

Don't GIG Up, Never!

Country update – ESTONIA

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February 2022



dontgigup.eu



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The research for this report was supported by the European Commission, Directorate-General for Employment, Social Affairs, and Inclusion, receiving funding under the call for proposals VP/2020/004 (Improving expertise in the field of industrial relations).

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INTRODUCTION

This report is part of a series of follow-up studies to the State of the Art report¹, published in January 2019 under the project 'Don't GIG Up! Extending social protection to GIG workers in Europe' (VS/2018/0018), and reviewing debate, studies, and policies arising on platform work in the following countries: France, Germany, Italy, Poland, and Spain².

As part of the 'Don't GIG Up, Never!' project (VS/2021/0204), the report updates country level information up to February 2022, illustrating contextual information and recent developments around platform work. More in detail, the country update describes political, social and academic debate on platform work, results of recent research studies, relevant legislation and policy reforms, and social partners' responses to the platform work. This was done using a questionnaire and instructions common to the different countries covered by the partnership.

To support the comparison of findings across countries, the report refers to the 'Don't GIG up!' classification of labour platforms presented in Table 1.

Table 1. Classification of labour platforms adopted in the project 'Don't GIG up!'

Platforms involving passenger transport services (Uber, Lift...);	Type 1
Platforms involving goods delivery services (Deliveroo, Foodora...);	Type 2
Platforms involving 'traditional gigs', like gardening, cleaning activities (Task Rabbit, Helpling...) up to skilled services (marketing, advertising, translating), possibly also by means of auctions (Fiverr, Upwork...);	Type 3
Platforms externalizing micro-tasks, often performed on web, to a 'crowd' of workers (crowd-work platform like Amazon Mechanical Turk).	Type 4

¹ The report is available under the following link: <http://www.dontgigup.eu/resources/>

² The web-site www.dontgigup.eu hosts also two country reports addressing Sweden and Estonia respectively, and covering a larger time span for them were not included in the State of the Art report.

PUBLIC AND ACADEMIC DEBATE ON PLATFORM WORK

The main debates surrounding gig or platform work in Estonia involve how to maintain the flexibility of platform work (which is essential to how it functions and contributes to overall economic efficiency) while 1) maintaining the competitiveness of traditional companies (from the national and social level) and 2) ensuring that gig workers receive social services and legal protection of their workers' rights (at the academic level, and in the light of EU-level political developments). Debates concerning platform work are not currently separate but, rather, incorporated into discussion concerning broader labour issues in Estonia (Maria-Helena Rahumets, 2022). Thus far, ensuring social security coverage for platform workers has not been a priority at the national or institutional levels because many platform workers are covered by other places of employment or enrollment in educational institutions, or choose themselves to forego paying into social security funds for economic reasons (Johanna Vallistu, 2022, Kaire Holts, 2022). Currently, the Estonian government is looking forward to and welcome the forthcoming EU directive, which will be the first of its kind in regulating working conditions for platform workers (Interview with Maria-Helena Rahumets, 2022).

Estonian's high digital literacy, use of ICT technology, and advanced ID card system had brought about changes in the structure of work long before COVID19. Many Estonians have long been flexible in their working arrangements and are teleworking (Chung, 2018). Since there is currently no official data for 2021-2022 about platform work in Estonia (Interview with Johanna Vallistu, 2022) the full impact of COVID19 on platform work is unknown. However, experts have estimated that COVID19 has increased the popularity of platform work and has prompted the development of some novel platforms in Estonia. In addition to digital literacy, part of the reason platform work is so popular could be due to the level of wages. In 2018, Estonia was among the three EU countries with the highest share of employees earning low wages (20%) (Eurostat, 2018)³. Comparatively low salaries could motivate many people to look for additional sources of income, and jobs that promise above average income, such as plat-

³ https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Earnings_statistics#General_overview

form work. Considering the potential for independent and platform work to grow, and new business models to capitalize on this trend, it is important for Estonian authorities to address the social needs of workers. The issue is relevant but its scope in Estonian context is relatively small, so many politicians do not consider this as part of their current agenda.

As Johanna Vallistu of the Foresight Center, which is an independent think tank at the Estonian Parliament, states: “*Platform work offers the people of Estonia an excellent opportunity to participate in the global labour market, but in order to ensure the sustainability of the social security system, the regulations have to be adapted to changing forms of work*” (Foresight, 2021).

