

Analysis of the UK's Labour Protection Policies for Flexible Workers

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Abstract: With the rapid development of the global economy and continuous adjustment of industrial structures, flexible employment has been thriving globally. In the UK, flexible employment forms such as part-time work, temporary workers, contract workers, and freelancers have become increasingly common, forming an important part of the labour market. While flexible employment brings many positive impacts to the UK's economic and social development, flexible workers also face a series of labour rights protection issues. Therefore, it is of great practical significance to study the UK's labour protection policies for flexible workers. This paper analyses the UK's labour protection policies for flexible workers through literature research, case analysis, and comparative research methods, aiming to provide a reference for improving labour protection policies for flexible workers in other countries and to promote the healthy and stable development of the UK's flexible employment market.

Keywords: Flexible Employment; Labour Protection Policies; Workers

1. Introduction

1.1 Research Background and Significance

The rapid development of the global economy and the continuous adjustment of industrial structures have led to the vigorous development of flexible employment worldwide. In the UK, flexible employment forms such as part-time work, temporary workers, contract workers, and freelancers are becoming increasingly common and are gradually forming an important part of the labour market. The rise of flexible employment has brought many positive impacts to the UK's economic and social development. For employers, the flexible

employment model helps to reduce labour costs, increase the flexibility of corporate operations, and the ability to respond to market changes, allowing them to adjust labour allocation in a timely manner according to business needs. From the perspective of workers, flexible employment provides more employment opportunities and choices, meeting the diverse needs of different people regarding working hours, location, and methods, and offering them a way to realise their self-worth.

However, while enjoying the flexibility of work, flexible workers also face a series of labour rights protection issues. Due to the particularity of flexible employment, the employment relationship is often more complicated, and the work stability is relatively poor, which may lead to flexible workers facing more risks than traditional workers in terms of wages, social security, etc. Therefore, it is of great practical significance to conduct an in-depth study of the UK's labour protection policies for flexible workers. By combing and analysing the UK's relevant policies, we can gain a more comprehensive understanding of the practical experience and shortcomings in the UK's protection of the rights and interests of flexible workers, providing a useful reference for other countries to improve their labour protection policies for flexible workers. At the same time, this will also help promote the healthy and stable development of the UK's flexible employment market, maintain social fairness and justice, and build a more harmonious labour relationship.

1.2 Research Methods and Approach

This study uses a variety of research methods to conduct an in-depth analysis of the UK's labour protection policies for flexible workers. Literature research is the foundation. By widely consulting official documents, policy reports, academic journal articles, and relevant

statistical data from the UK government, we comprehensively comb the development historical evolution, specific content, and implementation of the UK's labour protection policies for flexible workers. Understanding the research status and cutting-edge dynamics in this field provides a solid theoretical support and rich data foundation for subsequent research.

Case analysis can more intuitively show the practical effectiveness of policies. Selecting typical cases of flexible workers of different types and industries in the UK, analyse their actual situation regarding labour rights protection, including the problems they face, the degree of policy implementation, and the impact of policies on them.

Comparative research helps to review the UK's labour protection policies for flexible workers from a broader perspective. By comparing the UK's policies with those of other developed countries such as the US, Germany, and the Netherlands, analyse the similarities and differences in policy formulation, implementation mechanisms, and protection measures among countries, identify the strengths and weaknesses of the UK's policies, and provide more targeted references for other countries.

2. The UK's Labour Protection Policy System for Flexible Workers

2.1 Policy and Legal Basis

The UK has a relatively complete legal framework for protecting the rights and interests of flexible workers, with core laws including the Employment Rights Act, the Equality Act, and the National Minimum Wage Act, which protect the rights and interests of flexible workers from different angles and form a comprehensive and detailed protection system.

The Employment Rights Act is the basic law for protecting the rights and interests of workers, and flexible workers are also protected by it. This law stipulates the basic rights of workers in the employment process, such as working hours, rest and holidays, and protection against dismissal.

The Equality Act aims to eliminate various forms of discrimination in employment and ensure that all workers enjoy equal rights in terms of employment opportunities and

treatment. Flexible workers have the right to be free from discrimination based on gender, age, race, disability, etc., during job seeking and work according to this law. This helps to ensure the fair competition status of flexible workers in the labour market and promote employment equity.

The National Minimum Wage Act clearly stipulates the minimum wage standards for various workers, and flexible workers are no exception. Regardless of the form of work, employers must pay flexible workers no less than the statutory minimum wage as required by law.

2.2 Evolution and Improvement of the Law

The evolution of the UK's laws related to flexible employment is closely linked to the development of flexible employment. As flexible employment forms become increasingly diversified and widespread, the law is also continuously adjusted and improved to adapt to the new labour market pattern.

