

Don't GIG Up, Never!

Country Case Study Report
GERMANY



dontgigup.eu



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INTRODUCTION

This paper is part of a series of **Country Case Study Reports** published in the framework of the of the *Don't GIG up, Never!* Project. The Project, co-funded by the Directorate-General for Employment, Social Affairs and Inclusion of the European Commission, is aimed at improving expertise and knowledge on the role unions and social dialogue can play with regard to the protection of platform workers, building on the knowledge accrued through the *Don't GIG Up!* Project (1st ed. 2018–2020).

Running for 24 months (2021–2023), *Don't GIG Up, Never!* project combines desk and empirical research to analyse features and challenges of the platform economy in a set of selected countries, namely: Italy, Germany, France, Spain, Poland, Estonia and Sweden.

The **first phase** of *Don't GIG Up, Never!* consists of a preliminary desk review aimed at updating the results of the previous project with regard to platform workers' employment and social conditions, the dedicated political debate, the relevant legislative developments, and the trade unions and employers' organisations involvement in the covered countries. Seven **National State of the Art Reports** were published in 2022¹.

The **second phase** of the project consists of an empirical qualitative research, in order to construct a number of national case studies for each country involved about labour platforms providing services outside the passenger transport and goods delivery sector, which was the focus of the previous edition of the project (*Don't GIG Up!*).

In the lights of the results of this Country Case Study Reports' series, the comparison of practices, taking place also by means of three mutual-learning workshops joined by project's partners, as well as during webinars open to stakeholders and the general public, shall lead to a comparative assessment on how the platform economy affects working conditions, social security, and industrial relations at both national and EU level, with a view to delivering policy recommendations. A **Final Report** shall collect these results.

¹ Don't GIG up, Never! State of the Art Reports are available here: <http://www.dontgigup.eu/resources/>

METHODOLOGY

The present Country Case Study Report, as well as all the other papers of the series, is based on a common methodology agreed and shared in advance with the project's consortium.

In particular, in order to achieve a consistent selection of case studies oriented towards the comparability of results, the selection of case studies was restricted to labour platforms falling into categories 3 and 4 of the table below (Table 1), while labour platforms falling into categories 1 and 2 were analysed in the framework of the *Don't GIG Up!* Project (1st ed. 2018–2020).

Table 1. Classification of labour platforms adopted in the project *Don't GIG up, Never!*

N.	Type of platform	Example
1	Platform matching passenger transport services	Uber, Lift, others.
2	Platforms matching goods delivery services	Deliveroo, Foodora, etc.
3	Platforms matching ' traditional gigs ' (gardening, cleaning, babysitting, etc.) up to ' skilled services ' (marketing, advertising, translating, etc.), possibly also by means of auctions	Task Rabbit, Helping, etc.
4	Platforms externalizing micro-tasks , often performed on web, to a 'crowd' of workers (crowd-work platforms)	Amazon Mechanical Turk, etc.

Each Country Case Study Report contains three or four case studies about digital labour platforms carried out at the national level. Where possible, an effort was made to select at least one type n. 3 (low skilled location-based activities) platform, one type n. 3 (skilled web-based activities) platform, and one type n. 4 (microtasks/crowd-work) platform for each country involved. An abridged version of the common template was used to implement a preliminary screening, in order to select practices deemed to be more interesting for the purposes of the project. The final choice was based as well on partners' assessments, the availability of contacts with platforms' management and workforce, and the feasibility of the case studies.

In particular, each case study was realised by national experts appointed by the project partners. Experts developed their research on the basis of a common **template** (Table 2), containing detailed guidelines for implementation.

Table 2. Template for realising national case studies in the project *Don't GIG up, Never!*

GENERAL INFORMATION
Labour Platform
<i>Full name</i>
Sector
<i>NACE Sector(s) addressed & brief description of the jobs</i>
Ownership
<i>Please, explain if the platform is for-profit or cooperative, and provide brief contextual information on its creation and on its links with transnational companies or with other organizations (e.g. if it is part of a multinational group, if it was founded by platform workers or supported by unions/employers' organisations/public incentives).</i>
Size
<i>Estimated number of platform workers registered and active on the platform</i>
TERMS OF EMPLOYMENT AND WORKING CONDITIONS
Applicable legislation
<i>Please, explain if contracts with workers apply the country of employment legislation or if they opt for the legislations of other states (e.g. the platform's country of establishment).</i>
Type of relationship between platform and worker
<i>Please, explain which contract(s) is/are used by the platform, providing as well contextual elements on the related consequences in terms of labour rights and social protection. Please, specify also if there is or not a tripartite relation between the platform, the worker and the final client as per the terms of service.</i>
Membership costs for the workers
<i>Please, explain if workers are required to pay a membership fee in order to access the platform, its costs and the associated services.</i>
Assignment of tasks/jobs
<i>Please, explain how tasks/jobs are assigned and the possible role played by rating and ranking systems.</i>
Remuneration policy
<i>Please, explain: if and how the remuneration policy refers to statutory/collectively agreed minimum wages; to what extent is pay defined by the platform or by an algorithm as opposed to decision by the worker or bargaining between the worker and the final client; under which conditions workers can be refused pay by the platform or by the client.</i>
Non-competition clauses
<i>Please, explain if non-competition clauses are in place or if competition on other platforms is de facto discouraged due to the functioning of rating and ranking systems or for other factors.</i>
Intellectual rights
<i>Please, explain if any limitations apply to the intellectual property of contents sold via the platform, and their reuse by the creator (if applicable).</i>
Other terms of employment and working conditions
<i>Please, describe formal terms of employment and actual working conditions concerning: working time, health and safety, monitoring of the worker, (paid) holidays and leaves, liabilities and possible sanctions, termination of the relationship with the worker, training, anti-discrimination policies, and other aspects as relevant.</i>

SUPPORT AND DISPUTES

Platform services to the client

Please, describe the features and effectiveness of the services possibly provided to the clients (e.g. securing them from contractual risks, including reclassification of workers, providing global IT purchasing solutions to the client like tools to deal with contingent work, guaranteeing a new service for free if the delivered work is considered unsatisfactory...).

