

# The Netherlands: Self-employed workers

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## The Netherlands: Self-employed workers

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This is the national contribution to the CAR on self-employed workers in the Netherlands. In this national contribution information is provided on self-employed workers in relation to (1) legal provisions and social security, (2) recent trends in self-employment with no employees, (3) collective representation and collective bargaining and (4) employment and working conditions.

## 1. Legal provisions and social security

1.1 Please provide the definition of self-employed workers which is applicable in your country.

A self-employed worker is a natural person who, according to the definition of the Dutch tax authority, earns an income by profit from a company that does not employ any other employees. Also the director/main share holder, employed in his or her business as the only employee is considered as a self-employed worker.

1.2 Briefly indicate the main differences, if any, in the social security regime of self-employed workers with no employees compared with:

a) employees.

Self-employed workers with no employees differ from employees on the following social security issues:

- (a) There is no agreement to perform labour for a certain period of time;
- (b) There is no employer obliged to pay a salary;
- (c) There is not a dependency relationship.

This includes situations where self-employed workers are not automatically registered by an employer for payment of income taxes and social security contributions. Self-employed workers are solely responsible for the financial risks related to the loss of income when ill and/or unemployed and for old age pension insurance.

b) self-employed with employees.

Self-employed workers with no employees do not employ personnel.

1.4 Please indicate the existence of any particular legal forms of employment which cover contractual relationships which are commonly regarded to be mid-way between dependent employment and self-employment (if necessary, see for a longer discussion

of the concept the EIRO comparative study 'Economically dependent workers', employment law and industrial relations').

All employment relationships in the Netherlands are considered either as self-employed or as employees. The following in-between forms of employment are considered as a formal form of employer-employee relationship:

Home workers;

Artists, top-class sportspeople and other professional sportspeople, that provide short term acts or services on the basis of short term contracts and not being an employee;

Temporary employment agency workers, working under the conditions of the temporary employment agency stipulation (uitzendbeding). This is a legal employment contract with only minimal conditions of job security protection that is applied by the agencies during the first one and a half or two and a half years (depends on the collective agreement) of continuous work for the agency. After this period the agency has to offer temporary agency workers a regular fixed or permanent contract.

Volunteers receiving a market-related payment for their services;

Fictive employer-employee relationships, such as:

Contractors of labour and their assistants;

Agents and subagents who (a) work exclusively for one customer, (b) provide consultancy on a regular basis, and (c) visit usually no more than two persons per client;

Directors of cooperations governed by worker self-management

Employee-type relationships in cases of paid work: (a) for more than two-fifths at the minimum income level, (b) for at least two days per week, (c) for more than a month and (d) excluding other relationships;

Students on work placement, trainees, apprentices earning an income;

Shareholders with a substantial share (5% or more) in a company and undertaking work for that company;

Commissioners supervising a company;

Co-working children;

Spurious employee relationships, when there is no real or fictive employee relationship, such as in the case of self-employed workers and their customer that chose to define their relationship as an employee relationship (opting in).

Only service providers working from their home (alfahulpen) are considered as self-employed.

a) if such legal forms of employment are present, please report: whether they are commonly considered as economically dependent employment;

All these forms are considered by the Dutch tax authority as employer-employee relationships or as fictive employer-employee relationships. This means that the employer or customer is obliged to register the "employee" at least one day before the first day of employment. This first day registration is the basis for the wage indexing, which consists of (a) the payment of wage taxes, (b) the premiums relating to employee social security and (c) the wage-related premium for the collective health care insurance.

1.3b. if such legal forms of employment are present: specify the main features of such forms of employment and whether they enjoy specific social security regime and, if relevant, the basic features of such special regime (please refer this illustration to the answer given to question 1.2 above).

All employment relationships in the Dutch situation are considered either as self-employed or employee-related. Only in some cases (service providers at home) lower tax rates apply.

1.3c. if such legal forms of employment are present: indicate any rules which generally apply to this kind of employment as for: a) working time and vacation; b) maternity and parental leave; c) sick pay and leave for sickness

Working time regulations do not apply to self-employed workers. Only if the security of others is at stake, do working time regulations apply to self-employed workers.

