



Exploratory Analysis of Multiple Labor Relations in China's Internet Platform Economy

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Abstract. The rapid development of China's Internet platform economy has generated a multitude of employment opportunities for platform workers. However, it poses profound challenges to the human resource management of Internet platforms: (1) How can labor relations between platform workers and platforms be defined? (2) How can the legitimate rights of workers be protected? (3) How can Internet platforms fulfill their human resource management responsibilities and obligations? Only a few studies have attempted to address such challenges. To address this gap through a comparative analysis of related studies, this study systematically analyzes the rights deficiencies of platform workers, especially in the areas of social security, organizational protection, occupational health, and fair remuneration. The aim is to investigate how best to protect and ensure the rights and interests of various platform workers and to identify the corresponding responsibilities that Internet platforms should bear. For analysis, we use Meituan, a typical Internet platform in China as an example, and our results show that there are complex and diverse labor-using forms and multiple labor relations on China's Internet platforms, and protection of the rights and interests of platform workers is lacking. Our study puts forward the governance ideas for China's Internet platforms of multiple labor relations and provides suggestions for the revision of relevant labor laws and regulations.

Keywords: Internet Platform Economy; Platform Workers; Multiple Labor Relations; Labor Laws; Human Resource Management.

1 Introduction

China's Internet platforms have achieved significant growth in recent years. The employment rate of Internet platforms also shows an outbreak trend, with platforms employing a staggering number of workers. In 2020, the number of online service workers on Internet platforms in China was about 78 million.^[1] In 2018, the number of truck drivers registered with the online platform Lalamove exceeded 3 million.^[2] In 2021, the number of taxi drivers active on the online platform Didi reached 15 million^[3] and the

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total number of electric-bicycle riders for the online delivery service of Meituan reached 5.27 million.^[4] These platforms provide multiple jobs, but guaranteeing the legitimate rights of these workers seems difficult. For example, in 2020, the family of Eleme delivery rider Han received only 2,000 yuan as compensation from the platform after he died while delivering food.^[5] In 2021, Liu, a delivery rider for Eleme, set himself on fire in an attempt to seek unpaid wages.^[6] The number of labor dispute cases on Internet platforms has also increased rapidly, reaching 2,249 in Beijing alone in recent years.^[7]

The situation of platform workers has aroused widespread concern from academic circles and Chinese society. Chang and Zheng (2019) tried to tackle the issue by confirming the labor-employment relations between platforms and workers, and they suggested reinforcing the existing labor laws and regulations to protect the rights of platform workers.^[8] However, Peng and Cao (2019) regard the relations between platforms and workers as a kind of collaboration between two parties with equal positions, and thus, the civil law system should be applied.^[9] They consider platform workers to be more like self-employed independent contractors. A third opinion by Gai (2018) and Wang (2017) regard the relations between platforms and workers as quasi-employment, which falls in between labor employment and labor collaboration.^[10-11] Thus, new laws should be established to protect the rights of platform workers.^[12-13] There are still ongoing debates on the nature of the relations between platforms and workers in China.

The authors of this study, however, argue that the relations between platforms and workers cannot be defined by just one type of labor relation. In fact, these relations are far more complex, taking a variety of labor forms, including employed labor with a labor contract, dispatched or outsourced labor through a third party or labor service agency, self-employed labor, part-time and post-retirement labor, crowdsourcing labor, and temporary and flexible labor. With these multiple labor relations, the platform economy poses profound challenges to human resource (HR) management. However, studies attempting to address such challenges are far from adequate. This study analyzes the existing literature along with real-world evidence from China in an attempt to explore possible solutions to the following main issues: (1) How can the relations between Internet platforms and platform workers be defined? (2) How can the rights of platform workers be protected? (3) How can Internet platforms fulfill their HR management responsibilities and obligations?

2 Multiple labor relations between Internet platforms and platform workers

The operation mode of Internet platforms is dramatically different from that of traditional enterprises, wherein workers are hired by enterprises as employees. They engage in the work arranged by the enterprise and comply with its rules of management. Enterprises provide products and services produced by their employees to customers who pay for them. A part of this payment is given to employees by enterprises as remuneration. This is a typical dual relation mode.