Platform support services to the workers

Please, describe the features and effectiveness of the support services possibly provided by the platform to the workers other than dispute resolution mechanisms (e.g. to help workers use the platform, get in contact with colleagues or establish working teams, to address disputes with the clients over quality of services or pay, to deal with administrative issues, to access work-related software, to insure workers against accidents or social risks).

Dispute resolution mechanisms

If in place, please describe the scope, the involved parties and the features of Dispute resolution mechanisms as per the terms of service/collective agreement and any evidence on their actual use and efficacy. Please, detect also any existing provisions in the terms of service/contracts limiting access to tribunals in favour of alternative dispute resolution mechanisms.

Evidence on support/activities by social partners targeting platform workers

If in place, please explain actors, goals and achievements of the activities

REFERENCES

Please enlist here sources / contacts mentioned above.

The aim of each case study is to give a brief overview of the platform's business model, the services provided to the costumers and to the workers, the working conditions, as well as the social partners involvement.

With a view to guaranteeing homogeneity and comparability of results, guidelines were shared with regard to sources and references to be used for the completion of the case study templates. In particular, the following categories were designated: official platform websites and platform terms and conditions of service (mandatory); scientific literature (previous research papers, reports, surveys, etc.); online and offline press articles; applicable collective agreements. Partners agreed as well to conduct semi-structured interviews for each case study with the following actors: platform's management and/or human resources staff; platform's workers; social partners involved at platform level. Interviews were conducted by phone or video-conference with the support of common questionnaires. In the framework of the interviews (if conducted), experts proceeded in compliance with EU and national General Data Protection Regulations as well as with partners organisations' internal policies.

The information gathered with the templates was later reviewed and reorganised into the Country Case Study Reports, according to the following common structure: i) Description of the platform; ii) Terms of employment and working conditions; iii) Social partners involvement; iv) Assessment; v) References.

CASE STUDIES

Case Study 1: Clickworker

Description of the platform

Clickworker is a for-profit platform that matches various **micro tasks** (e.g. editing data, photos and videos) to independent contractors from around the world.

NACE Sector: J - Information and Communication

Type of platform according to the Don't GIG Up, Never! classification: 4.

The company was founded in 2005 as humangrid GmbH and changed its name to clickworker GmbH in 2013. The company has two headquarters: The company was founded in Essen, North-Rhine Westphalia, Germany. A second headquarter is located in New York, USA. The share capital of the company (the legal entity of the company is GmbH) is currently Euro 3.3 million.

Clickworker presents itself as a “globally active and leading **crowdsourcing** provider” (Company presentation 2022; own translation). The business areas of the platform company are: AI training & Data Science (Image annotation, Voice recordings), e-commerce (SEO texts, product descriptions, etc.), mobile crowdsourcing (mystery shopping), online surveys (market research and opinion polls). German-language offers are only part of Clickworker's activities; the focus of customer acquisition is on the US market.

The platform reports currently about **4.5 million platform workers** in 158 countries, of which 49% are female. This figure includes all platform workers registered on Clickworker and thus potentially reachable. There is no information about how active these people are on the platform. The crowd organised by Clickworker has grown strongly in recent years. Approximately 10% of the platform workers come from Germany. This share is decreasing over time. In 2021, Clickworker claims to have 1,224 customers (i.e. companies, institutes, etc.) who have commissioned 180 million jobs through the platform.

Clickworker presents itself as an organizer of a flexible, virtual workforce and provides the technical infrastructure for the operation of the platform. The platform does not operate a marketplace for freelance activities in the sense that workers are matched there with offered jobs. **Platform workers (called 'clickworkers') and clients do not have any direct contact with each other.** On the customer side, **the Clickworker platform supports contractors in cutting large, labour-intensive projects into small work packages (micro-tasks)**, which are then processed by the platform workers. Platform workers

are thus offered small work tasks (e.g. participation in an online survey) that are then paid for. According to the platform's self-description, all jobs are processed by qualified clickworkers and are subject to strict quality control.

Terms of employment and working conditions

To use the Clickworker platform, interested platform workers have to register on the so-called "Workplace". The pre-condition for this is the acceptance of the General Terms and Conditions for Clickworkers. There are two different versions: One for North America (USA, Canada and Mexico) and one for the rest of the world (<https://www.clickworker.com/terms-privacy-policy/>). The General Terms and Conditions stress that platform workers themselves are responsible for complying with the social security and tax regulations applicable in their place of residence. In particular, each platform worker is obliged to pay all taxes and duties at his/her own responsibility.