In the case of an employer-employee relationship, labour law, social security law, and collective agreements apply. Self-employed workers and service providers at home are responsible for themselves in case of income loss, in case of vacation, sickness absence or loss of work and unemployment. There used to be a (relatively small) disability benefit for the self-employed (WAZ), but in July 2004 this benefit was abolished.

From 1 July 2008 there will be a benefit for self-employed workers wishing to take maternity leave. This benefit is called the ZEZ-regulation (Zelfstandig en Zwanger; in English: Self-employed and Pregnant). This benefit will be dependent on the income in the year before, up to a maximum amount equal to the gross minimum wage. The self-employed will not have to pay a premium to be eligible for this benefit. This regulation also applies to co-working partners.

## 2. Recent trends in self-employment with no employees

### 2.1 Please provide data on recent trends in self-employment (since 2000):

Table 1a. Recent trends in self-employment (2000-2007) \*)

|  | 2000   |       | 2003   |       | 2006   |       | 2007 **) |       |
|--|--|-------|--|-------|--|-------|----------|-------|
|  | Men  | Women | Men  | Women | Men  | Women | Men      | Women |
| Self-employed (no.) ***)                   | Working population:<br>7,733,000 Self-employed<br>646,270 (8.4%) |       | Working population:<br>7,830,000 Self-employed<br>653,795 (8.3%) |       | Working population:<br>7,937,000 Self-employed<br>714,895 (9.0%) |       |          |       |
| Self-employed with no employees (no. ****) | Working population:<br>7,733,000 Self-employed<br>330,735 (4.3%) |       | Working population:<br>7,830,000 Self-employed<br>356,320 (4.6%) |       | Working population:<br>7,937,000 Self-employed<br>356,320 (4.5%) |       |          |       |

\*) Self employed workers are regarded as companies in The Netherlands. We do not have official statistical information on personal characteristics of the entrepreneurs.

\*\*) Official statistical information on 2007 will become available around October 2008.

\*\*\*) Companies with 1 to 20 employees

\*\*\*\*) Companies with no employees

Table 1a. Recent trends in self-employment (2000-2007)

|                                 | 2000 *) |       | 2002 *) |       | 2004 *) |       | 2006 **) |       |
|---------------------------------|---------|-------|---------|-------|---------|-------|----------|-------|
|                                 | Men     | Women | Men     | Women | Men     | Women | Men      | Women |
| Self-employed                   | 3.6%    | 1.6%  | 4.0%    | 2.1%  | 3.4%    | 1.8%  | 3.9%     | 2.9%  |
| Self-employed with no employees | 2.0%    | 1.0%  | 2.1%    | 1.6%  | 1.5%    | 1.3%  | 1.6%     | 1.6%  |

\*) Figures from TNO Work Situation Survey

\*\*) Figures from TNO flexi workers sample (2006)

From this table we can see that the percentage of self-employed workers is increasing slightly in the Dutch work force in the present decade.

### 2.2a. Please report, according to available research and studies the distribution of self-employment without employees across sectors and occupations;

Self-employed by sector. Figures from TNO flexi workers sample (2006)

|  |        |
|--|--------|
| Fishing                                | 0.1%   |
| Mining and quarrying                   | 0.0%   |
| Manufacturing                          | 4.8%   |
| Electricity, gas and water supply      | 0.1%   |
| Construction                           | 12.9%  |
| Wholesale and retail trade; repair     | 18.8%  |
| Hotels and restaurants                 | 2.4%   |
| Transport, storage and communication   | 3.5%   |
| Financial intermediation               | 1.7%   |
| Real estate, renting and business      | 25.7%  |
| Public administration; social security | 0.1%   |
| Education                              | 3.6%   |
| Health and social work                 | 3.8%   |
| Other community, service activities    | 4.8%   |
| Total                                  | 100.0% |

Self-employed by occupational group. Figures from TNO flexi workers sample (2006) \*)

|   |        |
|---|--------|
| Craftsmen and industry workers          | 13.9%  |
| Transportation workers                  | 1.9%   |
| Clerks                                  | 3.7%   |
| Trade and shop and market sales workers | 15.9%  |
| Service workers                         | 7.7%   |
| Health care professionals               | 6.6%   |
| Educational professions                 | 3.3%   |
| Technicians and associate professionals | 17.8%  |
| Agricultural and fishery workers        | 17.6%  |
| Managers and officials                  | 1.1%   |
| Other Professions                       | 10.4%  |
|   | 100.0% |

\*) ISCO 88 distribution not available

The tables above indicate that relatively many self-employed workers in the Netherlands work in real estate, wholesale and retail trade, agriculture and the building and construction sector. Relatively many self-employed workers work as a professional (e.g. technician), as a farmer or related agricultural profession, sales workers, or as craft workers and industry workers.