However, in the operational mode of Internet platforms, the multiple participation of platforms, product suppliers, labor outsourcers, facility lessors, and platform workers have led to triple relations (e.g., online ride-hailing drivers) or even quadruple or multiple relations (e.g., online delivery riders).

The unique operational mode of platforms has brought about fundamental changes to labor relations. The traditional labor-employment relation is rapidly changing into multiple labor relations. Some scholars have pointed out that the different business operational models of platforms—including the “platform-management model,” “information service model,” “new types of sharing model,” and “multiple and mixed model”—also influence the formation of multiple labor relations.^[14-15]

In the platform-management model, platforms directly hire workers as employees by signing labor contracts with them. In the information service model, platforms only provide information services as intermediates, not as employers. In the multi-mixed model, platform operations are diversified through labor dispatching, outsourcing, and subcontracting. In the new types of sharing model, platforms and workers show characteristics of labor cooperation, but workers are still required to comply with the management rules of the platforms. Multiple labor relations between platforms and workers are expressed in Figure 1.

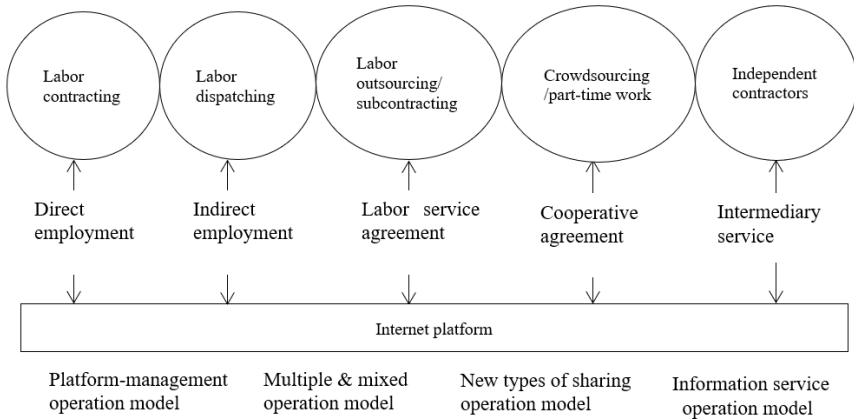


Fig. 1. Multiple labor relations derived from platforms’ operational models (Designed by authors)

Figure 1 is a simplified diagram that depicts labor employment and independent contractors as only two ends of the continuum of multiple labor relations on platforms, and many more types of labor relations exist in between. Most of the workers under these types of labor relations have no labor employment contracts with platforms. Instead, they work under labor service agreements as labor agents, part-time workers, post-retirement workers, and self-employed workers. Sun (2019) took food delivery riders in China as an example and pointed out that there are four different forms of labor use on food delivery platforms: (1) direct management (the platform directly hires food delivery workers); (2) outsourcing (the platform hires delivery workers indirectly through a labor service agency); (3) crowdsourcing (the delivery workers compete for

orders on the platform and work independently); (4) self-management (the restaurant employs its own delivery workers).^[16]

The multiple labor relations that have emerged on Internet platforms challenge China's current labor laws and policies. According to China's Labor Law and Labor Contract Law, labor relation only refers to a labor-employment relation, which is secured by labor contracts between employers and employees. Obviously, the existing labor law system in China cannot easily be applied to the multiple labor relations on Internet platforms. This makes it nearly impossible for Chinese labor laws to protect the rights and interests of platform workers.

However, labor relations are social and economic relations generated by the transactions between workers, labor users, and their associated organizations.^[17-18] That is to say, wherever there is labor usage in an organization, a labor relation exists, such as that of labor employment through a labor contract; labor service through an agreement, including temporary or short-term work; or part-time and post-retirement work. Unfortunately, most of these new types of labor on platforms are excluded from the legal labor relations of China's current labor law system, resulting in deficiencies in the legal protection given to workers. Therefore, the relevant labor laws and regulations in China must be revised to be more inclusive. Labor relations should not only be limited to the labor-employment relations between the employer and the employee, but they should also include various forms of labor-use relations between platforms and workers, which can be proximately classified into the following five categories.

