

The gig economy and social partnership in Germany: towards a *German Model 4.0*?

Johannes Kiess (University of Siegen)

Introduction and analytical framework

This chapter asks whether the gig economy may bring about a “disruption” of the German model of social partnership and, consequently, lead to a modified version 4.0 of what the literature describes as the German model of capitalism. Rather late, compared to the debate in the United States, attention towards the gig economy in Germany started to develop only from 2014 onward (Greef and Schroeder 2017; interview Gov07). Explicit references in the political arena are still scarce and scattered across a range of statements, policy fields, and legislative proposals. Moreover, the concept itself (like other buzzwords often used synonymously) covers very different labour market phenomena; its boundaries are nebulous and prospects uncertain. Many issues could be studied focusing on precarious employment (Crouch 2019) instead of a specific form of labour contract (the “gig”) unclear in scope (isn’t classic freelancing already “gigging”?). Some of our interview partners emphasized “platform-brokered work” as a solution to these definition problems, but still described the phenomenon and its size as opaque¹. While all actors believe that digitalization is changing the labour market (but at what pace?), the debate on gig economy remains difficult to separate from the sharing economy (including more than paid labour), cloud work (non-stationary but principally including regular employment), and freelancing or solo-self-employment (not as new and fancy as the gig economy).

Moreover, researching² the implications of the gig economy for social partnership in Germany needs to be contextualized within a much broader debate, especially given the general dominance of the industrial sector within corporatist arrangements (e.g. Marsden 2015): digitalization and “industry 4.0” (Botthof and Hartmann 2015; Pfeiffer 2017) may currently be the most dynamic debate in German economic and labour policy (Pfeiffer and

¹ Even the most visible case in Germany, food delivery bike riders, is less clear since Foodora (founded by Rocket Internet, then part of Delivery Hero and now Takeaway.com) switched from freelance riders taking on separate “gigs” to (temporary) employment of riders.

² This chapter is based on case study including a document analysis of statements and reports commissioned by the government bodies and social partners as well as a series of interviews with representatives of these organizations, including trade unions, business associations, platform businesses, gig work activists, public officials, and experts. Stephanie Schneider contributed to the field work and Elisabeth Kissler contributed to the literature research.

Huchler 2018). While government intervention has been limited so far, federal ministries have initiated research programs and consultation processes that mostly focus on this wider debate. Accompanying these initiatives, we observe familiar patterns of social partnership including contestations along classic ideological lines about how to organize digital change and the economy in general (state vs. social partners vs. the market, cf. Kinderman 2014; Kiess 2019a; 2019b): While employer associations see technological change as mostly an entrepreneurial challenge (interviews EO078, EO08), trade unions are eager to participate and even initiate educational and transformational programs to stay on top of things (interviews TU10, TU06, TU09, TU11, TU16). However, investigating social partnership in the emerging gig economy may bring about a different story: Trade unions are faced with basically no counterpart, as platform businesses have been reluctant to join existing organizations and institutional arrangements, claiming that they are not employing gig workers. Hence, trade unions in some cases have started to organize from scratch to counter precarisation, individualisation, and exploitation among food delivery riders and other predominantly service sector workers. In sum, under the pressure of digitalization and subsequent phenomena like gig work, German social partnership might indeed be facing substantial challenges.

This chapter analyses how German actors define, demarcate, and operationalize the seminal notion “gig economy” in their strategic activities and how they describe the future of social partnership in the light of such phenomena. Focusing on collective bargaining and social partnership, this chapter adds an important perspective to the quickly growing literature on gig work (Ilsøe 2017; Lenaerts, Kilhoffer, and Akgüç 2018; Davidson and Curran 2019). Moreover, it contributes to the debate about the future of the *German Model* of capitalism (Baccaro and Howell 2011; Holst and Dörre 2013; Marsden 2015; Unger 2015; Baccaro and Benassi 2017; Kiess 2019b; Schulten 2019; Anderson, Baethge, and Sadowski 2015) interested in processes of erosion and revitalization. Following Streeck and Thelen (2005), we can expect that institutional change in modern political economies occurs as incremental change (rather than disruptive), due to what has been described as the “stickiness” of institutions (Boettke, Coyne, and Leeson 2008). It is held here that actors operate and negotiate within institutional boundaries and contribute to this stickiness by supporting institutions as long as they see fit, but also renegotiate such settings if deemed possible or necessary (Crouch 1982; Fehmel 2010; 2014; Kiess 2019a; 2019b).

Besides, we follow Kirchner and Beyer (2016) who have emphasized that one needs to understand the platform logic as a challenge to existing market organisation. The central point

of this argument is that, usually, platform businesses like eBay, Amazon, or Uber do not simply enter a market but that they fundamentally restructure and often monopolize (parts of) it. This dimension is indeed present in most interviews we conducted as well as in many public statements we collected. However, the evaluation of such development differs widely as do expectations of how this affects work, and, consequently, social partnership. The remainder of this chapter explores how the coordinated *German Model* and in particular its stakeholders – namely the state, business associations, and trade unions – cope with the (asserted) disruptive force of the gig economy. To this end, the following section analyses actors’ understandings of challenges that digitalization (and particularly the gig economy) poses, herewith carving out actors’ different “stories of the gig economy”. Subsequently, we discuss three main issue fields that actors see as affected by gig work: a) the regulation of work and defining employer/employee statuses; b) access to and adequacy of social protection; and c) prospects of social dialogue and collective action. Against this background, in the final section, we discuss if and why actors seek cooperation and what we can learn from our empirical material about the future development of social partnership in Germany and the *German Model* to a model 4.0 more broadly.

Actors’ understanding of the gig economy and the challenges of digitalization

While our study finds that perceptions and positions concerning digitalization are complex, the traditional cleavage between trade unions and employers (and conservative/liberal and social-democratic/left parties) is also clearly visible: for example, we observe conflicts between different business models (Uber vs. taxis, hotels vs. Airbnb) as well as varying positions between labour representatives regarding certain issue fields and also between different groups of workers. Regarding gig work, the debate is even more fragmented since actors often struggle to position themselves in light of (perceived) uncertainties – for example, interests of self-employed are much more up for interpretation than of those regularly employed in the industry. However, at least for the central and most powerful organisations, the underlying cleavage is straightforward: trade unions criticize emerging forms of (gig) employment as “exploitation 4.0”, while employers warn against quick shots in regulation-driven by emotions and negative framing that would hamper economic opportunities.

The political debate on digitalization: a descriptive approach

Two important notions in the German digitalization debate are “industry 4.0”, which is also synonymous with consultation processes (mainly of Federal Ministries of Research and Education (BMBF), Labour and Social Affairs (BMAS), and Economy and Energy (BMWi)),

and subsequently “labour 4.0”, with a similar, although smaller consultation process (initiated by the BMAS). Especially trade unions are eager to constructively participate in these consultations and most interview partners see them as productive, although some wish for much more, some for less activity regarding actual regulation. An interview partner coordinating research for the BMBF (Gov07) also said the debates around gig work reflect that the sector is not structured and (corporatist) interest groups have yet to develop. Research now, therefore, concentrates on areas relevant to established stakeholders, hence the dominance of “industry 4.0” and, more recently, artificial intelligence.