Registration on the platform is **free of charge**. All working materials (especially computer, smartphone and internet access) have to be provided by the platform workers themselves. The platform reserves the right to make the activation of user accounts in individual cases dependent on the submission of suitable evidence proving that the data provided is correct or to request such evidence at a later date if doubts arise as to the correctness of the personal data provided. Until such evidence is provided, the Platform also reserves the right to deactivate the relevant user accounts. Furthermore, in such cases, the platform reserves the right not to pay out the fees available at that time until the proofs have been provided.

The clients of Clickworker have the possibility, after concluding a corresponding contract with Clickworker, to post work tasks on the platform, the results of which will be made available to the client after processing by Clickworker. Contractual relationships between the customers and the platform workers of Clickworker are not established.

Clickworkers work **independently and flexibly** in terms of time from their own computer or smartphone. Due to their **(solo) self-employment status**, platform workers are **not entitled to a statutory minimum wage**. With their work for Clickworker GmbH, **platform workers are also not integrated into the statutory social security systems for dependent employees in Germany**.

The platform presents the available projects on its **digital infrastructure** termed 'Workplace' with the applicable conditions. In each case, these are merely invitations to participate and the jobs/tasks are completed on a freelance basis. Clickworkers receive a predefined fee for each correctly completed job/task. Task completion/order processing takes place by using a standardized web browser interface or through a smartphone application.

There is **no ranking** by which, for example, only clickworkers with a fixed minimum rating are offered certain jobs. Nevertheless, not all tasks are offered to all clickworkers, due to filtering. For example, certain requirements such as language skills, etc. must be met in order to be offered tasks. These qualifi-

cations can be specified in the user profile on the platform: Through self-disclosure (language skills, educational qualifications and e.g. information on hobbies), uploading certificates and completing qualifications (tests) on the Clickworker homepage. However, the procedure here is not the same for the entire range of Clickworker offers: For tasks such as text creation, there are ranking functions (stars) with which one can qualify for further tasks. There is also **no evaluation system** implemented, which, for example, records and evaluates the activity of the clickworkers.

The remuneration is determined by the client. There seems to be a tendency that clients want to place their tasks **as cheap as possible**. Clickworker passes on empirical data to the clients by proposing a remuneration level at which it can be assumed that enough platform workers will be found for the respective task within a reasonable period of time. Work may be rejected if the delivery date is exceeded or if there are defects in accordance with the project description. In case of unacceptable work performance (The terms and conditions state in this regard: “§4.2 [...] the platform is not obliged to accept the Clickworker’s performance if it does not comply with the conditions in the project description and is thus defective. In particular, services will no longer be accepted if the period for service provision communicated by the platform is exceeded.”), Clickworker shall grant the platform workers an opportunity to rectify the situation. If the project is explicitly linked to an unalterable delivery date, there is no possibility of rectification (rectification period of three days).

The platform company itself describes the income possibilities via the platform as an additional side income. In Germany, it can be used to supplement other income or, as a self-employed person, to bridge gaps in orders. However, the work via Clickworker cannot replace a complete income (such as full-time salary). There are no restrictions for platform workers to work simultaneously on other online work platforms.

The first point of contact for queries and in case of conflict is the platform’s community management. As a rule, enquiries are processed here within 24 hours. Clickworkers can also get help via social media forums and (especially for technical issues) via self-service in the Clickworker support area.

Clickworker has also signed the Crowdsourcing Code of Conduct. This gives platform workers the opportunity to turn to the ombudsman’s office provided for in the code of conduct in cases of conflict. The Crowdsourcing Code of Conduct has been described in the final report of ‘Don’t GIG up!’-Project. The ombuds office publishes annual activity reports. **There is regular contact with the trade union IG Metall, in particular through the Code of Conduct and the ombuds office.**

In order to describe the working conditions on the Clickworker platform, data from a quantitative online survey from another ongoing research project by the University of Duisburg- Essen and the Ruhr University Bochum can be used: As part of the project “*Platform economy and social security: work and security orientations of digital self-employed workers between de- and re-institutionalisation (PlaSoSi)*”², self-employed workers in the platform economy

2 For further information on the project see <https://www.fis-netzwerk.de/gefoerderte-projekte/>

were asked about their working conditions and social security in a quantitative online survey. Among them were 106 users of the platform Clickworker.de. These people can be referred to in the following in order to outline the perspective of the platform workers. From a methodological perspective, it is important to note that the survey reached a section of the platform workers at Clickworker.de, but that this section cannot be regarded as representative of the entirety of those working there.

The average age of the Clickworkers surveyed is 39.4 years. The majority of them were male (69% or 73 people). It is noticeable that the respondents have good professional qualifications: 55% of them have a university degree and another 43% have completed vocational training. Most of the Clickworker users surveyed have another paid job in addition to their platform job. 2% are pupils or students. Two-thirds of respondents have started platform work in the past five years, especially in 2019 and 2020 (46%). Taking up platform work was usually started while already working in another gainful employment (62% or 66 respondents state this). Accordingly, the income from platform work represents an additional source of income for most respondents. The income from platform work is mostly used to enable 'extra wishes' (such as clothes, electronics, leisure time).

Accordingly, 65% of the respondents state that they do not necessarily rely on this type of income. On the other hand, among the Clickworker users surveyed, there are still 15% who state that they absolutely depend on the money from the platform work. For 17% (18 respondents), platform work is a regular main source of income. For just under 43% (45), it is a regular secondary source of income. The remaining 40% (42) of the respondents state that they use platform work only irregularly.

