

Mr Tiit Riisalo
Minister for Economic Affairs and Information Technology
Suur-Ameerika 1
10122 Tallinn
Estonia

Mrs Victoria de Posson
Secretary General
European Tech Alliance
Square de Meeûs 35
1000 Brussels
Belgium

Brussels, 14 February 2024

Dear Minister Riisalo,

I am contacting you to follow-up on the previous letter sent on 18 December 2023 on behalf of the European Tech Alliance ([EUTA](#)), which represents leading European tech companies providing innovative and trustworthy services or products to 500 million users. As companies born and bred in Europe, for whom the EU is a crucial market, we have deep commitment to European citizens and values and aim to [boost Europe's tech competitiveness](#).

When it comes to the [Directive on improving the working conditions in platform work](#), the EUTA's aim is to find adequate conditions both for European online services to flourish and for platform workers to have fair working conditions. We regret to note that the preliminary agreement on the file does not achieve this balance and objective. In addition, it is a significant paradigm shift from any approach examined in the past 2 years.

The EUTA urges Estonia to reject the proposed trilogue agreement when brought to COREPER this week. We invite the Council to reopen the discussion with the European Parliament when appropriate and work towards a framework that provides legal certainty and gives independent platform workers the necessary protections they deserve.

We are concerned that the debate focused on a few well-known companies and didn't acknowledge the impact on European businesses. **And if the Directive is approved as-is, the same divisive debate will be generated without any EU harmonisation, putting into question the value of having a Directive at all.**

There is no clarity on how the Directive should be enforced, or how companies could comply with its provisions. Most of the Directive's provisions would still need to be defined by local or national courts, increasing litigation rather than clarity.

The provisional agreement does away with defining common criteria, in favour of an approach that will accentuate fragmentation in the Single Market and leave Member States unsure of what it is they need to transpose or implement.

The proposed trilogue agreement undermines the principle of subsidiarity as it does not include any derogations that could protect existing processes, clearly infringing on national competences. It is not clear if complying with national law, collective agreements, or social security rules can trigger the criteria.

Lastly, it includes unnecessarily broad limitations to the use of algorithms in the workplace, which would be difficult to comply with or enforce given their practically limitless scope. Here again, the more balanced approach put forward by the European Commission at the beginning of the process has been thoroughly scrapped.

Considering the potential consequences for self-employed workers, consumers and platforms in Europe, the EUTA therefore urges you to reject the proposed agreement on Friday 16 February, and work when appropriate towards a framework that provides legal certainty and gives independent platform workers the necessary protections they deserve.

We thank you for taking our concerns into consideration. Do not hesitate to let us know if you need any additional information from us.

Kind regards,



Victoria de Posson
Secretary General of the European Tech Alliance

About the European Tech Alliance

EUTA represents leading European tech companies that provide innovative products and services to 500 million users¹. Our 30 EUTA member companies from 14 European countries are popular and have earned the trust of consumers. As companies born and bred in Europe, for whom the EU is a crucial market, we have a deep commitment to European citizens and values.

With the right conditions, our companies can strengthen Europe's resilience and technological autonomy, protect and empower users online, and promote Europe's values of transparency, rule of law and innovation to the rest of the world.

Our members



Visit us at www.eutechalliance.eu.

¹ It reflects users, consumers and business customers from EUTA member companies, per year. It includes overlaps but illustrates the reach and impact of our services.