The official position of the federal government was summarized by an official from the Federal Ministry for Transport and Infrastructure (led by a CSU politician; interview Gov04), which is responsible for the government’s digitalization strategy: The biggest challenge of digital transformation is the undermining of labour protection standards. The government thus sees its core responsibility in cushioning technological change with regulation. Here it also sees the chances of digitalization, if the regulatory framework is done right and stimulates innovation and positive effects. Pointing at studies on digitalization and automatization, the government tries to send emphasize that, overall, the chances outweigh the risks for the labour market, e.g. if jobs are optimized and become more attractive. The challenge is to watch for the opportunity of this disruptive change and to set the rules right in the classic mode of German regulatory policy (Ordnungspolitik).

The view of the SPD-led BMAS differs somewhat, as the public siding of labour minister Hubertus Heil with food delivery riders in early 2018 showed. However, in the view of the BMAS, too, the most pressing issue so far was to understand what was happening and not immediate regulatory action (Gov03) which led to considerable research funding. Dramatic predictions like the PWC study (PWC 2015) regarding job consequences of the sharing economy are regarded as questionable and the field is perceived as ill-defined: A new study would show that below 1% of respondents engaged in platform-brokered work, another study suggested it is much more (up to 5%). However, the BMAS sees a general tendency that professions are decomposed into smaller tasks (e.g. text production) and new jobs (delivery services) emerge. While the responsible state secretary seems to be very active in the field, the problem is, in the words of the interview partner, that regulatory action would concern the “whole system” of German social and labour policy (Gov03). Regulatory action on this scale, though, is not considered in the coalition agreement, which implies further restrictions on what is politically realizable.

The majority of government body representatives, i.e. experts in labour regulation, political analysis, labour markets, etc., were cautious in evaluating the development but acknowledged that risks existed: Following the assessment of a researcher at the Institute for Labour and Employment Research (IAB, interview Gov05), platform work is not a mass phenomenon, also well-known Uber and Airbnb are not yet impacting the labour market. However, platforms usually appear as employers without holding up to any kind of normal employer responsibilities. The risk is put on the platform workers, and – if the phenomenon grows as expected – here mechanisms of compensation must be found.

Thus, while there is a general awareness among public officials concerning already existing precarious employment and potential risks of gig work, the government is not planning immediate or any concrete measures. This might be due to lack of ambition as labour representatives claim (see below), due to the actual uncertainties as government officials claim, but also due to the political logic of the grand coalition which seems to limit the room of manoeuvre for those who are more ambitious³. Moreover, government officials agree that there is a need to gather more information through commissioned research. The phenomena are seen as complex and very diverse; regulation of only (some) platforms is difficult to come up with. Still, the political debate oscillates between claims for immediate regulatory action *versus* letting the market decide how technology is used in new business models. These positions can roughly be aligned with the classic left-right continuum and parties position themselves accordingly: the *Christian-Democrats* and especially the liberal *FDP* in favour of market liberalism, the *Greens* with optimistic positions but little interest in labour policy, the *SPD* favouring careful and step-wise regulation, and the *Left* arguing for fundamental reform and increasing social protection.

Trade unions' prescriptive perspective on gig economy and digitalization

German trade unions, by and large, have a much more proactive perspective towards the gig economy and digitalization more generally. At a conference bringing together researchers, platform businesses, and works council members organized by the two largest unions *ver.di* (organizing various service sectors) and *IG Metall* (manufacturing), *ver.di* president Lothar Schröder outlined general and programmatic ideas by differentiating between what he called a “low road” (cost orientation) and a “high-road” (service orientation, customer retention, etc.) as business strategies in the digital economy. Propagating to take the high road in the ITC

³ One interview partner claimed that a coalition crisis in summer 2018 over the government's refugee policy had paralyzed internal decision-making processes.

sector, Schröder described a world in 2030 with specific ideas of how digitalization and AI could serve everyone. The core claim reads as follows: “Digitalization must serve the people, platforms have to serve the people” (author’s translation). Such narrative seems to be more than lip service, as proponents advocate concrete policy and organizational ideas on the European, national, sector, and company levels and explicitly challenge the Silicon Valley way of digitalization (a differentiation also emphasized by an SPD state secretary present at the conference).

On the one hand, ver.di (TU10) sees great potential for benefits regarding mobile work and generating an income regardless of circumstances like family obligations. In this sense, labour representatives emphasize the benefits of digitalization. On the other hand, ver.di associated dangers with control problems and the tendency towards the permanent availability of workers. Since precarious employment is nothing new, especially in low-wage service sectors, ver.di tries to use the “hype” on platform and gig economy for better regulation, especially for the so-called solo-self-employed. One representative interviewee underlined such “window of opportunity” characterization “absolutely”: data leaks and scandals (e.g. Facebook) have pushed digitalization on the agenda of policymakers on the national as well as the European level. Against the public hype about industry 4.0, labour 4.0, and particularly the gig economy, this representative also conciliated that the world of work was changing, but that the gig economy would, most likely, not lead to massive job losses. However, another trade unionist (TU13) argued that platform-based business models would already make a difference not least because they reduce costs for the “employer” by shifting responsibility to the “employee”. Trade unions take issue with the resulting precarization which is summarized in one simple claim: “We don’t need jobs that don’t provide”.

Apart from widely shared ideas of digitalization as a modernization process and against claims of new disruptive business models, for traditional IG Metall members the platform economy has not the same significance as competition from Eastern Europe, representatives say (TU09). Such perception, therefore, could be a potential limit for existing trade unions representing their traditional clientele to follow through on activities targeting the gig economy of traditional unions. However, members do see the potential changes through digitalization more generally in terms of skills training, automatization, etc. (as the debate on industry 4.0 and labour 4.0 shows). For the IG Metall itself, it is, therefore, a strategic question to look at the gig economy, to discuss it internally, and think about possible interventions (just like other trade unions, e.g. NGG and ver.di). What trade unionists are more concerned about (for the following argument see specifically TU15), is that in their view

labour markets generally require regulation. Labour, representatives argue, is not just a commodity like any other. Recently, they observe some progress mostly due to the government's labour 4.0 agenda which shows that trade unions and politicians alike now finally "awoke" and take digitalization seriously.

Summarizing the debate, a DGB official differentiated between three phases: First, policymakers and stakeholders ignored the development, followed by a short period of over-reaction ("everyone becomes a freelancer"). Now, in the view of several trade union representatives interviewed, actors are discussing the need for regulation in quite a meaningful way. However, on the local level in East Germany, we found more scepticism compared to the national level trade union representatives. The latter presented trade unions as up-to-date, and modern problem-solvers. On the local level and especially in regions with relatively low collective agreement coverage and low union density, the day-to-day activities focus less on influencing policymakers and more on daily struggles. However, such regional and also sectoral differentiation should always be kept in mind when assessing the *German model* of social partnership (for a most recent overview see Schulten 2019).

Business claiming a "level playing field"

As a general impression, while employer associations, of course, claim expertise on evolving business models and digitalization, they (and to some extent their members) seem to be considerably less enthusiastic about engaging in consultation processes, which they perceive to be concerned with regulation too much. Nevertheless, they engage in political debates to facilitate a business-friendly environment, e.g. regarding investment in broadband Internet and lobbying for less regulation. On a more conceptual level, though, the changing world of work is a central issue for Gesamtmetall (EO08) representing the German metal and electronics industries. In this perspective, jobs like truck and taxi drivers are expected to become obsolete at some point, while other jobs will be created instead. This modernization is taken as quasi-natural. The question then is how "disruptive" such changes are. Will 50,000 jobs vanish at once, or will it be a smooth change within the labour force? Posing this as an open question, Germany's most powerful employer association criticized the Greenbook and Whitebook published by the BMAS as being defensive. Moreover, in many regards, Gesamtmetall would "not share the presumptions" leading to the questions voiced in the reports, which are perceived as "not neutral to some extent". Thus, the government's already cautious take on the gig economy is still regarded as being too presumptuous.