At the social and national level, there are ongoing debates surrounding overall tax reform and integration of minority groups and foreign workers; platform work, however, is a side issue rather than a central focus in these current debates. So, while it is largely agreed that the tax system needs to be modernized (Wright, 2021) and social integration improved, it has yet to be defined how the role of platform work will be defined in national policies.

At the European level, two key criticisms found by the most recent Estonia country report from the European Social Charter European Committee of Social Rights are that:

1. There are no clear specifications about whether platform workers are defined as “self-employed” or as “part-time workers”.
2. It is not clear whether the labour inspectorate has the power and how it is able to prevent the exploitation and unfair working conditions of platform workers⁴.

Thus, while it is clear that the platform work has contributed to the overall economy by providing revenue, contractual work, and flexibility (even in the traditional sector), gig-economy specific debates continue to be largely framed alongside traditional labour issues.

There are currently no official or national databases or registries that have information about platforms or platform workers. What complicates the matter is that various definitions and categories for different type of platform work have been used. So, while there is a public business register⁵, the various types of contracts included in platform work do not allow for this register to reflect the actual employment of platform workers in Estonia. Estonia’s present statistics are based on two major surveys done by the *Foresight Center* (in Estonian *Arenguseire Keskus*)⁶ (*Arenguseire Keskus*, 2018; Vallistu ja Piirits, 2021), and some estimations and interpretations that are given by experts (Holts, 2018; *Arenguseire Keskus*, 2018b).

4 <https://rm.coe.int/rapport-est-en/1680a1c0f4>

5 <https://www.rik.ee/en/e-business-register>

6 Arenguseire Keskus is an institution that conducts studies about socioeconomic developments in the Estonian society, and provides direct feedback to the parliament (Riigikogu).

At the same time, tax reporting in Estonia's gig economy is currently also largely the voluntary responsibility of workers who are 'self-employed' as many platform workers are. The automatic business income earning declaration system was introduced by the Estonian Tax and Customs Board in 2015 as a way for platform workers to 'opt-in' and share data on their earnings directly with the tax office⁷. In 2018 the Simplified Business Income Taxation Act also created the voluntary option for an Entrepreneur Account which can be used by self-employed and platform workers to declare income. The entrepreneurial account has been used much less than expected however and there is no mechanism for checking whether platform or traditional sector workers are using it (Maria-Helena Rahumets, 2022). Furthermore, because the Estonian government has no record and does not perform checks on platform workers (Foresight, 2021), the role of informing workers (particularly those with a service contract or entrepreneurial agreement) of these options on tax-reporting programs lies with the platform and then the workers to choose to share data on their earnings.

⁷<https://www.eurofound.europa.eu/data/platform-economy/initiatives/estonia-tax-and-customs>

FEATURES AND TRENDS

All Estonian statistics are based on two major surveys done by the *Foresight Center (Arenguseire Keskus, 2018; Vallistu ja Piirits, 2021, also see Holts, 2018)*. Here are some trends:

How many are involved in platform work?

Approximately, every fourth adult has tried platform work at least once. Based on the survey data (from 2018 and 2021), it can be estimated that approximately 7%-8% of 18-64 years old Estonians (i.e., around 60 000 people) are working weekly on some platforms. The number of people who work at least once a month on some platforms seems to be increasing. It increased from 10.3% in 2018 to 11.9% in 2021.

How many hours do platform workers work?

The survey repeated in 2021 confirmed that most platform workers (more than 75%) still work on platforms only part-time. 50% of the platform workers work up to 10 hours a week. 25% work up to 11-25 hours per week, and approximately 20% work for 25-40 hours per week. 7.2% of the platform workers work more than 40 hours per week. Only 4.4% workers consider platform work as their only income source. Some workers have very high total number of working hours (more than 60 hours per week) when their full-time non-platform work and platform work are added together. This suggests that for some people, platform work is being used as a way of financial coping in Estonia. Amongst those who had tried platform work at least once, the average monthly net-salary was € 1,017 (in 2021) which was lower than Estonia's average net-salary (€ 1,255).

What type of services are provided on platforms?