The average monthly income is € 170 (median), whereby the average monthly income was asked with regard to the last year. Almost 40% of the respondents earn on average only up to € 100 with their platform activities. On the other hand, around 20% of respondents say that they earn over € 1,000 per month from platform work. 86% of the respondents (92) do platform work at least once a week, 27% even do it daily.

Those who earn money through online platforms and do so via the Clickworker.de platform mainly take on so-called microtasks, i.e. tasks in the area of AI training, sorting work or smaller software tests. However, participating in market research and taking on text work (writing, translating and editing) are also more frequently stated activities that respondents do.

Even though the respondents consider themselves dependent on the platform (39%), the evaluation systems used there (45%) and the technical framework conditions there (63%), they are satisfied overall with their platform work: On a scale of 1 (= completely dissatisfied) to 10 (= completely satisfied), the average score is 7.96. This satisfaction is also expressed in the statement of 79% of respondents that they would like to continue doing platform work as self-employed. On the other hand, one fifth of the platform workers registered with Clickworker would prefer to work for the platform (i.e. with a fixed employment contract).

[forschungsprojekte/plattformoekonomie-und-soziale-sicherung](#)

Assessment

The platform Clickworker is an example of the **ambivalences** of the digital opportunities for earning money through online platform work that have emerged in recent years: On the one hand, these opportunities for earning extra money are easy to realise and can be realised 'on the side'. As such, these activities are often not understood as 'real' work by many platform workers. Expectations and opportunities to improve the quality of work (e.g. expressed in the integration of such activities into the social security systems) are accordingly often low. Based on such a view of platform activities, platform workers are relatively satisfied with the working conditions offered to them. This applies even though the income opportunities are limited and the platform workers also state that they are dependent on the mechanisms of the platform, which are difficult for them to oversee.

On the other hand, platforms like Clickworker still benefit from the fact that the status of the work they offer remains in the limbo between leisure activity and gainful employment. The low demands of platform workers on the activities enable the platforms to find a sufficient number of people interested in participating in platform work, even if this type of employment has to be carried out in the form of self-employment. The possibilities for co-determination of working conditions through forms of institutionalised worker participation thus remain limited. Also, there is no sufficiently influential collective associations of self-employed platform workers. That means that if they are dissatisfied with the working conditions, their only option is to 'vote with their feet', i.e. to leave the platforms. To a certain extent, however, this possibility also prompts platforms to rethink the working conditions they offer: for example, by participating in the Code of Conduct that originally emerged from the platform industry and also by trying to improve the image of platform work in dialogue with trade unions.

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Interviews with Clickworker (PR & Marketing and Community Management); videocall

Information on platform workers: Quantitative online survey of the project “Platform economy and social security: work and security orientations of digital self-employed workers between de- and re-institutionalisation (PlaSoSi)”, <https://www.fis-netzwerk.de/geoerderte-projekte/forschungsprojekte/plat-formoekonomie-und-soziale-sicherung>, last access 12.01.2023

Case Study 2: Content.de

Description of the platform

The for-profit platform Content.de is a project of the public limited company Content.de AG. It was founded in 2010 in Herford, North Rhine-Westphalia, where its current headquarter is located.

Content.de's core business area is the **professional creation and management of text-based (internet) content** in the form of: SEO texts, product descriptions, texts for landing pages, evergreen content (e.g. for annually recurring holidays), eBook texts, glossaries, press releases, blog posts.

NACE Sector: M - professional, scientific and technical activities

Type of platform according to the Don't GIG Up, Never! classification: 3.

In addition, the platform offers **further services** such as full service (where the platform takes over the entire process from briefing to author management with coordination and text evaluation), consulting services, data analysis and translations and other services that are provided by the employees of Content.de or other subcontractors commissioned by Content.de.

For example, Content.de offers to write texts in foreign languages or to professionally translate texts into 25 different languages according to the four-eyes-principle in cooperation with Sprachenfabrik GmbH (see <https://sprachenfabrik.de/en/>, last access 12.01.2023).

According to its own information, around 6,500 authors or "internet copywriters" with a wide variety of thematic focuses are active on Content.de at least once a year. At the same time, around 1,500 authors are actively working. Most of these authors are German-based, but some do work on the platform from other places around the world. According to the platform's estimates, these are, for example, German emigrants who want to earn an additional income.

Content.de offers clients the possibility to outsource text (platform provides content for B2B as well as for B2C) creation tasks at low cost. The platform assures high quality (according to the clients' requirements) and unique texts to customers. After the delivery of created content, clients are given a period of three days for final acceptance of the service. Clients can also request corrections, which must then be produced within 24 hours. However, correction requests by the client may be made a maximum of three times per order. The platform reserves the right to finally check whether the content was created in accordance with the order formulation.

Terms of employment and working conditions

By registering on the platform, the platform workers accept the general terms and conditions of Content.de (<https://www.content.de/agb-autoren>). The GTC provide: “German law shall apply to the exclusion of the UN Convention on Contracts for the International Sale of Goods. Mandatory provisions of the state in which the customer has his habitual residence remain unaffected”. If platform workers accept orders via Content.de, then the regulations set out in the general terms and conditions for clients also apply (<https://www.content.de/agb-auftraggeber>).

