



Worker participation in GIG economy – long-term scenarios for automotive sector

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Introduction

The phenomenon of GIG economy is one of the fastest developing issue in the European public debate. Due to its novelty both the terminology, and the data on the scale of platform work is still unclear: many different terms are used to describe the activities that are mediated through on-line platforms: gig work, on-demand work, work-on-demand via apps, platform work, digital labour, digital (gig) economy, crowd sourcing, piecework, and collaborative consumption (Eurofound 2018). Eurofound proposes the following definition of platform work (2018), which is both descriptive and extensive:

'Platform work refers to an employment form that uses a platform to enable organisations or individuals to access other organisations or individuals to solve specific problems, or to provide specific services in exchange for payment. Accordingly, the focus of the research is on platforms matching supply and demand for paid labour. The main features of platform work, as it is understood in this project, are:

- Paid work organised through platforms;
- Three parties involved: platform, client, worker;
- Aim is to conduct specific tasks or solve specific problems;
- Form of outsourcing/contracting out;
- Break-down of 'jobs' into 'tasks;'
- On-demand services.'

Platform work in the automotive sector is probably one of the fastest growing group of online applications intermediating between clients and workers / service providers. Such brands as Uber, Bolt, Taxity, MyTaxi, iTaxi appear more often of the street of the European cities and often become prototypic for the whole phenomenon. "Uberisation of economy" has been frequently used as a synonym to GIG economy or platform work. One might observe conflicting opinions on GIG economy in the public debate: for some actors it is a sign of the highest technological and economic advancement, innovative solution breaking old boundaries and ways of conducting business activity, while for other actors platform work might coincide with fragmentation of labour, precariatisation of workers, corrosion of collective labour relations, ceding risks and responsibility for conducting business activity to individuals.





Literature review and recent legal developments in GIG economy in Poland

Scale and features in platform work

Currently, it is still not much known on scale and features of platform work in Poland due to the fact that not many studies have been carried out so far. As of 2019, there is only one national-level study that has estimated the scale of platform work in regard to platform workers and their working conditions. Moreover, there have been some international studies – both quantitative and qualitative – in which Poland was included.

According to the most recent study on new forms of work, as many as 11% of respondents declared they had conducted work using an on-line platform in Poland in the past, and 15% intended to continue to undertake such work in the future (Owczarek 2018)¹. As many as 44% had not heard of this form of work, while another 40% had heard of it, but never worked through an on-line platform. Platform work was one of the least popular forms of work compared to the other forms under scrutiny,² which shows that it is still not popular among workers in Poland. The study showed that platform work was more often performed by the youngest respondents: 22% in the 18–24 age group, and 14% in the 25–34 age group. Thus, it is not surprising, given the context, that platform workers are overrepresented among those with primary and lower secondary education – 17% in each of the two age groups. Also, they more frequently lived in larger cities (15% in cities of 200–499 thousand inhabitants, and 13% in cities over 500 thousand inhabitants). Employment in less stable forms of work is also more frequent in this group: 15% are employed under fixed-term employment contracts, 14% among self-employed, and 14% in the group working without contracts.

For the vast majority of those who had used platforms on a regular basis (only 37% of all respondents who declared some form of platform work), it was a side job (71%) performed only intermittently. Nearly one third (31%) of platform workers in Poland claimed that they were not able to estimate the average number of hours worked per week, one quarter (24%) declared they had worked less than 10h/week, and another quarter (23%) between 10 and

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¹ It should be noted that the study concerned all types of platform work despite sector and therefore data regards to entirety of platform work phenomenon in the country. Unfortunately, it does not allow for separation of transport sector form other types of platform work.

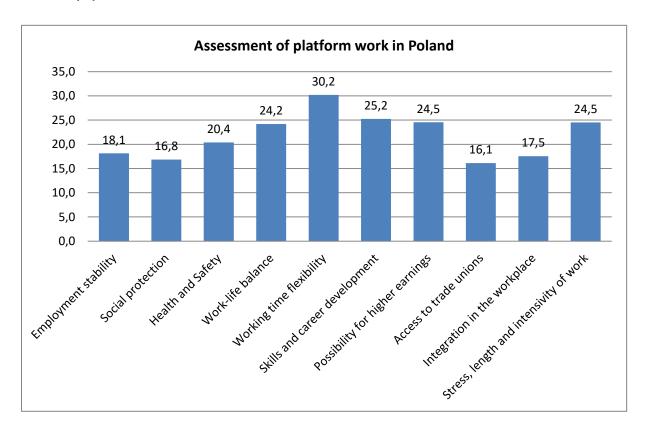
² Employee sharing – 15%, job sharing – 24%, casual work – 54%, ICT-based mobile work – 23%, interim management – 12%, voucher-based work – 8%, portfolio work – 11%, collaborative employment – 13% (Owczarek 2018).





