



# STATE OF THE ART

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## **CHANGE**

**Changing work, changing incomes: designing a responsive social protection system for all**

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## Introduction

Atypical employment, including part-time or fixed-term employment, is on the rise, while also hybrid forms of work have started to emerge, with individuals combining various forms of employment and self-employed activities. *Belgian labour law* has been “adapted” to accommodate the demand for flexible work by new non-standard work forms. Meanwhile, *social insurance regulations* are still to a large extent organised around a clear distinction between wage employment and self-employment in Belgium and based on the figure of the full-time worker, causing important gaps in social insurance protection.

A reorganisation of contemporary social protection systems around **new markers of vulnerability** requires an **integrated and interdisciplinary re-assessment of the way we organize solidarity**. We assess vulnerability among the Belgian active population at large, yet with a specific and explicit focus on the **broad group of non-standard workers: self-employed; atypical employees such as part-time, fixed term or agency workers; those combining different jobs, or employment with a self-employed activity; and those in new work forms**. We ask how the increasing relevance in legal non-standard work forms can and should be accommodated by a recalibration of social protection.

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Empirical studies show various types of non-standard work to be on the rise: self-employment in its different guises; atypical (part-time, fixed term or agency) employment; secondary job (or self-employed activity) holding; and new work forms hovering on the edge between employment and self-employment (Eichhorst et al.; 2017; Hipp et al., 2015; OECD, 2019). Belgium is no stranger to these trends (Nautet & Piton, 2019).

Enhanced labor flexibility brings with it certain vulnerabilities (Canale et al., 2022). Workers active in these non-standard work forms generally face less favorable working and remuneration conditions (Bekckmannshagen & Schröder, 2020; Lohmann & Marx, 2018). This has given rise to concerns about the formation of a precariat class, with workers facing increasing work and financial insecurity, a decreasing autonomy and limited access to social rights stemming from a growing mismatch between income protection and employment patterns (Palier, 2019; Standing, 2011, 2014). Yet, it is doubtful that these concerns regarding an emerging precariat apply to all non-standard workers alike.

For one, the group of non-standard workers is extremely heterogeneous. Categorizing all non-standard employment forms as precarious oversimplifies the issue. Notable heterogeneity persists both within and between these categories (Adams & Deakin, 2014). While they share a higher unpredictability of earnings, and more insecurity in general, relative to standard employees (Seo, 2021), the profiles and motivations of those in non-standard work forms vary (Dickey et al., 2011; Murgia & Pulignano, 2021; Pesole et al., 2018). A study by Addison et al. (2015) suggests that the wage penalty differs between voluntary (such as independent contractors and consultants) versus involuntary temporary workers, as does between female versus male temporary workers. Nevertheless, considering that a more standard employment relationship does not only serve as an income source but also as a buffer against labor market vulnerabilities, an approach that focuses on precariousness within the broad range of non-standard work forms is justified (Adams & Deakin, 2014).

Second, it is well-established that individual work conditions do not necessarily, or even predominantly, lead to in-work poverty, as household dynamics and welfare state intervention are important buffers (Crettaz, 2013; Horemans, 2016). While there are legitimate concerns regarding the profiles of people forced into non-standard work and the consequences of on-demand work with highly flexible work hours for workers' sense of job and income security and living standards (Finnigan, 2018; Friedrich et al., 2021) to fully disentangle non-standard workers' vulnerability to social exclusion, we should acknowledge that multiple factors are at play, that may differ by type of non-standard work form and worker profile, such as household composition, the presence of other earnings in the household, and social benefits (Hill et al., 2017; Horemans, 2017; Horemans & Marx, 2013). A potential cumulative effect of employment (in)stability at the household level, emphasized by Grotti and Scherer (2014), prompts inquiries into whether unfavorable labor positions tend to concentrate within households or if partners act as buffers for each other's situations. De Lang et al. (2013) studied contract types among dependent employees, distinguishing between stable and flexible employment, and unemployment. Their findings reveal a clustering of precarious labor market situations in the Netherlands, underscoring the need to comprehend household-level employment dynamics. In

addition, persistent gender disparities are illustrated in partner's employment accumulation within households (Grotti & Scherer, 2014).