Against this asserted defensiveness, the employers' financed German Economic Institute (IW, EO09) emphasizes the potentials of the gig and platform economy: Through platforms like Airbnb and others, more people who previously were unemployed or otherwise outside the labour market could be included; many unused resources, like apartments that are not used during summer or cars that are otherwise rarely used, are made available; platforms and the digital economy are therefore resource-sensitive and environmentally rational; consumers may benefit from lower prices and extended range of products/services; last but not least, casual providers of services may find an exciting opportunity and start a new business because they see market potential. All this would contribute to rethinking services, consuming, and work. While the interview partner also mentioned potential risks for precarious work or the environment, such risks would first need to be researched – but not at the expense of missing out on the opportunities the digital economy provides.

Bitkom, the association representing “the digital economy”, also argues for regulatory restraint regarding work (EO03). Premature regulation would be counter-productive and choke off potential developments since the gig economy is very new and the quantitative dimension of the phenomenon has not yet been researched: things have to be tried out first. Moreover, any regulation by the government, the representative argued, should take into account that platform workers themselves see many advantages in new forms of work, in a nutshell: they would like flexible work. Therefore and as a general orientation, the debate around labour 4.0 should not be driven by the goal to define a new “standard employment relationship” (Normalarbeitsverhältnis), which digitalization makes obsolete (bitkom 2016a, 2). Accordingly, Bitkom takes issue mostly with the (social-democratic) BMAS that would bloc the flexibilization of the Working Time Act, a law Bitkom regards as not “up-to-date” anymore (bitkom 2017, 5). As for the size of the platform-brokered work sector, such platforms are considered to play a very minor role⁴. The government should then just ensure a “level playing field” while at the same time only regulate where necessary (bitkom 2016b, 3). More direct engagement with the platform economy is observable in the hospitality sector where platforms like Airbnb but also booking platforms have significantly changed market rules. Here, controversies are not between social partners NGG (hospitality and food services) and DEHOGA (hotel businesses), but about the organization of markets and again the much-used phrase of a “level playing field”: booking.com, expedia.com, and other platforms affect competition between hotels, not the relation between hotels and their employees; Airbnb, in

⁴ It is noteworthy that Telekom and other ICT companies are experimenting with internal crowdsourcing and platform based organization of work. Here German trade unions usually have a say through the works councils and supervisory boards which are both mandatory for companies of a certain size.

turn, works as a platform for entrepreneurs competing with hotels. As a DEHOGA representative put it, NGG was “naturally against AirBnB” because it endangered regular jobs in hospitality, but is not further invested in the topic. Business associations acting as lobby groups tend to dominate such debates (apart from housing rights groups and other social movement actors) trying to defend their member’s markets against challengers like AirBnB (the same assertion can be made for German taxi companies regarding Uber). At its annual convention in 2014, DEHOGA complained vehemently about the increasing regulation (most importantly the introduction of a national minimum wage) while at the same time, they claimed, the sharing economy would stay unregulated, with negative effects for businesses and society (DEHOGA 2014; see also 2016). DEHOGA regularly uses the notion of “Level Playing Field“, which was mentioned by other business associations as well. However, as an industrial and employers’ association, the aim is first and foremost to avoid unnecessary bureaucracy (EO03): “In this country, we have more the problem of too much, than that of too little regulation”. Therefore, the “level” playing field should be as low as possible.

In the view of the Confederation of German Employers' Associations (BDA, EO07), too, more regulation is the wrong way. In particular, the BDA like Gesamtmetall perceives the debate as being misleading and exaggerated: While the media disproportionally reports about delivery riders, clickworkers, and Uber, the phenomenon, in reality, is still very small. In the employer’s view, there is no new “Internet precariat” because the affected groups are very small or, in the case of Uber, non-existent because of the *Personenbeförderungsgesetz* preventing the service. Horror scenarios are, in the view of the BDA, not least against the background of the strong German welfare state, exaggerated. Shortage of skilled workers, a major topic for German companies, would additionally limit future effects of out- and crowdsourcing since companies actually would want to bind talent. On the contrary, freelancers in IT/programming are often earning well and are depicted as being themselves not interested in regular employment. Last but not least, platforms and their “workers”⁵ are described as extremely diverse. Across-the-board regulation would thus not be able to effectively address “bad platforms” while at the same time limit the vast and positive potential of platform work.

Things look a bit different from the perspective of German platform businesses. While as businesses their principle profit interests align with the traditional business associations, they rather keep some distance to them and, in the German case, often seem to take on niche

⁵ Employers and even more so platform businesses are reluctant to use the words employee, worker, etc. because these notions would already question the platform as broker for self-employed or freelancers.

markets rather than aiming at controlling huge markets (compared, at least, to global players like Amazon, eBay, Airbnb, etc.). However, in their self-description, for most platforms (EO06), the market is indeed global. This concerns especially clickwork and non-stationary gig work, except some higher-level tasks like text production or translations. Moreover, and to balance perceptions of gig work replacing regular jobs, the interviewer emphasized that his platform's workforce would consist mainly of students, parents, and other people who would not be able to work a regular job and need flexibility. While the different business models make regulation difficult anyway, an interview partner from another platform business (EO05) argued that new regulation for all platforms was not necessary, since existing laws would already apply to regular and platform companies alike. Underlying these claims from the platforms, which were not in principle against social partnership and discussing problems as well as solutions benefitting all sides, was that they perceive their business models as on-top of the regular economy, demanded by the market, and within the boundaries of existing frameworks. In this respect resembling a solely tech-oriented perspective, platforms distance themselves from the cleavage described so far and were involved in consultation merely as observers (probably also due to the well-established positions of the strong traditional associations).

Between description, prescriptions, and uncertainties of the future

Summarizing this section, the policy debate concerned with the gig economy is still inconclusive. Established stakeholders strategically invest resources in the topic by commissioning research, drafting policy briefs, or setting up specialised units to cover digitalization and gig work in particular. However, they concentrate on the more general debates on industry 4.0, labour 4.0, and digitalization. Not least, they are representatives of existing sectors and interests. The lobby influence of Uber, Facebook and others on policy-making in Berlin but also Brussels, in contrast, was not covered by this study and not mentioned by interview partners. These global players were rather cited to describe the phenomenon discussed, not as actors. Especially the government is reluctant or, for political reasons, unable to establish a definite position on how to act in terms of regulation. All actors, thus, agreed that the topic is diverse and needs a careful debate.

In particular trade unions were careful not to criticize digitalization in general. They emphasize the potentials for workers e.g. in terms of autonomy, less physical strain, and more attractive jobs. The explicit goal for the trade unions is to ensure that “digitalization serves society” and new jobs generated via the platform economy provide a decent living. Therefore,

they advocate for taking regulatory action to control the direction of development. Fundamentally, labour is conceptualised as more than a commodity, and, consequently, the claim is made for rigorous and thorough state regulation (which then actually constructs and institutionalizes markets). As one representative put it, especially for trade unions it is important to be perceived as modern, rational, and forward-thinking. And indeed, employers acknowledge that trade unions are well-informed and important dialogue partners.