In the early days, the UK's labour laws were mainly formulated based on the traditional full-time and long-term employment model, with relatively insufficient protection for flexible workers.

Since the 21st century, with the development of the new economy and new forms of business, new types of flexible employment such as the gig economy and platform employment have emerged. The UK government has further accelerated the pace of legal improvement. By formulating new regulations and revising existing laws, it has incorporated new types of flexible workers into the scope of legal protection. For example, regarding the legal status and rights protection issues of platform workers, the government has conducted in-depth research and discussions, and clarified the rights and obligations between platforms and workers through legislation or judicial interpretations, safeguarding the basic rights of platform workers in terms of wages, labour safety, social security, etc.

2.3 Rights Protection Policies

In terms of wage and working hour rights, the UK's laws clearly stipulate the wage standards for flexible workers. The National Minimum Wage Act ensures that flexible workers can

receive a wage that is not less than the statutory minimum wage, which is adjusted regularly according to economic development and price levels. This effectively protects the basic income level of flexible workers and enables them to maintain a basic standard of living.

Regarding working hour rights, the UK has clear policies on limiting the working hours of flexible workers. For overtime situations, employers are required to pay additional overtime compensation to flexible workers in accordance with the law.

In terms of social security rights, for pension insurance, flexible workers can choose to participate in the national pension scheme or private pension schemes. Those participating in the national pension scheme need to pay national insurance contributions as required. After paying for a certain number of years, they can receive a national pension upon reaching the statutory retirement age. Private pension schemes are more diverse, and flexible workers can choose different products according to their economic situation and needs, such as personal pensions and occupational pensions.

In terms of medical insurance, the UK implements the National Health Service (NHS), and flexible workers, as residents, also enjoy free medical services provided by the NHS. Regardless of their employment form, they can obtain basic medical security when needed. In addition, flexible workers can also choose to purchase private medical insurance to obtain faster and more personalised medical services. For unemployment insurance, the UK government provides certain protections for flexible workers. If a flexible worker becomes unemployed for reasons not attributable to them and meets certain conditions, such as paying national insurance for a certain period, they can apply for unemployment benefits. The amount and duration of unemployment benefits vary depending on individual circumstances and are aimed at helping flexible workers maintain a basic standard of living during unemployment. At the same time, the government also provides employment training and job introduction services for unemployed flexible workers to help them re-employ as soon as possible.

Regarding labour safety and health rights, UK laws clearly stipulate that employers have the

responsibility to provide a safe workplace and necessary labour protection equipment for flexible workers. Regardless of the duration of work or the form of work, employers must ensure that the working environment meets safety standards and prevent flexible workers from being injured at work.

In terms of occupational health, employers need to pay attention to the physical and mental health of flexible workers and provide necessary occupational health support. For flexible workers who may come into contact with harmful substances or engage in high-intensity work, employers should arrange regular health check-ups and take corresponding protective measures.

3. Case Analysis of the Implementation of the UK's Labour Protection Policies for Flexible Workers

3.1 Case of Rights Protection for Food Delivery Riders

In recent years, the UK's food delivery industry has developed rapidly, with a continuously expanding market size. According to relevant data, the UK's food delivery market size was approximately £13.2 billion in 2019 and is expected to reach £21 billion by 2025, with an annual compound growth rate of 8.5%. The number of food delivery riders, as key participants in the food delivery industry, has also been increasing accordingly. These riders mostly work in flexible employment forms, with a complex employment relationship with food delivery platforms and are usually classified as self-employed.

This classification has caused food delivery riders to face many difficulties in terms of labour rights protection. Although they undertake high-intensity work, they lack sufficient protection in terms of wages, working hours, and labour protection, which has triggered a series of social issues and industry disputes. With the development of the food delivery industry, riders' demands for their own rights protection have become increasingly strong, prompting all sectors of society to pay attention to the labour rights situation of food delivery riders.

Regarding wage treatment, because they are classified as self-employed, food delivery riders often find it difficult to obtain stable

wage income, and the wage calculation method is complex and changeable. Many riders complain that the wage algorithm is "random," with platforms generally paying a flat base salary plus additional delivery fees based on distance. However, the wage calculation method can also change over time, leaving riders unclear about the specific algorithm.

In terms of working hours, the working hours of food delivery riders are often not fixed, and they frequently work overtime. However, due to their self-employed status, they cannot receive overtime compensation like regular employees, which seriously harms the riders' physical health and work-life balance.