20h/week, 14% between 20 and 40h/week, and 9% over 40h/week. As many as 40% of platform workers declared monthly incomes under one thousand PLN (approx. € 240), 26% between one and two thousand PLN (approx. € 240–480), 18% between two and five thousand PLN (approx. € 480–1200) and 9% had an income higher than five thousand PLN (€ 1200). On the basis of this study, it can be concluded that platform work is still not very popular in Poland, and for the majority of employees it is an incidental form of work (63%). Among those working on platforms on a regular basis, it is a side job that usually brings in 'pocket money' of less than € 480 per month (66% respondents).

Figure 1. Assessment of job quality in regards to platform work among employees in Poland (%)



Source: Owczarek, D. (2018) New Forms of Work in Poland, Institute of Public Affairs, Warsaw

When compared to other forms of work in the study, respondents assessed the quality of jobs offered by on-line platforms as being lower when evaluated against ten job quality dimensions (see Figure 1). The overall result was 21.5% for positive indications (as compared to an average of 23.6% for the entire study). The most distinctive feature of platform work is its flexible working time, followed by the opportunity to develop skills and a career, and then the potential for higher earnings and work-life balance. It should be noted





that in the case of the earnings assessment, the results for platform work are the lowest when compared to the other types of work. The lowest performance result for platform work, in comparison to other forms of work, was the stress, intensity, and length of work criterion. Respondents also evaluated platform work lower in terms of providing access to trade unions, social protection, and integration with colleagues in the workplace. These results overlap, in general terms, with the expert assessment of platform work quality conducted by Eurofound (2015).

A European Commission-funded study covering Belgium, France, Germany, Italy, the Netherlands, Poland, Spain, Sweden, and the UK, estimated that by 2015, 273 collaborative platforms (comprising work platforms as well as rental and accommodation platforms) had been founded in these countries (Vaughan and Daverio, 2016, after: Eurofound 2018). In 2015, household tasks mediated through platforms in these countries are estimated to have had a total transaction value of € 1,950 million, and the platforms' revenue was estimated to be € 450 million. Online professional tasks saw transactions valued at € 750 million with a platform revenue of € 100 million (Vaughan and Daverio, 2016, after: Eurofound 2018). Fabo et al (2017) in their EU-28 study, claims that approximately 45% of the platforms operating in Poland were dedicated to transport services, while the remaining 55% offered other non-transport services (after: Eurofound 2018).

The European Commission published a quantitative report based on a Flash Eurobarometer conducted across all EU countries in 2016 (European Commission 2016). Half of Poland's population (51%) hadn't heard of platforms (as compared to 46%, on average, in other EU countries), 7% had used platforms occasionally (9% in the EU), and 4% were using platforms regularly (4% in the EU). The majority of Poles had not used platform services (66% as compared to 68% in the EU), and only 17% had offered a service via a platform occasionally (18% in the EU). It must to be noted, however, that this study used a relatively wide definition of platform work, which also included renting accommodation, car sharing, and small household jobs. Moreover, the study did not specify if using an on-line platform meant that a respondent worked through a platform, or just used a platform as client. This leads to the conclusion that research is challenged by the absence of a harmonised definition, due to which, different understandings might be implied, and different research approaches be applied by different authors.

In another – much more extensive – report by the European Commission (2017), qualitative methods in the form of 50 interviews, and quantitative methods consisting of an original survey of 1,200 platform economy workers, were applied in eight EU countries: Bulgaria,





Denmark, France, Germany, Italy, Poland, Spain, and the UK. The survey was conducted with platform workers across four established platforms: Amazon Mechanical Turk (AMT), Clickworker; CrowdFlower (now Figure Eight); and microWorkers. However, the subsample from Poland and Bulgaria comprised only 8% of the total sample. The average working hours across the platforms stood at 23 hours per week, with the median hourly pay being 6 US dollars. Pay levels across the platforms were significantly lower than the national minimum wage rates across European countries and the U.S., ranging from a gap of 54.1% in France to 3.4% in the United States. The survey also revealed that the relatively high levels of job satisfaction and emotional wellbeing among platform workers were offset by a lack of task autonomy; and a dissatisfaction with career prospects, pay levels, and job security. The workers' dissatisfaction with job security was considerably higher than the representative average figure across European labour markets.