As of 2022 there are eight main platform types in Estonia which can be recategorized into the types of platform work established in the previous Don't Gig Up report as follows⁸:

8 http://www.dontgigup.eu/wp-content/uploads/2020/05/State_of_the_Art_Report.pdf

Type 1	Type 2	Type 3	Type 4
Transportation services (e.g., Bolt, Umber, Yandex)	Food delivery or other delivery services (Wolt, Bolt),	Household works like cleaning, redecoration, childcare, gardening etc. (Taskus, GoWorkaBit, Handies, Gigpanel, Tremer)	Administrative work (Amazon Mechanical Turk, Clickwork, Upwork)
		Personal care services (Taskus, CareMate, Helpific)	Creative work or IT-services (Upwork, DesignCrowd, Freelancer, GoWorkaBit)
		Office work (GoWorkaBit)	
		Professional services like legal counselling and bookkeeping (Upwork, Freelancer, Fiverr, HugoLegal, Estateguru).	

COVID19 increased the provision of IT, and professional services. In an interview in 2022, Johanna Vallistu of Estonia's Foresight Center shared that the largest platforms continue to be in types 1 and 2 of the project classification: transportation (Uber) and delivery (Bolt and Wolt). However, exact data about this is currently missing and difficult to collect. It is difficult to estimate future trends as there has not enough data that would allow that. Some newer platforms include more 'traditional gigs' (Type 3, *ibid*) such as care services (caremate.ee, helpific.com/en), health and counselling (minudoc.ee) or legal (hugo.legal/en) services, and web-based nanny services (kideocall.com).

What are the characteristics of platform workers?

An average platform worker in Estonia is a young male, Russian-speaking worker who lives in the North or North-Eastern Estonia, who has a full-time job in the service sector, or who is an office worker. Workers' characteristics vary greatly depending on the type of platform work. It cannot be said that platform workers come from the poorest regions, or from regions that have high unemployment rate. Average salaries are the highest in Northern Estonia⁹ but amongst the lowest in the North-Eastern Estonia. So, it is a combination of several different factors rather than one or two underlying factors that drive platform work in Estonia.

⁹<https://palgad.stat.ee/>

Methodology in previous surveys and limitations?

The first study (Areguseire Keskus, 2018) was part of an international project, and used a similar methodology proposed by the leading partner (UK). 13 countries were included, and in each country, the survey methods varied based on local considerations. In Estonia, the survey was conducted 100% online, and the sample included 2000 18-65 years old participants. Later, representativeness was achieved via weighing, and stratification of the data. Variables that were taken into account were: age, gender, region, and working status. The authors concluded that a good representative sample was achieved. In addition to the quantitative study, interviews were carried out to collect more specific data about platform work. Five platform workers from Estonia were interviewed. The original survey and interview questions are not currently publicly available. Information that was collected has been summarized in reports.

The second survey (in 2021) used a similar methodology. The sample included 2000 18-64 year-old subjects. The survey was carried out online. One of the goals in 2021 was to replicate the methods and collect updated data about the current situation. However, the typology of platform work that was used in the second survey as well as the definition of platform work itself had changed slightly (Johanna Vallistu, 2022).

Some limitations of these studies were:

- The age limit (18-65) does not allow to make any conclusions about younger or older people.
- The representativeness of the samples is questionable. There can be sample biases.
- The studies did not collect data about attitudes towards platform.
- Stratification did not include different language groups (i.e., Estonian, Russian).
- Online surveys cannot capture the general scope of platform work. Some work can be provided by people who are not active Internet users, especially if they work for a company that itself uses the platform to reach their clients. Different levels of platform work could not be captured by the same study instrument. It is likely that the results only reflect the most active group of people who are themselves engaged in everyday online work (other than platform work).
- The number of platform workers is changing in real time. It is very difficult to capture how many are involved at each moment in time.
- Some people might not be willing to share real information about their work duties, salaries, taxes etc. due to possible breach of anonymity (e.g., online survey providers often automatically save IP addresses etc.). It is unclear how in these surveys anonymity, and personal data protection was assured.

POLICY, LEGAL AND CASE LAW DEVELOPMENT

The debates pertaining specifically to Estonia's gig economy first came to the forefront with the 2016 argument that the lack of regulation by Uber posed a threat to competitiveness of traditional Taxi companies. When it comes to debates surrounding the platform in Estonia, it is important to note that even traditional sectors in Estonia (such as taxi companies) tend to be techno-optimistic and fairly unregulated (Kall, et. al, 2021). In fact, traditional taxi companies and platform rideshare apps both share flexibility in the way they tend to contract independent entrepreneurs or services rather than employ individual drivers (ibid, 2021). As a result of the debate surrounding the lack of regulation on the platform however, the Public Transport Act¹⁰ was amended¹¹ to create standard regulations which are applicable for both traditional and platform-based taxi services. This example is representative of the public approach to gig economy regulation: finding a common ground that applies to both traditional sector and gig workers. In the case of taxi companies, this compromise loosened regulations on traditional companies and tightened them on platforms; it did not however, address the larger issue of employee rights and social coverage which remain a key issue in both traditional and platform work. As of November, 2021, 'in Estonia, the taxi industry is the only sector that has been re-regulated due to the impact of platform work' (Kall, et. al, 2021).