The platform describes itself as an **online marketplace** for the inexpensive purchase of texts. On the marketplace established by Content.de, self-employed authors (the platform workers) and requestors for text (the clients) are matched.

The platform operates according to the **model of freelance employment**: Orders are carried out by “commercially active sole traders” or freelancers (freelancers; solo self-employed) (cf. authors’ GTC 2.2). Authors are understood as ‘contractors’.

Due to their (solo) self-employment, platform workers are **not entitled to a statutory minimum wage**. The authors working for Content.de are also **not integrated into the statutory social security systems** for dependent employees in Germany. A special feature here, however, is that the activities that platform workers take on Content.de **in principle enable them to be admitted to the artists’ social insurance fund (Künstlersozialkasse - KSK)**, but data on actual membership of the KSK are not available. This is a special social security scheme in Germany for artists and publicists which covers 50% of members’ contribution for pension and health care insurance. Potential fees for the artists’ social insurance are paid by Content.de.

Creating an account on the platform is **free of charge**. However, the platform controls when and how many new registrations are allowed. This attempts to achieve a certain balance between the number of platform workers and the number of tasks advertised.

Authors accept orders in the form of an “Open Order”, “Group Order” or “Direct Order” via the user interface of Content.de and create or procure the text/contents according to the request of the client (cf. 2.5 to 2.7).

- Open Order = Text orders or orders for the creation/procurement of other contents which are offered by clients on the platform Content.de for all authors who are allowed to write texts in the quality level specified in the order.
- Group Order = Text orders or orders for the creation/procurement of other contents, which are assigned by clients directly to a group of authors. These orders can only be viewed and edited by the addressed group of authors.
- Direct Order = Text orders or orders for the creation/procurement of other content that clients assign directly to an author. These orders can only be viewed and edited by the respective addressed author. In case of direct

orders, clients have to pay a 40 % commission to content.de in addition to the author's remuneration.

Requirements for the application and registration of platform workers at Content.de:

- Authors must be over 18 years old when registering and must pass an aptitude test for authors.
- In this aptitude test, a total of five questions is asked regarding punctuation and spelling. At least four of these must be answered correctly. Potential authors have between 10 and 20 seconds to answer the questions.
- Afterwards, they have to submit a sample text of 300 to 400 words. The sample text decides how authors will be graded at the beginning.
- If potential authors receive the highest rating, they will be considered a '5-star' author. With a lower rating, authors can only accept commissions from the respective lower star categories.

The account can be cancelled at any time within a time frame of 14 days. The cancellation can be made by e-mail or in writing (fax or letter). The cancellation can be made by the authors or the platform. In particular, the platform reserves the right to deactivate and terminate inactive accounts. These are accounts through which no orders have been completed in the last twelve months.

Remuneration at Content.de is based on a defined price paid per word. The amount of the price per word depends on the **author rating status** ('stars').

- The more detailed the text, the more money the author receives (remuneration as a motivating factor).
- Content.de offers - for the purpose of estimation - an earnings calculator (<https://www.Content.de/honorare>). According to this, for example, authors with a 4-star rating can expect to earn Euro 1,689.60 per month (22 working days of 8 hours each) if they write about 600 words per hour.
- PrePaid method: The payment is credited to the transaction account immediately after acceptance of the order (to prevent any waiting time for the fee).
- An order must be accepted by the client within three working days. Otherwise, the equivalent amount will be credited automatically.
- These fixed (word) prices are valid on the open market place (open and group order).
- However, there is also the possibility of individual pricing for clients and authors alike.
- For direct orders that are placed directly by a client, the price that the author has set for himself as an individual word price will be charged.
- The price is set either globally or, for certain clients, different, individually set word prices apply.
- In addition, the client can set an additional remuneration (fixed amount per text or word price higher than the word price in the price table) for

each type of order.

- In all cases, the client pays a surcharge of 40 % on the price set by the author. This commission is meant to cover costs for the KSK, Copyscape (service provider for plagiarism control) and the provision of the Content.de platform

Authors on Content.de may not bypass the platform's system and may not conclude contracts directly with clients. Violations of this requirement will be subject to a contractual penalty of Euro 1000 and will also result in exclusion from the platform.

Authors waive their right to be named as the author of a text. However, should legal disputes arise regarding the texts supplied by authors, Content.de can pass on the authors' data according to the platform's terms and conditions. If required, the authors must confirm their authorship in writing in such cases.

Clients shall receive a temporally and spatially unlimited and exclusive, sub-licensable right of use to the delivered text/content. There is no obligation for clients to publish or otherwise use the content supplied.

The platform regards itself as a provider of a marketplace for self-employed authors and clients. Within this framing, the authors (platform workers) are considered initially responsible for the working conditions and can determine working hours and places etc. themselves.

Beyond that, however, the platform also recognises a certain responsibility for good and fair working conditions. Not least because comparatively complex activities are mediated here, the claim is to commit motivated and qualified authors to the platform. In this sense, Content.de offers authors a lot of information on its homepage and an associated blog about self-employment, social security regulations, the artists' social insurance fund etc.. The **signing of the crowdsourcing code of conduct** and the participation in the ombudsman's office for crowdwork can also be seen in this light.

In cases of conflict, platform workers should first contact the platform. If there is still a need for clarification, authors have the option of contacting the ombudsman's office for paid crowdworking according to the crowdsourcing code of conduct.

