

## Employment practices review

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**From:**  
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I was going to say that many of the difficulties of employment law in the modern gig economy arise from two things:

- Employers not wanting to be loaded with fixed cost being unduly attracted by self employment models and opting for this model whilst wanting to maintain traditional employment concepts like quality control and certainty.
- Employers (and others) not really understanding the legal concept of workers or indeed being aware of them as a legal entity and the implications thereof.

The fundamental problem with 'workers' for employers is that it is a term which either means nothing or conjures up historical visions of class conflict and poor employee relations.

I understand that you are looking into the Canadian idea of dependant contractors which having investigated it looks like a better term/approach and more likely to be understood. I am sure it would still give rise to litigation as the more ruthless/stupid employers sought to avoid it, but if it is clear what it means then I am convinced this will be a better approach. In the short term it will need reconciling with the EU concept of workers. By the way I refer to them as being like Zombies i.e. no-one really understand what they are but some sort of halfway point between being alive and dead.

I believe that the law should seek to get the balance right between flexibility and protection and that there is nothing fundamentally contradictory between a dynamic gig economy and basic employment rights to protect those whose options are limited i.e. vulnerable and those who wish to better themselves via some sort of alternative business/employment model.

Kind regards,

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