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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on improving working conditions in platform work **(first reading)** - Adoption of the legislative act = Statement

Statement by Austria

Austria supports the objective of the Directive on improving working conditions in platform work in the European Union. However, the heterogeneous characteristics of national labour markets and, in this case, the platform economy, must be taken into account in corresponding EU actions.

As stated in Recital 17, this Directive should apply to persons performing platform work in the Union who have or who, based on an assessment of facts, are deemed to have an employment contract or employment relationship as defined by the law, collective agreements or practice in force in each Member State, with consideration to the case-law of the Court of Justice.

In Austria, there is a third category of employment at national level called *Freie Dienstnehmer*. Therefore, if this intermediate status is the correct employment status according to Austrian law, the rights and obligations pursuant to that status should apply.

In this context, Austria emphasizes that the Austrian law, collective agreements or practice with regard to the intermediate status of *Freie Dienstnehmer* is in no way affected by this Directive.