Content.de is in contact with other companies in the platform economy as well as **with the trade union IG Metall**. This connection exists in particular through the Crowdsourcing Code of Conduct. For the platform, these contacts are important in order to help shape the further development of the platform economy in Germany and also to improve the image of platform work.

In addition, the platform states to the Don't Gig Up Never project, that it takes part in various discussion groups with politicians and academics (e.g. participation in panel discussions at the Digital Summit of the Federal Ministry of Economic Affairs) and also participates in several research projects to increase knowledge about platform work.

Within the PlaSoSi project (see footnote 1), a total of 25 self-employed platform workers who earn income via Content.de were interviewed in an online survey. The average age of these persons is 37.2 years. Among them are 19 men and 6 women. These interviewees are rather highly educated: Six of them stated that they have a completed vocational training, 18 a university degree. One respondent was still in training/studying at the time of the survey.

For almost a quarter of these persons, platform work represents a regular main source of income, for another ten respondents (40%) a regular secondary source of income. For the remaining nine people, these earnings only represent irregular or auxiliary income. The average earnings from platform work of persons who are active on Content.de are high in comparison to other platforms (see the example of Clickworker GmbH above): The median income from platform work is Euro 500. As many as eleven of the respondents stated that they earn more than Euro 1,000 per month on average from platform work. While the majority of the surveyed Content.de users describe the income generated from platform work as 'rather unimportant' (7) or use it to realise extra wishes (14), four people state that they earn their living with platform work.

Nevertheless, the platform work at Content.de is carried out by the respondents in addition to other jobs: 18 of them have another paid employment apart from platform work. This is the case mostly in form of full-time or part-time dependent employment. More than half of the Content.de users surveyed took up platform work since 2019. This coincides with the increased demand for platform work described by the platform.

Corresponding to the higher significance of platform work in the income portfolios of the persons who are active on Content.de, the time commitment is also pronounced here: Six respondents carry out platform activities daily, eight others several times a week. Another five people still do this at least once a week.

The interviewed persons who are active on Content.de are often registered on other platforms at the same time. The activities that are taken on in the platform work in addition to content creation are correspondingly diverse: Creative or design activities, IT developments (software development, website support, SEO), but also clickwork and participation in market research can be found here.

Among Content.de users, there is quite a high degree of satisfaction with platform work: on an assessment scale of 1 to 10, there is a mean value of 8.6. Nevertheless, dependencies on evaluation systems, clients and the platform operator are clearly articulated. At least two thirds of the respondents perceive such dependencies. At the same time, however, there is also the perception that the platforms used provide good information about news (such as changes to the general terms and conditions). This supports the impression that Content.de provides quite extensive information on the homepage of the platform about work specifically on Content.de, but also about self-employment and platform work in general. The respondents are satisfied with the form of employment (self-employment): 21 out of 25 people want to continue to do platform work as self-employed. Only four of these people would prefer to be employed by the platform with an employment contract.

Assessment

The platform Content.de has established itself as a provider for the placement of text tasks with self-employed platform workers. The platform describes itself as a marketplace for low-cost text creation. Thus, work on Content.de always takes the form of self-employment. As with other platforms, only very few self-employed people can make a living from the work on Content.de alone. The platform itself points out that working for Content.de is suitable as a side job. For their platform workers, this can be equivalent to the German “mini-jobs”. This is a form of employment for marginal wages for which there is no or limited social security obligation. In contrast to mini-jobs, however, the income possibilities on Content.de are not capped (the remuneration limit for mini-jobs in Germany was Euro 450 per month for a long time, since October 2022 it has been raised to Euro 520). A look at the earnings of platform workers who are registered (among others) at Content.de seems to confirm such earning possibilities. The recourse to the form of self-employment, however, puts the platform workers under an obligation: They themselves are responsible for their work and are, for example, responsible with regard to the organisation of their working hours or also with regard to the taxation of their income as well as their social security. For self-employed copywriters, however, working via the platform is advantageous because they are relieved of acquisition activities in particular and the platform workers can concentrate fully on the creative writing activity (e.g. they are also relieved of invoicing etc.).

Although the platform is not formally responsible for the organisation or compliance of working conditions, Content.de provides a lot of information on the exercise of self-employed activities on the internet, on the possibility of insurance through the artists’ social insurance fund, etc. and also participates in initiatives such as the Crowdsourcing Code of Conduct. The reason for this is not least that the platform endeavours to guarantee the quality of the activities provided through it. For this, a fair treatment of the platform workers is also necessary, as otherwise the interest of well-qualified people in this form of income would decrease. However, these efforts of the Content.de platform cannot ultimately solve the problems of integrating ‘small’ solo self-employed people into the German social security system.

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Case Study 3: Helping

Description of the platform

Helping is a for-profit company which organises a platform in the field of **cleaning services**.

NACE Sector: N (Administrative and support service activities) 78.1 (Activities of employment placement agencies)

Type of platform according to the Don't GIG Up, Never! classification: 3.

Helping is organized as a limited liability company. The company was founded in 2014 in Berlin, Germany and is financed to a large degree by venture capital of private investors. According to the information provided by the company, Helping has 42 subsidiaries which are creating a 'company network'. Helping is registered as a company in Luxembourg (Helping Group Holding Sàrl), the German GmbH is therefore only part of the overall group of companies (Helping 2020). The Helping Group is currently active in 11 countries, among them Australia, France, Germany, Ireland, Italy, the Netherlands, Switzerland, or the UK, with a group of over 15 brands, such as Helping, Tiger Facility Services, goodworkvibes and others (Gerold et al. 2022). Based on acquisitions, the company has also expanded to other services like painting works or furniture assembling. Besides business for private households, some of the subsidiaries of the company are specialised in B2B activities.