**2.2b Please report, according to available research and studies whether self-employment without employees has either increased or decreased significantly in recent years (since 2000) in specific:**

- Sectors and activities.

Figures from TNO Work Situation Survey

|  | 2000  | 2002  | 2004  | Total |
|--|-------|-------|-------|-------|
| Agriculture, hunting, forestry and fishing | 22.1% | 28.6% | 13.3% | 21.1% |
| Manufacturing, mining and quarrying        | 0.8%  | 1.5%  | 1.0%  | 1.1%  |
| Electricity, gas and water supply          | 0.0%  | 0.0%  | 0.0%  | 0.0%  |
| Construction                               | 3.3%  | 2.6%  | 3.1%  | 3.0%  |

|  |       |       |       |        |
|--|-------|-------|-------|--------|
| Wholesale and retail trade; repair     | 3.0%  | 1.3%  | 2.0%  | 2.1%   |
| Hotels and restaurants                 | 0.5%  | 2.2%  | 0.0%  | 0.9%   |
| Transport, storage and communication   | 0.0%  | 0.9%  | 1.6%  | 0.9%   |
| Financial intermediation               | 0.6%  | 1.2%  | 1.8%  | 1.3%   |
| Real estate, renting and business      | 5.5%  | 5.8%  | 6.0%  | 5.8%   |
| Public administration; social security | 1.0%  | 0.7%  | 0.9%  | 0.9%   |
| Education                              | 0.9%  | 0.9%  | 1.4%  | 1.1%   |
| Health and social work                 | 0.9%  | 1.8%  | 2.6%  | 1.9%   |
| Other community, service activities    | 11.4% | 10.8% | 6.4%  | 9.1%   |
| Other                                  | 4.1%  | 6.6%  | 2.6%  | 4.8%   |
| Total                                  | 2.8%  | 3.5%  | 2.7%  | 3.0%   |
| Total sample size                      | 3,916 | 3,832 | 4,728 | 12,476 |

• Occupations (International Standard Classification of Occupations – ISCO 88, at one digit).

Figures from TNO Work Situation Survey \*)

|   | 2000  | 2002  | 2004  | Total  |
|---|-------|-------|-------|--------|
| Craftsmen and industry workers          | 2.3%  | 2.6%  | 2.0%  | 2.3%   |
| Transportation workers                  | 0.5%  | 1.0%  | 0.8%  | 0.8%   |
| Clerks                                  | 0.2%  | 0.4%  | 1.8%  | 0.9%   |
| Trade and shop and market sales workers | 3.9%  | 3.5%  | 3.0%  | 3.4%   |
| Service workers                         | 1.2%  | 1.6%  | 2.3%  | 1.8%   |
| Health care professionals               | 0.5%  | 2.6%  | 2.4%  | 1.8%   |
| Educational professions                 | 2.6%  | 1.4%  | 4.5%  | 3.0%   |
| Technicians and associate professionals | 6.2%  | 6.9%  | 4.1%  | 5.5%   |
| Agricultural and fishery workers        | 24.5% | 24.1% | 13.1% | 20.1%  |
| Managers and officials                  | 0.5%  | 0.0%  | 1.7%  | 0.9%   |
| Other Professions                       | 5.4%  | 6.6%  | 2.4%  | 5.3%   |
| Total                                   | 2.8%  | 3.4%  | 2.7%  | 2.9%   |
| Total sample size                       | 4,081 | 3,928 | 2,330 | 12,752 |

\*) ISCO 88 distribution not available

The tables above mainly show a significant decrease of self-employed in Agricultural work (both sector and occupational groups).

and in specific groups of workers defined by:

- Gender (men/women).
- Age groups (younger/older; 14-24, 25-54, 55-64; 65 and over).
- Nationality (nationals/foreign nationals).
- Other relevant dimensions to be specified.