2.1 Labor-employment relation.

This refers to the platform hiring workers as its employees through signed labor contracts. The Chinese labor law system has relatively comprehensive regulations about these labor contracts, so workers with labor contracts can obtain protection under the current Chinese labor laws. In the Notice Concerning the Establishment of Labor Relations issued by the Chinese Ministry of Labor and Social Securities in 2005, three criteria for determining the existence of a labor-employment relation were stipulated.¹ If an employer fits the three criteria but does not sign labor contracts with its employees, it will face the punishment of paying the employees double wages until the labor contracts are signed.²

2.2 Labor dispatched relation.

This refers to the indirect employment relations between the platform and the workers through a third party (a labor dispatching company). Although the dispatched workers

¹ The three criteria are: (1) Both the labor-using unit and the laborers are legally qualified entities in accordance with laws and regulations. (2) Laborers comply with the rules set by the hiring entity, laborers are subject to work management by the hiring entity, and laborers undertake the work arranged by the hiring entity and get remuneration for it. (3) The work performed by the laborer is a part of the hiring entity's business.

² Labor Contract Law of the People's Republic of China, Article 82

only sign a labor agreement, not a labor contract, with the platform, their rights and interests are comparatively well protected. This is because the Chinese Labor Contract Law stipulates rules for labor dispatching³ and clarifies that the enterprise and labor dispatching company shall bear joint liability for any infringements and damages to the dispatched workers.

2.3 Labor outsourcing relation.

This refers to the indirect labor-using relations formed by the platform and the workers through labor outsourcing or subcontracting of a third party (a labor service company). Because such workers only sign labor service agreements, not labor contracts, with the platform, their rights are not protected by current Chinese labor laws. This enables platforms to take advantage of the flexibility of labor usage while avoiding any legal liability for the workers. To solve this problem, the government should not simply forbid or restrict labor outsourcing and subcontracting, as some Chinese scholars have strongly suggested.^[19] Amendments are needed to the relevant labor laws and regulations to clearly mandate that platforms and third-party labor service companies bear joint liability for any infringements and damages to the workers.

2.4 Flexible labor-using relation.

This refers to temporary, short-term, and part-time labor-using relations between platforms and workers engaged in, for example, crowdsourcing work and project- or gig-based work. According to the State Statistics Bureau of China, there were more than 200 million online flexible workers by the end of 2021.^[20] While the articles of the Chinese Labor Contract Law for part-time workers are comparatively relevant for this category,⁴ it stipulates that part-time workers can only work for the same employer for no more than four hours a day on average and no more than 24 hours a week in total. This regulation inevitably excludes most of the workers in this category who have full-time jobs but accept part-time work on the platform when they are off duty. As they are not covered by Chinese labor laws, they can only sign labor service agreements with the platforms, not labor contracts; therefore, their rights in part-time jobs cannot be protected.

The articles of the Chinese Labor Contract Law related to part-time labor should be revised so that all part-time work can be legally recognized within the scope of labor relations and workers' rights can be protected regardless of whether they have a full-time job.

2.5 Student part-time jobs or internship relations.

This refers to full-time students at schools who take part-time jobs or engage in internship programs on platforms. Owing to the rapid development of Internet plat-

³ Labor Contract Law of the People's Republic of China, Articles 57–67, Article 92.

⁴ Labor Contract Law of the People's Republic of China, Article 68–72

forms, it is convenient for students to do part-time online work in their spare time. Crowdsourcing and completing orders through platforms have become a new trend for students. Statistics show that more than 80% of Chinese university and college students had part-time jobs in 2021.^[21] According to the Insight Report on College Student Riders released by Eleme, a total of 9,896 college students joined the company as part-time delivery riders in the summer of 2019.^[22] However, this large number of part-time student workers are excluded from labor relations by China's current labor laws. They cannot sign labor contracts with employers, and their labor rights cannot be protected by labor laws and regulations. Therefore, Chinese labor laws should be revised to consider students who engage in part-time jobs or internships in legal labor relations to protect their rights and interests at work.

In addition to the multiple labor relations summarized above, some professionals and business owners have also established and operated online stores, companies, workshops, and offices on platforms. They directly provide products or services to their customers as independent contractors, self-employed individuals, entrepreneurs, or business partners. Their relations with the platforms fall under business cooperation or intermediary services rather than labor relations. Only the civil law system can be applied to these relations, not the labor law system.

