



Access to social protection for workers and the self-employed



DG EMPL

D2, Social Protection Unit

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European Pillar of Social Rights

12. Social protection

“Regardless of the type and duration of their employment relationship, workers, and, under comparable conditions, the self-employed, have the right to adequate social protection”

Context: some figures

- In 2021, almost **40% of the population** in employment in the EU-27 (76.7 million people) were in non-standard forms of work i.e. with
 - a temporary contract (23.7 million),
 - part-time work (36.4 million)
 - and/or self-employed (26.9 million including 18.4 million solo self-employed; among which 800,000 'dependent self-employed')
- Proportion of people in non-standard forms of work has **been stable over the last decade**; and situation vary greatly between and within groups
- ..but some **new forms of employment** (casual workers, portfolio workers, platform workers) have become more prevalent

2019 Council Recommendation – main features

Council Recommendation on Access to Social Protection

(adopted in November 2019)

For:
all workers & the self-employed

Scope/Branches:

- Unemployment benefits
- Sickness and healthcare benefits
- Maternity and paternity benefits
- Invalidity benefits
- Old-age and survivor benefits
- Benefits in respect of accidents at work and occupational diseases

4 dimensions:

Formal Coverage

Workers:
- mandatory basis
- all branches

Self-employed:
- min. voluntary basis

Effective coverage

Entitlements and contributions:
- rules that do not prevent access

Entitlements:
- preserved, accumulated and/ or transferable

Adequacy

Benefits:
- sufficient and timely

Contributions:
- proportionate
Exemptions, reductions:
- regardless of status

Transparency

Schemes' rules:
- transparent
- administrative simplification (esp. SMEs)

General and indiv. information:
- up-to-date, clear, free

Background

- Council Recommendation [adopted](#) by the Council in November 2019.
- Member States were recommended to “*implement the principles set out in this Recommendation as soon as possible and [to] **submit a plan** setting out the corresponding measures to be taken at national level by **15 May 2021**”*”
- Social Protection Committee endorsed in November 2020 a **guidance** for the preparation of the plans
- Commission **reviewed the implementation** of the Council Recommendation and adopted a [report](#) to the Council in January 2023

Main conclusions of the report

- Large number of workers or self-employed people **left without** sufficient access to social protection
- **Mixed picture** regarding implementation efforts; overall level of **ambition varies significantly** across Member States
- **Starting point is very diverse** – but even so, with few exceptions, most Member States **do not aim to address all** existing gaps in access to social protection
- Some **ambitious reforms** (focused on **formal coverage**) in half of the Member States...
- ...but **not in a number of** Member states where non-standard workers and self-employed are still not (adequately) covered

Situation varies across the four dimensions

Formal coverage: gaps remain but many Member states adopted or plan measures to address them – in particular for the self-employed

Effective coverage: more difficult for some groups (non-standard forms of work, young people) – improvements during COVID-19 period but relatively few structural measures. Little focus on transferability

Adequacy: poverty and deprivation more likely to affect those in non-standard forms of work – measures in 16 MSs (e.g. pensions for self-employed, unemployment benefits)

Transparency: Limited visibility in the national plans; some reforms (in RRP) on access to information and rules simplification. Information gaps remain and need to address digital divide.

Gaps in formal coverage

- In 2022, **self-employed in 19 MSs** and some **non-standard workers in 17 MSs** were not covered by at least one branch of social protection (*source: data collection on formal coverage among SPC-Indicators group delegates*)

Self-employed:

- lack access for **unemployment** benefits in 13 MSs (= 15.3 million persons).
- Lack of access also for **accidents at work and occupational diseases (9 MSs)**, paternity benefits (5MSs) and sickness benefits (3MSs).
- In 19 MSs, access for self-employed people is **voluntary** for at least one branch (e.g. opt-in for old-age benefits), with often **low take up rate**.

Formal coverage : reforms for self-employed (1)