Figures from TNO Work Situation Survey

|       | 2000 | 2002 | 2004 | Total |
|-------|------|------|------|-------|
| Men   | 3.0% | 3.5% | 2.6% | 3.0%  |
| Women | 2.5% | 3.6% | 2.8% | 3.0%  |

|                              |       |       |       |        |
|------------------------------|-------|-------|-------|--------|
| Total sample size            | 4,187 | 4,016 | 4,805 | 13,008 |
| 15-24                        | 1.5%  | 4.0%  | 1.7%  | 2.4%   |
| 24-34                        | 2.8%  | 3.3%  | 2.9%  | 3.0%   |
| 55-64                        | 5.4%  | 4.4%  | 2.8%  | 3.9%   |
| Total sample size            | 4,146 | 3,987 | 4,777 | 12,910 |
| Dutch                        | 2.8%  | 3.4%  | 2.6%  | 2.9%   |
| Other nationality            | 2.1%  | 4.5%  | 3.8%  | 3.6%   |
| Total sample size            | 4,188 | 4,014 | 4,786 | 12,988 |
| Education                    |       |       |       |        |
| No education                 | 0.0%  | 4.1%  | 4.4%  | 2.8%   |
| Primary school               | 3.7%  | 8.1%  | 3.6%  | 5.3%   |
| Lower professional education | 2.5%  | 2.3%  | 2.3%  | 2.3%   |
| Secondary education          | 2.1%  | 3.4%  | 2.6%  | 2.7%   |
| Professional education       | 3.0%  | 2.4%  | 2.5%  | 2.6%   |
| University                   | 7.0%  | 5.4%  | 4.3%  | 5.5%   |
| Total sample size            | 4,059 | 4,016 | 4,772 | 12,847 |

2.3a. Based on existing research and studies, please provide any available data on the diffusion and recent trends of all legal forms of employment indicated in section 1.3 above (contractual relationships mid-way between dependent employment and self-employment and economically dependent employment), specifying whether they concentrate in any sectors and/or occupations.

Service providers working from their home only work in private households and perform household-related activities. This group often does not pay taxes. There are no reliable data on this group. Also no data are available for other groups as mentioned in section 1.3.

The legal exception concerning the group of service providers working from their home is enacted to prevent illegal work in households and to legalise this kind of work.

2.3b. 'Bogus self-employment', i.e. formal self-employment which is fraudulently used to disguise contractual relationships which should be properly registered as dependent employment, in order to avoid the protections and costs (both wage and social contributions) connected with the latter, specifying whether it concentrates in any sectors and/or occupations.

As far as we know, there are no data available on this issue.

### 3. Collective representation and collective bargaining

3.1 NCs are requested to indicate the main collective representation organisations of employed workers with no employees or of the workers with the special contractual relationships illustrated above in section 1.3. In particular, they should provide information on:

a. The type of associations (trade associations or trade unions).

- b. The associational domains of each of such associations: territorial, sectoral, occupational, professional, etc.
- c. Membership and membership rates.
- d. Any forms of social dialogue or collective bargaining these associations engage in, specifying:
  - The levels at which such activities take place (national, sectoral, territorial, company).
  - The actors they engage in these activities with (public authorities, employers associations, single employers).
  - The topics typically covered by these activities.
  - The typical outcomes of such activities (joint documents and declarations, guidelines, agreements, etc.)
  - A brief description of the content of some (two or three) of the main and most recent of such documents.

FNV Zelfstandigen

- a) Trade union related
- b) General
- c) 8,220
- d) None

CNV Zelfstandigen

- a) Trade union related
- b) General, but with a Christian profile
- c) 350,000 (according to their website; incl. 11 specialised unions)
- d) None

VNO-NCW: Platform Zelfstandig Ondernemers

Trade association

General

17,000

None

V.E.R.N.