While trade union representatives warned against the erosion of the labour market already underway, employers and employer associations pointed at the limited impact of the gig economy on the labour market so far as well as on the potentials of digitalization, that should not be choked off by hasty regulation. Thus, there is a long way to go to agree on actually re-regulating work. Moreover, all employers, too, emphasized the self-employers' interest in independent work which, for some and based on ideas of individual freedom, seems to be an equally important argument against regulation than employers' interests in low prices. In contrast to the trade unions' position, such reasoning is rooted in the belief in technological progress, economic freedom, and the market. Some business interview partners did condemn exploitative modes, but at the same time regarded them as exceptional. Especially platform businesses were eager to appear responsible just like the trade unions were eager to appear open for change. However, other firms aggressively pushing for liberalization (e.g. Uber) seem not interested in even discussing solutions with social partners.

How the gig economy challenges the German model

While social partners do not agree on how to evaluate the consequences of the gig economy, they do agree that change is ongoing and inevitable. In this section, we turn to three issue fields that were consistently broad up in our interviews and that are fundamental for the institutional framework of the German model. This includes a) the regulatory framework of work put into question by the gig economy; b) the access to and adequacy of social protection; and, consequently, tied to regular employment; and c) prospects of social dialogue and collective action. Given the corporatist structure of German politics, these prospects are likely to shape the future of the German model.

The Gretchenfrage of gig workers' status

Answering to disruptions caused by or expected from emerging platform businesses, state and business representatives alike point first and foremost at existing regulation. An exemplary

case is the taxi industry where the existing legislation⁶ results in a ban for *Uber*. In the hotel industry, existing regulations and new housing legislation on the municipality level are (though relatively ineffectively) used to regulate *Airbnb*; other platforms used for booking fall generally under existing competition law. For the majority of platforms brokering services, the assumption is that competition law sets the general framework. Beyond the scope of market regulation, however, the gig economy and in particular platform-brokered work challenges existing concepts of employer, employee, freelancer, firm, etc. While these concepts and attached responsibilities are defined in German (labour) law, the proper classification of gig workers is debated (Childers 2017; Todolí-Signes 2017).

The term gig worker indeed, and here most stakeholders agree, includes very different individuals in terms of education, income, work conditions, job autonomy, social security, etc. Moreover, every platform poses a different case for which policy-makers perceive one-fits-all regulation as insufficient. The already outlined cleavage between employers' associations and trade unions structures the field of opinions on this: On the one hand, trade unionists are concerned not least because of the experiences made with deregulation of the labour market in the early 2000s that already led to higher precarious employment especially among so-called solo-self-employed (as summarized in this study commissioned by the trade unions' research foundation Bäcker and Schmitz 2016). On the other hand, and for all actors, these questions of definition are related to social security dues and, consequently, eligibility (most of all pensions, see below). Also related to status definitions are the applicability of (existing) worker's protection regulation, anti-discrimination laws, parental leave, and other social policies which are less favourable or not applicable for self-employed. This leads to pressure from both sides on policymakers to modernize labour law. Moreover, policy-makers repeatedly ascertain to be aware of cultural change and modern life choices that itself put existing concepts (take for example the old male breadwinner model) into question (e.g. BMAS 2017).

The BMAS, although not the government coalition as a whole, sees the necessity to address the problems attached to the often-unclear status and weak protection of gig workers, arguing that the gig economy will grow (Gov03). In its Whitebook, the Ministry defines four different types of platforms, from pure market place platforms (e.g. myhammer) to cloud work (Gov02). And indeed, many of these are not covered by employee protection, as a researcher at the Federal Institute for Occupational Safety and Health assessed. Already now, freelancers and self-employed are mostly excluded from normally applicable worker protection – and the

⁶ In particular the Personenbeförderungsgesetz which defines obligations for commercial transport of persons.

accompanying controls. Solo-self-employment and its increase through gig work could lead to more people being without protection. Asked what rules are endangered, the interviewee responded “there are no worker protection rules” for self-employed, i.e. all issue fields are affected, starting with working time law to the risk assessment by companies and the design of work environment for physical and psychological risk avoidance. E.g. an employed craftsman has regular working times, regular income, social insurances, and protective gear – because the employer has a responsibility for the worker (*Fürsorgepflicht*), including keeping hours, paying overtime, etc. If the craftsman is self-employed and takes orders brokered via a platform, he has to take care of this himself. While at construction sites there are rules and controls for safety, in essence, these are not applicable for self-employed. This leads to problematic risks taking – be it because they want a certain job, they want to make money, or simply because they have to pay their bills. The BMAS does take issue with this (as do labour representatives), but finding rules is difficult because there are so many different forms of gig work to consider. In sum, while there is expertise within government bodies as well as a growing body of (state-commissioned) studies and literature, it seems as if there is no clear policy idea. This is partly due to the complexity of the issue and partly because the issue is not relevant enough to be on top of the agenda of a somewhat crisis-ridden grand coalition (SPD and CDU/CSU).

For the DGB (TU06), regulating the platform economy is about very principal economic questions, about who can/is allowed to set what terms. However, it is not easy to force companies to take on the role and the legal responsibilities of employers because of the global scale of the sector. While, in the view of labour representatives, politicians often use this as an excuse, the position of the trade unions is very clear: platforms are employers. And platforms are perceived as using their so-called new business models to circumvent regulations. A local DGB secretary (TU07) pointed at the example of deliveroo riders who elected a works council but were discharged as regular employees based on their temporary contracts – with the possibility of becoming self-employed ‘freelancers’ without the right to a works council. However, against such incidents, the rules should be clear since a person riding six to eight hours for foodora will not have any other assignments and workers are dependent on orders channelled through one platform (TU13). The issue, trade unionists argue, transcends the gig economy, as it applies to all cases of ostensible self-employment. Moreover, this question also concerns the minimum wage, which does not apply to freelancers. Here, another problem is that existing competition law would prevent self-employed to agree on prices (TU09): self-employed cannot enter in collective bargaining as this would be considered a cartel. In the

view of trade unions, however, self-employed are a long shot away from being at eye level with companies or ordering parties in general. Thus, trade unions argue that whether regular employed or self-employed, the defining question for the status is whether a worker is dependent on one (or a very small number of) employer. For a local NGG secretary (TU13), regulation of contract work and service contracts is also insufficient, increasing the need for new and much stricter regulation. Instead, policy-makers are criticized as being focused on generating any kind of (low wage) jobs, as long as the numbers are good.

Regardless of such clear theoretical concepts of dependent work, even for the trade unions, the status question is more complicated when considering the variety of jobs (not only) in the gig economy. Since 2014, ver.di organizes yearly congresses on digitalization and it also operates special platforms for crowdworkers. The service sector union also has a unit organizing and stewarding about 30,000 freelancers where this question crucial for regulation is discussed openly and with a case-by-case approach (TU15). Then it is not important if the work is dependent or not, as long as the platform pays social insurance dues and thus takes on its responsibility, not in the sense of the traditionally applicable duty of care of the employer, but simply in monetary terms. There is, however, no mandatory obligation for the ordering party to ensure that social insurance dues are paid.

Following their general position, employer representatives see no need for new regulation regarding the status of gig workers. Especially platform companies themselves (interviews EO02, EO05, EO06) defend their business models and emphasized in our interviews that they indeed do not consider their relationship with gig workers as being one of employer and employee. The argument differs somewhat from case to case, but all variations point at the business model and the kind of service they provide which, in their opinion, lies in brokering the workforce or service but not providing the service itself. Moreover, in the view of Bitkom (EO03), existing regulations can already deal with the major problems: while it can be acknowledged that Foodora riders were in ostensible self-employment, this was already the case under existing law. Therefore, any new regulation should only be considered after closely examining the future development of the gig economy. For now, the representative argued, especially platform workers themselves would be the last ones to think about any further restrictions. Traditional employer associations like BDA, Gesamtmetall, and the associations representing the transport and hospitality sectors, too, argue vehemently against touching existing definitions of employer, employee, and firm, because they see fundamental market principles at stake and already point at too much regulation in general. Their idea of

“level playing field” essentially means less regulation for themselves to be able to compete with challengers.

