

# Contents

<i>List of Figures</i>	<i>page</i> x
<i>List of Tables</i>	xi
<i>List of Contributors</i>	xiii
<b>1 Technology and Law for the Future of Work We Want</b>	<b>1</b>
Marc De Vos	
I Technology and the Future of Work, Again ...	1
II From Employment Law to Career Law	4
III From Work Protection Law to Work Quality Law	7
IV From Worker Law to Talent Law	9
V From Social Protection to Human Protection	11
VI From Disruption to Construction	13
<b>2 The International Labour Organisation and the Future of Work</b>	<b>15</b>
Valerio De Stefano and Mathias Wouters	
I Introduction	15
II The Archetype	16
III The Changing Nature of Work	20
IV Quo Vadis?	25
<b>3 The Digitalisation of Work and the EU: Jurisprudential and Regulatory Responses in the Labour and Social Field</b>	<b>30</b>
Despoina Georgiou and Catherine Barnard	
I Introduction	30
II Technological Disruptions to the European Social <i>Acquis</i>	32
III The ECJ's Stance	38
IV Regulatory Developments	43
V Conclusion	51
<b>4 The Impact of Technological Disruption on German Labour Law: Risks and Opportunities</b>	<b>53</b>
Claudia Schubert and Patrick Rieger	
I Introduction	53
II The Archetype	54
III The Changing Nature of Work	58



IV	The Prototypes	62
V	'Uberisation'	70
VI	Quo Vadis?	75
<b>5</b>	<b>Austria: The Corporatist Perspective on Technological Disruption</b>	<b>77</b>
	Franz Marhold and Peter C. Schöffmann	
I	The Archetype	77
II	The Changing Nature of Work: Evasion of the Employment Relationship	84
III	The Prototypes	89
IV	Are Reforms Necessary? Gazing into the Crystal Ball of Labour Law	91
<b>6</b>	<b>Technological Disruption in Employment and Labour Law in the Netherlands</b>	<b>93</b>
	Evert Verhulp	
I	Introduction	93
II	The Archetype	93
III	The Changing Nature of Work: Subordination and Technical Innovation	99
IV	The Changing Nature of Work: New Jobs and New Organisations	101
V	Legal Status of Platform Labour: Working for the Platform	102
VI	Working Through the Platform	103
VII	What Next / Quo Vadis?	104
<b>7</b>	<b>The Digitalisation of Labour Law in France</b>	<b>107</b>
	Sophie Robin-Olivier	
I	Introduction	107
II	The Traditional Frontiers of Labour Law	108
III	Impact of 'Digitalisation' of Work	112
IV	Future Developments	119
<b>8</b>	<b>Italian Labour Law: Trends and Developments Put to the Test of Technological Disruption</b>	<b>122</b>
	Emanuele Dagnino and Michele Tiraboschi	
I	Introduction	122
II	Digitalisation of Work and Working 'Smart' in the Fourth Industrial Revolution	124
III	Regulating Work in the Platform Economy	130
IV	Concluding Remarks	135
<b>9</b>	<b>Spain: Towards a New Architecture for Labour Law Institutions</b>	<b>137</b>
	Daniel Pérez del Prado	
I	Introduction: Spain in a Changing World	137
II	The Archetype	138
III	The Changing Nature of Work	142
IV	The Prototypes	145
V	'Uberisation'	150
VI	Quo Vadis?	154



<b>10</b>	<b>Technological Developments and Industrial Relations in Denmark</b>	<b>156</b>
	Natalie Videbæk Munkholm	
	I Introduction: The Danish Legal Framework for Labour and Employment Law	156
	II The Archetype	158
	III The Changing Nature of Work	162
	IV The Prototypes	163
	V 'Uberisation'	173
	VI Quo Vadis?	174
<b>11</b>	<b>Poland: Old and New Legal Concepts in the Changing World of Work</b>	<b>182</b>
	Leszek Mitrus	
	I The Archetype	182
	II The Changing Nature of Work	185
	III The Prototypes	188
	IV 'Uberisation'	189
	V Quo Vadis?	191
<b>12</b>	<b>Technological Disruption and the Evolution of Labour Law in Hungary</b>	<b>194</b>
	József Hajdú	
	I Introduction	194
	II The Archetype: The Traditional Employment Relationship	195
	III The Changing Nature of Work	197
	IV The Prototypes	203
	V 'Uberisation'	210
	VI Quo Vadis?	211
<b>13</b>	<b>Digitalisation and Disruption of Labour Relations in Estonia</b>	<b>214</b>
	Gaabriel Tavits	
	I Introduction	214
	II Digitalisation in Estonia: General Background	214
	III The Nature of Employment Relationships in Estonia	216
	IV Platform/Gig Work: Characteristics of Distinction	218
	V Working Time: Digitalisation and Flexibility	223
	VI Technology and Collective Reality	226
	VII Conclusions	230
<b>14</b>	<b>Israel: New Trends in Israeli Labour and Employment Law</b>	<b>231</b>
	Lilach Lurie	
	I Introduction	231
	II The Archetype	232
	III The Changing Nature of Work	234
	IV The Prototypes	238
	V 'Uberisation'	240
	VI Quo Vadis?	241