In 2019 the company had a turnover of about EUR 8 Mio. and is, according to the information provided by the company, working profitably since 2020. There are up to **10,000 freelance cleaners in active in Germany** – figures for the other countries do not exist – which take orders on the platform. Given these figures, Helping is regarded as the leading platform of the sector in Germany (Jaehrling 2020). The platform provides the processes of booking, communication and payment. The company's revenues are based on the commissions it takes for each of the bookings of cleaning services both by the clients and by the workers. Even if gender disaggregated data are not available, it can be assumed that people providing cleaning services via Helping are quite predominantly women.

Since 2021 Helping distinguishes **two different cleaning services that are associated with different forms of employment**. According to these models, **platform workers can work either as self-employed cleaners ['Helping Select'], which is the traditional model**. In this 'standard' service, the customer – the client of a cleaning service – concludes the service contract with the service provider who first accepts the customer's specific booking request. **In a new model**, the premium service ('Helping Premium') for "all-

round support for the household”, **the service providers are employed by partners who provide the services.** The partner selects the service provider for the customer. In this case, the workers are employed directly **by one of the cleaning agencies of the Helping Premium partner network.** The application for this takes place via the provider “MySkills Academy”. There, potential applicants are promised permanent employment, hourly wages between 12-16 € (“above-average industry salary”) as well as paid holidays (up to 30 days per year). There are **no figures available** about the number of employees with permanent contracts.

The Helping platform considers itself as an intermediary between service providers (platform workers) and customers (those who request cleaning services, for example). As the costumers are predominantly households and not firms, it would be correct to classify Helping as a B2C business model. In this respect, Helping also emphasises that the platform itself is not a contractual party with regard to the performance of the service. Rather, it acts as a commercial agent of the service provider and concludes an **“agency contract” with the service provider.** The brokerage contract comes into effect with the activation of the user account.

According to Helping’s ‘commission list’, the fee for a one-time booking is 32% of the total price of the booking. For a regular booking, the commission is 39% for the first three appointments and 25% of the total price of each booking thereafter. **The fees are deducted from the wages agreed between cleaners and clients.** This kind of commission system thus encourages the platform workers to build up ‘regular customers’. Additionally, **the clients have to pay a “service fee”** of 2.90 Euro for each cleaning, which might promote the clients’ impression that there are no other fees to be paid as part of the contract with the cleaners (Gerold et al. 2022).

If a service provider cancels an accepted order within 24 hours before the appointment with the client, he/she has to pay the platform 15€ commission compensation, and if a service provider does not show up for an agreed cleaning appointment, the platform demands 50€ commission compensation for this. At the same time, the clients have to pay for appointment cancellations 5% of the agreed price between 48 and 24 hours before the appointment, 50% between 24 and 12 hours and 100% for cancellations less than 12 hours before the appointment, which can be regarded as less than the providers have to pay for their cancellations. This impression is promoted by the fact that providers are obliged to process all bookings with client in the 24 months after a first booking has been made via Helping. Otherwise, Helping reserves the right to claim a compensation payment of 500€ (plus VAT).

The platform requires the providers to confirm that they are entitled to do self-employed work in Germany and that they do their work in a registered business. At the same time, Helping stresses in its GTC that the company is not responsible to verify the residence status of the cleaners or the proper taxation of the income which is delegated to the cleaners.

The booking and information process at Helping runs as follows: Helping collects booking offers from the client and forwards them to suitable service providers. The platform informs about prices and ratings of the service providers.

The client is shown information about:

- Name of the service provider (it is indicated whether the identity has been checked, whether a police clearance certificate is available)
- Services offered (e.g. window cleaning, pets possible)
- Price/hourly rate
- Rating ("stars" + comments from previous customers)
- Number of previous cleanings
- Experience (since when someone has been on the platform)
- Current: Corona status (e.g. 2G/3G; 'COVID-19 Training').

The placement of work offers then takes place via email or push notification via the app or via the Helping portal. **Work equipment/ cleaning equipment is provided by the client.** The platform informs the service provider immediately of any changes or cancellations of appointments. In case of cancellation by the service provider, the platform will look for a replacement. In the event of a change of date or cancellation of the order, Helping will inform the service provider immediately. Confirmed booking requests cannot be cancelled. Helping is neither liable for breaches of duty by the service provider nor obliged to assist in the settlement of claims.

Terms of employment and working conditions

Helping offers two different employment models, the standard and the premium service. The services are either performed by self-employed service providers or employees of Helping's partners (see above). However, the bulk of work organised by the platform is done by the self-employed providers of the standard service. These workers can negotiate their own prices or hourly wages and get the money directly from the customers; the platform does not take any responsibility for the execution of the service contract by the service provider. Until 2016 the platform paid a standard wage; since then it operates with upper and lower limits for hourly prices of cleaning, which can vary in a range between 10 and 45 Euro. According to an analysis of wage profiles, the average price for cleaning was about 15 Euro in 2020 (Bor 2021). Wages are based on these prices minus the commission fees listed above that are deducted by the platform. Calculating a fee of 25% on these 15 Euro would mean that the wage is a little bit higher than 11.30 Euro, which is below the current national minimum wage of 12 Euro. According to an online-survey with 14 respondents working on the Helping-platform, the average wage is about 10 Euro (reproduction.noblocs.org 2022).

