

# Digital platforms and labor rights Spain's experience

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Trabajo

# Presentation script

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- Introduction
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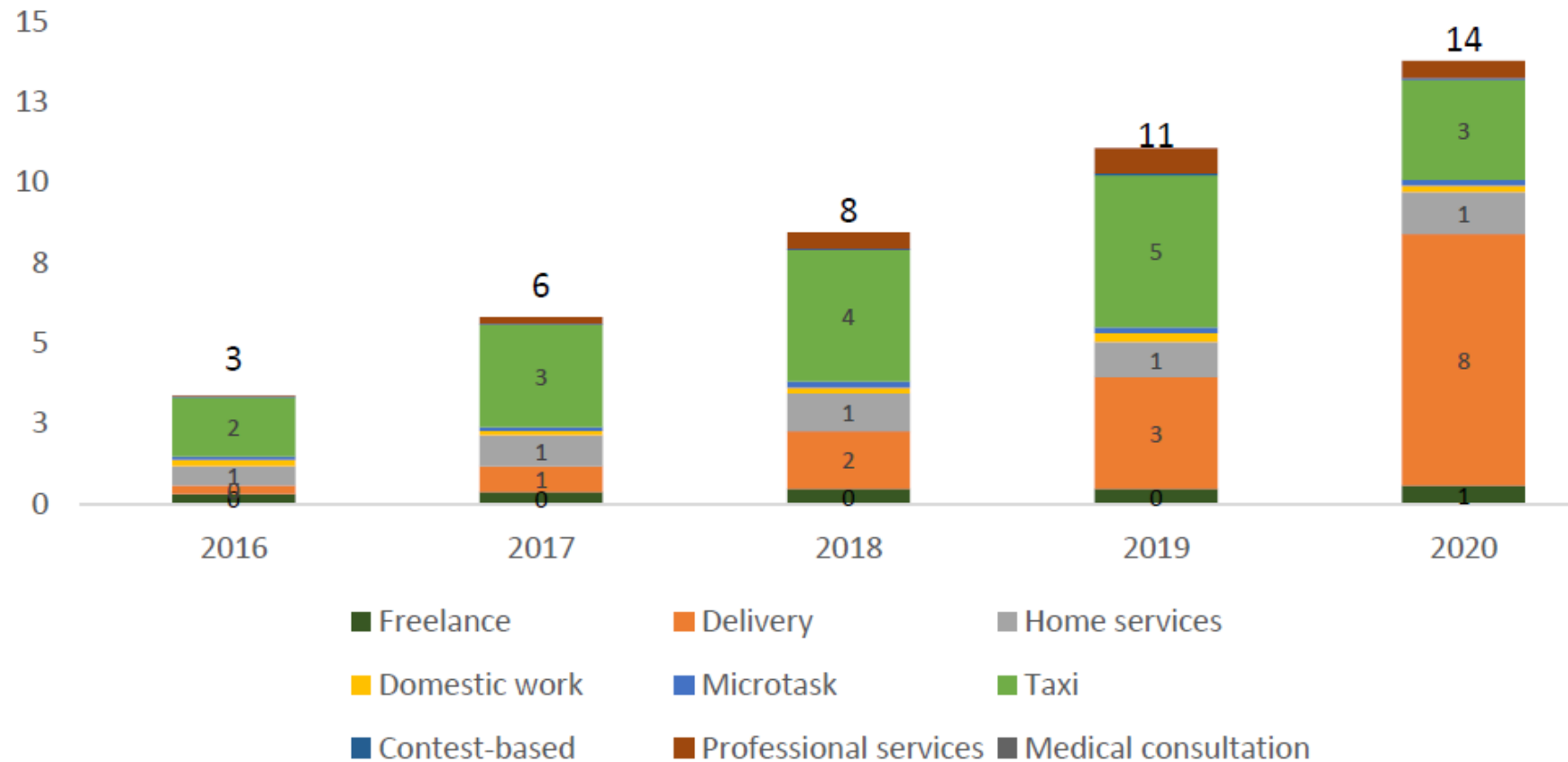
# Introduction:

## Why is platform work important?

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- It is a form of work that is difficult to categorize within standard labor relations.
  - It raises significant problems from a legal perspective, as well as from the perspective of workers' rights and working conditions.
  - Problems in estimating the volume of activity.
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# Turnover of digital labour platforms in the EU



Source: De Groen et al. (2021). Data in billions of euros

# **“Rider” Law** (12/2021, de September 28<sup>th</sup>)

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- The result of social dialogue, following months of negotiations between the Government, CC.OO., UGT, CEOE, and CEPYME.
- The agreement was adopted by the Dialogue Table in October 2020. The Workers' Statute, approved by Royal Legislative Decree 2/2015, of October 23, is amended to guarantee the labor rights of those engaged in delivery within the scope of digital platforms:
  - ✓ Right to have worker representatives informed about algorithms or AI systems
  - ✓ Presumption of employment status

# Other regulatory reforms

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Following the Rider Law, other reforms were undertaken to provide the State with more effective instruments to overcome the resistance of some platforms:

- **Reform of the Criminal Code** (Organic Law 14/2022, of December 22), which introduced a new crime against workers' rights in Article 311, section 2:

"Those who impose illegal conditions on their workers by hiring them under conditions unrelated to the employment contract or maintain them despite administrative requirements or sanctions."

- **Reform of the Social Jurisdiction Law** (through Employment Law 3/2023), which eliminated the ex officio procedure that the courts could open when the Labor Inspectorate issued a violation or liquidation report and the company challenged the report, arguing that there was no employment relationship (for example, that they were self-employed and not salaried).