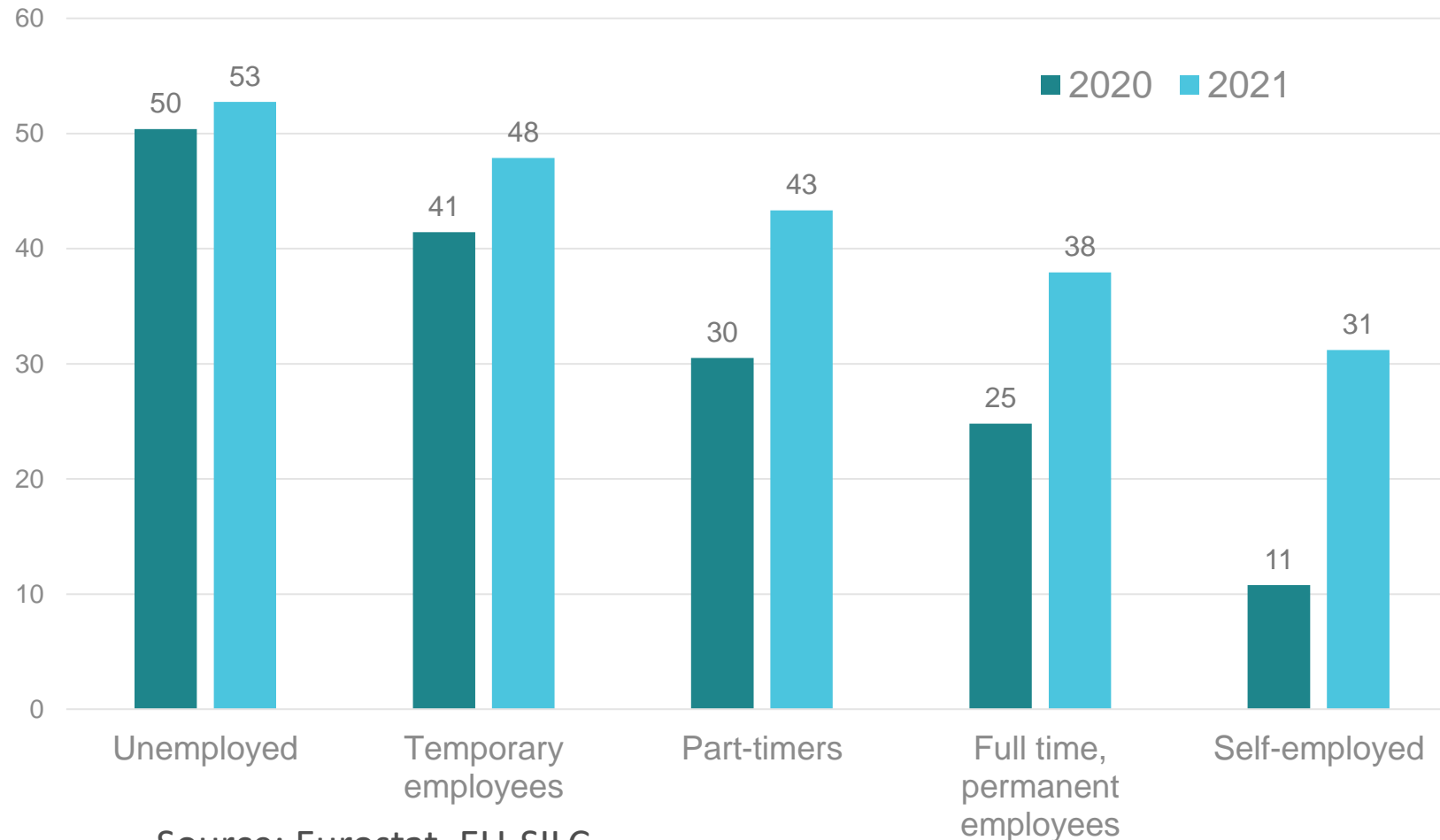
- **Ireland** : new **jobseeker's benefit** scheme for those who had been self-employed (Nov 2019)
- **France**: income **allowance** in case of judicial termination or insolvency procedure (2019). Conditions relaxed in 2022. France also extended sickness benefits to “professions libérales” (2020).
- **Malta**: self-employed eligible for **unemployment** benefits under certain conditions (2019)
- **Italy**: Right to a **daily allowance** for self-employed women before childbirth (where complications arise) and the right to **parental leave** for self-employed fathers - as part of the work-life balance decree (June 2022).
- **Cyprus** reforming the **social insurance** system to extend coverage to self-employed people and non-standard forms of employment (entry into force scheduled for 2023).