The employers’ anti-regulation position thus counters the position of the trade unions who make the argument about precarious gig work to a generalized one about ostensible self-employment, the deregulation of the labour market in the early 2000s, and labour standards more generally. Against this labour perspective, BDA, Gesamtmetall and bitkom generalize in their regard by arguing that regulation is already too tight and the gig economy does not change anything in principle. Within the “new economy”, i.e. among internet-based and platform companies, the perspective is guided by the business concepts applied that usually broker labour force freely and like any other commodity – which does not mean that they disregard any regulations, but this they are not much concerned with.

Social protection and the social security system

The second major issue raised was social security, and here most importantly contributions by and, consequently, the eligibility of gig workers and self-employed. The literature has continuously characterized Germany’s social welfare system as “conservative” (Esping-Andersen 1990; Arts and Gelissen 2002; Kiess et al. 2017; but critical Seeleib-Kaiser 2016): the contribution-based schemes favour those in standard employment, provides insiders with relatively high benefits and partially excludes labour market outsiders. While most interview partners agreed that the system should be adjusted to the modern world of work, the positions on how to reform the system remain incompatible. Employers stick to market-radical positions and support for lower labour costs and taxes in the face of global competition. In consequence, they also defend private insurance schemes (instead of a universal system). On the contrary, labour representatives and left-wing politicians advocate for universal coverage and making platforms responsible for social security payments.

The coalition agreement between CDU/CSU and SPD (signed March 2018) proposes to address the challenges associated with digitalization and globalization by developing new reporting standards, strengthening welfare state research, and further developing and supporting the “Initiative New Quality of Work”. The welfare state is to be modernized and adjusted (e.g. regarding the German Social Accident Insurance and the law on occupational illnesses). Labour protection standards are supposed to be reviewed in particular concerning psychological health risks. Following the assessment of the IAB (Gov05), digital transformation potentially harms the social welfare system: if a worker reduces her regular work and takes on additional jobs via platforms, she does not pay insurance dues and taxes on

the latter. Thus, the state would need to ensure that platforms contribute to the health, care, and pension schemes directly. The problem here is that it is, in many respects at least, an international market. In consequence, this warrants a minimum framework at least on the European level. However, since there is little political agreement, the phase of observation continues. The left-wing opposition (Gov01) vividly criticizes the risks of underfunded pensions, limited health insurance, and lack of accident insurance. In their view, only supplementary regulation could include such irregular employees into the welfare system. At least for the pension system, proposals are being prepared and there is an ongoing and controversial policy debate.

As a local DGB representative argued (TU07), these debates, especially about the pension system, will become more and more important because low-wage earners (and gig workers) never paid into the system but at the end of the day will be paid at least social aid. Hence, from the perspective of labour representatives, the gig economy attacks essential pillars of the welfare state. The problem is multidimensional: the state loses taxes because low wage earners do not pay income taxes, gig workers are not obliged to contribute to the schemes, regular businesses and workers are disadvantaged, and, in the end, tax money will be needed to support the poor. In the view of a freelancer organizer at ver.di (TU15), this situation is “prehistoric” since Germany is the last country in which self-employed do not pay into the pension systems. While freelancers themselves are against a mandatory pension system, ver.di argues that, without a solution, the principle of solidarity remains undermined. Since in Germany employers and employees pay the insurance dues in parity, wages itself become an issue: Many self-employed workers do not earn enough to be able to afford to pay both (the employer’s and employee’s) shares. Thus, the difference between employed and self-employed, the ver.di organizer calculated, is 20-21% of the price for a given service – resulting in unfair competition. The trade unions thus suggest that platforms (or any ordering party) should pay mandatory contributions automatically like regular employers.

While the BDA sees no need for additional protection of regular workers, it would welcome lower charges for self-employed (like the already lower health insurance dues). The BDA even promotes mandatory pension insurance for self-employed because people with very low incomes would otherwise risk depending on social aid in old age. However, the BDA also claims that according to official data, the number of solo-self-employed is contracting, contrary to beliefs that digitalization would increase freelancing. Therefore, the BDA depicts solo-self-employment as not dramatic. A Gesamtmetall representative (EO08) was more outspoken and claimed that left-wing parties would engage in clientele politics, favouring

more state and more protection for people falsely deemed in need of help. He aimed such attacks particularly at the SPD and the BMAS. For Bitkom (EO03), too, low earnings for self-employed may increase old-age poverty which would fall on the taxpayer; however, strict rules and minimums may simply not be practical, because of the global scale of the gig economy. In particular, workers on the other side of the globe would not benefit from a mini pension in Germany.

In sum, while there are major reforms considered and small measures are already implemented (e.g. lower health insurance dues for freelancers) government representatives were reluctant to address these issues. Again this needs to be seen in the light of a rather conflictual grand coalition, but it also illustrates the government's approach towards the gig economy: not too much regulation too soon. In theoretical terms, we confirm our expectation that any changes in the established welfare system will occur, if at all, in the form of incremental and small steps. Furthermore, such change will occur most likely where social partners can align their interests. Consequently, the debate on gig work plays into an incremental process towards a more universal system of social security. None of the stakeholders expects fundamental or fast changes.

The future of social partnership

The participative inclusion of stakeholders and interest groups in politics is characteristic of the German Model of capitalism. Streeck's (1999, 20) definition of corporatism as cooperation among competitors and social partners and other associations, which sometimes are entitled by the state, still applies: While coverage (and union density) have decreased over the past decades (e.g. Visser 2006; Vachon, Wallace, and Hyde 2016), collective bargaining coverage remains still medium-high (2017: 56 %, according to the OECD) and even the decentralisation of collective bargaining occurs often in an organised manner (Ibsen and Keune 2018). Another feature of the German Model is the vocational training system, which works as an incentive for long-term cooperation (Estevez-Abe, Iversen, and Soskice 2001). Moreover, diversified quality production (Sorge and Streeck 2018) and the importance of manufacturing explains the prominence of the notion "industry 4.0" under which we continue to observe cooperation.

In the emerging gig economy, however, new and old actors encounter each other in distinct and changing conflict constellations. As Kirchner and Beyer (2016) argue, with the emergence of platforms we observe *competition between competition logics* since different capitalist modes exist at the same time and within the same context. This and the wide variety

of platform business models make regulation across platforms, but also coordination more generally, increasingly difficult. Moreover, while in core industries (e.g. car and machine manufacturing, chemical industry) German trade unions and consequently industrial relations remain strong, the literature highlights the continuing dualization of the labour market.