# Effects of the Rider law

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- Acceleration of laborization
- Glovo's change of direction (2025)
- Strengthening of inspection and sanctions
- Structural effects on the market
- Uneven compliance

# The Labour and Social Security Inspection

Number of registrations in Social Security as a result of inspection actions

Año	Cuidado mayores y limpieza	Reparto
2018	71	2.277
2019	0	10.998
2020	505	5.754
2021	465	3.053
2022	92	36.079
2023	655	29.265
2024	0	2.223
2025	672	56.268



# Rider law assessment

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## Achievements:

- Recognition of rights
- Deterrent effect

## Outstanding issues:

- Avenues for circumvention: subcontracting and hybrid models
- Uneven compliance and litigation
- Persistence of the informal economy

# Directive (EU) 2024/2831 on improving working conditions in platform work

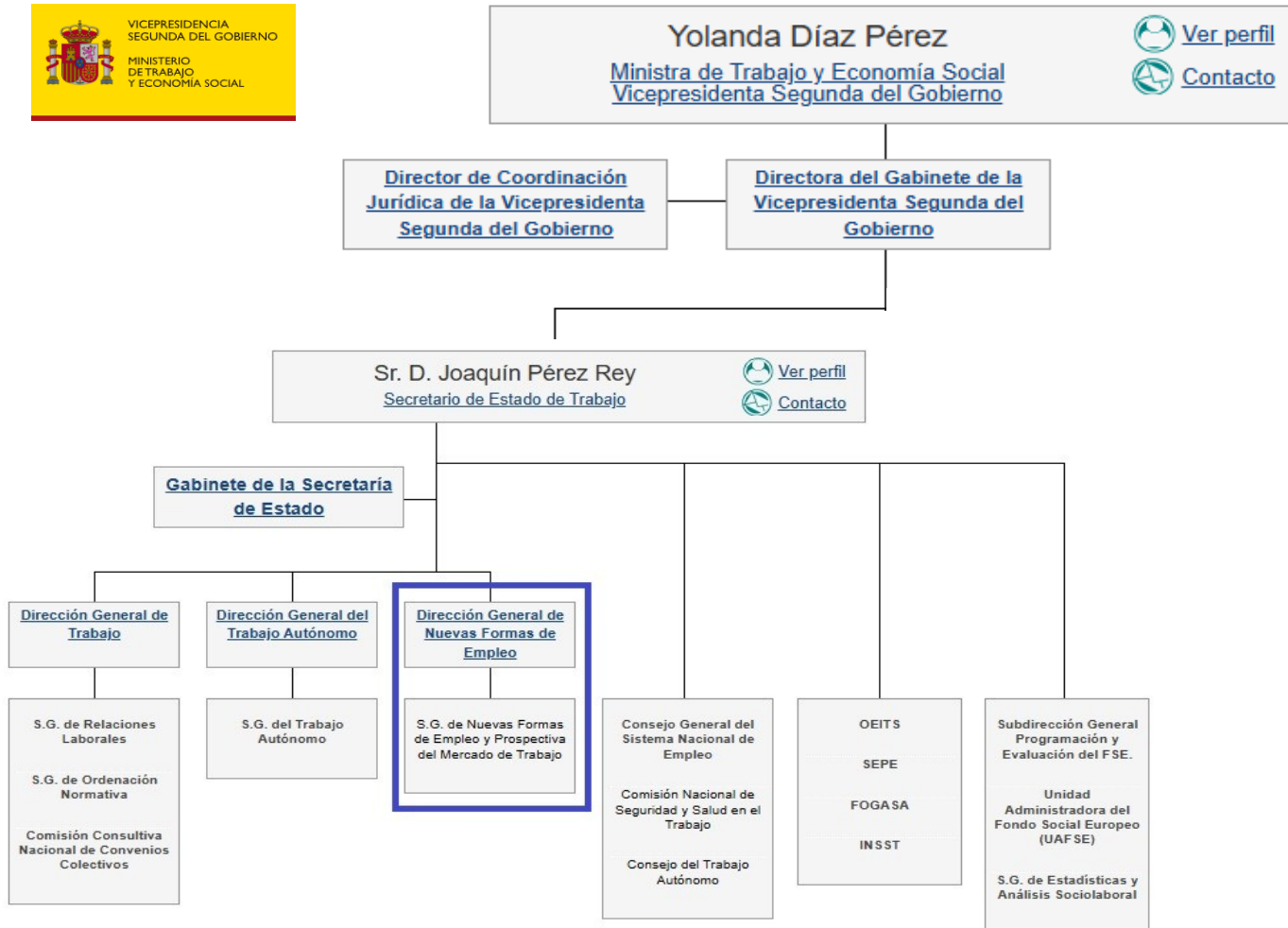
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It entered into force on 1 December 2024. Its negotiation lasted three years and was relaunched under the Belgian Presidency after several deadlocks. Spain played an important role, and the Rider Law served as inspiration.

- An employment presumption was agreed—“based on facts or indications”—with the burden of proof placed on the platform.
- Limits on algorithmic management. It applies to all digital labour platforms that organize work in the EU, regardless of their place of establishment, and it also covers cross-border situations.

Transposition deadline for Member States: 2 December 2026. An expert group will ensure alignment on definitions and content.

# Directorate General of New Forms of Employment



# Conclusions

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- Platform work is growing worldwide, across a range of sectors and with highly diverse employment and working conditions.
- It is essential to promote a thorough understanding of the conditions under which this new form of employment is developing, and to quantify the phenomenon.
- Governments should legislate to safeguard fundamental rights, strengthen labour inspection, and promote worker representation, collective bargaining, and social protection to prevent platforms from becoming pockets of precariousness, marginalisation, and informality.



# Thank you!

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