Specific concerns relate to the timing and level of earnings from non-standard work, and how these are treated by income protection schemes. When social support may be too slow to react (Millar & Whiteford, 2020), individuals' and households' own financial buffers become increasingly important in safeguarding living standards (McKnight & Rucci, 2020; Salignac et al., 2019). A large body of legal scholarship convincingly shows that current social law (Eurofound, 1988; Fudge & Owens, 2006; ILO, 2016; Rodgers, 2016; Stone & Arthurs, 2013), and social security law in particular (Corujo, 2017; Daugareilh, 2021; Matsaganis et al., 2016; Schoukens & Barrio, 2017; Schoukens & Bruynseraede, 2021; Spasova et al., 2017; Strban et al., 2018; Westerveld & Olivier, 2019) are often inadequate to the situation of non-standard workers and do not take into account the determinants of their vulnerability. To date this statement has mainly led to widespread academic debate on the need to completely overhaul current social law, which is still based on the standard employment contract (Adams & Deakin, 2014; McCann, 2014; Schoukens & Weber, 2020; Stone & Arthurs, 2013; Vosko, 2010; Weiss, 2011). This is evident in Belgium, where the social security system rests upon the conventional employee-employer relationship (Barrez & Van Dam, 2020; Wattecamps, 2021) leading to a segmented labor market featuring a distinct insider-outsider divide (Eichhorst et al., 2017, 2020). This line of legal scholarship usually remains theoretical and generalizing and has devoted far less attention to precisely pinpointing the shortcomings in the design of national social security law schemes, in particular with regard to the approach of income. It has not put forward detailed propositions on how shortcomings should be remedied.

Also empirically, we currently lack the tools to fully monitor and understand the relation between non-standard work, in all its diversity, and an increased vulnerability to social exclusion. To give but a few examples: the observed mismatch with wealth and material deprivation indicates that earnings from self-employed activity are misrepresented in contemporary research; within-year earnings and income instability are likely higher for non-standard workers, but only rarely taken into account in poverty measurement and social policy (or is not empirically assessed at all in Belgium); relatedly, income measures in general are known to miss important aspects of vulnerability. In turn, income concepts that are used to determine eligibility for benefits and services increasingly fail to identify vulnerability to social exclusion in a changing world of work, leading benefits to be increasingly mistargeted.

In this project, we create a unique opportunity by studying different types of non-standard workers in combination. In spite of their substantial heterogeneity, non-standard workers do face some common challenges: work and earnings flows are less stable than for typical employees, and they are to varying degree less well included in the blueprint of welfare state provisions. The CHANGE project aims to i) improve the measurement and understanding of non-standard earnings, with a specific focus on self-employed earnings; ii) to identify vulnerable non-standard work profiles, taking account of the relationship between individual and household incomes, and relevant social protection rights; and iii) propose legally viable changes to the organization of more responsive and effectively need-targeted income replacement schemes.

*Research Objective 1: Improve the measurement and understanding of non-standard earnings in Belgium*

**Self-employed earnings are notoriously hard to measure** (Conen & Schippers, 2019), as personal and company resources are hard to distinguish, and timing of incurred costs and incomes does not align. Assessing incomes from self-employment is not only a methodological, but also a conceptual issue (Stevens & Put, 2018). Survey-based self-employed earnings appear to be unrealistically low, especially when compared to assets or material deprivation markers (Horemans & Marx, 2017). Even so, these measures differ largely among self-employed, indicating that very different realities go behind low reported earnings.

In addition, both self-employed and other non-standard workers may be challenged by peaks and troughs in incomes, that can be more or less predictable. **Within-year transitions in labor market status, hours worked, earnings and income levels have a large impact on experienced security** (Hill et al., 2017). Most research into transitions and their consequences focuses on annual transitions, not in the least due to data issues (Carr et al., 2020; Hollister, 2011). Still, those confronted with more short-term transitions likely face specific challenges in terms of budgeting, access to social protection and income smoothing (Coglianese & Price, 2020; Hills, 2014; Millar & Whiteford, 2020). Research into short-term transitions and within-year earnings and income volatility is mainly centered on the Anglo-Saxon labor markets. The few studies that do look into earnings volatility in a continental European context focus on countries known for their flexible labor markets at the lower-end of the earnings distribution, such as the Netherlands and Germany, and find that institutional context matters substantially for both the prevalence and consequences of volatility at low-income levels (De Nardi et al., 2021; Rohde et al., 2014). **How earnings and income transitions relate to different work forms, and affect different types of non-standard workers remains however under researched**, let alone in the context of a more inert continental welfare state such as Belgium.

The CHANGE project will build on focus group interviews and custom-collected online surveys to identify better markers of vulnerability among the heterogeneous group of the self-employed, in order to better identify the specific challenges of this group. In addition, with the help of a large scale administrative data sample, as well as in-depth analysis of existing survey data, the CHANGE project will look more closely into the prevalence of volatile incomes, and its relation to specific nonstandard work forms.