Based on the survey, the report develops a new categorisation consisting of three clusters of platform economy workers: Moderate Beneficiaries, Random Surfers, and Platform-Dependent Workers. The categories were derived from the degree to which workers were dependent on the platform economy for income, and the quantity of work, notably in terms of whether work was conducted as an alternative or alongside more traditional forms of employment. Statistical analysis found that approximately a quarter (25%) of the platform economy's labour market was comprised of 'Platform-Dependent Workers': those workers who derived a larger share of their personal income from micro-tasking, and did not have other paid jobs. These workers were significantly worse off compared to those who were not reliant on the platform economy, earning on average between 43 and 62% less, regardless of country differences. Access to social protection schemes, with the exception of healthcare insurance, was very low for platform economy workers. Up to 70% of workers participating in the platform economy reported that they could not access basic schemes like pregnancy, childcare, or housing benefits. This effect was especially pronounced among Platform-Dependent Workers.

Interviewees from Poland, in the qualitative part of the study, reported a 'very small' contribution to total GDP from platform work, so its importance is still marginal. Respondents in the in-depth interviews pointed out that the main drivers for the development of platform work in the country included: significant cost savings as a result of utilising labour provided by a workforce that is not directly employed; tax arrangements involving contracts (self-employed, civil law contracts), which also enable lower social contributions; a lack of alternatives in the context of financial insecurity due to the prevalence of low-wage work in





the country; and the prior existence of a significant 'grey' economy with a prevalence of undeclared work and earnings (new opportunities presented by online platforms for generating income outside of the formal taxation system).

Legal regulations on platform work

Platform work is a challenge to legal systems which operate with the concepts of 'employer,' 'employee,' and 'employment relationship,' in which 'employee' refers to subordinated and dependent workers while other types of relationships are reserved for independent contractors. Some situations can be understood as multi-employer arrangements or as a triangular relationship between worker, client, and platform. Platform workers share some characteristics with the employee category and some with the independent contractor/self-employed category – depending on the type of platform work, the tasks performed, and the platform. However, the legal reality of the relationship is often determined by the platform's terms and conditions, which commonly deny the existence of an employment type relationship between the platform and the worker, and between the worker and the client. Workers are then designated as independent contractors, and thus self-employed.

In the context of the Polish legal system, the qualification of platform work is not clear and there has been no official interpretation of this sort of employment relationship - so far. Currently, platform workers are not considered to be employees covered by the Labour code and thus having an employment contract. Platform workers contracts fall under one of the two following categories: self-employment or civil law contract. This categorization imposes the responsibility for issuing income taxes or social contributions on the service contractor. In effect, the platform worker is treated, in practical terms, by the platform and the service user as a micro-employer. Self-employed workers and those employed on civil law contracts are theoretically covered by the general social insurance system, but insurance against some risks is voluntary. Sickness and maternity insurance, for example is voluntary for the selfemployed and 'contract of mandate' (a form of civil law contract) workers. Furthermore, the social insurance system does not cover contracts for a specific task (a form of civil law contract), which encompasses much platform work. This incentivises the use of civil contracts, since the costs are lower than for regular employment contracts. Platform work is still not a wide-scale phenomenon in Poland, but its possible future development might contribute to a key labour market challenge in Poland, that is, the misuse of civil law contracts and bogus self-employment in order to transfer the businesses' risk to 'subcontractors,' and cut labour costs (fragmentation of the labour market, 'precariatisation' of platform workers). In such circumstances, the alleged innovativeness of on-demand





platforms, in terms of their business model, is not so obvious when social consequences are taken into consideration.

