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iO1 Country Report Germany

## GIVE - Guidance for

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## 1. Introduction

## What is at stake?

Boundaryless careers (working simultaneously for multiple employers in multiple projects in a short sequence) in digitalised labor markets, the rise of the platform economy as digital matchmakers, boosts an ongoing trend towards (enforced) self-reliance and self-optimisation of modern employees.

Persons performing these new forms of labor are coined "ENTREPLOYEES" (Pongraz 2003). Today entrepreneurial labor is most easily to depict in forms of labor such as crowd workers and on-demand workers of the platform economy as well as solo self-employed, but also takes shape within conventional employment by focusing on self-governance (e. g. management by objectives) and removing all traditional boundaries with regard to time, space, content and qualification. These new forms of labor involve opportunities such as career entry points and flexible working conditions, but also challenges of self-control and self-marketing.

Reduced regulations and job security makes them risky for persons with few resources and low qualification leading to the establishment of a disadvantaged sub-group of entreployees, the "SELF-ENTREPRENEURIAL DAY LABORERS" (Voß 2003), a new group of working poor.

The spread of entreployees entails a transformation of the concept of vocation. While the Fordist model of employee is built on a concept of vocation, characterised by rigidly standardised qualifications and basic work virtues, the post-Fordist entreployee has his very own "INDIVIDUAL VOCATION" (Voß 2003): a personalized model of specific competence and experience, integrated in a rationalized, though individual, way of life. This new type of labor is not replacing the Fordist model of employee altogether. In many fields of work the typical occupational employee still dominates. But especially in sectors representing modern capitalism such as IT, media, culture, consulting, research and training as well as in the service economy entreployees are to be found in large numbers, heralding a changing relationship between providers and users of human labor characterised by an increase of casualization and, of course, also influencing the situation of employees in normal employment (comp. Crouch 2019).

The spread of new forms of labor and vocational identities are a challenge for educational guidance. It is not enough anymore to support clients in choosing and starting their career and in switching jobs. Guidance has to empower a new, very diverse client group to perform their individual vocations or move on to more stable forms of employment.

## The Erasmus+ Project "GIVE - Guidance for Individual Vocations in Europe"

Responding to the challenge sketched out above, the Erasmus+ funded project "Guidance for Individual Vocations in Europe" (2019-2021) aims at fostering an innovative and inclusive offer of educational and vocational guidance by supporting guidance practitioners as well as policy maker to:
have a firm understanding of the rise of new forms of labor, the resulting transformation of the concept of vocation and the impact of these developments on educational guidance, know how to access persons conducting new forms of labor (entreployees) as new target groups for guidance, have appropriate counselling tools for these new target groups at hand and adapt their policies to this challenge at structural and strategical level.

The project is conducted by a European consortium consisting of institutions with long standing expertise in the field of educational guidance, labour (market) and education policy, discontinuous career biographies, policy analysis, consulting, scientific research and developing (web based) learning solution:

- ÖSB Studien und Beratung gemeinnützige GmbH (AT) - coordinator
- bbb Büro für berufliche Bildungsplanung (DE)
- i-smARt Trust reg. (LIE)
- Vyzkumny ustav prace a socialnich veci (CZ).


#### Abstract

About this report The article begins by critically examining the concept of new forms of labor, which has so far been rather insignificant in Germany in terms of employment and labour market policy. The German debate is therefore more focused on the design of prospective futures. After outlining the situation in the platform economy in Germany - distinguished between cloud work and gigwork - the report describes the forms of new forms of labor that are already established. These include 'employees on call', 'fixed-term employees', soloself-employed and pseudo self-employed'. Finally, the challenges of new forms of labour manifestations for educational guidance are outlined and already existing, very first approaches to their mastering are presented.


## 2. Situation and trends of new forms of labor

### 2.1. Defining the object of investigation

In recent years we have witnessed the emergence of, and growth in, forms of labor, different to the standard employment relationship (full time dependent employment). Unfortunately, the scientific discourse lacks a clear cut definition or at least a shared understanding of what constitutes "new forms of labor". Consequently, these new forms are coined: "new forms of work" or "new forms of labor" or "new forms of employment".
In the paper at hand, our definition of "new forms of labor" is guided by the definition of international and European sources, for reasons of comparability:
The OECD (2019) states in a recent report the following "new forms of work", as receiving most policy attention in 44 selected countries of the OECD, EU and G20:

- Platform work: Matching customer and clients by means of a virtual platform (most commonly cited)
- Self-employment with a special focus on "fals/bogus self-employment" and own-account workers (self-employed workers without employees)
- Fixed-term \& temporary work
- Variable hours contracts: Contracts that include a clause stating that hours worked can vary from one week to the next