The current measures ensuring labor rights (access to a dispute committee) and social protections (health care and unemployment insurance) for gig workers are similar to those available to traditional sector workers. Although there are debates building about how platform economy workers should be defined and which types of contracts should be used for platform work (discussed in the previous sections), there is currently no platform specific legislation protecting the social rights and working conditions of gig workers. There are however a few mechanisms in the general labor force which apply particularly to platform workers. When it comes to ensuring workers have social

¹⁰ <https://www.riigiteataja.ee/en/eli/526032015005/consolide>

¹¹ <https://www.forbes.com/sites/montymunford/2016/02/28/estonia-embraces-uber-and-taxi-fy-as-first-european-country-to-legalize-and-regulate-ride-sharing/>

coverage they need (if not already covered by other employment or an educational institution) the option of having an entrepreneur account¹² makes it easy for self-employed worker, including platform workers, to declare income and meet their tax obligations to ensure they have access to health care and unemployment insurance. Thus, in terms of preventative measures, gig economy workers and platforms currently bear most of the responsibility for using services already available.

When it comes to protecting gig workers' rights, the Estonian Labour Inspectorate can also be involved in settling disputes, however there are currently no specific regulations or mechanisms which apply to gig workers. So, just as ensuring access to health care and unemployment insurance are largely the responsibility of workers, so too are protecting their contractual rights in employment (further information in the next section).

The lack of clarification about how platform workers are defined in Estonia has made it difficult to create legislation or assess disputes by platform workers. In Estonia, platform workers are considered as entrepreneurs, so they are responsible for those legal obligations depending on the type of entrepreneurship that they are pursuing (self-employed, private company, incorporated company etc.). *Äriseadustik*¹³ (The Law of Entrepreneurship) defines each type of entrepreneurship with its legal rights, and obligations (including specifics about taxes). *Tulumaksuseadus*¹⁴ (the Law of Income Tax) defines who needs to pay taxes, and to what extent. The problem is that some platform workers avoid paying taxes because there is no registry, and no obligation to report about working on a platform. Also, *Töölepingu seadus*^{15/16} (The Law of Employment Contract) is being reformed. This, however, does not include any specifics about platform workers.

There is a debate whether platform work should be defined as a separate “type” of contract work and have its own legal regulations (Interview with Johanna Vallistu, 2022). However, as previously mentioned, present interest from the political side is weak. Many consider platform work as a side-job, and believe that social security (including healthcare, education, social services etc.) is guaranteed by some other institutions (regular employer, education, unemployment fund). Therefore, there is no need to extend this to platform workers. Another part of the debate includes the concern that platform work gives an opportunity to avoid taxes. However, there has yet to be a consensus or good solution to this issue.

The Estonian Labour Inspectorate can be involved in settling disputes between gig workers and platforms under the Labour Dispute Resolution Act¹⁷. Although the Labour Inspectorate currently does not conduct regular inspec-

¹² <https://www.emta.ee/en/private-client/taxes-and-payment/taxable-income/business-income-and-entrepreneur-account>

¹³ <https://www.riigiteataja.ee/akt/123112021002>

¹⁴ <https://www.riigiteataja.ee/akt/122122021041>

¹⁵ <https://somblogi.wordpress.com/2022/01/13/millistest-tootingimustest-tuleb-1-augustist-kohtajad-teavitada/>

¹⁶ <https://www.riigiteataja.ee/akt/111122021002>

¹⁷ <https://www.riigiteataja.ee/en/eli/505122017001/consolide>

tions of platforms, they do work to ensure that a worker is properly classified according to the Estonian Contracts Act¹⁸. There is a separate dispute committee, established in 2020¹⁹, which hears about 160 disputes annually concerning misclassification of workers in Estonia; however, there is currently no data about how many of these hearings concern classification of platform workers (Interview with Maria-Helena Rahumets, 2022). In addition to disputing the classification of work, platform workers, like traditional sector workers, can file disputes to the Labour Inspectorate concerning non-compliance with contracts or the Law of Obligations²⁰ which specifies how service contracts should be entered into force and terminated by contractors. Although the requirements for filing a claim through the Labour Inspectorate are publicly available and fairly easy²¹, they are still the extra responsibility of an independent worker.