Formal coverage : reforms for self-employed (2)

- **Luxembourg** proposed introducing **paternity** benefits for self-employed fathers.
- **Estonia** expanding **unemployment** insurance to self-employed people, business account holders and members of management and control bodies. Also working on extending health coverage to people not insured or with intermittent insurance.
- The **Netherlands** preparing to introduce mandatory **disability** insurance for the self-employed

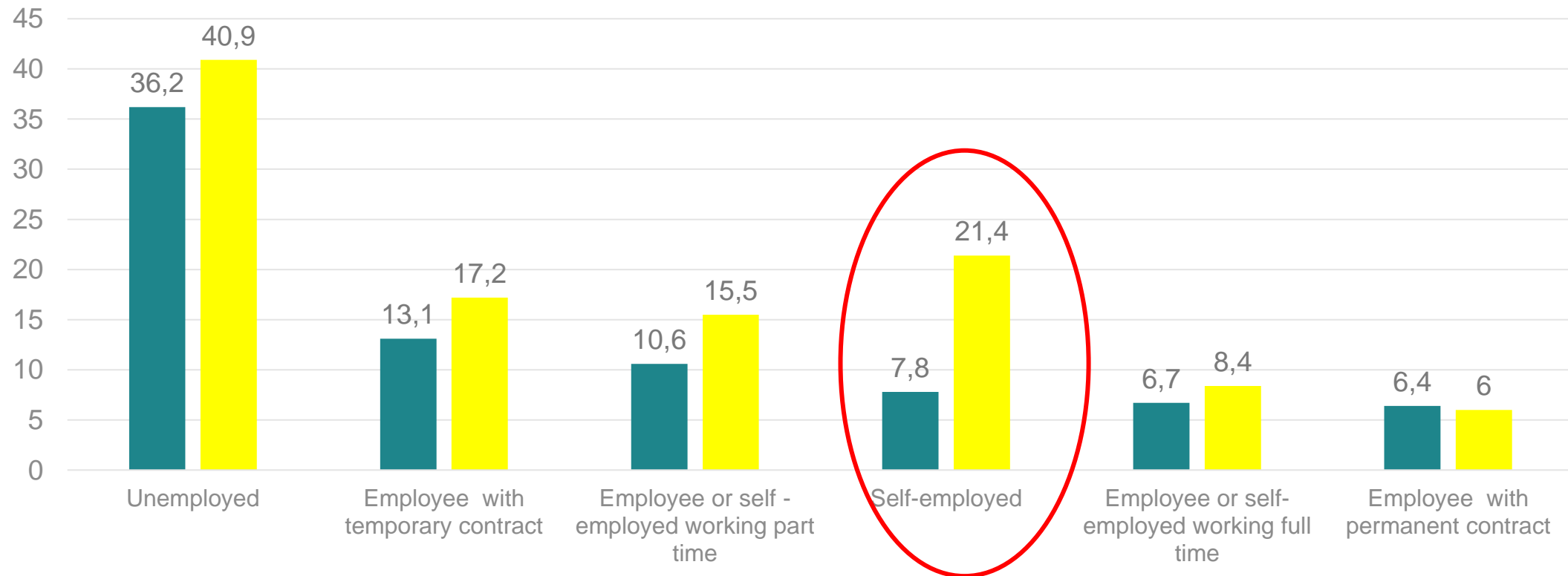
The National plans also include commitments for the future: **Romania** planning to extend paternity leave to the self-employed; **Belgium** assessing how to make loss-of-income protection for the self-employed ('bridging right') permanent; **Greece** planning to extend sickness benefits to the self-employed; **Lithuania** considering including all self-employed people in the unemployment insurance; **Netherlands** experimenting with providing the self-employed with access to collective pension schemes.

Share of working-age population **receiving any social benefit** (among people at-risk-of-poverty before social transfers), by most frequent activity status in reference year (16-64), 2021 (%)



Source: Eurostat, EU-SILC

Material and social deprivation rate and at risk of poverty rate after social transfers, by status, 2021 (EU-27)



Source: Eurostat, EU-SILC. MSD : left/green bar; AROP: right/yellow bar

Transparency

- Transparency is **crucial to guaranteeing access** to social protection for workers and the self-employed.
- People may be **insufficiently aware of their rights and obligations**, and of the different ways of exercising those rights and complying with their obligations.
- The rules may be **too complex or not sufficiently clear**. This can **discourage participation** in social protection schemes and contribute to **low take-up rate** for some social benefits.
- Self-employed people and people in non-standard forms of work may be more affected, because they are often subject to **specific rules and more complex procedures**.