Based on the "indicators" (Eurofound 2015, 4/5):

- Relationship between employers and employees different from the established one-to-one employment relationship
- Provision of work on a discontinuous or intermittent basis
- Networking and cooperating arrangements between self-employed
- Place of work other than the premises of the employer
- Strong or prevalent support of ICT

Eurofound (2015, p 4-9) defined the following "New Forms of Employment":

- Employee sharing: An individual worker is jointly hired by a group of employers (excluding work agency)
- Job sharing: A single employer hires two or more workers to jointly fill a specific job
- Interim management: A worker is hired for a temporary period of time by an employer with employee status rather than that of an external advisor
- Casual work: Irregular on-demand work
- ICT-based mobile work: Workers operating form various possible locations supported by ICT. Different from traditional teleworking, being even less "place-bound"
- Voucher-based work: The employment relationship is based on a voucher rather than an employment contract
- Portfolio work: Multiple small jobs/contracts for a large number of clients
- Crowd employment: Platform matched work
- Collaborative employment: New cooperation models among self-employed

Not all of these new forms of labor are to be found in all European country on a relevant scale. For the country report at hand, we focus on the most prevalent and well documented forms in Germany.

### 2.2 Situation and trends of new forms of work in Germany



Fig. 1: Categorisation of the platform economy in Germany, Source: FES, 2016, 6

The term 'New Work' "is the glittering collective term for the various approaches to make work supposedly more modern, more pleasant, more self-determined. And the promise of a holistic, meaningful activity has long become a claim in employer branding. To whom the technology, to whom the artwork, to whom the platforms belong and who can thus determine the possibilities of work - this is the blank space of this panorama. It reveals what the New Work philosophy systematically overlooks: that work is also a question of power relations, a scene of social conflicts and the struggle for chances of realization. (SZ of 4.1.2020) The article tries to fill this gap somewhat for the situation of new forms of work. In Germany, the scientific and political discourse focuses on new forms of work which are quantitatively insignificant, have little effect on employment policy and are relatively irrelevant in the short term.
"Cloud - and gigwork will remain a marginal phenomenon for the next three to four years." (Bertelsmann Foundation, 2019, 32) In Germany, only 3\% of German online users are located on a cloud or gigwork platform, $2 \%$ have actively processed orders in the last 12 months. $99 \%$ of those active in the platform economy in Germany do this work part-time.

The high level of scientific and political interest in the platform economy is not due to its effects on the labour market, but is an expression of fears and expectations with regard to occupational safety and health and the social security systems. With the platform economy "there is no less threat than to put the socially protected sentence structure of the employee - and thus the central integration mechanism of modern societies - at risk. (Elisabeth Vogel, IFS Munich. in: Bertelsmann-Stiftung, ed., 2019, 53f) In general, the majority of German labour scientists assess the platform economy more from the point of view of threats than opportunities. In their own view, "in some cases they seem to be more concerned with a regression into industrial times". (Schmidt 2016, 3) In a research report for the BAMS, the authors conclude that for the vast majority of crowdworkers the designation "as digital day labourers is not inappropriate". (BAMS, Ed., 2017, 15) Experts are largely agreed that the course is now being set in which direction the acquisition of employment is heading. "We are currently at a historical point where the balance of power between clients and platform work is currently still changeable and the fundamental direction is still open, whether there will be a sustainable model of digital work through active design, or whether the exploitative potential will be realised through uncontrolled abandonment and will increase to a one-sided, disadvantageous model of digital work. (Bertelsmann Foundation, ed., 2019, 32) There is much to suggest that the second alternative could be the more likely one.

The challenges facing an employment policy that safeguards employees become apparent when analysing the assessments of representatives of a neoliberal labour market policy. "Works councils and trade unions must learn that the vast amount of protective rights was necessary in the times of turbocapitalism, but is increasingly unsuitable or even counterproductive in the transition to the digitalised economy," once said Thomas Sattelberger, FDP member of parliament, former top manager, a thou-sand-sided man of somehow different work. (SZ 4.1.2020)

In a study by the Bertelsmann Stiftung on platform work in Germany, various labour market experts are asked about proposed solutions for social security:

- "Transformational security, e.g. in the form of an unconditional basic income
- Social fund for digital (platform) workers
- State basic insurance package for the self-employed
- Incentives for quicker permanent employment by adapting labour law provisions on employment
- No new concept of employee: Distinction between nice extra work and main job in the design of the regulations". (Bertelsmann Foundation, ed., 2019, 30)

It is noticeable that the platform operators are not held accountable at any point; social security is defined exclusively as a political task. The profits of the platform providers remain private, the costs resulting from the insufficient remuneration of the crowdworkers are socialised.