*Research Objective 2: To disentangle the relationship between Belgian individual incomes, household living standards and social protection rights, and to identify vulnerable non-standard*

The **institutional context matters for the prevalence of non-standard work forms as well as for the profiles of the people working in these work forms** (Klinger & Weber, 2020). Most studies that look at the relation between non-standard workers and household level vulnerability, are based on very specific forms of non-standard work and social programs in the Anglo-Saxon countries (Hardy, 2017). **A thorough analysis of the forms non-standard work can take, and the profiles of non-standard**



**workers on the Belgian labor market is therefore needed (RO2.1).** The CHANGE project will link an analysis of the legally possible work forms, with an empirical exercise that assesses to what degree these different legal work forms can actually be distinguished in survey and administrative data, and to what extent the empirically distinctive work forms group relatively homogenous groups of nonstandard workers. We will comprehensively assess the vulnerability, and the heterogeneity therein, of non-standard workers. Income measures fall short as a measure of vulnerability (Decancq et al., 2014). Still, they should not be discounted, as they are also prevalent, easy to measure and to interpret. Researchers have aimed to **improve income-based measures of vulnerability**. A common approach is to use a dashboard with other indicators, such as material deprivation and housing indicators (Guio et al., 2021). Others have augmented income-based measures by including assets in the income concept (Kuypers, 2018), showing that the profile of those at the bottom of the joint earnings-wealth distribution is markedly different. Finally, new measures of financial resilience and economic insecurity extend income based measures by incorporating indicators as diverse as the presence of financial buffers at the household level, the prevalence of annual drops in incomes, social capital and financial literacy (Hacker et al., 2014; Salignac et al., 2019). **We will add to this literature by empirically disentangling the relationship between a more refined assessment of incomes** (taking account of the stability of earnings, and including better measures for earnings from self-employed activities, cf. RO1 and the methodological and data innovations mentioned there), **experienced living standards**, that additionally depend on broader household characteristics and financial strategies in case of work-related benefits and earnings volatility, and **social protection rights**, which are still largely based on the standard worker figure; and thus ultimately **the vulnerability to social exclusion (RO2.2)**.

Crucial with regard to the relation between incomes, experienced living standards and vulnerability, is the household dimension. Additional incomes in a household act as an important buffer against income poverty (Diris et al., 2017; Fraser et al., 2011). **An important concern is however how such an increased household resilience affects individual resilience, and how this varies by gender.** While secondary earnings from (female) non-standard employment might lift households above the poverty threshold (Horemans, 2016), if such earnings do not entitle them to adequate individual social protection rights, a household level analysis may obfuscate important inequalities in individual vulnerability.

Income replacement schemes for those of active age are in Belgium molded to the careers of standard workers. With the exception of social assistance schemes, **access to adequate social protection benefits requires relatively stable incomes** throughout the years. Entitlements are generally based on the income that has given rise to the deduction of social contributions (Van Limberghen et al., 2022). International research shows the risks of such social protection organization in the event of volatile earnings and work forms falling under different contribution regimes (Becker & Chesalina, 2021; Millar & Whiteford, 2020). In a legal analysis, augmented with explorative empirical simulations, **we assess how swiftly and adequately the welfare state reacts to social risks faced by vulnerable non-standard labor market profiles (RO2.3)**. We focus on the risks of unemployment and illness.



*Research Objective 3: To propose legally viable changes to the organization of solidarity and social protection in Belgium, that lead to more responsive and effectively need-targeted income replacement schemes*

The welfare state, and the different social provisions that are part of it, are specific examples of institutional solidarity (Morgan & Pulignano, 2020; Pieters, 2006). Which and how much people should be supported is laid down in its various eligibility and program rules. These do not rarely reflect common notions of deservingness (van Oorschot, 2000; van Oorschot & Roosma, 2017), such as reciprocity, favoring those who have contributed in the past in line with their financial carrying capacity, and need (Werbrouck, 2019). The former principle is under duress in a context of non-standard work, with hard to measure earnings (in the case of the self-employed) or volatile and spotty contributory periods. In addition, the extent to which income targeting actually leads to more effective social protection (Jacques & Noël, 2021; Korpi & Palme, 1998; Marchal & Van Lancker, 2019; Marx et al., 2016) is a longstanding question in social policy research.

The CHANGE project will add to this debate by **a legal analysis of the potential changes to the relation between contributing to and benefiting from social protection**, i.e. the specific shape that the design of solidarity takes in welfare state programs, **informed by our empirical findings on the living standards and vulnerability of non-standard workers**.

**In sum, by reaching these research objectives, the CHANGE project will lead with respect to the Belgian welfare state to relevant policy recommendations regarding the identification of vulnerable non-standard workers, and the design of social protection measures appropriate for the challenges faced by these groups.**

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