- a) Trade association
- b) sector: Transport
- c) 1,250

d) This association negotiated with other sector representatives (employer and employees) on the EU working time Directive. It also represented the self-employed in the recent study by DG-Tren on the evaluation of implementation of the working time Directive, and the specific issue of whether this directive should cover self-employed workers ([http://ec.europa.eu/transport/road/studies/doc/2006\\_12\\_road\\_working\\_time\\_en.pdf](http://ec.europa.eu/transport/road/studies/doc/2006_12_road_working_time_en.pdf))

## 4. Employment and working conditions

### 4.1 Wage levels, of self-employed workers without employees compared with the

national average.

€ 1,635.21 (self-employed); € 1,574.80 (employees) (net income per month, figures from TNO Flexi workers survey 2006)

#### 4.2 The incidence of low-paid jobs (that is, according to the OECD definition, jobs which pay less than two-third of the median wage) among self-employed workers without employees compared with the national average.

Incidence of low-paid jobs is 9% (compared to the average monthly income of employees, figure from TNO Flexi workers survey 2006.)

#### 4.3 Working hours, of self-employed workers without employees compared with the national average:

a. Average hours actually worked per week.

Average hours actually worked: 35 hours per week (according to TNO Flexi workers survey 2006)

b. Diffusion of long working hours (more than 10 hours a day).

About 27% of the total population works 50 or more hours per week (employees 9%, figures from TNO Flexi workers survey 2006)

c. Diffusion of work at unsocial hours (night, weekend).

Working during unsocial hours. Figures from TNO Work Situation Survey (2000, 2002, 2004)

|          | Self-employed | Employees |
|----------|---------------|-----------|
| Evening  | 44.1%         | 24.2%     |
| Night    | 4.4%          | 5.2%      |
| Saturday | 41.8%         | 23.3%     |
| Sunday   | 22.3%         | 11.9%     |
| Weekend  | 46.0%         | 25.3%     |

Self-employed work during unsocial hours about twice as often as compared to employees.

#### 4.4 Place of work of self-employed workers without employees compared with the national average:

a. Home/office distribution.

Working at home for self-employed and employees. Figures from TNO Work Situation Survey (2000, 2002, 2004)

|                                    | Self-employed | Employees |
|------------------------------------|---------------|-----------|
| Most of the work at home           | 1.7%          | 43.1%     |
| Less than half of the work at home | 18.8%         | 30.4%     |
| No work at home                    | 79.4%         | 26.5%     |

Employees work much more often at home than self-employed workers.

#### 4.5 Exposure to risks and accidents at work of self-employed workers without employees compared with the national average:

a. Work accident rates.

Occupational accidents by employees and self-employed workers. Figures from TNO Work Situation Survey (2004) (physical and serious psychological damage together)



|                    |      |      |
|--------------------|------|------|
| One time           | 4.6% | 2.2% |
| More than one time | 1.3% | 0.3% |

Self-employed workers have had an occupational accident with physical and serious psychological damage about twice as often as employees. This may well be related to the fact that they often work in agriculture and in the building and construction sector. Workers in these sectors in general have a high occupational accident risk.

#### 4.6 Health outcomes, work-related health problems and occupational illnesses of self-employed workers without employees compared with national average:

##### a. Occupational illness rates.

The table below states sickness absence because of health outcomes and occupational illnesses of self-employed workers and employees. Figures from TNO Flexi workers survey 2006)

|   | Self-employed | Employees |
|---|---------------|-----------|
| Back complaints                         | 15.3%         | 9.2%      |
| Upper limb complaints                   | 6.8%          | 8.1%      |
| Lower limb complaints                   | 12.1%         | 4.9%      |
| Cardiac complaints                      | 0.0%          | 1.0%      |
| Mental complaints, burnout              | 3.0%          | 3.3%      |
| Exhaustion and concentration complaints | 8.0%          | 3.7%      |
| Conflicts at work                       | 0.0%          | 0.7%      |
| Respiratory complaints                  | 2.4%          | 2.3%      |
| Intestinal complaints                   | 4.8%          | 8.1%      |
| Skin problems                           | 2.2%          | 0.5%      |
| Complaints on eyes and ears             | 0.0%          | 0.6%      |
| Flu                                     | 30.9%         | 39.0%     |
| Headache                                | 4.8%          | 4.0%      |
| Other complaints                        | 9.8%          | 14.1%     |
| Unknown or forgotten                    | 0.0%          | 0.6%      |

Having the flu or flu related problems is often the reason for reporting absent from work, both in self-employed and employees (31% and 39%, respectively). Self-employed workers report about twice as often back complaints (15.3% versus 9.2%), thrice as many lower limb complaints (12.1% versus 4.9%) and are 2-3 times more likely to be exhausted and have concentration complaints (8.0% versus 3.7%) as compared to employees.