### 2.3 Plattform economy in Germany

When the situation of the platform economy is presented in the current version, it is important to bear in mind: "There are numerous practical problems in determining concrete data on the spread of the platform economy. On the one hand, due to the lack of representative surveys, it is necessary to rely, at least in part, on the information provided by the platforms themselves on the respective indicator, although the correctness of these figures is hardly verifiable." (BMAS, Ed., 2017, 11) On the other hand, the terms are not clearly defined, which can lead to a certain "potential for confusion" (EMCDDA. 6). While some distinguish between cloudwork and gigwork (Schmidt 2016), others speak of company-related business models (crowdwork) and consumer-related business models (in-demand economy) (see BMAS, Hrsg., 2017, 7f). In the English-speaking world there is talk of online labour. In this report we differentiate between gigwork (location-based) and cloudwork (location-independent).

```
ABBILDUNG 4: Art der Tätigkeiten bei Plattformarbeit
Die häufigsten Tätigkeiten sind Zimmervermietung, Lieferservice und
Testen von Produkten
Vermietung
27%
Lieferservice
        23%
Testen von Produkten/Teilnahme an Befragungen
        19%
IT-Tatigkeiten (z. B. Programmieren)
        16%
Texte schreiben/redigieren
    12%
Erfassen/Oberprüfen von Daten
                10%
Personenbeförderung
            7%
Design/kreative Arbeiten
            7%
Reinigung/Putztätigkeit
    4%
Buchhaltung/Bürodienste
    3%
```

Frage: P04 ,Welche dieser Dienste/Leistungen bieten Sie auf dieser Online-Plattform hauptsachlich an?
Baxis: Plattformarbeiter ( $n-710$ ), Cloudworker ( $n=437$ ), Gigworker ( $n-375$ ); Mehrfachantworten moglich.
Quelle: Kantar, Bertelsmann Stiftung

Fig. 2: Type of activities for platform work

### 2.3.1 Cloudwork

"In German literature, cloud work is defined as the outsourcing of work, in which a company as the client (cloud sourcer) tenders cloud workers to carry out a specific task over a large number of people. (BMAS, Ed., 2017, 8) In literature, both cloudwork and crowdwork are mentioned, both terms are used
synonymously. External crowdworking is thus potentially open to anyone with Internet access. The platform can act as a pure mediator between the client and the crowd. "For the existing legal relationships this means that the platform is the contractual partner of both parties and that there is an additional legal relationship between the Client and the crowdworker. (ibid. 9)
However, the platform can also act as a central player. In this case there are separate legal relationships between the client and the platform and between the platform and the crowdworker, but there is no direct legal relationship between the client and the crowdworker. "In this case, the crowdworker often has no knowledge who the actual recipient of his work is. (ibid. 9) In Germany, for example, this applies to the Clickworker platform.

In the case of crowdworking, a distinction must be made according to the scope of the tasks, which ranges from simple "microtaks" to the assignment of more complex activities or even finished products, for example in the case of ' 99 designs'. Microtasking is the division "into smallest tasks for smallest orders or as human data processing in piecework. (Schmidt, 2016, 15) Microtasking includes tasks such as checking data sets, transcribing audio files, creating product descriptions or checking uploaded content. In Germany Clickwor-ker claims to have 700 thousand workers. Amazon Mechanical Turk (MTurk) claims to have half a million workers, mainly in India and the USA. For a long time, payment was made by issuing Amazon vouchers. The microtaskers "allocate the work to themselves and the acceptance is done automatically by the machine ... if the result of one person differs from that of the other four, it is sorted out as wrong and the deviator is not paid. It is quite possible that someone has done the work particularly conscientiously, thereby deviating from the norm and being excluded. (Schmidt 2017, 16), without having the possibility to file an objection.
Control over work performance is exercised by means of so-called tracking, which involves the passive, continuous recording and data pattern recognition of user behaviour. (cf. FES 2016, 11) Tracking provides the platforms with a detailed knowledge of the performance of work and the conscientiousness and error rate of each individual contractor. "Tracking potentially becomes an automated, fully comprehensive employment biography." (FES 2016, 12) The construction of the ranking "and its determination by means of algorithms are entirely under the control of the platforms. This competitive organisation is thus in contradiction with classical strategies of professionalisation, in which qualified workers and their associations seek to maintain professional sovereignty over their professional practice and to limit the dynamics of competition by means of professional standards, training courses, access regulations and quality controls". (Pongratz 2019, 197) Platform work is not so much about classical professionalism criteria, it "aims far more at 'job proficiency' than at a basic form of 'marketability'..., namely at constant availability, reliable order processing and continuous customer satisfaction... Online workers are measured by normative standards that can only be achieved with constant market-disciplined behaviour without them having any say in this themselves". (ibid. 197f)

