

# Regulating digital platforms – Articles 68-72 of Law 4808/2021


Greece

	<p><b>Summary</b></p> <p>On 19 June 2021, Greece’s new Labour Law 4808/2021 came into force.<sup>i</sup> Articles 68–72 of the new law set new regulations for digital platform workers, establishing a protective framework for those engaging in such work.</p>
<p><b>Title of the practice in original language</b></p>	<p>ΦΕΚ (2021). ΝΟΜΟΣ 4808/2021<sup>ii</sup></p>
<p><b>Name(s) of authorities/bodies/ organisations involved</b></p>	<ul style="list-style-type: none"> <li>▶ Ministry of Labour and Social Insurance (Υπουργείο Εργασίας και Κοινωνικής Ασφάλισης);</li> <li>▶ Hellenic Labour Inspectorate (Επιθεώρηση Εργασίας-Ανεξάρτητη Αρχή).</li> </ul>
<p><b>Sectors</b></p>	<p>All</p>
<p><b>Target groups</b></p>	<ul style="list-style-type: none"> <li>▶ Digital platform workers (directly targeted);</li> <li>▶ Digital platform employers (indirectly targeted).</li> </ul>
<p><b>Purpose of measure</b></p>	<p>Legitimising undeclared work</p>

	<p><b>Aims and objectives</b></p> <p>The articles in the new law provide a protective legal framework for digital platform workers. The provisions of the law will help to protect workers’ rights and reduce the risk of undeclared work.</p>
<p><b>Background context</b></p>	<ul style="list-style-type: none"> <li>▶ The public discussion has centred around two broad issues, namely, the potential for tax non-compliance via digital platform operators, and the risk of the platform economy leading to a reduction in full-time and stable employment;<sup>iii</sup></li> <li>▶ Greece has roughly the same share of adult population working on digital labour platforms as in Europe.<sup>iv</sup> According to 2021 estimates, around 626 000 people have engaged in platform</li> </ul>

	<p>work more than sporadically, i.e., at least 10 hours a week or contributing to more than 25 % of their income.<sup>v</sup></p> <ul style="list-style-type: none"> <li>▶ In June 2021, a new labour law came into force. Articles 68-72 of the new law provide a protective framework for those engaging in platform work to reduce labour exploitation and undeclared work.</li> </ul>
<p><b>Key objectives of the measure</b></p>	<p><b>General Objective:</b></p> <ul style="list-style-type: none"> <li>▶ To provide a protective framework for those engaging in platform economy work, to protect workers' rights and reduce the risk of undeclared work.</li> </ul> <p><b>Specific Objectives:</b></p> <ul style="list-style-type: none"> <li>▶ To provide a definition for digital platforms;</li> <li>▶ To define the contractual relationship between digital platforms and service providers;</li> <li>▶ To grant service providers the right to set up organisations to promote and protect their own interests and negotiate collective agreements;</li> <li>▶ To regulate the health and safety interests of service providers;</li> <li>▶ To oblige platform operators to inform service providers of their statutory rights before the commencement of their duties, and provide them with a written and a digital copy of their contract.</li> </ul>
<p><b>Main activities</b></p>	<p>Specific articles in the new law establish a legal framework for platform workers as follows:</p> <ul style="list-style-type: none"> <li>▶ <b>Article 68</b> defines what a digital platform is under Greek employment law – ‘businesses that operate either directly or as intermediaries by connecting, through an online platform, service providers or businesses or third parties with users or customers or consumers to either facilitate transactions between them or to directly trade with them’;<sup>vi</sup></li> <li>▶ <b>Article 69</b> defines the contractual relationship between digital platforms and service providers. It recognises two forms of employment for digital platforms: a contract of dependent services or a ‘project contract or a contract of independent employment.’ It introduces a presumption against characterising a contractual relationship as ‘dependent employment’. An exhaustive list of conditions must be fulfilled for a service provider not to be considered as a dependent</li> </ul>

	<p>employee. These include the ability to choose one's hours and the type and amount of work to be executed, as well as the ability to employ subcontractors without being bound by any non-competition clause. The law also guarantees trade union rights for the providers of independent services;</p> <ul style="list-style-type: none"> <li>▶ <b>Article 70</b> states that the service providers have the right to set up organisations that promote their professional interests. Service providers are also guaranteed the right to strike, the right to negotiate collectively, and to draw up collective bargaining agreements;<sup>vii</sup></li> <li>▶ <b>Article 71</b> regulates the health and safety conditions of service providers. The article states that platforms are responsible for the welfare, health and safety of any type of worker regardless of contract type;</li> <li>▶ <b>Article 72</b> states that platforms also have an obligation to inform service providers of their statutory rights before the commencement of their duties and provide them with a written or a digital copy of their contract. The contract must specify the nature of the duties to be carried out, must inform the service provider of statutory trade union rights, must specify that the health and safety of the service provider is the sole responsibility of the platform, and reference that these rights and responsibilities are all provided for in extant legislation.</li> </ul>
<p><b>Funding/organisational resources</b></p>	<p>Not applicable</p>