For structural reasons, most (relatively young) platform businesses are not members in the classic strong associations (EO03), while some crowdwork platforms organize in their separate association (Deutscher Crowdsourcing Verband, see interview EO02). As already mentioned, platforms do not conceive of themselves as employers (EO03, EO05, EO06), which limits room for social partnership. At the same time, some platforms think of themselves as “social partners” (EO05) in that they are open for consultations, dialogue, and sometimes even agreements. For other platform businesses and many start-ups, however, classic social partnership culture is something they have to learn first, as a labour representative noted. This is also true for workers in the tech industry who have, in the experience of trade unions, quite different ideas on what to prioritize compared to the classic trade union agenda (TU06). Hence, social partnership is affected by a general cultural change. These developments pose challenges first and foremost for the trade unions. Their responses to digitalization and the gig economy, in particular, include a considerable amount of research and pilot projects, internal debates about strategies but also the nature of platforms more fundamentally. While ver.di since long has organized freelancers, now also the traditional industrial IG Metall and the NGG take freelancers/self-employed as members. This constitutes a shift because it diverges from the idea of organizing dependent workers. However, the independence of platform-workers is part of the dispute (see above). Moreover, platforms are most often not organized in any form of association; none is organized in an employers’ association involved in collective bargaining. Even if the platform phenomenon becomes bigger, their reluctance to consider themselves employers makes the establishment of regular collective bargaining relationships unlikely.

Among the challenges for trade unions, according to a DGB official (TU06), is the need to modernize themselves without putting themselves into question. Classic unionizing and “organizing a company” on the local level happens on the shop floor where a political secretary connects with workers willing to organize (TU07) and there is little way around this although social media and particularly chat groups are now in good use by many unions (e.g. TU13). Another idea is to develop a trade union app. However, online activities, too, need to aim at bringing people together in real life, since this is seen as the very idea of trade unions: developing power together (TU10). The core work needs to be done face-to-face (TU13), e.g.

by finding informal meeting points of drivers (bakery chains in the region), food delivery riders, etc. and directly talking to these people. Accordingly, establishing works councils is seen as key to have on-site space for organizing. In this respect, the trade unions are confident that their classic power sources in the German system, most importantly legally sanctioned works councils, can be a solution for the gig economy as well. Especially interview partners on the local level also insisted that trade unions are more than just insurance companies (e.g. TU07). Like in a traditional factory, in the gig economy, too, trade unions need the workers to be willing to organize (TU13, TU10), not least due to the democratic self-understanding (TU09).

A general problem is seen in that particularly young people are attracted by jobs in the gig economy promising certain freedom, while they think less about social security. Some interview partners criticized such zeitgeist but also pointed at how young people would often quickly discover how problematic their jobs are. Contextually, the depoliticization and fragmentation of the public sphere hinder engagement and omnipresent economic pressure keeps people from joining volunteer ranks of unions (TU11). Mobilization is also becoming more difficult when people work at home or in the crowd. Spatial restructuring is increasing (TU10) and the classic possibilities to connect with workers and build solidarity are less existent (TU09). Workshops and local meetings are used to inform crowd workers, which is tedious, but necessary ground laying work. The idea of the “loud and crowd project” (TU10), thus, was to establish a counterweight and provide a platform where crowd workers could rate the platforms. With such projects, for IG Metall and ver.di, it is not only about supporting the gig and click workers but also about assigning responsibility to the employers (Inpflichtnahme der Plattformen als Arbeitgeber, see claims above). Joint activities (with the CVD) resulted not least in an ombudsman now in place, who plays an important role in negotiating between platforms and crowd workers.

In sum, trade unions are faced with many challenges usually associated with the gig economy: postmaterialist priorities of workers, spatial dissolution of work, the anonymity of social media, resource allocation from traditional to new sectors, legal restrictions for freelancers to form coalitions, etc. Some of these challenges are perceived to ask for new strategies by trade unions, others, however, lead trade unionists to point at contextual circumstances and the role of the state. In problematic cases, the NGG for example regularly turns to labour courts and follows the same strategies like in cases of union-busting etc. in traditional sectors (TU02). Social partnership here is not well-established. Accordingly, while regulation could start with a code of conduct that sets certain transparency and communication rules (TU05), such rules

would eventually need to be enforced by the state to limit the spread of day-workers (Tagelöhnertum) and enforce general minimum standards also for self-employed (see above, TU10). Since employers are reluctant to engage in social partnership in the gig economy (be it because associations do not represent platforms, be it that platforms do not consider themselves employers), only successful union organizing and consequent pressure could lead to a fully developed social partnership in the gig economy.

The high road versus the low road: Contestations of the German Model

In this chapter, we have most importantly collected evidence that social partners and the government alike see the challenges of the gig economy to the *German Model* as being limited by and large by existing institutions and regulations. Thus, in the view of stakeholders, there is no disruption of the *German Model* caused by the gig economy, although respective future expectations diverge and align with the cleavage between labour and capital (trade unions fear further precarization, employers disagree). Nevertheless, debates about reforming, *inter alia*, social partnership, trade unions' strategies, the concepts employer and employee, as well as the scope of labour law are gaining traction. In this sense, market-liberal economic ideas including platform-based business models continue to impact the on-going transformation of the coordinated *German Model*. Thus, partly, the gig economy debate feeds into already existing debates, partly, the gig economy exacerbates the situation of workers in the service sectors. The already existing dualization of the labour market (Palier and Thelen 2010; Palier 2012), as well as open questions of how to develop the welfare state, are on top of the agenda of policymakers as well as stakeholders who address them not least as a choice between models of capitalism. And here the gig economy plays a role as a narrative in the repertoires of stakeholders.

The literature on the development of social partnership institutions emphasizes the confrontational nature of such institutionalization processes (Korpi 1974; 1983; Crouch 1982; Schmalz and Dörre 2014). For the welfare and social protection institutions, the same has been argued (Korpi 1974; 1983; 2003; Esping-Andersen 1990; Korpi and Palme 2003). Thus, we have to read our discussion of the gig economy and digitalization in Germany against the background of confrontational interests within and beyond this specific institutional framework. Moreover, we can base this discussion on a set of well-established characteristics summarized as the *German Model* of capitalism. We even found evidence for the “stickiness” (Boettke, Coyne, and Leeson 2008) of this institutional setup, as it remains relatively stable regardless of a dynamic digitalization debate. Part of this specific institutional framework is a

relatively high level of labour protection, coordination between state, social partners, and other associations, the system of vocational training, and the still relatively high decommodification potential of the “conservative” welfare regime.

Now trade unions and social-democrats are referring to these and other aspects when they speak of a “high-road” strategy or developing a “social market economy 4.0”. In the words of former Labour secretary Brigitte Zypries (SPD), the challenge is to develop a “social market economy 4.0” to ensure that platforms align with the social standards and values of society (Der Spiegel 12/2017: 31). The Whitebook of the BMAS also speaks of a “third way” between the current Laissez-faire (in the US) and state-led (in China) modernization as the best reaction to digitalization (ibid.: 32). Such a path should include observation of trends, exchange with society, acting carefully “and, wherever possible, favour social compromise with social partners and other actors of the labour market” (BMAS 2017: 188, our translation). Employers’ associations deem such claims to be unrealistic and/or putting the competitiveness of Germany’s economy in jeopardy. Moreover, they claim that the negative effects of the gig economy on workers are exaggerated while the potentials of platforms would deserve more merit. Generally speaking, business and employers’ associations argue for a “level playing field” of low regulation and criticize especially the BMAS for its efforts to develop policy drafts. However, associations and even, to some extent, platforms, are participating in consultation processes characteristic to the German model. It was to be expected from the traditional cleavage that for trade unions these processes are not far-reaching and consequential enough, while business representatives complain about their regulatory overreach. However, this (institutionalized and therefore pacified) cleavage, too, is part of the German model.