MTurk assures the customer in its General Terms and Conditions (GTC) that they "do not have to pay for rejected events but may still use them. Critics see this as an invitation to wage theft. If a completed task is rejected indirectly by the algo-rithm or directly by the customer, this will affect the rating. If it falls below a certain level, they will be automatically excluded from future jobs. (ibid. 16) Contradiction or the attempt to sue for rights hardly ever occurs in crowdworking. "For the majority of crowdworkers, it is only a temporary sideline activity for which it is not worth fighting. (ibid. 25) This creates the danger that the current low standards will become the norm and that property rights for crowdworkers will simply be undermined. In addition, remuneration levels are generally low, partly due to the expansion of potential contractors to countries with low wage levels. In contrast to Germany, surveys by the International Labour Organisation (ILO) of 3500 workers on 5 microtaks platforms show "that many crowdworkers are
financially dependent on the income from this work. (Bertelsmann Foundation, ed., 2019, 40) The problem with regard to labour law is that the terms of use "are set up in such a way that they should apply equally to all users worldwide. Often this conflicts with national jurisdiction". (FES 2016, 11)

\# Cloudworker Gigworker Plattformarbeiter
Frage: P06 ,Wieviel verdienen Sie im Schnitt monatlich (netto/abzuglich Steuern) an Auftraggen, die Sie insgesamt ober die ausgewahlten Online-Plattformen erhalten?
Basis: Plattformarbeiter ( $n-710$ ), Cloudworker ( $n=437$ ), Gigworker ( $n-375$ );
Fehlende Werte zu 100 Prozent - , keine Angabe".
Quelle: Kantar, Bertelsmann Stiftung
Fig. 3: Monthly income generated through platform work

### 2.3.2 Gigwork

Gigwork refers to location-based commercial digital workstations where the activity must be performed at a specific location, at a specific time, and is only assigned to a specific person who is then personally responsible for its performance (see Schmidt, 2016, 5) In Germany, these include the hotel and restaurant industry (Airbnb), passenger transport (Uber), delivery services (Lieferando, Feodora) and household and personal services (Helpling), but also the provision of digital services, in particular "intellectual" services such as the answering of simple questions by doctors, lawyers and experts. (cf. BAMS, Ed., 2017, 7) The German Helpling Platform speaks of over 50 thousand mediated cleaning staff. A look at the USA shows the potential of the gigwork platforms. By 2015, consumers there were already spending almost 57 billion US dollars on the on-demand economy. (cf. ibid. 11) Gigwork platforms are generally characterised by low pay. Uber's original announcement that Uber's drivers would earn around USD 40 an hour has remained far removed from reality. After deducting fees and operating costs, hourly earnings in Denver are $\$ 13.17$ and $\$ 8.77$ in Detroit. (see Schmidt, 2016, 21) Of the comparatively low travel costs, Uber takes a margin of $25 \%$ for each trip. In the case of food delivery services, the caterers usually pay $30 \%$ of the sum as a fee and the customer 2.50 euros per delivery.

Platforms such as Airbnb secure themselves with terms and conditions so extensive that they can assume that their platform workers will not take notice. "Airbnb's terms of use are almost the length of a novel, at 55 thousand words." (Schmidt, 2016, 11)

### 2.3.3 Who are the crowdworkers?

In Germany, platform workers are above average qualified and financially better off than the average adult population. This is also in line with the estimates of the ILO worldwide. "In reality, platform workers are often better educated than average. In India, where $90 \%$ of crowdworkers hold a university degree. This is particularly worrying as many of the activities listed on the platform (especially in micro-tasking and transport) require little expertise and the potential of these workers is often not fully exploited". (Bertelsmann Foundation, ed., 2019, 40)

German platform workers are much more open to the digitisation of work than the average working population ( $67 \%$ to $38 \%$ tend to see opportunities in digitisation) and are more interested in new technologies ( $68 \%$ to $34 \%$ ). "Many platform workers are digital optimists with a high level of enthusiasm for new technologies, with a desire for freedom of choice, flexible work and a fundamentally positive attitude to work. This attitude, a high degree of personal responsibility, customer orientation and the ability to manage time are advantageous in order to win further orders. (Bertelsmann Foundation, ed., 2019, 42) The high level of satisfaction of the platform employees with their platform ( $59 \%$ ) and the listing of the advantages of platform work (see figure) therefore raise the question relevant in the project context as to whether we cannot speak of a blinding context here. Although the platform workers surveyed also see