<b>15</b>	<b>United Kingdom Labour Law and Technological Authoritarianism at Work: Past, Present, and Future</b>	<b>245</b>
	Ioannis Katsaroumpas	
	I Introduction	245
	II The Archetype: Labour Law and Technological Authoritarianism at Work during the Post-War Period	247
	III The Changing Nature of Work: Labour Law and the Enhanced Technological Authoritarianism at Work during the Neo-liberal Period	250
	IV Prototype: Labour Law and Technological Authoritarianism in the Age of Surveillance and Algorithmic Management	256
	V 'Uberisation': Labour Law, Technological Authoritarianism, and the Gig Economy	259
	VI Quo Vadis? The Future of Labour Law and Technological Authoritarianism	263
	VII Conclusion	267
<b>16</b>	<b>Old Problems and New Technologies in the American Workplace</b>	<b>268</b>
	Jeffrey M. Hirsch	
	I Introduction	268
	II The Traditional Employment Relationship in the United States	270
	III The Emergence of the Fissured Workplace	272
	IV The Impact of Technology on the Workplace	273
	V Reforming Gig Work	275
	VI New Approaches to New Models of Work	278
<b>17</b>	<b>Australia: Reimagining the Regulation of Work</b>	<b>281</b>
	Troy Sarina	
	I The Changing Nature of Work	281
	II The Archetype: How Has the Configuration of Work and Employment Evolved?	283
	III The Prototypes: Classifying Workers in Triangular Relationships	286
	IV 'Uberisation': The Challenges of Applying a Binary Approach to Classifying Work in the Gig Economy	288
	V Quo Vadis? The Response of Institutional Actors to the Emergence of Modern Work Relationships	295
	VI Conclusions and Challenges Ahead for Regulating the Future of Work	297
<b>18</b>	<b>Technological Disruption and the Future of Work in Aotearoa/New Zealand</b>	<b>299</b>
	Gordon Anderson	
	I Introduction	299
	II The Archetype	300
	III The Changing Nature of Work	303
	IV The Prototypes	305
	V 'Uberisation'	309
	VI Quo Vadis?	310



<b>19</b>	<b>Technological Disruptions in Labour and Employment Law: South Africa</b>	<b>312</b>
	Debbie Collier and Lindani Mkhwanazi	
	I Introduction	312
	II The Archetype	313
	III The (Changing) Nature of Work	320
	IV The Prototypes	323
	V 'Uberisation': A Multifaceted Regulatory Response	326
	VI Quo Vadis?	329
	VII Conclusion	331
<b>20</b>	<b>Japan: Labour Law and Policy in an Era of Technological Innovation</b>	<b>332</b>
	Ryuichi Yamakawa	
	I Introduction	332
	II The Basics of Employment Relationship and Its Legal Regulation in Japan	332
	III The Changing Nature of Work in Japan and Related Legal Issues	335
	IV Technological Innovation and Its Legal Ramifications in Japan	337
	V Policy Issues and Responses by Social Partners	344
	VI Conclusion	349
<b>21</b>	<b>The Republic of Korea: Old Regulations and New Challenges in the World of Work</b>	<b>351</b>
	Keunju Kim and June Namgoong	
	I Introduction	351
	II The Archetype of Labour Law in Korea	351
	III The Changing Nature of Work	353
	IV 'Uberisation' in Korea? The Korean Context	356
	V Initial Responses	357
	VI Quo Vadis?	360
<b>22</b>	<b>Technological Disruption and Labour Law: Between Utopia and Dystopia</b>	<b>366</b>
	Marc De Vos	