3 Rights protection deficiencies of Chinese platform workers

Most platform workers in China still fall outside the scope of the labor law system, making the issue of the protection of their legitimate rights a major problem. Many studies and news reports have revealed that the rights of platform workers, such as social security, organizational protection, occupational health and safety, and fair remuneration, are often not well protected and even severely infringed upon.^[23-24] Researchers in Western countries have noted similar rights deficiencies for platform workers.^[25-26]

3.1 Right to social security

China's social security system is tied up with labor contracts or labor-employment relations. If there is no signed labor contract, Internet platform workers are not considered employees and will not be able to avail themselves of social security benefits, which are designed only for employees. They can only qualify for a basic old-age pension and basic medicare as self-employed persons or time-flexible workers without work injury insurance and unemployment insurance.⁵ Work injury insurance is especially essential for online ride-hailing drivers, delivery riders, and other platform workers.

According to a 2016 survey report on the living conditions of online ride-hailing drivers, more than 90% did not sign labor contracts, and it is very likely that they are

⁵ Social Insurance Law of the People's Republic of China, Article 10, Article 23, Article 33, Article 44, and Article 53.

not covered by social security.^[27] A survey conducted in November 2020 by Sun Ping, a researcher at the Journalism and Communication Institute of the Chinese Academy of Social Sciences, revealed that more than 60% of the surveyed delivery riders did not have social security benefits.^[28] In October 2021, Red Star Capital Bureau randomly interviewed delivery riders from Meituan and Eleme in Beijing, Shanghai, Chengdu, and Hangzhou. All the interviewees revealed that neither the platforms nor outsourcing companies had paid their social securities, and they were only covered by a few yuan per day from commercial accident insurance.^[29] Obviously, China's current social security system is unable to adapt to the rapid development of the platform economy, even if its reform is imperative. Reforming the existing social security system in China is an effective way to solve the deficiencies in social security for platform workers.

3.2 Right to organizational protection

Chinese Enterprise Trade Unions (CETUs) are the most important organizations for protecting the legitimate rights of workers in China. However, according to the Chinese Trade Union Law (2009), only employees with paid wages or signed labor contracts with enterprises or public organizations can join trade unions.⁶ This excludes most platform workers. Moreover, the characteristics of the work performed by platform workers (e.g., scattered workplaces, hard-to-form stable organizations, and competition for orders among workers) also make it difficult for them to be protected by trade unions.^[30,31] In addition, platforms seem to be designed as a type of virtual or invisible organization, which prevents workers from socializing with each other, thus reducing the potential for unionization.^[32]

As organizations of Chinese workers, Chinese trade unions should protect the legitimate rights of workers, including platform workers. In reality, however, Chinese trade unions often fail to stand up for workers when their rights are violated, even when such violations cause serious consequences.^[33-35] Without the protection of unions, atomized platform workers are forced to face unfair treatment or disputes at work alone. Therefore, the Chinese Trade Union Law must be revised to give platform workers full rights to join trade unions, which can help protect their legitimate rights and interests.

3.3 Right to occupational health and safety

Through “algorithmic management” and “digital control,” Internet platforms in China have greatly increased the working intensity of platform workers. This has resulted in the common situation of overtime work and work overload, which has seriously affected workers' physical and mental health. For example, platforms for online ride-hailing drivers often use big data technology to automatically assign higher-income orders or higher-quantity orders to drivers who stay online longer than

⁶ Trade Union Law of People's Republic of China, Article 3; The Constitution of Trade Union of China, Article 1.

others. This inevitably results in the drivers competing against each other to work overtime.^[36] Another example is that delivery platforms will automatically collect and analyze delivery riders' data to control their performance.^[37] While this can make job orders more efficient in terms of time management through continuous self-renewal, once this digital control model is in operation, platform workers will be trapped within the system of digital control.^[38-39]

Through a survey of food delivery riders, Feng (2018) found that 84% worked more than 10 hours a day, and 89% worked more than 28 days a month.^[40] A survey conducted by Deng (2019) also shows that nearly 80% of the surveyed food delivery riders work 10–12 hours a day.^[41] A survey conducted by Qi et al. (2019) shows a similar situation wherein the interviewed online ride-hailing drivers work more than 10 hours a day and 5.9 days a week on average.^[36]

Such excessively long hours and heavy workloads have not only caused occupational health problems for platform workers; they can also cause potential harm to public safety. Therefore, the relevant laws and regulations in China should be amended to set a maximum number of working hours per day for platform workers.