## Motivation for and advantages of platform work

- Nice sideline job
- Time flexibility
- Independence / For fun
- Fast payment/content interest
- Freedom of choice
- Mobile working
- More customers
- Prove myself / More objective evaluation
- Better pay
- financial difficulties

See Bertelsmann Stiftung 2019,20

## Disadvantages of platform work

- Lack of social security
- Often unpaid, additional work
- Competitive struggle due to the multitude of platforms
- Unclear regulations for disputes with clients
- Little protection against unfair treatment by clients
- Unfair, insufficient remuneration / lack of support in disputes with clients
- Permanent availability, no fixed working hours

See Bertelsmann Stiftung 2019,26 disadvantages and risks, overall job
satisfaction seems to predominate. From the outside perspective this is difficult to understand and can probably only be explained by the fact that the work is only complementary to their main job. Neither the income achievable through platform work, which is often close to the German minimum wage, nor the quality and level of ambition of the tasks are, from an external perspective, grounds for high levels of job satisfaction. It seems to be rather the uplifting feeling of belonging, as a member of the New Work, to a kind of digital elite that has understood the signs of the times. The experts interviewed in the Bertelsmann Foundation study make it clear that some myths can be found in the discourse, which are gladly cultivated but obviously have little foundation. They point out:

- German crowdworkers are in direct competition with crowdworkers in developing countries with significantly lower wage structures.
- The business risk is disproportionately shifted to the workers.
- Platform workers who depend on this source of income for their main job are not limited in their workload by the lack of regulations.
- The allegedly improved compatibility of family and career for gigworkers and microtasking crowdworkers is a fallacy. Especially low-skilled platform workers are often dependent on orders. These workers tend to have to take on any job, so there is no question of flexibility (cf. Bertelsmann Foundation, ed., 2019, 27) Temporal flexibility "often only an illusion. The order offer is often insufficient and not constant. Platform workers are accordingly dependent on the time distribution of the orders. According to our survey, micro-taks crowdworkers, for example, perform an average of 20 minutes of unpaid work for every hour of paid work. (ibid., 40 ILO expert)


### 2.4 New forms of work which are not very new

### 2.4.1 Interim employment in Germany

Temporary work in Germany belongs to the rather precarious segment of the labour market, but one cannot speak of New Work, because temporary work was already regulated by law in 1972 (employee leasing). In 2019, there were 948,000 temporary workers in Germany who were placed by 51,000 rental companies. This corresponds to approx. $2.5 \%$ of the total workforce. Temporary work is mainly concentrated in low-skilled jobs; more than one in two people work as a helper (in relation to all employees only one in five). The majority is male, younger and often without any vocational qualification. $84 \%$ of temporary workers are full-time employees; their pay is about $25 \%$ below that of comparable employees. (Federal Employment Agency 2020)

Temporary workers are disproportionately affected by the corona pandemic, as they are dismissed before permanent employees when staff is reduced. According to statistics, unqualified workers who become unemployed will not be able to return to gainful employment for at least two and a half years. Unemployment for them thus usually means a crash into Hartz IV after 12 months (= 436 Euro support plus rent).

### 2.4.2 Employees on call

In Germany, 1.7 million people are employed on call, which corresponds to a. $5 \%$ of all dependent employees. In Germany, employers for whom employees are available on call must observe legal requirements. The employment contract must stipulate a minimum weekly and daily working time. In the absence of such an agreement, the number of hours per week is 20 hours. The DBG criticizes that the minimum 4-day notice periods of employers would be circumvented in practice. In addition, employers can easily evade their obligations to pay salaries in case of illness and holidays by simply not calling up work on the days in question.

