

LABOUR STATUS NEUTRALITY IN SOCIAL SECURITY SCHEMES?

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OVERVIEW

Access to social protection

Concept of labour status neutrality

Transferability and preservation of rights

ACCESS TO SOCIAL PROTECTION

- Evolving world of work
- Digitalisation

Availability of more types of work and contracts

A more fragmented labour market

With less stable career trajectories

Example 1

Transition from EMP to SE

Example 2

EMP to sporadic platform work

Example 3

2 part-time jobs (45 and 20%)

ACCESS TO SOCIAL PROTECTION

Strengthening social protection for all workers
and the self-employed

- European Pillar of Social Rights
- EU Council Recommendation

Political commitment

Labour status neutrality as a key concept

LABOUR STATUS NEUTRALITY

"when one starts to apply these rules on self-employed for instance, they will first have to be reformulated in a more neutral manner so that they can accommodate all relevant professional groups; it is only in their application that further rules can be developed taking into account the specific work situation of each of these groups"

(Schoukens and Bruynseraede 2021; see also Battista 2022 and Aranguiz 2024)

DENMARK - UNEMPLOYMENT PROTECTION

Formal access for the EMP and SE

Reform 2018 - to redesign effective access

- Minimum work period - Income
- Income earned is translated into a corresponding number of hours

FURTHER DEVELOPING LABOUR NEUTRALITY?

Universal protection and a
neutral system design

1

Transparency and
administrative simplicity

2

Solidarity and fair cost
distribution

3

Proportionality and prohibition
of discrimination

4

DEFINING THE SOCIAL RISK

- Differences between the social risks
- (Short-term) income replacement benefits

Sickness – Belgium

Unemployment – Sweden

FOCUSSING ON NEEDS?

- Heterogeneity of the work force
- Different needs of workers and the self-employed
- Swedish umbrella companies - platform work

TRANSFERABILITY - PRESERVATION OF RIGHTS

Example 1

Transition from EMP to SE

Example 3

2 part-time jobs (45 and 20%)

2019 RECOMMENDATION

"According to national circumstances, Member States are recommended to ensure that entitlements - whether they are acquired through mandatory or voluntary schemes - are preserved, accumulated and/or transferable across all types of employment and self-employment statuses and across economic sectors, throughout the person's career or during a certain reference period and between different schemes within a given social protection branch"

Article 10

TRANSFERABILITY - PRESERVATION OF RIGHTS

Part of

- Effective access
- Transparent access

Difficult to map

Strong diversity between Member States

Limited attention given in national plans (European Commission 2023) to transferability

TRANSFERABILITY - PRESERVATION OF RIGHTS

Example 1

Transition from EMP to SE

Challenge 1 - Move from scheme A to scheme B?

Take up entitlements from scheme A on a later moment?

Challenge 2 - Move from scheme A to scheme B?

Qualifying period?

SIMILARITIES TO CROSS BORDER SITUATIONS

Country A
Belgium

Country B
Spain

Regulation 883/04 on the coordination of social security schemes

- Protection of accrual of rights
- Protection of acquired rights
- Administrative cooperation

PRESERVATION AND ACCUMULATION OF RIGHTS

Rules with after-
effect

Protection accrual
rights

Dormant
participants

Transfer of
acquired rights

Multiple activities
- simultaneous
performance

TOWARDS GREATER HARMONISATION ...?

... Inside one EU country

Extending the coverage for certain social risks

- E.g. health care - France and Belgium

Individualisation

- E.g. pension benefits - individual accounts

CONCLUDING REMARKS

- Challenging to define the notion of labour status neutrality
- Several principles identified in the paper

Transferability of rights

Difficult puzzle to solve

- Step 1 - map the rules in place + development consistent regulatory framework
- Step 2 - harmonisation of multiple systems inside a country into one?

THANK YOU!



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