Due to the rapid expansion of online platforms in the transport sector (like Uber, Bolt, Mytaxi, iTaxi, etc.) and massive protests of taxi drivers against the unfair competition in Poland, the government adopted two sector-related legal initiatives. In 2015, the Ministry of Finance clarified in their statement (Ministry of Finance, 2015), that economic activity conducted by Uber drivers is a subject to personal income tax. Moreover, the Uber drivers need to be registered as self-employed and therefore general rules on issuing personal taxes and social contributions should apply respectively. In 2017, the Ministry of Infrastructure started drafting amendments to the Road Transport Act to regulate the activity of an intermediary (Uber-like online platforms) in road transport and modify passenger transport licence related provisions. The Act – adopted on 16th May 2019 that enters into force starting from the 2020 – assumes that the intermediation activity shall be subject to licence and require registration in Poland. The board members of the intermediary entity shall not be, among others, convicted of offences against working environment or conditions of work and pay. The intermediary shall be able to contract out passenger transport only to entrepreneurs holding relevant passenger transport licence. The draft provides for fines both for the intermediary operating without the license, and for the driver accepting orders from such an intermediary. The amendments ease the requirements for obtaining the taxi licence and driving passengers, namely, they abolish obligatory training and exams in local topography and local law.

Concluding, the current legal status of platform work remains still unclear in Poland with the exception of the road transport. The legal initiatives are therefore of fragmentary character and are reactive to social discontent articulated by the taxi drivers organisations.





Attitudes toward GIG work from the perspective of independent workers, permanent workers and employers

The literature review on GIG work in Poland has been supplemented by a signal questionnaire distributed online among the independent workers, permanent workers and employers (N=52). Due to the small number of respondents the results will be reported in nominal numbers or average scores rather than percentage. It also should not be considered as a representative study.

Over half of the respondents had higher level of education, namely almost all respondents among employers, nearly half among the permanent workers and a third among independent workers.

Table 1. Number of respondents in the online survey and their education level

		Level of education				
	Number	elementary	secondary	higher		
Independent workers	23	5	11	7		
Permanent workers	15	4	4	7		
Employers	14	0	1	13		
TOTAL	52	9	16	27		

Source: own study

Group characteristics and working conditions

Respondents were asked how satisfied they are with their work with regards to specific aspects. The answers were measured on five-point scale: from 1 – low level of satisfaction up to 5 – high level of satisfaction. The survey revealed a significant difference between the employers and two remaining groups in terms of work satisfaction in regards to all observed dimensions (Figure 2). Arithmetical mean stood over 4 in all dimensions, meaning that they reported high or very high level of satisfaction (4.55 on average), especially with regards to





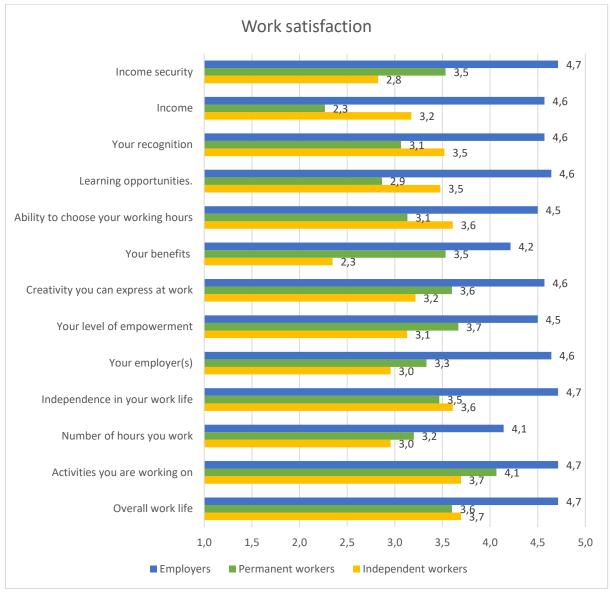
income security, independence in work life, satisfaction with activities carried out at work and general work satisfaction. Number of working hours and social benefits were assessed less enthusiastically.

Independent workers were the least satisfied on average (3.25) with their work as compared to remaining two groups. The results of permanent workers were only slightly better (3.33). However, the average results in both these groups stood above middle of the scale (3). Independent and permanent workers were the most satisfied with activities carried out at work (respectively: 3.7 and 4.1), independent workers assessed high also their work in general (3.7). Independent workers were the least satisfied with social benefits (such as health care, maternity / paternity leave, minimum wage), while permanent workers with the level of income. Independent workers appreciated their income more than permanent workers, but their assessment of income security was significantly lower as compared to both permanent workers and employers. Significant differences may be observed in regards to social benefits: independent workers assed their satisfaction in this regard below middle of the scale, while permanent workers slightly above the middle of the scale and employers' scores are well over the middle. Most of the average answers among independent workers stood around the middle of the scale (between 2.3 - 3.7). In the case of the permanent workers only slightly higher (between 2.3 - 4.1).