As a generalized conclusion and against the talk of “disruptions”, we can hold that the *German Model* is slowly adapting to the challenges of digitalization. If a thorough analysis of social and labour policy changes as well as other institutional factors would be conducted, it would find this process to follow the principle of incremental institutional change (Streeck & Thelen 2005) instead of translating the “disruptive” business models of some platforms into “disruptive” institutional change. While we have not undertaken such an institutional analysis, it became equally clear from our discourse analysis that the consultation processes have initiated policy-making processes in the different areas of labour law and, more importantly, social policy. Again, for some actors, such incremental change goes not far enough in terms of social protection and has not yet fully answered to the challenges for the conservative welfare state. For other actors, however, any further regulation would put Germany even more

behind the (supposed) Chinese and American digital success stories. Employers (and platforms), however, will find it difficult to unilaterally push for a level playing field on the “low road”, given political and trade union resistance.

And what does this mean for gig economy workers and their representation? While the effects of the platform economy on the German labour market in the future remain unclear, in the short-term, at least, demographic change, shortage of labour, digitalization more generally, climate policy, and migration seem to pose more crucial problems to policymakers and stakeholders. However, the gig economy has opened up a new segment of the labour market, not least for people who were previously to some extent excluded from the labour market like students, parents, etc., while at the same time raised new attention for precarious employment relations and also critical developments regarding the financing of the welfare state (and here especially the pension system). Gig workers, but also other precarious workers will also likely draw continuous attention from trade unions that search for new mobilizing strategies but also want and need to stay on top of labour market developments. However, given the incremental nature of policy change, they will continue to face tough working conditions in the low wage service sectors as well as often fruitless conflicts with platforms not interested in establishing formal relationships as employers. Trade unions will have to look out for this segment of the labour market to limit further erosion while at the same time keeping institutional advantages like their successful participation in education and skill formation schemes.

References

- Anderson, Karen, Martin Baethge, and Dieter Sadowski. 2015. “Editorial.” *Journal for Labour Market Research* 48 (2): 75–79. <https://doi.org/10.1007/s12651-015-0174-9>.
- Arts, Wil, and John Gelissen. 2002. “Three Worlds of Welfare Capitalism or More? A State-of-the-Art Report.” *Journal of European Social Policy* 12 (2): 137–58. <https://doi.org/10.1177/0952872002012002114>.
- Baccaro, Lucio, and Chiara Benassi. 2017. “Throwing out the Ballast: Growth Models and the Liberalization of German Industrial Relations.” *Socio-Economic Review* 15 (1): 85–115. <https://doi.org/10.1093/ser/mww036>.
- Baccaro, Lucio, and Chris Howell. 2011. “A Common Neoliberal Trajectory The Transformation of Industrial Relations in Advanced Capitalism.” *Politics & Society* 39 (4): 521–63. <https://doi.org/10.1177/0032329211420082>.
- Bäcker, Gerhard, and Jutta Schmitz. 2016. “Atypische Beschäftigung in Deutschland.” Expertise für die Kommission “Arbeit der Zukunft.” Duisburg-Essen: Institut Arbeit und Qualifikation. https://www.boeckler.de/pdf/adz_expertise_baecker_schmitz_atypik.pdf.
- bitkom. 2016a. “Thesenpapier. Die Deutsche Arbeitswelt Zukunftsfähig Gestalten.” Bundesverband Informationswirtschaft, Telekommunikation und Neue Medien e.V. <https://www.bitkom.org/noindex/Publikationen/2016/Positionspapiere/Thesenpapier-Arbeit-40/20160929-Bitkom-Thesenpapier-Arbeit-40-Final.pdf>.

- . 2016b. “Stellungnahme. Kommentierung Grünbuch Digitale Plattformen.” Bundesverband Informationswirtschaft, Telekommunikation und Neue Medien e.V. <https://www.bitkom.org/noindex/Publikationen/2016/Positionspapiere/Bitkom-Stellungnahme-zum-Gruenbuch-digitale-Plattformen-des-BMWi/20161014-Stellungnahme-Gruenbuch-Bitkom.pdf>.
- . 2017. “Stellungnahme Zum BMAS-Weißbuch Arbeiten 4.0.” Bundesverband Informationswirtschaft, Telekommunikation und Neue Medien e.V. <https://www.bitkom.org/noindex/Publikationen/2017/Positionspapiere/FirstSpirit-149813148566420170608-Bitkom-Stellungnahme-zum-BMAS-Weissbuch-Arbeiten-40-Final.pdf>.
- BMAS. 2017. “Weissbuch Arbeiten 4.0.” Bundesministerium für Arbeit und Soziales. http://www.bmas.de/SharedDocs/Downloads/DE/PDF-Publikationen/a883-weissbuch.pdf?__blob=publicationFile&v=4.
- Boettke, Peter J., Christopher J. Coyne, and Peter T. Leeson. 2008. “Institutional Stickiness and the New Development Economics.” *American Journal of Economics and Sociology* 67 (2): 331–58. <https://doi.org/10.1111/j.1536-7150.2008.00573.x>.
- Bothof, Alfons, and Ernst Andreas Hartmann, eds. 2015. *Zukunft Der Arbeit in Industrie 4.0. Autonomik Industrie 4.0*. Berlin: Springer Vieweg.
- Childers, Rachel. 2017. “Arbitration Class Waivers, Independent Contractor Classification, and the Blockade of Workers’ Rights in the Gig Economy.” *Alabama Law Review* 69 (2): 533–60.
- Crouch, Colin. 1982. *Trade Unions: The Logic of Collective Action*. Fontana New Sociology. London: Fontana Paperbacks.
- . 2019. *Will the Gig Economy Prevail?* Cambridge, UK ; Medford, MA: Polity Press.
- Davidson, Fay, and Sharyn Curran. 2019. “Caring for Platform-Based Work: Changing Labour Relationships.” In *Digital Services and Platforms. Considerations for Sourcing*, edited by Julia Kotlarsky, Ilan Oshri, and Leslie Willcocks, 344:147–63. Cham: Springer International Publishing. https://doi.org/10.1007/978-3-030-15850-7_8.
- DEHOGA. 2014. “DEHOGA-Präsident Appelliert an Politik: „Mehr Unternehmerlust – Weniger Bürokratiefrust“.” DEHOGA Bundesverband.
- . 2016. “Jahrespressekonferenz: Branchenbericht Vorgestellt: Steigende Umsätze, Durchwachsene Erträge // Gutes Sommergeschäft Erwartet // Präsident Fischer: „Bürokratieabbau Überfällig“.” DEHOGA Bundesverband.
- Esping-Andersen, Gøsta. 1990. *The Three Worlds of Welfare Capitalism*. Cambridge: Polity Press.
- Estevez-Abe, Margarita, Torben Iversen, and David Soskice. 2001. “Social Protection and the Formation of Skills: A Reinterpretation of the Welfare State.” In *Varieties of Capitalism*, edited by Peter A. Hall and David Soskice, 145–83. Oxford: Oxford University Press. <https://doi.org/10.1093/0199247757.001.0001>.
- Fehmel, Thilo. 2010. *Konflikte um den Konfliktrahmen: Die Steuerung der Tarifautonomie*. Wiesbaden: VS Verlag für Sozialwissenschaften.
- . 2014. “Konflikte Erster Und Zweiter Ordnung in Europa.” *Leviathan* 42 (1): 115–36. <https://doi.org/10.5771/0340-0425-2014-1-115>.
- Greef, Samuel, and Wolfgang Schroeder. 2017. “Plattformökonomie Und Crwodworking: Eine Analyse Der Strategien Und Positionen Zentraler Akteure.” *Forschungsbericht* 500. Kassel: Universität Kassel. https://www.bmas.de/SharedDocs/Downloads/DE/PDF-Publikationen/Forschungsberichte/fb500-plattformoekonomie-und-crowdworking.pdf?__blob=publicationFile&v=1.