Tabelle 5.1: Häufigste Berufe bei der Arbeit auf Abruf nach tatsächlicher Arbeitszeit (2015-2017)

| $>0$ bis $\leq 20$ <br> Wochenstunden | $>20$ bis $\leq 35$ <br> Wochenstunden | > 35 Wochenstunden |
| :---: | :---: | :---: |
| - Kellner und Barkeeper <br> - Verkäufer <br> - Hilfskräfte und Reinigungspersonal <br> - Pflegekräfte in Institutionen <br> - Kassierer | - Verkäufer <br> - Köche <br> - Lehrer des Sekundarbereichs <br> - sozialpflegerische Berufe <br> - Hilfskräfte und Reinigungspersonal | - Fahrer schwerer LKW <br> - Hausmeister <br> - sozialpflegerische Berufe <br> - Köche <br> - Sozialarbeiter |

## Quelle: Jaehrling und Kalina 2019; Berechnungen auf Basis des

## SOEP v34

Fig. 4: The most common occupations at work on call by actual working time in a week (2015-2017)
On call workers have a significantly higher risk of having to work in the low sector than the average of all employees, namely $38.8 \%$ vs. 22.6\%. (see Böckler Impuls 01/2020)

### 2.4.3 Fixed-term employees

In Germany, approximately 2.5 million workers were employed on fixed-term contracts in 2018. As a comparison over time shows, this number has increased significantly:

|  | 1991 | 2018 |
| :--- | :--- | :--- |
| Normal employees | $79 \%$ | $70 \%$ |
| Atypically employed | $13 \%$ | $20 \%$ |
| Self-employed | $8 \%$ | $9 \%$ |

See Statistisches Bundesamt, 2019, Heft 13
More than $20 \%$ of the employment contracts of the 15 to 20 year olds are fixed-term, while $12 \%$ of the 25 to 35 year olds have fixed-term contracts. Fixed-term contracts also have an impact on the income to be earned, which is about $8 \%$ lower than that of the normally employed. Fixed-term employees also receive wage increases less frequently than permanent employees. Fixed-term employees in the 20-34 age group are less likely to be married and have fewer children than their peers in permanent employment. Employees without vocational training and people with a university degree are particularly affected. Especially in the public sector, which is generally considered a safe employer, fixed-term contracts are more common than permanent contracts. Women are slightly more affected by fixed-term contracts than men ( $48 \%$ compared to $41 \%$ ).

## Befristungsanteil der begonnenen Beschäftigungsverhältnisse

SvB-Kerngruppe Befristung; Anteil in \% (Anzahl in Mio.)
2013 bis 2017


Datenquelle: Statistik der Bundesagentur für Arbeit
Fig. 5: Share of fixed-term contracts from 2013-2017

In the case of new recruitment, the contracts are usually limited to a period of up to 18 months, only $16 \%$ currently have a term of more than 18 months, $7.1 \%$ have a term of 3 years or longer. (see BA, 2018, 4)
The size of companies and sectors also have an impact on time limits. In companies with up to 10 employees, $20 \%$ are limited in time, while for more than 50 employees, the figure is around 50-60 \%.

| Broadcasters, film, TV, cinema, recording studio | über $96 \%$ |
| :--- | :--- |
| Education and schooling | $72,8 \%$ |
| Research and improvement | $67,5 \%$ |
| Civil engineering | $18,5 \%$ |
| Buiding construction | $15,7 \%$ |

### 2.4.4 Solo self-employed - pseudo self-employed

The number of self-employed persons, i.e. self-employed persons without their own employees, has risen in Germany from 1.8 million in 2000 to 2.31 million in 2016. 105,000 self-employed persons earn such a low income from their work that they are obliged to pay supplementary HartzIV benefits. "More than $30 \%$ of the self-employed earn less than the current minimum wage per hour worked." (SEW) For dependent employees, the figure is 24 \% (cf. Hans/Böckler Stiftung 2020, 112)

A special group of solo self-employed persons are the so-called bogus self-employed persons, who are bound by instructions as to the type, time and place of performance, have to cooperate with employees of the client and are dependent on the employer's equipment. In Germany, this affects between 235 thousand and 436 thousand self-employed persons. On average, they earn around $20 \%$ less than selfemployed or dependent main wage earners. Particularly affected are job starters, low-skilled workers
and former long-term unemployed, who usually do not have the resources to sue for dependent employment in labour courts.

A relatively new form is hybrid self-employment, which includes people who are self-employed and employed. In 2019, 700,000 people in Germany were self-employed as a sideline and 800,000 as their main occupation. The number of hybrid self-employed has more than doubled in the last 20 years. (Hans Böckler Stiftung 2020, 114)