Figure 2. Work satisfaction among independent workers, permanent workers and employers (average scores)







Source: own study, scale: 1 - strongly disagree, 2 - disagree, 3 - don't know, 4 - agree, 5 - strongly agree

Independent workers reported in the study that they worked for 5.13 employers on average, but the group is characterised by high level of diversity in this respect. Some respondents declared work for only one employer while the highest number was as much as 16. The median response was: 5 employers. The group was approximately equally distributed between three following answers characterising their employment relation:

 High level of autonomy: Independent employees enjoy a high level of control and flexibility in determining their workload and tasks. They can decide which jobs to accept based on criteria such as salary, client attractiveness or time, and they can make different choices at different times (7 respondents);





- Remuneration dependent on task, order or sale: independent contractors receive remuneration for a task performed, order, contract or sale value. Unlike permanent employees, they are not remunerated for the time spent working (9 respondents)
- Short-term employee-client relationship: independent contractors perform short term tasks. Both the contractor and the customer accept that their relationship will last for a limited period of time. Some contracts may last for months or years, and then it is difficult to distinguish between such persons and traditional employees (7 respondents).

As much as 14 respondents answered that they are independent workers by choice, while 9 of them declared such kind of work as necessity. GIG work is a primary source of income for prevalent majority of respondents (18), only 5 of them answered that this is a supplementary income source. This result has not confirmed the conclusions from the study on the representative Polish sample (Owczarek 2018). Independent workers declared that GIG work impacted on average in a positive way on their finances (3.74) and career (3.7), and were ambivalent on the assessment of the impact on their personal life (3.04)³.

Permanent workers were asked whether they would prefer independent work to permanent work and whether they fear of independent work. Majority of answers to the former question were negative (average result: 1.93), only three persons marked the middle of the scale ("don't know"). Most of the permanent workers declared also that they fear working as independent worker (average result: 3.67), only three persons declared that they do not share such fear.

Employers in the study presented other perspective. All of them declared that independent workers cooperating with their company prefer such form of employment / contractual relation (4.71) and prevalent majority of employers reported that they do not put permanent workers before the independent workers in their company (1.93). Only three out of 14 employers had opposite preferences.

Assessment of the GIG work

The main difference in assessing the GIG work and its meaning to the future of economy may be observed – again – between employers and workers, regardless their employment status (Figure 3). Employers see independent work as a solution opening new opportunities, lowering transaction costs to customers and for companies (due to the large scale effect) and

³ scale: 1 – strongly disagree, 2 - disagree, 3 – don't know, 4 – agree, 5 – strongly agree





4,4

5,0

4,5

4,0

improving products quality. They predict also positive impact of GIG work on labour market in terms of raising employment participation. The GIG work is not perceived as unfair competition. Also employers seem not to associate independent work as threatening workers' rights and introducing uncertainty among workers in terms of stability of working conditions. However, their opinion on the impact on permanent employment is ambivalent – the average is close to the middle of the scale.

Figure 3. Impact of independent work on economy

Lower transaction costs for custumers

Employers

Source: own study, scale: 1 - strongly disagree, 2 - disagree, 3 - don't know, 4 - agree, 5 - strongly agree

■ Permanent workers

1,5

2,0

2,5

3,0

Independent workers

1,0

Independent workers' answers show that – on the one hand – they present some major fears in regards to working conditions (threat to permanent employment, uncertain working conditions and workers' rights) – on the other hand – they see GIG work as giving more opportunities to companies and benefits form the scale effect. It might be concluded that this form of work is perceived as being beneficial for companies, but not to workers. They are also ambivalent about better quality of products delivered by GIG work and about unfair competition of companies employing independent workers.





Profile of the permanent workers' answers is similar to independent workers, but somewhat more critical. They asses development of GIG work as introducing uncertain working conditions, threatening workers' rights and permanent employment (threat to their jobs?) and unfair competition. At the same time they do not see many benefits to companies and customers. They even think that GIG work might lower quality of delivered products and decrease labour market participation.