According to another survey of 26 cleaners working on the Helping platform, most of the providers have a monthly wage via Helping of less than Euro 750, the maximum monthly income is in a range 1000 and 1500 Euro. This corresponds to the fact that the mean value of working time of the cleaners covered by this survey is 18 hours, so most of them work for Helping on a part-time base (Gerold et al. 2022). Both surveys conclude that low wages are the main problem of working conditions at Helping. The workers complain especially about the high commission fees that result in the significant gap between prices and wages.

The fixing of prices and wages also depends on the evaluations of the workers in the rating system that is operated by Helping. After every order the clients are asked to assess the performance of the cleaners with respect to friendliness, reliability and quality. These data form the basis for an overall rating of each provider that Helping calculates and offers to the clients. Rating gives the platform the possibility to monitor quality standards at least indirectly, and for the workers it gives an incentive to strive for higher ratings, as these are going along with more job offers and a better bargaining position to get higher prices. Providers try to be friendly to their clients, and they also actively ask their clients to give them a good rating (Gerold et al. 2022). However, there is an aspect of injustice the workers complain about, because they do not have the opportunity to reply to bad ratings; they just have to accept them.

On the other hand, since recently the platform offers the opportunity for the workers to rate the clients themselves. However, this opportunity is not given to all workers after all jobs, but only selectively according to a selection that is not transparent (Gerold et al. 2022). Given this, there exists an asymmetry of information as clients have much more information about the providers – profiles, ratings, experiences etc. – than providers have about their clients. This fosters the impression among employees interviewed in the surveys that the platform tends to share more the clients' side, an impression that is fuelled by the fact that Helping does not support the providers in case of payment problems, retreating to its position to be a neutral intermediary (Gerold et al. 2022).

Moreover, workers complain about a lot of unpaid work done for their jobs in terms of the travel times which are not paid and the time needed to manage bookings, to find out, how to get to the client or to communicate with the clients. According to the survey of Gerold et al. (2022), the workers need about three hours weekly for these tasks.

Another aspect of the working conditions which is also related to pay is the insurance needed by the workers. Helping only provides a liability insurance which covers the damages that may be caused by the providers. For a long time, this insurance only took effect from a damage of 350 Euro upwards, the damages of lower value had to be paid by the workers. Since 2022 the insurance has been improved and now covers damages from 25 Euro upwards. However, there are no other insurances offered by the platform, which means that the workers have to care also for accident insurance, in addition to the social security insurances that are not paid for self-employed workers. These are additional costs that have to be deducted from the wages.

In general, the satisfaction of the workers with the working conditions at Helping seems to be rather low. The platform is rated poorly by the Fairwork project; in the 2021 rating, it ranges fourth from last, scoring only in the item of fair contracts (Fairwork 2022). Complaints according to the surveys cited above refer, besides low wages, to the information asymmetries of the algorithmic management and to unfair treatment by the platform, especially concerning the sanctions practiced by the platform and the retreat of the platform in case of conflicts with clients. Also the handling of chemicals and the dangers of physical work are issues mentioned by employees. On the other hand, workers appreciate flexible working times or the easy accessibility to jobs (Gerold et al. 2022).

Assessment

The working conditions at Helpling have **repeatedly been criticised** by workers and researchers. Points of critique are the low wages, the high commissions, insufficient insurance, an unfair system of algorithmic management and, more general, the issue of bogus self-employment practices by Helpling. Therefore, it is not surprising that the FairWork Report 2021 states that the Helpling platform cannot prove good or fair working conditions.

Helpling can be regarded as an **example of the virtues and vices of platform work**. Flexible working times and easy accessibility to the job offer new opportunities for workers who have time restrictions or otherwise difficulties to find employment, for example because of language problems. This makes it a good opportunity for female immigrant workers which, according to the surveys cited above, form an important part of the workforce working for Helpling. At the same time, platform work in the cleaning sector might be an instrument to transform former irregular and informal work into formal work, given the fact that about 90% of the paid cleaning work done in households in Germany is calculated as irregular work (Jaehrling 2020).

However, this is where the vices of platform work come into play, as Helpling considers itself only as an **intermediary** which does not have the obligation to control whether the providers are actually taxing their incomes or not so that informality may continue despite the intermediation by the platform. In this sense, the practice at Helpling resembles temporary employment agencies, with the difference that the service providers do not have the status of employees of the platform as in the case of the agencies. Moreover, high commission fees deducted from the wages combined with self-employment fuel low wages. The deduction of commission fees from prices make the different interests of platform workers and the platform visible and show the wage-profit conflict between them. Additionally, self-employment means that the workers have to pay for the social security themselves, as well as for accident insurance (if they do it at all), which means another deduction from the already low wages.

At the same time, self-employment and the missing physical co-presence of workers complicate exchanges between workers about working conditions and the articulation of common interests. Nevertheless, workers have stated in the surveys cited above that they would like get into contact with other workers and that they would support organising and collective action in order to improve working conditions (Gerold et al 2022; reproduction noblogs.org 2022). The implementation of a communication channel which is not monitored by the platform could be an important precondition for organising, whatever follows from this for the development labour relations and working conditions.

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