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**Paula Franklin**

is a senior researcher  
at the European Trade  
Union Institute (ETUI)  
in Brussels.

# Quality jobs as well as jobs: protecting health by tackling precarious work

Paula Franklin

## Policy implications

- Tackling precarious work is essential for a fair Covid-19 recovery and healthier future of work.
- The Covid-19 crisis is worsening existing inequalities in the world of work. The European Commission should embed the principle of equity into the country-specific recommendations of the European Semester, with a view to allocating resources in a manner that recognises and remedies these fundamental inequalities.
- Policy interventions should focus on preventing the negative health impacts of poor working conditions, which are particularly apparent in precarious work.
- The Member States should use EU funds to tackle all aspects of precarious work, with a focus on supporting women, youth, low-skilled workers, and migrant workers.
- The pandemic has highlighted the need for reinforced and updated occupational safety and health legislation, both at the EU and the Member State levels.

## Introduction

The Action Plan for the implementation of the European Pillar of Social Rights (EPSR), presented on 4 March 2021, correctly notes the importance of tackling the precarious working conditions of mobile workers and platform workers. But there is more to consider. Over the past few decades, the number of people, especially women, in precarious work has increased (Buckingham *et al.* 2020). Yet the Action Plan lacks a comprehensive narrative addressing this, as well as a set of actions to fight all forms of precarious work (ETUC 2021). Given the proven connection between health and working conditions, this policy brief argues that Member States should pay greater attention to tackling precarious work when implementing the Action Plan.

## Precarious work is bad for hearts and minds

**The European Parliament resolution of 4 July 2017 on working conditions and precarious employment** ‘understands precarious employment to mean employment which does not comply with EU, international and national standards, and laws and/or does not provide sufficient resources for a decent life or adequate social protection’.

Precarious work has a detrimental effect on both physical and mental health. Cardiovascular diseases, stress and depression are more prevalent among workers in precarious or temporary employment than among those in permanent employment (WHO 2019). Precarious work is also notorious for poor occupational safety and health (OSH) standards, including increased physical hazards and psychosocial risks. Precarious workers have less access to benefits and social security, but are also more likely to suffer exposure to stressful

working conditions, sexual harassment, and job and financial insecurity (Hassard and Winski 2017). These jobs are not only ‘dangerous and dull’, but also offer the lowest pay. Under the pressure of this insecurity, precarious workers are prone to ‘presenteeism’ (coming to work when it would be more beneficial to stay off, for example when sick), which has been particularly evident during the Covid-19 pandemic. For example, in the elderly care sector, which employs many migrant workers and is rife with precarious contracting practices, workers have had to forego confinement to sustain their income.