3.4 Right to fair remuneration

Because most platform workers have not joined unions and have no collective negotiation rights, atomized workers can only sign contracts or agreements with platforms individually. Platforms, by contrast, take advantage of their digital technology and monopoly position and often write up contracts or agreement terms that are favorable to them but unfavorable to workers. Despite working more than 12 hours a day and six days a week, the net income of most drivers is relatively low after deducting all costs and expenses.^[42] An investigation by Xinhua news reporters found that some online ride-hailing platforms take over 20% of the commission, sometimes as much as 50%.^[43] An investigation by American scholars on Uber drivers also showed that the platform takes at least 20% of the share, and drivers have no room for negotiation.^[44] The key reason for the low remuneration of platform workers is that they sign contracts or agreements with platforms as dispersed individuals. A collective bargaining system must therefore be introduced between platforms and platform workers.

However, according to the relevant laws in China, only the employer and employees of a firm can negotiate a collective contract.⁷ Most platform workers do not hold the status of employees, and Internet platforms often do not admit that they are the employers, depriving platform workers of their right to collective bargaining.^[30,45]

4 Case analysis of Meituan—a Chinese Internet platform

Meituan is one of the top Internet platforms for delivery service, with its businesses operating in more than 2,000 cities and counties across China.^[46] It was listed on the

⁷ Labor Law of Peoples' Republic of China, Articles 33 to 35; Labor Contract Law of People's Republic of China, Articles 51 to 56.

Hong Kong Stock Exchange in September 2018. An analysis of the different types of Meituan's workers, including full-time employees, occupational delivery electric-bicycle riders, and crowdsourcing delivery riders, shows that the Meituan platform has diverse labor-using modes and multiple labor relations with its workers. However, the majority of Meituan's delivery riders face the problem of deficiency in rights protection.

For this case analysis, the main reference materials include Meituan's financial reports and research reports, journal papers published by academic researchers, and news reports and online articles.

According to its financial report of 2022, Meituan had 92000 full-time employees, mainly in Beijing, Shanghai, Xiamen, and Chengdu. Meituan provided these full-time employees with competitive salaries, performance-related bonuses, housing funds, and social security, as well as commercial health and accident insurance. In addition to full-time employees, there were more than 6.24 million delivery riders working on Meituan's platform.^[47] However, Meituan's annual report makes it clear that these delivery riders are not Meituan employees but employees recruited by Meituan's delivery partners (the delivery agents). That is to say, the huge number of Meituan delivery riders had no employment relation or labor contract relation with Meituan.

According to the official website of Meituan Delivery, there are two ways to become a delivery rider for Meituan. The first way is to become an occupational delivery rider with rather stable orders and incomes. The occupational delivery riders are equipped with professional delivery equipment, working in fixed areas with flexible working time. They are guided by Meituan's experienced staff and are provided with commercial insurance. The second way is to become a crowdsourcing delivery rider with the freedom of receiving orders and with income totally based on the completion of orders. Crowdsourcing delivery riders can decide whether to take job orders or not at any time and settle their account with the platform at any time.

As occupational delivery riders, they usually sign labor employment contracts or labor service agreements with a third party (such as a labor outsourcing firm or a delivery partner agent), but they do not have direct employment relations with Meituan. As crowdsourcing delivery riders, when they register as delivery riders on the Meituan platform, they will sign labor service agreements with Meituan, which demonstrate that the riders and the platform are equal entities with cooperative relations rather than employment relations.

According to Meituan's reports on delivery-rider employment among city youth in 2018,^[48] 52% of Meituan delivery riders worked less than 4 hours a day, and 35% of delivery riders had other jobs and incomes, such as factory workers, employees of public institutions, entrepreneurs, chefs, waiters, and security guards. Therefore, the majority of Meituan's delivery riders were part-time or flexible laborers. In addition, 15% of Meituan riders had a three-year college, bachelor's, or master's degree. That is to say, there were more than 400,000 delivery riders with higher education working on the Meituan platform, among whom a considerable part were college or university students working as part-time delivery riders.

