

Transposing the Platform Work Directive: Comparative Assessment and Good Practices

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SUMMARY

EU member states must transpose the EU Platform Work Directive (PWD) by December 2, 2026. It aims to improve working conditions and access to labour and social protection for people performing platform work, while providing legal certainty and a level playing field for digital labour platforms.

ECIPE's October 2026 policy brief assesses July 2026 transposition drafts in Austria, Czechia, Estonia, the Netherlands and Sweden. It identifies choices other member states can adopt, avoid or refine in three areas: employment status; personal data and automated systems; and transparency and information sharing.

Employment status	Personal data & Automated systems	Transparency and Information Sharing
The PWD requires a rebuttable employment presumption where facts indicate platform direction and control. National law should specify its trigger, rebuttal and procedures.	The PWD restricts specified uses of personal data and requires information, human oversight, review and correction when automated systems affect work. National law should retain these safeguards closely and provide clear enforcement routes.	Member states must determine the authority, electronic route, format, definitions and update cycle. A single channel with clear thresholds can support oversight without duplicate reporting.

Key recommendations for the transposition of the Platform Work Directive

Recommendation 1: Make employment-status rules clear and enforceable

- Base employment status on how work is organised and performed.
- Set out factual indicators of direction and control, but no single indicator should automatically determine status.
- Allow the platform, intermediary and person performing platform work to submit evidence to rebut the presumption.
- **Good practice:** Sweden sets out a clear sequence: the person first shows facts suggesting platform direction and control; the platform or intermediary then shows that the overall relationship is not one of employment. Austria similarly gives priority to the facts of the relationship and identifies the entity responsible for employer obligations in intermediary arrangements.

Recommendation 2: Allocate responsibility between platforms and intermediaries according to the function each entity controls

- Allocate responsibilities according to the functions each entity controls. Platforms should remain responsible for automated systems they control, and intermediaries for their employment and contractual decisions. Avoid automatically making platforms liable for all intermediary obligations.
- Limit joint and several liability to clearly defined obligations where otherwise an individual lacks an effective remedy, avoiding blanket liability and disproportionate burdens on platforms.
- **Good practice:** Sweden offers the clearest functional model: employment status is assessed against the contractual entity, while the platform remains responsible for automated systems it controls. Targeted joint and several liability provides a backstop where this division would otherwise leave a gap in protection.

Recommendation 3: Faithfully transpose the EU safeguards on personal data and automated systems

- Avoid gold-plating. Apply EU safeguards on human oversight, review, explanation and correction. This protects against harmful automated decisions while allowing harmonised procedures and avoiding cross-border redesigns.
- Preserve the Directive's deadlines and review procedures so people performing platform work have a clear, consistent route to challenge harmful automated decisions.
- **Good practice:** Sweden closely follows the Directive's safeguards on human oversight and decision-making without significant additional requirements. Czechia provides a clear two-week review procedure, but its whistleblower requirements risk overlapping obligations. Austria's three-year data-retention requirement is another example of potential gold-plating.

Recommendation 4: Use one identifiable electronic reporting route and avoid duplication

- Establish one electronic portal for initial declarations (Article 16) and ongoing information duties (Article 17).
- Require data reuse across authorities to prevent duplicate filings and paperwork.
- **Good practice:** Austria uses a single electronic reporting route through the Tax Office. Sweden uses the same information submitted to the Work Environment Authority and relevant employee organisation for both the initial declaration and continuing duty, avoiding a separate platform-work register.

Recommendation 5: Make reporting frequency and content proportionate

- Allow SMEs to provide core updates annually and make information on activity duration, weekly hours and income available on request, rather than in every routine update.
- Require new reporting only where changes to general terms and conditions materially affect information previously supplied.
- **Good practice:** Estonia allows SMEs to report annually and requires detailed information only on request, reducing routine burdens while preserving oversight. Austria also allows annual reporting for entities with fewer than 250 staff. By contrast, Czechia and Sweden require six-month updates for all platforms and do not use the Directive's SME flexibility.