	<p><b>Outcomes</b></p> <p>In most cases, until the adoption of the new labour law, service providers were not entitled to established rights such as strikes, and collective demands. With the new law, a first step has been taken to protect employment and encourage the declaration of the actual contractual employment relationship.</p>
<p><b>Achievement of objectives</b></p>	<ul style="list-style-type: none"> <li>▶ Key outcomes include the provision of protection for platform workers, defining full-time employment as 40 hours per week for those with a dependent employment contract, altering collective labour rules, establishing an independent labour inspection authority, endorsing the International Labour Organisation Convention No. 190, enforcing timely annual leave usage, stipulating guidelines for unpaid leave, and introducing health and safety briefing;</li> </ul>

	<ul style="list-style-type: none"> <li>▶ The law also covers aspects like working hours, pay regulations, and minimum wage rates, collectively aimed at modernising domestic employment law to address contemporary economic, social, and technological challenges;</li> <li>▶ Where all four criteria of Article 69 are not met, employees can now more easily apply for recognition that they are linked to the platform by a dependent employment contract;</li> <li>▶ In addition, it is recognised that all employees, regardless of their contractual relationship with the platform, have a number of rights. In particular, the law: (a) provides these workers with the trade union rights of paid employees; (b) explicitly makes digital platforms responsible for welfare, health and safety obligations applicable in the event of an employee relationship; (c) obliges digital platforms to provide these workers with a copy of the contract between them, with specific reference to the characteristics of the services provided, the rights of employees, and the obligations of the platforms, according to the provisions of the Law.</li> </ul>
<p><b>Lessons learnt and success factors</b></p>	<p>Greece's labour law 4808/2021 offers vital lessons in shielding platform workers from exploitative practices, including fortifying collective bargaining, creating independent labour oversight, endorsing global labour standards, regulating unpaid leave, and curbing workplace abuse. These successes enhance conditions and rights for workers, adapting to modern economic and social challenges.</p>
<p><b>Transferability</b></p>	<p>To transfer this measure to other Member States, adoption of specific articles in their respective laws is necessary including those that define digital platforms under employment law, outline contractual relationships between platforms and service providers, recognise different forms of employment, ensure trade union rights, regulate health and safety conditions, and oblige platforms to inform service providers of their rights and responsibilities.</p>

## Further information

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	Website: <a href="https://www.hli.gov.gr/">https://www.hli.gov.gr/</a>
<b>Useful sources and resources</b>	<b>Eurofound's Platform Economy Database - Greek Law No. 4808/2021</b>  <a href="https://apps.eurofound.europa.eu/platformeconomydb/greek-law-no-48082021-105256">https://apps.eurofound.europa.eu/platformeconomydb/greek-law-no-48082021-105256</a>  <b>Online Platforms and Platform Work: Greece factsheet link</b>  <a href="https://futureofwork.fes.de/fileadmin/user_upload/Factsheet-FES-Greece.pdf">https://futureofwork.fes.de/fileadmin/user_upload/Factsheet-FES-Greece.pdf</a>

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i Eurofound (2021), Greek Law no. 4808/2021 (Initiative), Record number 2445, Platform Economy Database, Dublin. Available at: <https://apps.eurofound.europa.eu/platformeconomydb/greek-law-no-48082021-105256>. Government Gazette Bulletin A' 101, 19.06.2021

ii Law 4808/2021, codified by 5043/2023 Government Gazette A' 101/19-06-2021. Available at: <https://www.taxheaven.gr/law/4808/2021>

iii Taken from FES (2022), 'Online Platforms and Platform Work: Greece' factsheet. Available at: [https://futureofwork.fes.de/fileadmin/user\\_upload/Factsheet-FES-Greece.pdf](https://futureofwork.fes.de/fileadmin/user_upload/Factsheet-FES-Greece.pdf) (Friedrich Ebert Stiftung, background).

iv Study to support the impact assessment of an EU initiative to improve the working conditions in platform work Final Report. Available at: <https://ec.europa.eu/social/BlobServlet?docId=24889&langId=en> referred to in ETUC (2022), Greece: Country Report 2022. Available at: [https://www.etuc.org/sites/default/files/page/file/2023-05/ETUC\\_country%20report\\_Greece-EN.pdf](https://www.etuc.org/sites/default/files/page/file/2023-05/ETUC_country%20report_Greece-EN.pdf) citing EU (2021),

v ETUC (2022), op. cit.

vi The information for this section has been excerpted from Eurofound (2021), op. cit.

vii For example, see Gig Economy Project – Greece: E-food concedes to riders demands in “huge victory”. Available at: <https://braveneweuropa.com/gig-economy-project-greece-e-food-concedes-to-riders-demands-in-huge-victory>