- Holst, Hajo, and Klaus Dörre. 2013. "Revival of the 'German Model'? Destandardization and the New Labour Market Regime." In *Non-Standard Employment in Europe*, edited by Max Koch and Martin Fritz, 132–49. Work and Welfare in Europe. Basingstoke: Palgrave Macmillan. https://doi.org/10.1057/9781137267160_9.
- Ibsen, Christian Lyhne, and Maarten Keune. 2018. "Organised Decentralisation of Collective Bargaining: Case Studies of Germany, Netherlands and Denmark." OECD Social, Employment and Migration Working Papers 217. <https://doi.org/10.1787/f0394ef5-en>.
- Ilsøe, Anna. 2017. "The Digitalisation of Service Work – Social Partner Responses in Denmark, Sweden and Germany." *Transfer: European Review of Labour and Research* 23 (3): 333–48. <https://doi.org/10.1177/1024258917702274>.
- Kiess, Johannes. 2019a. "Contention in Times of Crisis: British and German Social Actors and the Quest of Framing Capitalism." In *Trade Unions under the Pressure of European Integration. A Question of Optimism and Pessimism?*, edited by Johannes Kiess and Martin Seeliger, 208–26. London: Routledge.
- . 2019b. *Die soziale Konstruktion der Krise: Wandel der deutschen Sozialpartnerschaft aus der Framing-Perspektive*. http://www.content-select.com/index.php?id=bib_view&ean=9783779953647.
- Kiess, Johannes, Ludvig Norman, Luke Temple, and Katrin Uba. 2017. "Path Dependency and Convergence of Three Worlds of Welfare Policy during the Great Recession: UK, Germany and Sweden." *Journal of International and Comparative Social Policy* 33 (1): 1–17. <https://doi.org/10.1080/21699763.2017.1281832>.
- Kinderman, Daniel. 2014. "Challenging Varieties of Capitalism's Account of Business Interests. The New Social Market Initiative and German Employers' Quest for Liberalization, 2000–2014." MPIfG Discussion Paper 16. Köln: Max-Planck-Institut für Gesellschaftsforschung. http://www.mpifg.de/pu/mpifg_dp/dp14-16.pdf.
- Kirchner, Stefan, and Jürgen Beyer. 2016. "Die Plattformlogik Als Digitale Marktordnung." *Zeitschrift Für Soziologie* 45 (5): 324–339. <https://doi.org/10.1515/zfsoz-2015-1019>.
- Korpi, Walter. 1974. "Conflict, Power and Relative Deprivation." *The American Political Science Review* 68 (4): 1569–78.
- . 1983. *The Democratic Class Struggle*. London: Routledge.
- . 2003. "Welfare-State Regress in Western Europe: Politics, Institutions, Globalization, and Europeanization." *Annual Review of Sociology* 29 (1): 589–609.
- Korpi, Walter, and Joakim Palme. 2003. "New Politics and Class Politics in the Context of Austerity and Globalization: Welfare State Regress in 18 Countries, 1975–95." *American Political Science Review* 97 (3): 425–46.
- Lenaerts, Karolien, Zachary Kilhoffer, and Mehtap Akgüç. 2018. "Traditional and New Forms of Organisation and Representation in the Platform Economy." *Work Organisation, Labour & Globalisation* 12 (2): 60. <https://doi.org/10.13169/workorglaboglob.12.2.0060>.
- Marsden, David. 2015. "The Future of the German Industrial Relations Model." *Journal for Labour Market Research* 48 (2): 169–87. <https://doi.org/10.1007/s12651-015-0188-3>.
- Palier, Bruno. 2012. "Turning Vice Into Vice: How Bismarckian Welfare States Have Gone from Unsustainability to Dualization." In *The Politics of the New Welfare State*, edited by Giuliano Bonoli and David Natali, 232–55. Oxford: Oxford University Press. <http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199645244.001.0001/acprof-9780199645244-chapter-11>.
- Palier, Bruno, and Kathleen Ann Thelen. 2010. "Institutionalizing Dualism: Complementarities and Change in France and Germany." *Politics & Society* 38 (1): 119–48. <https://doi.org/10.1177/0032329209357888>.

- Pfeiffer, Sabine. 2017. "Industrie 4.0 in the Making - Discourse Patterns and the Rise of Digital Despotism." In *The New Digital Workplace: How New Technologies Revolutionise Work*, edited by Kendra Briken, Shiona Chillias, and Martin Krzywdzinski, 21–41. Wiesbaden: Springer.
- Pfeiffer, Sabine, and Norbert Huchler. 2018. "Industrie 4.0 Konkret – Vom Leitbild Zur Praxis?" *WSI-Mitteilungen* 71 (3): 167–73. <https://doi.org/10.5771/0342-300X-2018-3-167>.
- PWC. 2015. "The Sharing Economy." *Consumer Intelligence Series*. <https://www.pwc.com/us/en/technology/publications/assets/pwc-consumer-intelligence-series-the-sharing-economy.pdf>.
- Schmalz, Stefan, and Klaus Dörre. 2014. "Der Machtressourcenansatz: Ein Instrument Zur Analyse Gewerkschaftlichen Handlungsvermögens." *Industrielle Beziehungen: Zeitschrift Für Arbeit, Organisation Und Management* 21 (3): 217–37.
- Schulten, Thorsten. 2019. "German Collective Bargaining - from Erosion to Revitalisation?" *WSI-Mitteilungen Special Issue 2019*: 11–30.
- Seeleib-Kaiser, Martin. 2016. "The End of the Conservative German Welfare State Model." *Social Policy & Administration* 50 (2): 219–40. <https://doi.org/10.1111/spol.12212>.
- Sorge, Arndt, and Wolfgang Streeck. 2018. "Diversified Quality Production Revisited: Its Contribution to German Socio-Economic Performance over Time." *Socio-Economic Review* 16 (3): 587–612. <https://doi.org/10.1093/ser/mwy022>.
- Streeck, Wolfgang. 1999. *Korporatismus in Deutschland: zwischen Nationalstaat und Europäischer Union*. Frankfurt am Main: Campus.
- Streeck, Wolfgang, and Kathleen Thelen. 2005. "Introduction: Institutional Change in Advanced Political Economies." In *Beyond Continuity: Institutional Change in Advanced Political Economies*, edited by Wolfgang Streeck and Kathleen Ann Thelen, 3–39. Oxford; New York: Oxford University Press.
- Todolí-Signes, Adrian. 2017. "The End of the Subordinate Worker? The on-Demand Economy, the Gig Economy, and the Need for Protection for Crowdworkers." *International Journal of Comparative Labour Law and Industrial Relations* 33 (2): 241–68.
- Unger, Brigitte. 2015. *The German Model: Seen by Its Neighbours*. N.N.: SE Publishing.
- Vachon, Todd E., Michael Wallace, and Allen Hyde. 2016. "Union Decline in a Neoliberal Age: Globalization, Financialization, European Integration, and Union Density in 18 Affluent Democracies." *Socius: Sociological Research for a Dynamic World* 2 (August): 237802311665684. <https://doi.org/10.1177/2378023116656847>.
- Visser, Jelle. 2006. "Union Membership Statistics in 24 Countries: An Analysis of 'Adjusted' Union Membership Data in 24 Countries." *Monthly Labor Review* 129 (1): 38.