legislative proposals and risk assessments, thus reducing the need for direct (ad hoc) state legislative intervention. This prevents the drafting of bureaucratic legislation that is not based on real conditions and practical needs.
- Legislative framework for new forms of work (teleworking, platform work, gig work), should be based on the protection of fundamental workers' rights and freedom of contract. Abuse of self-employment statuses (bogus self-employment) should be prevented without excessive interference in entrepreneurial freedom. A lower tax burden might help prevent the increasingly common practices of creative accounting and tax avoidance. Higher taxes may lead to an increase in shadow (grey) economy activities, which in turn reduces actual revenues for the tax system and social security funds.
- Ensure proportional regulation relative to company size, especially for SMEs smaller enterprises must not be administratively overburdened.

2. Operational & Awareness recommendations

- Trade unions and employers should jointly run awareness campaigns on the right to disconnect, safe remote work, and the prevention of hyper-connectivity not as the task of labour inspectorates, but within the framework of collective agreements cofinanced by the state.
- Develop internal codes of practice created by social partners at the company level, with jointly agreed methods of monitoring occupational risks without relying on external state oversight.
- Organising joint social partner-led workshops in vocational schools with the aim of embedding the concept of the "Individual as the primary guardian of their own health and social security".



3. Capacity building recommendations

- Trade unions may establish mobile expert teams to support non-standard workers, particularly platform workers, in understanding their rights, ergonomic standards, and occupational safety.
- Social partners should establish local or digital 'centres for fair work*' to support workers and employers (The option to resolve outstanding issues through e-forms quickly, easily, and cost-effectively.
- *A digital system for quick resolving and responding to work-related issues for businesses, involving the competent expert services of both social partners (trade union and employers' organization), who jointly prepare a written response whether for the worker or the employer."

II. Recommendations on the promotion of collective bargaining, minimum wages, and the gender pay gap

Note: All recommendations should be rooted in the principle of meritocracy as the foundation of a fair society and a competitive economy. Career advancement and wage structures should be based on individual contribution, not solely on gender quotas or statistical correction mechanisms.

- 1. Policy making & Engagement recommendations
- Social partners should establish independent economic committees to propose minimum wage levels based on productivity, inflation, and purchasing power (in line with market-based principles), thereby reducing the role of political discretion.
- Promote "bargaining decentralisation" enable collective bargaining not only at national or sectoral levels but also at company or regional levels, allowing social partners to adapt wage setting to local competitive conditions.

2. Operational & Awareness recommendations

Social partners should take the lead in conducting internal wage audits and gender pay gap assessments, thereby replacing the need for state inspections.



Establish sectoral advisory bodies to develop recommended wage structures based on performance and work efficiency (merit-based criteria), reducing top-down bureaucratic wage-setting mechanisms.

3. Capacity building recommendations

Joint social partner training programmes should be established, focusing on negotiation skills, pay transparency, and the application of relevant EU directives, delivered through workshops run by trade unions and employer associations. Training programmes must be supported through mechanisms for strengthening social partners, specifically via public calls for proposals.

III. Strategic Orientation

- Instead of engaging in a race toward ever-greater political correctness, Europe must focus on fairness in communication, in labour relations, in economic competitiveness, in demographic trends and implement policies based on factual realities.
- The EU's competitiveness is declining compared to other developed economies. We are suffocating under hyper-regulation, which is crippling for micro, small, and medium-sized enterprises (SMEs) the backbone of Europe's economy.
- We must tackle root causes, not only symptoms and act immediately! This should be the key message from the trade union perspective.
- The foundation of social security must remain work, not dependence on the idea of an omnipresent welfare state sustained by taxes from the real economy.

General recommendations

 Uniformised frameworks are good for Europe to act as a coherent global unit and as a strong single market, however competitiveness has to become a main goal again, therefore priority have to become also simplification and reduction of administration burdens for businesses. Regulations on EU and national levels have to be more tailored to SMEs.



- 2. SMEs interest has to take a key central position on the European level, therefore SMEunited has to be strongly backed up by its members.
- 3. There is a need to secure sustainable financial support for social partners to be (pro-) active on European level for their participation in the processes of creating European strategies, policies, measures and legislation frameworks. Challenges in forms of various crises and in changes in global power repositioning are demanding strong social partners who are able to implement social dialog swiftly and efficiently.
- 4. Collective bargaining coverage remains uneven, particularly in emerging sectors like platform work and telework. Efforts for inclusion into collective agreements should be made.

PROJECT PARTNERSHIP





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Hellenic Confederation

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ZDOPS

Association of employers in craft and small business of Slovenia

Združenje delodajalcev obrti in podjetnikov Slovenije GIZ

https://zdops.si/

SME Chamber

Malta Chamber of SMEs

https://www.smechamber.mt/

PIMEC

Micro, small and medium-sized companies in Catalonia, Spair

Pimec Petita i Mitiana Empresa da Catalunya, Spain

https://pimec.org/er

GSEVEE

Hellenic Confederation of Professionals, Craftsmen & Merchants, Greece

Γενική Συνομοσπονδία Επαγγελματιών Βιοτεχνών Εμπόρων Ελλάδας

https://www.asevee.ar/

CCP

Portuguese Commerce and Services Confederation

Confederação do Comércio e Serviços de Portugal

https://www.ccp.pt

SOPS

Trade Union of Crafts and Entrepreneurship Slovenia

Sindikat obrti in podjetništva Slovenije

https://sops.si/about/

SMEUnited

Association of Craft Employers and SMEs at the European, Brussels

https://www.smeunited.eu/