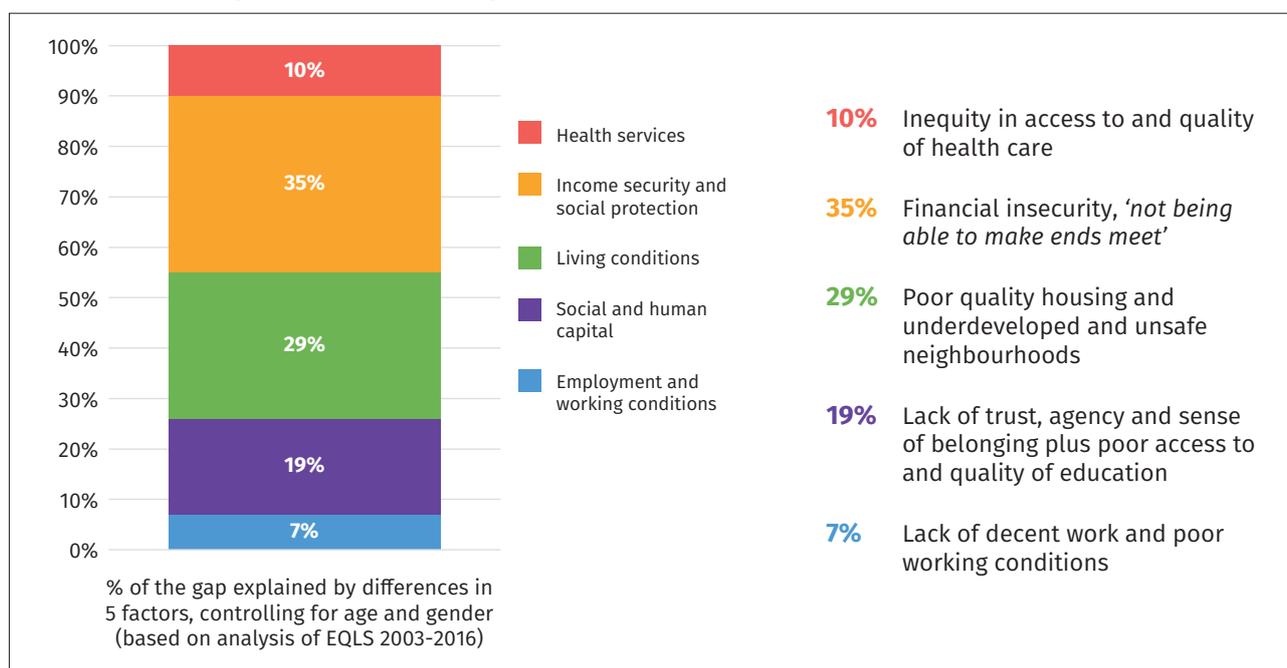
Workers in precarious situations fall between the cracks in employment and social protection as they are not (or only partially) covered by social security and collective bargaining arrangements. This means that workers in precarious employment do not have access to the same rights as those in standard work, such as workplace representation, health and safety, and social security provisions like pensions or unemployment and sickness benefits.

Precarious work is strongly socially patterned across the EU, with poor conditions being more prevalent in lower socioeconomic groups. Women, young people and migrants are more likely to be engaged in precarious work situations, such as part-time or temporary work, seasonal work, and self-employment (Buckingham *et al.* 2020). These workers are also over-represented in many of the sectors that are likely to shrink in the medium term due to the Covid-19 pandemic, in particular the hospitality, leisure and tourism, and retail sectors.

In-work poverty is high among these workers in precarious situation, and the reduction of working hours and rise in unemployment in these sectors will lead to even greater income insecurity and an increased risk of poverty for them.

**Financial insecurity, a lack of decent work, and poor working conditions together account for 42% of health inequities between the richest and the poorest people in Europe (WHO 2019).** By comparison, the level of access to quality healthcare explains only 10% of the difference between the groups (Figure 1)<sup>1</sup>. Notably, the 7% attributable to poor working conditions only accounts for excessive working hours. When further aspects of poor job quality and working conditions are taken into consideration, the proportion increases considerably.

Figure 1 **Health equity conditions: decomposing the gap in health status between poorest and richest income quintiles over 36 European countries**



Source: WHO 2019.

Precarious work is an 'upstream determinant' of health and OSH (meaning it has an indirect but clear effect), as workers with precarious employment conditions have been found to be more highly exposed to poor working conditions (Benach *et al.* 2014). Precarious work causes lifelong losses in income and protection, be it wages, pensions or social security benefits. It is the interaction of these variables, along with a lack of workplace safety, that results in the immediate and long-term negative health effects on workers.

1. Due to data requirements, a direct measure of job quality or working conditions is not captured in the analysis, only whether individuals work excessive hours. Therefore, the results are to be interpreted in context, alongside other evidence (WHO 2019).

## Implementing the Action Plan with a view to tackling precarious work

The Covid-19 crisis is worsening existing inequalities in the world of work (Eurostat 2020). Therefore, the principle of equity must be placed at the core of policymaking to achieve a sustainable and healthy recovery. The Commission should ensure that the country-specific recommendations of the European Semester include the equity aspect, including in the areas of gender equality, decent wages, the transition from education to the labour market, and occupational safety and health.

The Member States should use funds available at the EU level to tackle all dimensions of employment precariousness, and as employment trends change it is important that legislation and policies seek to protect the people most at risk of being left behind.