The European Commission is working on a regulation that would include social security in platform work²². This debate is also being held in Estonia. The local solution has been that those who do not have any other institution to provide their social security should open an entrepreneurship account (*ettevõtluskonto*) which would allow a simplified tax regime together with opportunities to receive health insurance. However, only 2% of the platform workers are using this opportunity (Vallistu and Piirits, 2021).

18 <https://www.riigiteataja.ee/en/eli/520062016003/consolide>

19 <https://www.tooelu.ee/en/58/labour-disputes>

20 <https://www.riigiteataja.ee/en/eli/506112013011/consolide>

21 See requirements here: <https://www.ti.ee/en/labour-disputes-2>

22 https://ec.europa.eu/commission/presscorner/detail/en/ip_21_6605

SOCIAL PARTNERS' ACTIVITIES AND GRASSROOT CAMPAIGNS

Platform work has been discussed in public meetings and discussions (*Arvamusfestival*), some articles have been published in media, and some experts have openly shared their opinion about it. Several cite the previously mentioned Foresight Study, that unless platform work is more clearly defined and regulated, taxpayers could pay the price²³. Others, such as the online round table organized in March of 2021 with researchers, platform workers, platform representatives, government officials, and trade union workers, stress that the roles of the state, platforms, and workers themselves are not defined clearly enough: 'it is not clear who is responsible if workers' well-being deteriorates due to illness, overwork, an accident at work or even being unemployed'²⁴.

However, no largescale strikes, or movements have taken place so far. There are several reasons for this. One is that it is becoming increasingly difficult to distinguish between traditional and platform work in Estonian society. Rather, in Estonia, it makes more sense to discuss the "platformisation of work" and investigate how traditional services are evolving and adapting to platform economies (Interview with Holts, citing Huws et. al, 2019) and more clearly defining and distinguishing what purely platform work is. The current picture of platform work in Estonia, as in much of Europe, is "very dynamic and hard to capture" (Holts, 2022) since types of platform work, individual motivations, and individuals themselves are vastly diverse. In the case of Estonia therefore, this report identifies the following gaps in the current understanding of platform work in Estonia and deserves particular attention, especially by research, in the future:

- More studies are needed: both qualitative and quantitative to fully capture the scope and impact of platform work in Estonia. Especially in platforms matching 'traditional gigs' (type 3) or externalizing 'micro-tasks' (type 4).

²³ <https://arileht.delfi.ee/artikkel/93621489/uuring-kui-riik-platvormitood-ei-reguleeri-mak-sab-selle-hiljem-kinni-maksumaksja>

²⁴ <https://novaator.err.ee/1608127870/platvormitoo-umarlaud-vastutusega-seonduv-tuleks-tap-semiini-paika-panna>

- Platform work needs to be analyzed in a broader context. Since more and more traditional sectors (taxi, legal, real estate, home care) are adapting to using platforms themselves, it is important to understand why individuals choose purely platform work in the first place. According to experts, this tendency seems likely to continue for the unforeseeable future. What is the effect of regular jobs moving online on well-being, social security, working environments etc.? Experts predict that there will be legislative as well social changes in the next years.
- The absence of social security for gig workers is not a major issue at present since most Estonians are covered by social security via many different institutions. However, it can become a challenge when more foreign workers are being included in platform work, and when work is moved fully online. Many more workers may start to work from abroad. This brings about new legal challenges that need to be tackled in the future.
- Research into the prospects for self-development as a platform worker: how do platforms support the skills of workers and how to workers themselves improve their skills while doing platform work.

APPENDIX

ESTONIA: GENERAL OVERVIEW

Estonia has a small population with 1.3 million residents of whom approximately 70% perceive themselves as Estonians, 25% perceive themselves as Russians, and 5% consider themselves as some other national identity (Estonia's National Census, 2011²⁵).

