

NEW EU DIRECTIVE: Directive 2024/2831

A new EU directive, Directive 2024/2831, marks a transformative step in regulating digital platform work, published in the EU's Official Journal on November 11, 2024.

Taking effect on December 1, 2024, with a compliance deadline of December 2, 2026, it sets out essential protections for platform workers and clarifies legal obligations for digital labor platforms operating within the EU.

What is digital platform work?

Digital platform work is work organised through a digital labour platform and performed by an individual on the basis of a contractual relationship between the digital labour platform (or an intermediary) and the individual, irrespective of whether there is a contractual relationship between the individual (or the intermediary) and the recipient of the service.

What is digital labour platform?

A digital labour platform is an individual or legal person providing a service via a website, mobile application or any other electronic means which involves organising work performed by individuals in return for payment, irrespective of whether the work is performed online or at a physical location. The service is provided at the customer's request, and the platform uses automated systems to monitor or take decisions about the work performed.

Key Aspects of the Directive

1. Employment Status Presumption

- The Directive introduces a presumption that platform workers are employees if certain conditions indicate direction and control (such as defined working hours or set remuneration). This shifts the

burden of proof to platforms to demonstrate a worker's self-employed status, thereby providing greater clarity and security for platform workers' rights.

2. Algorithmic Management and Human Oversight

- Platforms must have human oversight for algorithmic decisions, particularly those involving task assignments or performance assessments. Critical decisions impacting workers, such as contract suspensions or terminations, must be made by humans, justified in writing, and open to review, ensuring accountability in automated decision-making processes.

3. Enhanced Transparency Requirements

- Digital platforms are required to inform workers and representatives about how algorithms work, including the scope and methods of monitoring and evaluating workers. Platforms must also provide accessible channels for communication among workers and between workers and their representatives, fostering transparency.

4. Cross-Border Cooperation

- For platforms operating across multiple EU countries, the Directive calls for enhanced collaboration between national authorities to enforce worker rights consistently across borders, creating a unified approach to labor rights within the EU.

5. Data Portability

- Platform workers will have the right to transfer data, such as performance ratings or reviews, to other platforms, enhancing worker mobility and transparency.

6. Protection Against Discrimination

- Platforms are obligated to shield workers from discrimination and retaliation linked to automated decision-making systems. The Directive provides effective remedies for workers to assert their rights.

7. Penalties for Non-Compliance

- For data protection violations, penalties are aligned with GDPR standards, reaching up to EUR 20 million or 4% of global turnover. Other breaches require Member States to enforce effective, proportionate penalties that address the nature, impact, and duration of the infringement, underscoring the Directive's strict stance on non-compliance.

Next Steps

Organisations involved in platform work must closely review and align their practices with this Directive. Compliance strategies should prioritize the classification of employment status, human oversight of algorithms, and robust transparency protocols.

This directive aims to balance platform flexibility with robust protections for worker rights, adapting EU labor standards to the evolving digital economy.



[CEE Attorneys Romania](#)

Elena Krisztina Voicu

Partner