Additional information

- Monitoring [framework](#) on access to social protection - and 2022 [update](#)
- Expert [paper](#) on social protection for the self-employed (June 2022)
- [ESPN report](#) on *Social protection and inclusion policy responses to the COVID-19 crisis* (2021)
- ESPN [report](#) on *Making access to social protection for workers and the self-employed more transparent through information and simplification* (2023)
- Report of the [High-Level Group](#) on the future of social protection and of the welfare state in the EU

ANNEX

Formal coverage: definition

- Workers and self-employed people are considered ‘formally covered by a specific social protection branch **if the existing legislation or collective agreement states that they are entitled to participate in a social protection scheme in that specific branch**. Formal coverage can be provided via mandatory or voluntary schemes’ (Council Recommendation, recital 15).
- Member States are invited to **improve the formal coverage (for all branches mentioned in the Recommendation)** and extend it to: (a) all workers, regardless of the type of employment relationship, on a mandatory basis; **(b) self-employed people, at least on a voluntary basis and, where appropriate, on a mandatory basis.**

Lack of formal coverage for people in non-standard employment (2022)

Social protection branch	Casual workers or simplified, short-term fixed contract	Seasonal workers	Apprentices or trainees	National specificities
Unemployment benefits	PT, RO	LV ^p , PT, RO	EL ^k , FR ^k , IT ^k , NL, PL ^k , PT ^{k,o}	AT ^a , CZ ^b , DE ^c , ES ^f , LV ^l , PL ^{dm} , PT ^f , SK ^e
Healthcare benefits	-	-	-	CZ ^b , LU ⁿ
Sickness benefits	HU ^g , PT, RO	HU, LV ^p , PT, RO	DK ^k , EL ^k , HU ^k , PL ^k , PT ^{k,o}	CZ ^b , LU ⁿ , LV ^l , PL ^d , SK ^e , SI ^d
Maternity benefits	PT, RO	LV ^p , PT, RO	EL ^k , HU ^k , IT ^k	CZ ^b , LU ⁿ , LV ^l , SK ^e
Paternity benefits	PT	LV ^p , PT	PL ^k	CZ ^b , LV ^l , PL ^d
Benefits in respect of accidents at work and occupational diseases	PT, RO	LV ^p , PT, RO	PT ^o , PL ^{k,o}	LV ^l , PL ^d
Old-age benefits and survivors' benefits	-	-	EL ^k , HU ^k , IT ^k , PT ^{k,o}	CZ ^b , LU ⁿ , PL ^m
Invalidity benefits	HU ^g	HU, LV ^p	PT ^{k,o} , NL	CZ ^b , LU ⁿ , PL ^m

Voluntary access for people in non-standard employment (2022)

Social protection branch	Opt-in	Opt-out
Unemployment benefits	DK ^a , FI ^a , LV ^a , RO, SE ^a , SK ^d	-
Healthcare benefits	AT ^b , LU, PL ^c , RO ^c	-
Sickness benefits	AT ^b , LU, PL ^c , PT ^c , SK ^d	-
Maternity benefits	AT ^b , LU, PL ^c , PT ^c , SK ^d	-
Paternity benefits	PL ^c , PT ^c	-
Benefits in respect of accidents at work and occupational diseases	PT ^c , LV ^a	-
Old-age benefits and survivors' benefits	AT ^b , CZ, NL, PT, PL ^c , RO ^c	DE ^{bc}
Invalidity benefits	AT ^b , CZ, PL ^c , PT, RO ^c	-

Lack of formal coverage for the self-employed (2022)

Social protection branch	Member State
Unemployment benefits	BE ^a , BG, CY, DE ^a , EE ^b , EL ^a , FR ^a , IT, LT ^a , LV, NL, PL ^a , PT ^a
Healthcare benefits	-
Sickness benefits	EL ^a , IE, IT ^a
Maternity benefits	-
Paternity benefits	EL, LU, MT, NL, RO
Benefits in respect of accidents at work and occupational diseases	BE, BG, CY, CZ, IE, LT, LV, NL, SK
Old-age benefits and survivors' benefits	-
Invalidity benefits	-

Voluntary access for the self-employed (2022)

Social protection branch	Opt-in	Opt-out
Unemployment benefits	AT, DE ^c , DK, FI ^a , RO ^c , SE ^a , SK	-
Healthcare benefits	LU ^b	-
Sickness benefits	AT ^c , BG, CZ, DK, EE ^c , ES ^c , IT, LT ^c , LU ^b , NL ^c , PL ^c , SK	AT ^b , RO ^b , SK ^b
Maternity benefits	AT ^c , BG, CZ, DE, DK ^a , LT ^c , LU ^b , PL ^c , SK	AT ^b , SK ^b
Paternity benefits	BG, CZ, PL ^c	-
Benefits in respect of accidents at work and occupational diseases	AT ^c , DE ^d , DK, FR ^c , FI ^c , LU ^b	-
Old-age benefits and survivors' benefits	AT ^c , BE ^a , DE ^c , DK, EL ^{ac} , FI ^{bc} , LU ^b , NL, SK	AT ^b , SK ^b
Invalidity benefits	AT ^c , DE ^c , NL ^c , SK	AT ^b , SK ^b