In the past 30 years, Estonia has gone through a remarkable change from a young post-Soviet agricultural country to an advanced democratic and progressive digital country²⁶. Experts have concluded that Estonia has turned its somewhat unfavorable history into an advantage (Varblane et al., 2012). Estonia's innovation index is modest (in 2021, Estonia ranked 21st in the world)²⁷ but seems to be rising. Estonia launched the e-government and e-ID, and currently has one of the most highly developed national ID-card systems in the world. Based on EDGI (E-Government Development Index), Estonia is among the top three countries in the world²⁸ that provide e-services to its citizens. Most public services are available online. Some of the most important services include e-voting, e-health, e-education, and tax return services. Even though there has been some decline in recent years in the Information and Communication Technology (ICT) index, Estonia continues to be in the ICT top league with its very high societal impact due to changes that are being made in its digital infrastructures. This means that investments made to ICT continue to be successfully implemented in society, including healthcare, environment, education, citizen inclusion etc. This has converted into changes in the field of work.

25 <https://novaator.err.ee/1608127870/platvormitoo-umarlaud-vastutusega-seonduv-tuleks-tapse-mini-paika-panna>

26 <https://en.unesco.org/courier/2017-april-june/global-lessons-estonia-s-tech-savvy-government>

27 https://www.wipo.int/global_innovation_index/en/2021/

28 <https://publicadministration.un.org/egovkb/en-us/Data/Compare-Countries>
<https://e-estonia.com/estonia-top-3-in-un-e-government-survey-2020/>

Estonian's high digital literacy brought about changes in the structure of work long before COVID19. Many Estonians have flexible working arrangements and are teleworking (Chung, 2018). However, temporary work contracts have become less frequent in the Baltic states compared with ten years ago (Masso et al., 2021), and part-time employment and precarious work contracts are much less common than in the EU as a whole (Masso et al., 2021). One reason for this can be relatively low salaries, compared to other EU members. In 2018, Estonia was among the three EU countries with the highest share of employees earning low wages (20%) (Eurostat, 2018)²⁹. Comparatively low salaries could motivate many people to look for additional sources of income, and jobs that promise above average income, such as platform work.

Some older literature that describes platform work in Estonia can be confusing: platform work was described within the framework of sharing economy (*jagamismajandus*) or nonstandard work (*mittestandardne töö*), in some reports it has been conceptualized as virtual work (*virtuaaltöö*) (e.g., Holts, 2013; 2018), smart work (*nutikas töö*) (e.g., Rauniste, J.L., 2020) and gig economy (*juhutöömajandus*). By now, there is a consensus that platform work (*platvormitöö*) is one of the novel forms of work that is characterized by a very flexible, and nonstandard working environment or work organization (e.g., working from home, working in an online environment, providing services via online platforms etc.) that is mediated by online platforms. In Estonia, there are other similar types of work such as "job bites" (*tööampsud*) where people can officially work (not necessarily through a platform) while being registered as unemployed and receiving unemployment benefits³⁰. For simplification we use *platform work* and *gig economy* as synonyms.

In Estonia, platform workers are viewed as self-employed people who manage their own time, and have above average income (Johanna Vallistu, 2022). Often, they are perceived as entrepreneurs, even if they are not formally registered as self-employed (Johanna Vallistu, 2022). According to an expert Johanna Vallistu: interest in platform work has increased in Estonia and will continue to rise mostly due to its positive image in the society. There are many enterprises that are using platforms to connect to their clients, and there are many new platforms (both international and local) that have emerged in the recent years (Johanna Vallistu, 2022).

In sum, Estonia has a strong digital background, and readiness to employ novel ICT solutions. Digitalization of the public sector (including education and healthcare services) seems to have set the ground for many start-ups, and innovations within the field of work. There has also been some confusion and debates about changing the structure of work in the context of social security. The debates are ongoing.

29 https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Earnings_statistics#General_overview

30 <https://www.tootukassa.ee/content/otsin-tood/ajutine-tootamine-tootuna-aveloleku-ajal>

METHODOLOGICAL NOTES AND ACKNOWLEDGEMENTS

This report is based on a literature review that included relevant scientific papers, local reports, and legislation, expert interviews, and written expert opinions.

We are grateful to experts Johanna Vallistu (*Arenguseire Keskus*), Kaire Holts (*Taltech*), Maria-Helena Rahumets (*Estonian Ministry of Social Affairs*), Kerly Espenberg (*University of Tartu*), and Uku Varblane (*University of Tartu, Arenguseire Keskus*) for their input. Kaire Holts acknowledges financial support for her studies from the Estonian Research Council (MOBJD451) and the European Research Council under the European Union's Horizon 2020 research and innovation program (grant agreement No. 802512).

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