When the flu results in sickness absence, it will in general be of relative short duration, whereas musculoskeletal and psychological complaints tend to result in relatively long periods of sickness absence.

Self-employed worker are, from this data, less likely to suffer from intestinal complaints (4.8% compared to 8.1%).

We have to keep in mind that differences in health outcomes (work-related) between self-employed workers and employees may also be related to the fact that self-employed workers tend to work in specific sectors and occupations.

##### b. Work intensity and stress at work

Work intensity and stress at work. Scores (0=never; 1=always) from TNO Work Situation Survey (2000, 2002, 2004)

|                                    | Self-employed | Employees |
|------------------------------------|---------------|-----------|
| Does your work involve much speed? | 0.47          | 0.52      |
| Does your work involve many tasks? | 0.52          | 0.54      |
| Do you have to work extra hard?    | 0.42          | 0.43      |

|  |      |      |
|--|------|------|
| Do you have enough time to finish your work?               | 0.67 | 0.57 |
| Is your work hectic?                                       | 0.40 | 0.48 |
| Mean work stress score                                     | 0.50 | 0.51 |
| Does your work involve intensive thinking?                 | 0.56 | 0.54 |
| Do you have to keep much information during long times?    | 0.48 | 0.49 |
| Does your work involve keeping your mind sharp?            | 0.79 | 0.77 |
| Does your work demands for much attention of you?          | 0.71 | 0.68 |
| Do you have to guard many things at one time at your work? | 0.62 | 0.66 |
| Mean work intensity score                                  | 0.63 | 0.63 |

The work intensity and stress at work hardly differs between self-employed workers and employees.

#### 4.7 Lifelong learning of self-employed workers without employees compared with the national average:

##### a. Participation rates in continuous education and training.

About 22% of self-employed workers without employees participated in a study or training paid by the company in the past two years. This is less than was the case for employees: 42%; Work Situation Survey (2000, 2002, and 2004)).

#### 4.8 Work-life balance of self-employed workers without employees compared with the national average:

##### a. Presence and take up rates of maternity/parental leave (according to the applicable social security regime).

Unknown

##### b. Presence and take up rates of long-term leave (according to the applicable social security regime). If possible, please indicate the reasons for long-term leave.

Unknown

##### c. Degree of control of personal working time.

Degree of control over personal working time. Scores (0=never; 1=always) from TNO Work Situation Survey (2000, 2002, 2004)

|  | Self-employed | Employees |
|--|---------------|-----------|
| Can you influence the start and end times of your working days?            | 0.77          | 0.42      |
| Can you influence the break times during your working days?                | 0.80          | 0.53      |
| Can you influence the handling of private matter during your working days? | 0.74          | 0.47      |
| Can you influence the time of your holidays and leisure at your work?      | 0.78          | 0.65      |
| Can you influence the time of unpaid leave at your work?                   | 0.74          | 0.44      |
| Mean time influence score  | 0.77          | 0.50      |

Self-employed workers generally have more control over their work than employees. This is also the case when working time is concerned.

