



ACCESS TO SOCIAL PROTECTION FOR CITIZENS WITH IRREGULAR WORK-INCOME

ACCES TO SOCIAL PROTECTION SEMINAR ON 23 FEB2015

The artistic and cultural fields are sectors that count a very high percentage of professionals working in atypical/new forms of employment (that is not under full-time open-ended contract, such as those who work on a project basis or part-time under open-ended contracts, who have portfolio careers, are solo self-employe ...). But they aren't the only sectors to face these problems: Eurostat figures show that nearly 40% of European labour force is working in an atypical employment form, and the trend is rapidly growing.

This labour market evolution impacts the financing of social security and the access to social protection, as they were designed in times when the standard was working under full-time open-ended contracts.

The topic of the seminar is to address the issue of access to social protection for those who don't work in this "standard" way. One of the aims of the seminar is to create synergies and build alliances amongst stakeholders and academics. The collaboration should allow to better raise the awareness on the need to rethink social protection in order for it to be both sustainable and accessible to those who are in need.

Luca Bergamo welcomed participants and explained the reasons for CAE to address the issue of social protection: mainly the weight of "new forms of employment" in the creative sector and beyond. The phenomenon being European-wide, it is important to dynamize the social dialogue at all levels: from the local to EU level. The legislation on social protection is very fragmented: following the social statute endorsed, from a sector to another, sometimes even job-specific, and even more, very different from a

country to another. There is a need to share knowledge and perspectives on the different types of employment and their impact on the access to social protection.

A round of presentations from field organizations' representing freelancers followed. Please note "Freelancer" isn't a social status, it is a way of working (which often corresponds to the status of self-employed) but can, in certain countries, be pursued by people who work under the status of employees.

Sarah de Heusch presented the research SMART is undertaking together with CAE on the access to social protection for people who work in atypical employment forms. This research focuses on Health-related risks (i.e. access to health care; benefits links to sickness or professional injury, occupational disease, maternity, long term care) and collects 2 types of data: legal data (regarding employees, self-employed & especially the legal exceptions that affect creative professionals) and actual practice (survey on actual practice). Legal data is being collected in 9 different EU countries & the survey is available in 6 different languages. Data is still being collected and first results will be available in Fall.

Joel Dullroy from the *freelancers' movement* then presented specificities of the social security for freelancers in different EU countries. He noted that some specific arrangements have been organized for freelancers, but still many obstacles remain in most countries. Some freelancers or groups of freelancers have found solutions, but these are not scalable, flexible and can't be modeled; and freelancers need a model of Social protection that can be scalable.

The main problems freelancers encounter are: handling administrative issues (finding clients, payments and administration processes) and accessing social protection (especially health care, retirement and unemployment). Different solutions were proposed and will be taken on board in the next Welfare Line encounters (see next steps).

Annalisa Murgia, sociology professor at the University of Trento presented results of her research on precariousness. She states that in order to understand precariousness, we need to understand the labour market and new forms of employment. Precariousness needs a new definition in order to be better represented and understood; a common narrative is the prerequisite to "auto organization". For example "self-employed" integrates 2 types: classical liberal professions & the 2nd generation called "freelancer" (the raising solo-self-employed of the EU). She distinguishes 3 concepts: Precarity (irregular work income), Precariousness (experiential condition of precarity connected with the person's life, network, resource etc it is a dynamic concept) & Precariat (an emergent social and political actor/class). The new welfare system needs to be inclusive, fair and for all, therefore it needs to 'keep unity within diversity'. She raised the interest of Universal basic income as a solution for the "precariat class" as well as minimum salary in the EU.

Pascale Vielle, Social law professor at the University of Louvain presented the differences between the Classical Concept of social protection and the new system. The first (used by the EU and international organizations) is based on the social pact of 1945, inspired by social justice considerations, and based in a world of full-time & open-ended contract (male) work pattern. The aim was a better redistribution of time and money to reduce poverty, uncertainty and to fulfill basic living needs. Many of the addressed risks are now outdated. The new welfare system should ensure that each citizen in a changing situation (family and working environment) has a real choice and horizon to project his/herself in both short-term & long-term. It should have a focus on individuals, be gender and capabilities¹ based, take into account life course, transitions and different needs at different stages. Major references on the new model (and its basic securities) are the article 9 of the TFEU and ILO 2012 recommendation 202 on social protection floors. The issue is that the social dialogue doesn't have interest on the access to social protection.

Pierre Baussand from the European Social Platform gave some incentives on how tackle the issue of an actually inclusive social protection for all. First of all the idea of Social justice must be defended, that is fundamental rights, social protection, combatting inequalities, decent work for all and people participation. To this aim one must focus on common grounds and values. Therefore there is a battle on words which calls upon correctly redefining the terms to better react and think about solid solutions based on solid and common notions. New terminology must take into account different working profiles and all existing social groups across the EU. This can be done by involving citizens in the public spheres by providing a voice to their rights and giving them tools to advocate for what they want. To this end, a collective sense of citizenship should be redynamised. Many rights are being jeopardized, such access to health protection system. Furthermore the EU2020 strategy is not going to fulfill its full objective since poverty is increasing and growth is stunted. After the crisis, the consequences of social issues have not been seriously discussed: precarious situations are more and more accepted, inequalities growing. One major issue is that the EU has not yet fulfilled a process or objectives of harmonization of social systems, and Member States reject the idea of letting go their sovereignty on the matter.

NEXT STEPS

The topic of access to social security is urgent because an increasing number of citizens experience irregular and low income combined with a deficient access to social protection. This raises inequalities in terms of both income and access to

¹ Sen's capabilities: http://en.wikipedia.org/wiki/Capability_approach

social protection, creating a wide class of low income workers on the edge of poverty today without an appropriate safety net.

In order to tackle the issue properly we must both find adapted terminology to address the concerned population and reinvent (not only adapt) a social protection model accordingly to the realities of the XXIst century. The focus should be on redesigning social protection accessible to all (especially those experiencing difficulties) and financially sustainable. A good start would be to agree on common values and principles regarding social protection.

To be efficient, participants of the seminar agreed that two activities should run in parallel: the collection of evidence and the drawing of common values and principles to be advocated at all levels.

1) Collecting data

Collaboration with academics & research centers from different disciplines should contribute to collecting evidence and creating synergies in approaches regarding :

- a. Difficulties in accessing social protection in current systems: a European comparative approach should allow collecting comparable data from different countries, regarding national legislation and actual practice. Many families of risks still need to be addressed, such as unemployment, aging, access to housing & credits, specific life path needs (life-long learning needs, parental leave, supporting elderly...).
- b. Inventing a social protection adapted to the XXIst century: a proactive and visionary line of research on plausible social protection systems that are inclusive and sustainable financially should be envisaged.
- c. Finding adapted terminology: at the time-being we are using terms such as "atypical" or "new forms" of employment, but they clearly aren't adapted. We need to find the best suited terminology, it will probably be a new term.

Encounters with researcher participating to the seminar and more will be organized in the coming months.

2) Draw policy recommendations

Many encounter will be organized in the next years with employment related stakeholders and social experts (such as and civil society organizations, NGO, cooperative workers, solo/self-employed ...) in order to address the following:

- Finding adapted terminology to address the different categories of the changing labour market
- Common values & principles to defend: we could start by analyzing some

of Joel Dullroys' concrete proposals² such as :

- Access to social protection for all (why & how)
- No minimum contribution
- Fair & progressive taxation

² We haven't taken into consideration "No upfront payments imposed" & "No supposed average income" because, at the time being, they mainly concern self---employed. They will surely be addressed later, as they are linked the wider issue of "autonomous workers".