## 3 Challenges for educational guidance

Identifying the challenge for guidance proves difficult at different levels. As long as crowdworking in Germany is only a sideline job for the approximately 1.3 million workers (cf. Fair-Crowdwork IG-Metall) and the vast majority derive their income from their main occupation or pension, the need for educational guidance will remain within narrow limits. The German crowdworkers seem to be a frugal group that hardly fights against injustice. The Code-of-Contract Code of Conduct for paid crowdworking, a top-class staffed custodian in Germany, had as many as 14 cases in the 2019 reporting year. 13 were brought in by crowdworkers, one by a platform. Of a total of 1.3 million crowdworkers, this corresponds to exactly 0.1 per mille. The previously expressed assumption that crowdworkers belong to a digital elite seems to be reflected in their self-descriptions. The digital affinity, which is easy to get enthusiastic about new technologies, is also characterised by the fact that it does not focus on old-fashioned institutions such as educational counselling when the need for counselling becomes apparent. He will seek advice in his likewise digitally affine environment. Educational guidance could contribute here with the most attractive formats of orientation and support possible, e.g. through virtual peer approaches. It remains to be seen to what extent the situation will change if a large number of crowdworkers live exclusively from platform work and lose the protective rights and social security they have enjoyed through their main occupation to date. The interest in being protected by a strong trade union seems to be rather low, as the reactions to date to the address http://faircrowd.work.de , set up by the IG-Metall, show.

Whether the development in the field of gigworkers will be different cannot be foreseen at the moment. Collective organisations of food delivery or cleaning staff who receive their work via corresponding platforms are extremely rare so far, although dissatisfaction with pay and social security is higher than in the field of crowdworkers.

## 4. Existing approaches to meet the challenges

In Germany there are no specific approaches or offers, at least in the area of platform economy, apart from the variety of seminars for business start-ups, which are held by adult education centres, chambers of commerce, universities and commercial providers. The German Institute for Adult Education has expanded its profile pass series to include a profile pass for self-employment under the motto "Knowing strengths - using strengths".

If one analyses the described requirements for a founder personality, it quickly becomes clear that only a personality that has developed on all sides should expose itself to the risk of selfemployment. The competencies that founders should bring with them are all-encompassing.

- Curiosity
- The willingness to continuously learn new things


## Crowdwork: Lars, 32 years

Lars, computer scientist, dropped out of computer science studies, lives with his girlfriend in a big city in a big 3-room apartment. He doesn't need a car, public transport is enough for him. He works as a freelancer and advises private individuals and small companies on IT administration and website design. He regularly takes on assignments from Amazon Turk. As long as Amazon worked with vouchers, he could hide this income from the tax authorities. Since he receives cash payments that go into his account, he runs the risk that the tax office will become aware of this income and he will have to pay tax on it. Then crow-work would no longer be worthwhile for him. He is looking for platforms that pay better.
Motives for guidance: Lars just needs informative counselling, where he gets information about platforms that pay better.
Title of a possible offer: "No money, no action!"
has an old small car and only a few good friends. She works as a cleaner ("Putzer" as she calls her job) for the platform helpling. She is not dissatisfied with her work, but she is annoyed with every bill, how much of her salary gets stuck with the platform as commission.
Motives for guidance: She wants support and advice in her decision to work independently of helpling and to offer her cleaning services as a self-employed person. Several clients have already promised her that they will continue to employ her with this status. However, she is less sure whether she is allowed to do so.
Title of a possible offer: " "What the platform is able to do, I have been able to do for a long time!"

- The desire for permanent optimization of processes and procedures
- Flexible response to change
- Learning to fail often
- Seeing error as an opportunity
- Enthusiasm and self-motivation
- Enthusiasm and persuasiveness
- Endurance, determination, ambition
- Creativity, visionary and innovative thinking, sense of opportunity
- Self-efficacy, self-confidence

GiG-Work: Franz, 26 years old
Franz has broken off a book apprenticeship and works as a bicycle courier for pizza.de. He loves cycling and outdoor activities. However, his income as a courier is not enough even in the middle town where he lives alone. He therefore receives supplementary benefits from the job centre, which enable him to live at Hartz IV level. The Job Centre is urging him to finally get a full-time job and is threatening to cut back on his staff. The Job Centre offers him a full-time job in a logistics warehouse. For Franz it is unimaginable to have to work in closed rooms all day long.
Motives for Guidance: He wants advice on how he can get a fulltime job that he can manage in the fresh air and outdoors. He would also be willing to undergo vocational retraining.
Title of a possible offer: "Working with a green perspective" or "Outdoor camps are not an alternative!"

- Stress resistance, dealing with risks and uncertainty
- ability to plan, organise and manage
- Decision-making ability and responsibility
- Problem solving ability
- Team spirit
- Leadership ability
- Networking ability
(see DIE - ProfilPass)
A certain amount of modesty and uncertainty about one's own competences seems rather counterproductive here. At least for Germany, GIVE is entering completely uncharted territory.