In terms of labour protection, food delivery riders face many risks at work, such as traffic accidents and adverse weather. However, due to their self-employed status, they lack sufficient protection in terms of work-related injury and medical care. In the event of an accident, riders often have to bear high medical expenses and economic losses on their own. In addition, food delivery riders also face problems such as unsafe working environments and lack of career development opportunities.

The implementation of policies also faces many difficulties and challenges. There is controversy over the classification of riders as self-employed by food delivery platforms, which increases the difficulty of policy implementation. Some platforms, in order to reduce costs, insist on classifying riders as self-employed and refuse to take on the responsibilities that employers should bear, making it difficult for riders' rights to be effectively protected. The flexibility and dispersion of the food delivery industry also increase the difficulty of supervision, and the implementation of policies is not satisfactory.

In response to the problems faced by food delivery riders, the UK government and relevant departments have taken a series of measures. In clarifying the status of riders, through legal and policy adjustments, it has gradually been clarified that food delivery riders should be regarded as "workers" under certain conditions and enjoy corresponding labour rights. This measure provides a legal basis for riders to seek reasonable wages, working hours, and labour protection.

In standardising wage payments, strengthened

supervision over platform wage payments, requiring platforms to clarify wage calculation methods, and ensuring that riders receive a wage that is not less than the statutory minimum wage.

In terms of labour protection, platforms are required to provide necessary labour protection equipment and safety training for riders and strengthen protection for riders in terms of work-related injury and medical care. Some platforms have begun to purchase commercial insurance for riders to reduce the risks they face at work.

These measures have achieved certain results. Riders' wage income has increased, working hours have been somewhat controlled, and labour protection has been strengthened. Riders' job satisfaction and awareness of rights protection have also improved. However, problems still exist, such as some platforms still having non-compliant behaviour, and the full implementation of policies requires further strengthening of supervision and law enforcement.

4. Achievements and Challenges of the UK's Labour Protection Policies for Flexible Workers

4.1 Policy Implementation Achievements

The UK's labour protection policies have played a positive role in improving the employment environment for flexible workers. The protection of policies has significantly improved the situation of flexible workers. The provisions on dismissal protection in the Employment Rights Act require employers to follow strict procedures and provide reasonable reasons when dismissing flexible workers, which to some extent reduces the phenomenon of employers dismissing flexible workers at will, greatly improving the stability and predictability of flexible workers' jobs.

In terms of wage rights protection, the implementation of UK policies has achieved significant results. The strict enforcement of the Minimum Wage Law ensures that flexible employment personnel can receive wages sufficient to maintain a basic living standard. In terms of social security rights and interests, with the continuous improvement of policies, the participation rates of flexible employment personnel in endowment insurance, medical insurance, unemployment insurance and other

aspects have gradually increased.

The implementation of the UK's labour protection policies for flexible workers has had a positive impact on the employment market, promoting the vigorous development of flexible employment. The support of policies has led to an increasing number of people choosing flexible employment, with the proportion of flexible employment in total employment continuing to rise. The development of flexible employment has brought new vitality and innovation to the employment market. In the technology industry, many freelancers and part-time workers, with their professional skills and innovative thinking, have provided efficient solutions for enterprises, promoting the rapid development of the industry. The mobility and innovation of flexible workers have also promoted the optimisation of labour market resource allocation, enhancing the efficiency and competitiveness of the entire employment market.

4.2 Challenges Faced

In terms of policy implementation, the UK faces problems of insufficient supervision. Due to the diverse forms of flexible employment and the wide-ranging industries and sectors involved, the difficulty of supervision is relatively large. Some small enterprises or individual employers may evade supervision and fail to comply with labour protection policies, resulting in the failure to effectively protect the rights of flexible workers. In some small retail shops in remote areas, temporarily employed workers may not receive statutory rest time and overtime compensation, and regulatory authorities, due to limited resources, find it difficult to comprehensively supervise these dispersed small employers. Another prominent issue is the low cost of enterprise violations. Some companies face relatively light penalties for violating labor protection policies, leading some companies to take chances and be reluctant to strictly enforce the policies.

The rapid development of the internet economy has led to the continuous emergence of new forms of flexible employment, posing significant challenges to the UK's existing labour protection policies. The labour relationship in new forms of flexible employment such as the gig economy and

platform employment is complex, and it is difficult to clearly define the relationship between workers and platforms. In platform employment, platforms often classify workers as self-employed to avoid the responsibilities that employers should bear, which leads to workers facing many risks in terms of wages, social security, and labour safety. The working model and characteristics of new forms of flexible employment are significantly different from traditional employment forms, and the existing labour protection policies are difficult to fully apply.