While the 20 principles of the European Pillar of Social Rights (EPSR) are all interrelated, several are particularly pertinent for addressing precarious employment: gender equality in the labour market, secure employment, wages, social dialogue, and OSH. The following pages highlight what is important to consider when implementing the EPSR through the Action Plan.

### **EPSR Principle 2: Gender equality in the labour market**

‘Equality of treatment and opportunities between women and men must be ensured and fostered in all areas, including regarding participation in the labour market, terms and conditions of employment and career progression.’

#### **Action Plan**

Reduce the gender employment gap by at least half (compared to 2019).

**It is important to achieve the Action Plan employment target of 78% of the working population by 2030, and at least halve the gender employment gap. But these must be good quality jobs.** Women are particularly affected by involuntary part-time work, bogus self-employment and undeclared work, and single women with dependent children face a particularly high risk of precariousness (Sylikiotis 2017). Women’s overrepresentation in precarious employment makes them more vulnerable to employment loss in the Covid-19 crisis. The European Commission Recommendation for Effective Active Support to Employment (EASE) that accompanies the Action Plan (AP) notes that timely and active support to workers in crisis-hit economic sectors can help them find quality jobs in sectors that lack a skilled workforce, such as the health and care sectors. These sectors are highly female-dominated and notorious for poor working conditions, both before and during the pandemic. Ensuring quality jobs in these sectors therefore requires urgent improvement of the working conditions. The privatisation of care work, including platform-mediated care work, is increasing the precariousness of jobs in the sector even further, while simultaneously devaluing this work (due to low pay and lack of social security).

This is a key area where the effects of austerity-driven cuts to public services are manifested and need to be reversed.

**EPSR Principle 5: Secure and adaptable employment**

‘Regardless of the type and duration of the employment relationship, workers have the right to fair and equal treatment regarding working conditions, access to social protection and training. [...] Employment relationships that lead to precarious working conditions shall be prevented, including by prohibiting abuse of atypical contracts.’

**Action Plan**

The Commission is gathering evidence on the working conditions on platforms, as well as on the use of temporary agency work (in particular, in the context of cross-border work).

**This is an area that requires urgent attention and action, specifically with regard to gig workers and the mitigation of the impact of Covid-19 on workers in precarious situations.** While further evidence on working conditions in the platform economy is welcome, it is clear that psychosocial risks in gig work due to job insecurity, financial insecurity and emotional demands must be prevented (Bérestégui 2021). Workers in employment that was already precarious before the pandemic risk becoming even more insecure. With limited bargaining power, they will be more vulnerable to unfair treatment. They may face unemployment without being officially laid off – for example, by not having contracts renewed or seeing a reduction in their working hours to zero – and as a result will not be eligible for unemployment benefits. These workers should be guaranteed access to social protection.

**EPSR Principle 6: Wages**

‘Workers have the right to fair wages that provide for a decent standard of living. [...] In-work poverty shall be prevented.’

**Action Plan**

In October 2020, the Commission presented a proposal for a Directive on Adequate Minimum Wages.

**The European Council legal service has confirmed that the Directive on Adequate Minimum Wages has the correct legal basis, and now it is the time to advance quickly** to ensure adequate statutory minimum wages that protect all workers and guarantee, at the very least, a decent standard of living, respect of the right to collective bargaining, and real increases in collective bargaining coverage. Fair and decent minimum wages have a real impact on reducing in-work poverty, but having a job is not necessarily enough to ensure individual wellbeing and protection from poverty. Wage standards need to be supported with a broader range of policies that have either a direct impact, such as family benefits and

active labour market policies, or an indirect impact, such as access to childcare, transport, decent housing, and healthcare (Peña-Casas and Ghailani 2020).

**EPSR Principle 8: Social dialogue and involvement of workers**

‘The social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices.’

**Action Plan**

The Commission presented, together with the Action Plan, a Recommendation for Effective Active Support to Employment (EASE) that encourages Member States to rely on social dialogue and involve social partners in the design, implementation, and evaluation of the policies they devise to address the labour market challenges created by the Covid-19 crisis.