#### D) Degree of consistency of personal working time with family and social commitments.

Degree of consistency of personal working time and family and social commitments. Figures from TNO Flexi workers survey 2006)

| Tasks at home are a problem because of too much work | Self-employed | Employees |
|--|---------------|-----------|
|--|---------------|-----------|

|             |       |       |
|-------------|-------|-------|
| - never     | 20.1% | 26.7% |
| - sometimes | 44.4% | 50.7% |
| - regularly | 24.9% | 18.4% |
| - often     | 10.6% | 4.2%  |

Figures from TNO Work Situation Survey (2000, 2002, 2004)

| Do you overlook or neglect family activities because of responsibilities at your work | Self-employed | Employees |
|---|---------------|-----------|
| - never   | 35.7%         | 49.2%     |
| - sometimes   | 54.7%         | 42.7%     |
| - often   | 8.4%          | 7.0%      |
| - very often  | 1.2%          | 1.0%      |

## 4.9 Job satisfaction of self-employed workers without employees compared with the national average:

### a. Degree of satisfaction with working and employment conditions.

Job satisfaction of self-employed. Figures from TNO Flexi workers survey 2006)

| Satisfaction with work:         | Self-employed | Employees |
|---------------------------------|---------------|-----------|
| - very satisfied                | 34.5%         | 17.8%     |
| - satisfied                     | 50.2%         | 63.5%     |
| - not unsatisfied/not satisfied | 7.9%          | 12.7%     |
| - unsatisfied                   | 3.3%          | 3.5%      |
| - very unsatisfied              | 4.0%          | 2.5%      |

### B. Degree of satisfaction with working conditions.

Unknown

## 5. The social partners' positions

Please illustrate the general positions and main initiatives of the social partners on the issue of self-employment without employees concerning: a) representation.

There are many associations in the Netherlands supporting self-employed workers without employees. These associations have the objective of supporting them by means of giving information, personal practical advice and support, legal advice and support, collective representation and/or facilitating members' network activities. In many cases they arrange cheaper insurances for members. These insurances relate to all kinds of matters, but are often related to health, or compensate for income loss in case of sickness or disability.

There are three types of associations for self-employed without employees: a) from the side of the trade unions, b) from the side of the trade associations and c) private and often commercial initiatives. These associations offer support for all self-employed workers at the sector level. Most associations operate and communicate by means of a well designed and informative internet site. Many also offer market-related activities such as internet portals, collective intermediation, and/or bringing self-employed workers and customers together on an individual basis. There are also franchise-related activities such as offering office space, commercial and strategic support, supervision, and even employment contracts, for instance to alleviate tax-related and other administrative burdens.

Please illustrate the general positions and main initiatives of the social partners on the issue of self-employment without employees concerning: b) collective bargaining and joint regulation.

There are no initiatives related to collective bargaining and joint regulation, because in the Netherlands all self-employed workers are seen as independent workers. There is even no distinction between self-employed workers with and without employees.

Please illustrate the general positions and main initiatives of the social partners on the issue of self-employment without employees concerning: c) legislative regulation and public policies.

There are opinions and initiatives considering the administrative burden of governmental and tax-related obligations and competence-related questions. The latest legal adjustment (January 2005) is the law on the protection of customers contracting a self-employed worker without employees against retrospective collection of taxes and social security fees in case of questions on the nature of the self-employment (Wet uitbreiding rechtsgevolgen VAR). There are also concerns of trade unions and employer organisations regarding competence-related questions, because self-employed workers constitute a more productive and healthy population, increasing the total collective social security burden of employees and the collective costs of labour of the economy in general.

## Commentary

The position of self-employed workers without employees has been present in the discussion on work and employment for some decades. The main concerns at macro level are related to questions on social security and working conditions. At micro level concerns are related to the costs of labour and quality standards. The main solution at this moment is that self-employed workers are regarded and treated as entrepreneurs. This means that, for example, a construction worker moving from task to task and sometimes having a temporary or part-time job as an employee is not regarded any differently from a shopkeeper, farmer or hotel and restaurant owner, who have their own enterprise. However, the border between being self-employed and an employee is not always sharp. Self-employed workers, working for one main customer are regarded as employees. Customers can verify the employment status of the self-employed worker by asking for an official paper that self-employed workers can receive from the tax authority (Verklaring arbeidsrelatie VAR; Declaration of Employment relations in the preceding year). Otherwise they have to register the worker as an employee. Nowadays there are also discussions from clients about the quality of services provided. There are already instances of clients stating explicitly that they do not want self-employed workers, for reasons of quality and uncertainty of continuation of services. Also the current growing labour market provides ample opportunities for individuals to make a free choice between self-employment and being an employee. However, the expectation is that the number of self-employed workers will continue to rise in the coming years.

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