## Crowdworking: Claus, 32 years

Claus lives in his mother's house in a village in a conurbation. He completed an apprenticeship as a carpenter, but never worked in the profession. Already at school he was intensively engaged in programming and creating software. He has knowledge of various programming languages and is fit in creating software. This has enabled him to go into business for himself after his vocational training. He lives from orders from private persons and smaller companies and earns something in addition by crowdwork. In view of his relatively modest income he wants a permanent position in the IT department of a larger company. Since he has acquired his professional skills autodidactically, he does not have any relevant certificates, diplomas or degrees. The references that some of his corporate clients have written to him do not seem to impress HR managers very much.
Motives for guidance: Claus wants advice on what he has to do to prove his competences and have them certified.
Title of a possible offer: "Competence proves itself in performance, but only if certified!"

## 5. References

Andreas Boes, Barbara Langes, Hrsg., 2019, Die Cloud und der digitale Umbruch in Wirtschaft und Arbeit, Freiburg, München, Stuttgart.

Hans J. Pongratz, 2019, Online-Arbeit als Nebenverdienst. In: Boes, Langes, a.a.O. 191-206.
ProfilPass für Selbstständigkeit, Stärken kennen - Stärken nutzen, Online abgerufen unter https://www.profilpass.de/media/profilpass_fuer_die_selbststaendigkeit_bildschirmversion.pdf

Hans-Böckler-Stiftung, 2020, Working Paper Forschungsförderung Nummer 167, Wachsende Graubereiche in der Beschäftigung, Ein interdisziplinärer Forschungsüberblick über die Entstehung und Entwicklung neuer Arbeits- und Beschäftigungsformen in Deutschland, Online abgerufen unter https://www.boeckler.de/pdf/p fofoe WP 167 2020.pdf
Bertelsmann-Stiftung, 2019, Plattformarbeit in Deutschland, Freie und flexible Arbeit ohne soziale Sicherung, Online abgerufen unter https://www.bertelsmann-stiftung.de/fileadim/files/BSt/Publikationen/GrauePublikationen/Plattform 07lay.pdf
Bundesagentur für Arbeit, 2020, Berichte: Blickpunkt Arbeitsmarkt Januar 2020, Aktuelle Entwicklungen in der Zeitarbeit, Nürnberg
Bundesagentur für Arbeit, 2018, Befristete Beschäftigung, Grundlagen: Methodenbericht, Online abgerufen unter https://statistik.arbeitsagentur.de/Statischer-Content/Grundlagen/Methodik-Qualitaet/Methodenbe-richt/Beschaeftigungsstatistik/Generische-Publikationen/Methodenbericht-Befristete-Beschaeftigung.pdf
Friedrich Ebert Stiftung, 2016, Arbeitsmärkte in der Plattformökonomie - Zur Funktionsweise und den Herausforderungen von Crowdwork und Gigwork, Online abgerufen unter library.fes.de/pdf-files/wiso/12826.pdf

Hans-Böckler-Stiftung, 2019, Trends und Verbreitung atypischer Beschäftigung, Eine Auswertung regionaler Daten, Online abgerufen unter https://www.boeckler.de/pdf/p pd 34 2019.pdf

## 6. Stakeholder Analysis

Ziel dieser Stakeholder-Analyse ist es, alle projektrelevanten Akteure und Interessengruppen strategisch zu berücksichtigen und zu spezifizieren, wie sie einbezogen werden können.
Welche Akteure in Ihrem Land werden direkt oder indirekt an dem Projekt und den Projektaktivitäten beteiligt sein?

| Stakeholder | Interests in the project | How to target this stakeholder within the project and dissemination? |
| :--- | :--- | :--- |
| IG Metall | Support für Beratung, Identifizieren von Zielgruppen | Regelmäßige Information aus dem Projekt über Crowedwork |
| DGB | Support | Information über Solopreneurs, Arbeiter auf Abruf, befristet Beschäftigte, <br> Scheinselbständige aus dem Projekt |
| Bildungswerk des DGB | Grundlagen für Weiterbildungsangebote | Regelmäßige Information zu praxisrelevanten Projekterkenntnissen und -er- <br> gebnissen sowie Produkten |
| Ombudstelle für Crowedworking Uns als Projekt unterstützen <br> Deutschland Neue Formen der Arbeit identifizieren <br> G.I.B. Bottrop Wissenschaftliches Interesse | Noch unklar |  |
| Prof. Dr. Pongratz München | Wissenschaftliches Interesse | Regelmäßige Information aus dem Projekt |
| Prof. Dr. Käpplinger Gießen | Regelmäßige Information aus dem Projekt/partielle Beteiligung als assoziier- |  |
| ter Partner |  |  |

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