**Worker participation is vital for the development and implementation of policies that tackle precarious work.** Unions have increasingly been making attempts to tackle precariousness and improve the employment conditions of workers in precarious situations for many years. Evidence shows that formal labour markets – which have higher levels of union density, collective bargaining coverage, and greater investment in active labour market policies – are a strong indicator of better population health (Benach *et al.* 2014). Union presence in a workplace can be considered as an OSH measure, since it is associated with better mental and physical health of individual workers (Wels 2020). Collective bargaining agreements reduce poverty and enable healthier working conditions, for example through training provisions for worker representatives in OSH (WHO 2019; EU-OSHA 2017). These agreements also contribute to reducing health inequities when they include the most vulnerable in the labour market and empower and support them to attain equal opportunities and benefits as well as to secure fair and decent financial and physical working conditions. Therefore, the erosion of collective bargaining structures in some countries is highly alarming and impedes positive societal developments.

**EPSR Principle 10: Healthy, safe, and well-adapted work environment**

‘Workers have the right to a high level of protection of their health and safety at work’.

**Action Plan**

New EU Occupational Safety and Health Strategy (2021-2027).

**Regardless of the category a job belongs to, all workers should enjoy the same high level of protection from exposure to physical, chemical, biological, ergonomic, and psychosocial risk factors.** The ongoing Covid-19 crisis has highlighted the many hazards that workers face, whether due to unplanned and unregulated telework or to the dangers faced by those that cannot telework: health workers, cleaners, teachers, nurses, cashiers, maintenance workers, agricultural workers, and transport workers. The AP notes that robust OSH measures, for psychosocial and organisational risk factors in particular, are

indispensable and need to respond to the realities of the changing world of work. Psychosocial risks are widespread in female-dominated sectors, making this an important intersection between OSH and gender equality. Furthermore, EU OSH legislation is an essential prerequisite, but not enough to guarantee healthy and safe working conditions for all workers. Critical scrutiny and continuous updating of the legislation, as well as proper implementation and application of the rules, are essential for it to correspond to the lived reality of workers; a case in point is the EU Framework Directive on OSH (Directive 89/391 EEC) not covering platform workers or addressing psychosocial risks.

## **Conclusion: the Action Plan should be used to improve equity in work and health**

The fact is that precarious employment worsens working conditions and occupational safety and health, increases inequality and poverty, and can lead to poor health. The ongoing Covid-19 pandemic is a health crisis that goes beyond the imminent threat from the SARS-Cov-2 virus; the resulting economic crisis could further increase the prevalence of precarious work, entrenching its presence in European labour markets, with potentially long-lasting effects on health. Article 168 of the Treaty on the Functioning of the European Union (TFEU) on public health states that EU action shall be directed towards preventing physical and mental illness and diseases, and obviating sources of danger to physical and mental health. The fundamental principle of the EU OSH 'Framework Directive' (Directive 89/391/EEC) that protects workers' safety and health is *prevention*. When 'building back' better – and fairer – and thinking about what the European Health Union could really be, work and employment quality should be taken seriously as health determinants. The good news is that work-related ill health is amenable to policy interventions, as tackling precarious work alone can already help to reduce the numbers of people at risk of economic, psychological and physical stress and anxiety.

The Action Plan must be used as a tool for addressing real-life problems, and precarious work is one of these. The Action Plan states: 'Having a quality job is a key source of income, purpose, and accomplishment, and it is essential for social inclusion and active participation in society.' Quality jobs are essential for a fair recovery – and precarious work is a major barrier. If this is acknowledged in the implementation of the Action Plan, it promises to be a solution that will reduce the human and economic costs of this crisis in both the immediate and long term, through breaking intergenerational cycles of disadvantage and preventing the risk of poverty and social exclusion. Finally, the Action Plan must be used to support a fair recovery; universal rights provide the base, but the policies that tackle inequalities need to be well targeted to make a real difference.

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The editor responsible for this issue is Nicola Countouris, [ncountouris@etui.org](mailto:ncountouris@etui.org)

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