As one can see from the data released in the above reports, there are diverse labor-using modes and multiple labor relations between the Meituan delivery platform

and its workers: (1) Some workers have direct employment relations with the platform based on signing labor contracts, and they are full-time employees of Meituan; (2) some workers have indirect employment relations with the platform, and they are outsourced or subcontracted laborers through a delivery agent or a labor service firm as Meituan's occupational delivery riders; (3) some workers have labor service cooperative relations with the platform as crowdsourcing delivery riders, who are mainly part-time laborers from other enterprises, institutions, or colleges and universities.

Because there are three types of labor relations between Meituan and platform workers, the rights and interests of different types of workers are not equal, which leaves the majority of workers' rights and interests unprotected. The comparison of the three different groups of Meituan workers is shown in Table 1.

Table 1. Comparison of different types of workers on the Meituan platform

	Employees	Occupational delivery riders	Crowdsourcing delivery riders
Labor Contract/Agreement	Signing a labor contract with Meituan	Signing a labor contract or labor service agreement with a delivery agent	Signing a labor service agreement with Meituan
Legal Liability	Meituan has employment relations with workers and bears the responsibilities and obligations stipulated by Chinese labor laws.	Meituan has no labor-employment relations with workers. The relations between Meituan and workers are not regulated by Chinese labor laws but by Chinese civil laws.	Meituan has cooperative labor relations with workers, which is not regulated by Chinese labor laws, but by Chinese civil laws.
Full-time/ Part-time	Full-time	Full-time	Part-time
Meituan Union	Union members	Nonunion members	Nonunion members
Social Security/ Commercial Insurance	Social security plus commercial insurance for health and accident are provided.	Commercial insurance for employer liability and third-party liability is provided. ⁸ A daily insurance premium of ¥3 is withheld from the rider's commission. ^[49]	Commercial insurance for personal accidents and third-party liability is provided. ⁹ A daily insurance premium of ¥3 is withheld from the rider's commission. ^[49]

⁸ When the riders hired by the delivery agents who are business partners of Meituan suffer an accident or cause others to be injured, the commercial insurance company will make compensation based on the legal agreement with the delivery agents.

⁹ It refers to commercial insurance in which the crowdsourcing delivery rider pays a certain amount of premium to the insurance company. When crowdsourcing riders suffer accidental injury or make other people injured, the insurance company will make compensation according to the stipulations of the insurance contract.

Management Entity	Meituan	Meituan app and delivery agents	Meituan app
Working Hours	Conform to the requirements of Meituan	Follow the arrangements of the local agents of Meituan	Decide online time freely according to their own choice and the time available
Wage Settlement	Monthly	Monthly	Daily
Income Structure	Salary + bonus	Basic salary + Job orders commission	Job orders commission
Assignment of Job Orders	N/A	The system automatically assigns job orders	Competing job orders online

It is obvious that among Meituan's workers, only those full-time employees with labor employment contracts have good protection of their rights and interests. By contrast, millions of delivery riders have no labor-employment relations with Meituan, and their rights and interests cannot be guaranteed without the protection of labor laws.

For example, in July 2017, Meituan changed its delivery agent in Nanjing, but the wages of the previous month were not paid during the handover process, and more than 30 delivery riders and 5 office clerks of the business department did not receive their incomes. The payment delay ranged from 2,000 yuan to 10,000 yuan per worker. Among the unpaid was a delivery rider's mother, who was hospitalized with uremia and desperately needed money to cover medical expenses. Another delivery rider's pregnant wife was in labor and in urgent need of money. However, Meituan said it was a dispute between the delivery riders and the delivery agent and refused to accept any responsibility for it.^[50]

To sum up, Meituan and workers have formed diverse labor-using modes and multiple labor relations. There are mainly three types: full-time employees, subcontracted occupational delivery riders, and part-time crowdsourcing delivery riders. Since the majority of delivery riders have no labor employment contract with Meituan, their rights are difficult to be protected. Moreover, because of the complex system of outsourcing or subcontracting labor, many delivery riders even do not know with whom they have labor relations and who is accountable. Therefore, their rights and interests are not guaranteed.

