

Online Platforms and Platform Work Germany

- ✓ ✗ Legally binding definition of online platforms
- ✓ ✗ Specific register of online platforms
- ✓ ✗ Specific regulation applicable to online platforms
- ? Online platforms are considered to be employers

There are two legislative acts concerned with the definition of platforms. **The Act on Restraints of Competition** is explicitly aimed at digital companies that are defined as companies with outstanding cross-market significance for competition and access to competition-relevant data. The act also introduces the legal notion of “intermediation power” to capture platform particularities. **The Network Enforcement Act** relates mainly to social media platforms, defining them as telemedia service providers which operate platforms on the Internet for profit.



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Germans have access to more than 60 remote work platforms. For the majority of platform workers, it is a secondary source of income.

For many workers with migrant backgrounds who face a language barrier in Germany, platform work constitutes an entry point into the labour market.

€ 3,400,000,000

Some experts contend that the economic importance of platform work is relatively low in Germany. Online grocery sales in Germany have been increasing, however. Turnover for the ride-sharing and taxi-ride sector amounted to EUR 3.4 billion in 2021, with this figure including rides from traditional taxi companies as well as from online platforms.



Most popular platforms in Germany:



Lieferando is one of the largest food delivery providers in Germany, with a turnover of EUR 374 million. It belongs to the Dutch company Takeaway.

Clickworker.de is one of the largest crowdworking platforms and is owned by the US-based company clickworker.com.

Freenow is the most popular taxi app in Germany. The company belongs to Daimler & BMW under the rubric of «Your Now» and has a turnover of EUR 2 billion.

Gorillas is the best-known German platform specialising in delivery of groceries by bicycle couriers. In 2021, the company had a turnover of EUR 260 million.





Even if platform work has not received much attention in the public debate, many issues relating to digital transformation have been discussed under the caption of **Industry 4.0** by industry representatives and state actors. The importance of data protection at the workplace has had a particularly prominent place in the public debate. Various parties and trade unions have been calling for an employee data-protection law in addition to the requirements laid down in the GDPR.



There are a number of different initiatives addressing the rights of platform workers in Germany.

faircrowd.work is an online platform of IG Metall operated in cooperation with the ÖGB, the Vienna Chamber of Labour and the Swedish trade union Unionen. The platform collects information from the perspective of platform workers, offers advice and informs workers about their rights.

The Tech Workers Coalition is an international grassroots movement of workers in the technology sector, with representative offices in Berlin and Munich.

The association **Action against Labour Injustice** supports workers and work councils resisting union-busting and uses high-profile campaigns and actions to draw attention to worker's rights.



There is no collective agreement relating to platform work in Germany.

One of the best-known initiatives that emerged from the founding of a works council in Cologne at the time at Foodora was «Liefern am Limit» (Delivering at the Limit), whose long-term goal is to fight for a collective agreement for bicycle couriers.

In a landmark ruling handed down in December 2020, the Federal Labour Court classified a crowdworker who worked on a micro-service platform as an employee. The crowdworker took photos of products on display for the platform in retail outlets and at petrol stations. With the support of the trade union IG Metall, he had taken action before the highest labour court, claiming that he was in an employment relationship with the platform. The court agreed with him.