Table 2. Opinions on GIG work among independent workers, permanent workers and employers

	Number of independent workers may increase in future	Policy- makers must regulate the GIG economy and support independent workers	Independent workers must be involved in trade unions	The GIG economy offers a fast and efficient way to gain experience	Independent work can be a source of income for graduates who want to enter the labour market	Independent work is more suitable for graduates who want to enter the labour market
	mean	mean	mean	mean	mean	mean
Independent workers	3.91	4.04	3.04	3.13	3.70	3.26
Permanent workers	3	3.93	3.93	2.93	3.33	3.07
Employers	4.14	2.79	2	4.14	4.36	4.36

Source: own study, scale: 1 - strongly disagree, 2 - disagree, 3 - don't know, 4 - agree, 5 - strongly agree

The respondent were also asked to express their opinion on several aspects related to GIG work. Both employers and GIG workers tend to think that there will be more GIG work in the future, while the permanent workers are staying ambivalent with the result exactly in the middle of the scale. Employees – regardless status – think that the GIG works should be regulated by the state in order to support GIG workers, while majority of employers do not see such need. Permanent workers believe that GIG workers should be involved in trade unions actions, employers do not see such need, and independent workers stay ambivalent – some see the need for involvement, while other do not.

Employers see many benefits of GIG work especially for younger workers / graduates: all of them agree that GIG work offers a fast and efficient way to gain experience, income for graduates who want to enter the labour market and that this is more suitable for graduates than for other groups. Independent workers share employers' opinions, but are less enthusiastic about the benefits to graduates and possibilities in gaining experience. Their average answers circulate around the middle of the scale. Permanent workers are even





more sceptical in this respect. They even tend to disagree with the statement that GIG economy offers a fast and efficient way to gain experience. Average answers to remaining two questions on graduates are very close to the middle of the scale – showing their ambivalent attitude toward this aspect.

Conclusions

The principle that drives capital is the search for greater freedom for expanding and profit. Workers, on the other hand, aim for more social security, job stability and protection of workers" rights. Consequently, capital seeks new business models and uses new resources and tools to free itself from regulations and restrictions (e.g. in the form of employee rights, health and safety, environmental standards). The platform economy is another manifestation





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of freeing capital from restrictions and transferring risks to employees (taxes, social security, civil liability for running a business, and even for preparing a workplace). These business strategies have been expressed also through de-unionisation, routine use of layoffs, outsourcing and the use of independent contractors. Development of platform work is the next stage of the process that has been observed for several decades: fragmentation of work (which significantly hinders collective actions), making the labour market more flexible, which effects in labour market segmentation and precariatisation of certain workers groups. At the same time, GIG economy is presented by capital as an innovation, progress of civilization, something that is supposed to lead to greater freedom and creativity of employees. However, what is truly innovative about pizza delivery, passenger transport or cleaning services, apart from the fact that these services can be ordered via an application? There is no great added value in this for social development. Old wine in new barrels.

In such circumstances, the same remedy – protection and emancipation of workers – should be applied to the old problems. There is no need for a third category between the employee and the employer, which would involve loose regulations and weaker protection of the employee. It is sufficient to consider platforms as employers, which would involve the same regulations as for other forms of economic activity, and platform workers as employees with the same rights as others. Such a regulation has been already adopted in California, which requires many contract workers to be treated as regular employees, which means that they should be covered by the minimum wage, overtime, unemployment insurance and other protections afforded traditional employees.

Some studies show that raise of GIG work coincides with the time of economic downturn, which is a similar effect to the raise of flexible forms of employment. GIS work is used to survive difficult financial moments in workers' lives – such as being laid off or having their work hours cut in a more traditional job. Their earnings form traditional jobs fell in the period just before starting gig work, on average, then recovered.

In the Polish context, platform work might be concentrated in certain sectors – especially after adoption of the new Road Transport Act, which equalled position of taxi drivers and Uber-like drivers in the whole sector setting workers' protection standards for all at lower level in general as compared to previous regulations for taxi drivers (race to the bottom). Probably similar effect will be observed in the courier services which are delivered locally. In other sectors, the general rule would apply: raise of GIG economy as a response to economic downturn, and decrease in the good prosperity periods.





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So far, there have been no major initiatives raised by social partners or the government in Poland to regulate platform work or ensure the social protection of platform workers – with the exception of the road transport. Both public debate and legislative work in the country is focused on other issues which are perceived as being more central to economic and labour market challenges. However, it is still not perceived as one of the manifestations of labour market flexibilization and precariatisation of workers. Platform work is usually treated as a small part of a wider debate on digitalisation and automation. In such circumstances, trade unions are primarily counting on the introduction of platform workers' protection through legal regulations. Until now, activity in this area has been mostly carried out at the level of European legislation. An attempt to address the issue of platform work under the Commission for the Codification of Labour Law has ended without any conclusions.

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