In the process of formulating and implementing policies, balancing the interests of employers and employees is a key issue. If policies overly emphasise the protection of the rights of flexible workers, it may increase the labour costs of enterprises and have a negative impact on their development. Raising the wage standards and social security levels of flexible workers may make it difficult for some small enterprises to bear, leading to a reduction in the number of employees or business failure. Conversely, if policies impose fewer restrictions on employers, the rights of flexible workers may not be adequately protected. In actual policy formulation, it is necessary to comprehensively consider the bearing capacity of enterprises and the rights demands of flexible workers to find a balance.

5. Conclusion and Outlook

5.1 Summary of Research Conclusions

This study has conducted an in-depth analysis of the UK's labour protection policies for flexible workers, which include a comprehensive policy and legal basis such as core laws like the Employment Rights Act, the Equality Act, and the National Minimum Wage Act, safeguarding the rights of flexible workers from multiple aspects; rights protection policies involve the rights to wages, working hours, social security, labour safety, and health. In terms of wage and working hour rights, clarifying wage standards and working hour restrictions to protect the basic income and reasonable working hours of flexible workers; in terms of social security rights, providing various forms of protection such as pension insurance, medical insurance, and unemployment insurance; in terms of labour safety and health rights, requiring employers to

provide a safe workplace and necessary labour protection equipment.

The implementation of policies has achieved significant results, improving the employment environment of flexible workers, reducing employment discrimination, and enhancing job stability; enhancing the level of rights protection, better safeguarding the rights of flexible workers in wages, social security, occupational health and safety, etc.; enhancing the vitality of the employment market, promoting the development of flexible employment, and optimising the allocation of labour market resources.

The UK's labour protection policies for flexible workers also face many challenges. There are problems of insufficient policy implementation and supervision, and low enterprise violation costs, leading to the infringement of some flexible workers' rights. The impact of new forms of employment, such as the gig economy and platform employment, which have complex labour relationships and make existing policies difficult to apply. There is also a dilemma in balancing the interests of employers and employees, and policy formulation needs to take into account the bearing capacity of enterprises and the rights demands of flexible workers.

5.2 Future Research Outlook

Future research can be carried out in multiple directions to deepen the understanding of the UK's labour protection policies for flexible workers and provide a basis for further improving the policies. In response to the challenges posed by new forms of employment, it is necessary to conduct in-depth research on the standards for determining labour relationships under new forms of flexible employment such as the gig economy and platform employment, and clarify the rights and obligations between workers and platforms. Use empirical research methods to analyse a large number of platform employment cases, combining the actual work situation and income sources of workers to construct a scientific and reasonable labour relationship determination model. Explore how to innovate and adjust existing labour protection policies to adapt to the working model and characteristics of new forms of employment. Research and formulate policies and measures for wage payment, working hour

management, social security, etc., applicable to platform employment to ensure the rights of new flexible workers are effectively protected.

References

- [1] Li, K. G. (2019). Research on the work injury insurance issues of flexible employees under the background of "Internet+". *Law Review*, 37(03), 140-151. <https://doi.org/10.13415/j.cnki.fxpl.2019.03.012>
- [2] Li, H. X. (2003). The flexible employment policies of developed countries and their enlightenment to China. *Management Science*, (06), 91-95.
- [3] Jike, & Wu, X. L. (2024). The legal relationship between platforms and flexible employment personnel from the perspective of British Law. *Journal of Ningbo Open University*, 22(02), 113-118.
- [4] Li, Q. (2023). Research on the occupational injury protection system for platform economy workers. *Liaoning University*. <https://doi.org/10.27209/d.cnki.glniu.2023.000072>
- [5] Lan, L. (2023). Research on foreign institutional innovation of occupational injury insurance for new personnel. *China Human Resources and Social Security*, (11), 55-57.
- [6] Kennedy J, Three path stoup date labor law for the gig economy, *Information Technology & Innovation Foundation*, 2016.
- [7] Ruwan Subasinghe. Uber' s UK U-turn: the exploitative gig economy employment model is not dead but it may be a t an inflection point[EB/OL]. (2021-04-01). <https://www.business-humanrights.org/en/latest-news/commentary-ubers-uk-u-turn-the-exploitative-gigeconomy-employment-model-is-not-dead-but-it-maybe-at-a-n-inflection-point>.
- [8] UK Department for Business, Energy & Industrial Strategy, HM Treasury, HM Revenue and Customs. *Employment Status Consultation*[R/OL]. (2022-07-26).
- [9] Uber BV and others (Appellants) v Aslam and others (Respondents). Case ID [2021] UKSC 5[EB/OL]. (2021-01-19)
- [10] Gov.UK. *Employment Status*[EB/OL]. [2022-06-29]. <https://www.gov.uk/employment-status/employee>.