5 Conclusion

With the rapid development of the Internet platform economy, platforms and workers have shown significant characteristics of multiple labor-using forms and multiple labor relations in practice, which poses a great challenge to the classic theoretical framework of "labor dichotomy" and the labor relations theory focusing on employment relations. Based on the systematic analysis of existing research and typical cases, this paper forms the following main research conclusions and countermeasures:

5.1 Internet platforms adopt multiple labor-using forms in different business models, thus forming multiple labor relations.

It mainly includes: the labor contract relationship directly employed by the platform; the labor dispatch relationship indirectly employed by the platform; the labor agreement relationship of outsourcing, subcontracting, and subcontracting of labor services on the platform; flexible employment relations of part-time jobs, gig workers and crowdsourcing on the platform. Therefore, reducing the relationship between platforms and workers to a single employment relationship or a cooperative relationship, or a "labor-like relationship" in between, is prone to simplification and one-sidedness, which is not in line with the actual development of China's Internet platform economy.

5.2 Governance of multiple labor relations on platforms should not adopt a "one-size-fits-all" model but should adopt classified governance.

It is clear that Internet platforms bear corresponding legal responsibilities for workers with different labor relations in different business models and employment methods: For workers directly employed by platforms, platforms should bear the legal responsibilities of employers in accordance with China's labor laws; For the workers indirectly employed by the platform through third-party agency companies (dispatch, outsourcing, subcontracting, subcontracting, etc.), the platform shall bear the legal liabilities of the employer and the joint and several compensation liabilities of the third-party agency companies for the damage to the rights and interests of the workers; The platform shall bear the legal liabilities of the employers of part-time workers for the workers who have flexible employment relations through crowdsourcing, part-time work, gig work, and other means.

5.3 Current labor legal system is difficult to adapt to the multiple labor relations on Internet platforms and to effectively protect the rights and interests of platform workers.

Most platform workers are excluded from the current labor law system because they do not have a clear employment relationship with the platform in terms of labor contracts, so the legitimate rights and interests of platform workers cannot be effectively protected. It is mainly reflected in the following: (a) The right to social security. Many platform workers are unable to participate in social insurance due to the lack of labor contracts, especially the lack of work-related injury insurance and unemployment insurance. (b) The right to organize protection. Because platform workers do not have the status of unit employees, they are excluded from trade union organizations by the current trade union law and cannot get rights protection from trade unions. (c) The right to occupational health. The Internet platform has greatly improved the work intensity of platform workers through "algorithm management" and "digital control." (d) The right to fair remuneration. Most platform workers do not have a collective negotiation mechanism, and scattered platform workers can only sign contracts with

the platforms individually, resulting in low remuneration for platform workers and a high proportion of platform share.

5.4 China's current labor laws and regulations urgently need to be revised and improved to adapt to the rapid development of the Internet platform economy.

First, to expand the definition, connotation, and extension of "labor relations," this should not only be limited to the labor contract relationship but also include the labor dispatch and outsourcing relationship of indirect employment. The platform should bear several joint compensation liabilities for the damage to the rights and interests of outsourcing workers. In addition, "labor relations" should also include flexible labor relations in the form of gig work, part-time work, and crowdsourcing on platforms and cancel or relax legal restrictions on the confirmation of part-time labor relations.

Second, revision of the laws and systems related to unions is needed, as well as canceling or relaxing the restrictive conditions for platform workers to join unions and participate in social insurance. Platform workers need the same protection rights as union organizations and the right of collective negotiation as employees of enterprises.

Third, the social insurance system needs revision and improvement, and in particular, obstacles for platform workers to participate in work-related injury insurance and unemployment insurance need to be removed.

Fourth, revision of the provisions on the unscheduled working system could clarify the upper limit of unscheduled and burdensome daily and weekly working hours to prevent the platform from requiring workers to work overtime and overload.

For the healthy development of the Internet platform economy, it is necessary to strike a balance between the employment efficiency of the platform and the rights and interests of the platform workers. Consideration needs to be given to the efficient operation of the Internet platform and the effective protection of the rights and interests of the platform workers. This requires multi-party governance involving the Internet platform and platform workers, the government and trade unions, as well as the active participation of the theoretical community, to jointly deal with the worker-rights challenges of the Internet platform economy.

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